

# 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 is ranked in the Legal 500 where he is described as "an exceptionally articulate advocate" (Legal 500, 2025). He is ranked in Chambers and Partners where he is described as "very quick, clear and methodical" (Chambers UK, 2025).

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 is currently instructed by 'Covid-19 Bereaved Families for Justice' in the national Covid inquiry.

Prior to joining Chambers, Tom worked as a stagiaire at the European Court of Justice and as a research assistant at the Law Commission of England and Wales. Outside of work, he is learning Welsh and is a Trustee of a social mobility charity. He is a member of the Bar Council Remuneration Committee and is an active member of Gray's Inn.

## Areas of Expertise

### Civil Liability

Tom represents Claimants and Defendants in the full range of personal injury and abuse claims. He is regularly instructed to attend costs and case management conferences, interim applications and trials in fast track and multi-track cases. Tom has considerable experience of claims brought against public bodies in negligence and under the Human Rights Act 1998. His case load involves abuse claims, claims arising from alleged mistreatment in prisons, claims for false imprisonment and claims against local authorities for failures in their social care functions.

### Notable Civil Liability cases

[HXA v Surrey County Council; YXA v Wolverhampton County Council \[2023\] UKSC 52](#)

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.

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Poore v. Anglian Water Limited [2024] EWCC 26

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Tom was instructed by the Claimant in this public liability claim. The Judge accepted the submission that the Defendant could also be in occupation of the land, as well as the relevant highway authority, and its failure to have in place a system of liaison with the highway authority amounted to a breach of duty.

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## Public Sector & Human Rights

Tom is instructed in a range of administrative and public law matters for government departments, local authorities, health bodies, the police and private individuals. He has particular experience in prison law, community care, mental health and healthcare. Tom is frequently instructed to advise and represent clients in judicial review claims, ordinary residence disputes and civil damages claims against public authorities. Prior to pupillage, Tom was a *stagiaire* at the European Court of Justice within the Cabinet of Advocate General Sharpston and then became a research assistant within the public law team at the Law Commission.

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### Notable Public Sector & Human Rights cases

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R (Cain) v. Secretary of State for Justice [2024] EWHC 426 (Admin)

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Tom was instructed by the Secretary of State for Justice in this claim for judicial review. The Claimant, a life sentence prisoner, sought to challenge the decision of the SSJ not to follow the recommendation of the Parole Board that he be transferred to open prison conditions. The court agreed with the SSJ's submissions that the Defendant had been entitled to reach a different conclusion following his evaluation of the material which was before the Parole Board and the claim for judicial review failed.

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Re C (A Child) (Recognition of Nigerian Adoption) [2025] EWHC 204 (Fam)

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Tom was instructed by the Secretary of State for the Home Department in this application to recognise an international adoption in the law of England and Wales. Harrison J allowed the application in circumstances where the strict application of the conditions in *Re Valentine's Settlement [1965] Ch 831* would have resulted in a disproportionate interference with the article 8 rights of the applicants and the child.

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## Court of Protection

Tom has a busy practice in the Court of Protection where he is instructed on behalf of health bodies, local authorities, patients (through their litigation friends) and family members. Prior to joining Chambers, Tom worked for the Law Commission on mental capacity law reform, which gave him a unique insight into the development of this area of the law. Alongside his practice, Tom is a

lecturer at Cardiff University where he teaches a module to postgraduates on the legal frameworks governing consent to medical treatment.

### Notable Court of Protection cases

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#### BBC v Cardiff Council and others [2024] EWCOP 50

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The BBC applied to amend a transparency order imposing reporting restrictions on the identity of an individual involved in Court of Protection proceedings, in order to facilitate his participation in a proposed documentary. Mr Justice Hayden refused the application having balanced the competing article 8 and article 10 rights. Tom was instructed jointly by two health boards who opposed the application.

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#### Health Body A v JW and another [2024] EWCOP 40

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The applicant applied for declarations that it was in the best interests of JW to undergo dental extraction under general anaesthetic. As it was proposed that she undergoes a general anaesthetic, it was also proposed to carry out a blood test, a cervical smear test and some personal care tasks. The application was successful.

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

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Tom represented the applicant in this serious medical treatment case. The health board sought 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, endorsed by the President of the Family Division.

## Family Law

Tom's family practice relates to cases involving children. His case load includes cases involving medical treatment decisions of children and young adults, cases with an international dimension and cases raising human rights considerations. He has appeared in cases of neglect, substance misuse, non-accidental injury and cases involving the deprivation of liberty of children.

### Notable Family Law cases

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#### Re C (A Child) [2024] EWHC 3331 (Fam)

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Tom was instructed by the Applicant in this serious medical treatment case. The application was for a declaration that it was in the best interests of a 17-year-old to be given life-saving insulin medication against her wishes. As the patient was **Gillick** competent to make the decision herself, the application was considered under the High Court's inherent jurisdiction. The application was successful.

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

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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.

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

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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.

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## Inquests & Inquiries

Tom is regularly instructed to attend inquests