



Thomas Jones

Call: 2015

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Tom joined Deka Chambers as a pupil and continues to practise in the full range of Chambers' work. He has a broad common law practice and has experience in civil litigation, public law, health and social care, mental capacity, family law, inquests and inquiries.

Tom has been instructed in some of the leading cases in his fields of expertise including [A Health Board v AZ \(Termination of Childhood Pregnancy\) \[2023\] EWHC 2517 \(Fam\)](#) and [Re G \(Disclosure of Fact-Finding to the Secretary of State for the Home Department\) \[2023\] EWHC 450 \(Fam\)](#). He is currently instructed by 'Covid-19 Bereaved Families for Justice' in the national Covid inquiry and is the second junior in the Supreme Court in HXA and YXA v. Surrey County Council and Wolverhampton City Council and [2023] UKSC 2022/0148.

He is ranked as a 'leading junior' in the Legal 500 where he is described as being 'extremely bright, hard-working, personable and practical in his approach to cases' (Legal 500, 2024). He is ranked in the 'up and coming' category in Chambers and Partners who note that 'he is brilliant in terms of his preparation, he is on top of all issues' (Chambers UK, 2024).

Tom is a member of the Attorney General's Civil Panel of Counsel (C Panel) and is frequently instructed by Government departments in his core practice areas. He has represented and advised the Ministry of Justice, the Department for Health and Social Care and the Home Office.

Areas of Expertise

Civil Liability

Tom represents claimants and defendants in the full range of clinical negligence and personal injury claims. He is regularly instructed to attend costs and case management conferences, interim applications and trials in fast track and multi-track cases. Tom's clinical negligence practice includes cases involving the overdose of medication, failures or delays in diagnosis and negligent surgery.

Tom has considerable experience of claims brought against public bodies in negligence and under the Human Rights Act 1998. His case load frequently involves claims arising from alleged mistreatment in prisons, claims for false imprisonment and claims against local authorities for harm arising from failures in children and adult social services functions. He is frequently instructed to act in claims arising from the breakdown of mental health provision.

Tom is a member of the Attorney General's Civil Panel of Counsel (C Panel) and is frequently instructed by Government departments in his core practice areas. He has represented and advised the Ministry of Justice, the Department for Health and Social Care and the Home Office.

Notable Civil Liability cases

[HXA and YXA v. Surrey County Council and Wolverhampton City Council \[2023\] UKSC 2022/0148](#)

Tom was instructed for the local authorities in this Supreme Court appeal concerning the question of whether local authorities assume responsibility to protect children from harm through their conduct and therefore owe them a duty of care at common-law. Tom was led by Lord Faulks KC and Paul Stagg.

[PD v. Ministry of Justice \[2023\]](#)

Tom successfully acted for the Defendant in this prisoner assault claim. The claim was struck out and the court disapplied QOCS pursuant to CPR 44.15, entitling the Defendant to its costs.

[Y v. NHS body \[2022\]](#)

Tom acted for an elderly patient who lacked litigation capacity who was given an overdose of her medication at hospital which led to nausea, vomiting and diarrhoea. The claim settled prior to trial and Tom represented the Claimant at the approval hearing.

Court of Protection

Tom has a busy practice in the Court of Protection where he is instructed on behalf of NHS bodies, local authorities, patients (through their litigation friends) and family members. He has experience in both personal welfare and property and affairs jurisdictions. He has appeared in disputes relating to serious medical treatment, residence, care and contact.

Prior to joining Chambers, Tom worked for the Law Commission on its review into the Deprivation of Liberty Safeguards. In 2019, he was seconded to the Welsh Government where he advised on the implementation of Mental Capacity (Amendment) Act 2019 in Wales.

Alongside his practice, Tom is a lecturer at Cardiff University where he teaches post-graduate students on the Legal Aspects of Medical Practice course. He teaches the legal frameworks governing consent to medical treatment under the Mental Capacity Act 2005, the Mental Health Act 1983 and the Children Act 1989. He is the secretary of the Court of Protection Practitioner's Association in Wales.

Notable Court of Protection cases

[A Health Board v AZ and Ors \(Termination of Childhood Pregnancy: Guidance\) \[2023\] EWHC 2517](#)

Tom represented the applicant health board in this serious medical treatment case. The health board was successful in seeking declarations that it would be in the best interests of an 11-year-old girl to undergo a termination of pregnancy and for tissue to be taken from the placenta to be used for the purposes of forensic testing in a criminal investigation. Mrs Justice Arbuthnot set out guidance for future applications involving serious medical treatment decisions involving children in these circumstances, endorsed by the President of the Family Division.

Re PH [2022]

Tom represented the health board in a challenge to a patient's deprivation of liberty at hospital. The patient had complex weight needs and would often display aggression towards his carers. The decisions for the Court of Protection involved questions of medical ethics in reducing his diet plan at hospital. The patient objected to the change to his diet as an infringement of his right to a private life. The health board maintained that the interference was proportionate and justified. The case involved a transfer to a Tier 2 judge due to complexity surrounding patient discharge.

Family Law

Tom practises in all aspects of family law including public children, private children and family finance. He has appeared in cases of neglect, substance misuse, non-accidental injury and cases involving the deprivation of liberty of children. In his first year of practice, he was nominated for the Association of Lawyers for Children's 'outstanding newcomer' award and, in his second year, he was shortlisted for the Family Law Awards Young Barrister of the Year. He has particular experience of cases involving medical treatment decisions in respect of children.

Notable Family Law cases

[Re G \(Disclosure of Fact-Finding to the Secretary of State for the Home Department\) \[2023\] EWHC 450 \(Fam\)](#)

Tom was instructed by the Secretary of State for the Home Department in child abduction proceedings brought under the inherent jurisdiction of the High Court. The case sets out guidance for the disclosure of material within confidential family proceedings to the Secretary of State where there are parallel asylum proceedings.

Re R [2023]

Tom was instructed as junior counsel for the children through their Children's Guardian, led by Oliver Millington, in this fact-finding hearing. The subject child suffered fractures and multiple lesions to his body. The case involved consideration of expert evidence from a consultant paediatrician and a paediatric radiologist.

[A Local Authority v. A Mother and A Child \[2020\] EWHC 2395 \(Fam\)](#)

Tom was instructed by a local authority to seek an order under the inherent jurisdiction of the High Court in this deprivation of liberty application. The case sets out the correct approach to authorising a deprivation of liberty under the inherent jurisdiction where one of the relevant criteria under section 25 Children Act 1989 is not satisfied and where the placement is unregulated.

Public Sector & Human Rights

Tom is instructed in a range of administrative and public law matters for government departments, local authorities, NHS bodies, the police and private individuals. He has experience in cases dealing with the administrative functions of central and local government in community care, education, social security, mental health and healthcare cases.

Tom is a member of the Attorney General's Civil Panel of Counsel (C Panel).

He has experience of advising and representing clients in ordinary residence disputes under the Care Act 2014, claims arising out of failures or delays in unlawful deprivations of liberty and claims against local authorities for psychological harm arising from failures in social services functions.

Notable Public Sector & Human Rights cases

ECS v. Secretary of State for the Home Department [2023]

Tom was instructed by the SSHD in this judicial review claim. The claim was brought by a health and social care organisation which provides nurses, healthcare workers and support staff to NHS and social care institutions. They challenged the decision of the SSHD to remove it from the Register of Licensed Sponsors on the basis that it failed to comply with its duties as a licensed sponsor. Permission was refused.

LW v. Secretary of State for Justice [2023]

Tom was instructed by the SSJ in this judicial review claim. The claim was brought by a prisoner sentenced to life imprisonment for murder. The Claimant sought to challenge the SSJ's decision not to follow the recommendation of the Parole Board that the Claimant move to open conditions. Permission was refused.

Inquests & Inquiries

Tom is regularly instructed to attend inquests on behalf of Government departments, NHS Trusts, local authorities and families in cases involving deaths in custody, from the breakdown of mental health provision and from medical treatment. He has experience of assisting as part of a wider counsel team on inquiries and experience of representing clients in litigation arising out of inquests and inquiries.

Notable Inquests & Inquiries cases

Covid-19 Inquiry [ongoing]

Tom is currently instructed by 'Covid-19 Bereaved Families for Justice' in the national Covid-19 inquiry. He is particularly concerned with the numerous families within the group from Wales and has advised the group on a range of healthcare issues relating to the devolution arrangements in Wales.

Inquest touching the death of Jared Perry [ongoing]

Tom is currently representing an NHS body in an ongoing article 2 inquest into the death of a prisoner who died after he hanged himself in his cell during the course of a 17 year extended sentence. The inquest is considering the processes for transferring prisoners to a secure hospital under section 47 of the Mental Health Act 1983.

Crime, Police and Regulatory

Tom prosecutes and defends in criminal cases and appeals in the Crown Court and the Magistrates' Court. He has experience of representing police forces in applications for account freezing orders, cash forfeiture, forced marriage prevention orders and public interest immunity applications.

Tom is a member of the following panels:

- CPS, Level 2
- CPS Extradition Panel, Level 1
- The Regulatory Panel of Prosecuting Advocates, C Panel.

Notable Crime, Police and Regulatory cases

[R \(HSE\) v. Network Rail \[2023\]](#)

Tom represented the Health and Safety Executive in its prosecution of Network Rail following the death of one of its employees when cleaning a welding machine. A HSE investigation found that Network Rail had failed to ensure there was a safe system of work while carrying out maintenance on its rail production line. Network Rail was fined £1.2 million.

[R v. T \[2022\]](#)

Southampton Crown Court: Tom successfully prosecuted in a three-day actual bodily harm trial. The defendant was sentenced to 2 years and 9 months in custody.

Education

- LLB Law and French, Cardiff University (2011)
- LLM European Law, College of Europe (2013)
- BPTC, City Law School (2015)

Memberships

- Administrative Law Bar Association
- Court of Protection Practitioners Association
- Family Law Bar Association

Appointments

- Attorney General Civil Panel of Counsel, C Panel
- Regulatory Panel of Prosecuting Counsel, C Panel
- CPS, General Crime, Level 2

Awards

- Phoenicia Scholarship, Bar European Group (2017)
- Norman Tapp Memorial Prize, Gray's Inn (2015)
- Lord Justice Holker Scholarship, Gray's Inn (2015)
- Overseas Scholarship, Gray's Inn (2015)
- Peter Bristow Scholarship, Middle Temple (2015)

Accreditation Logos

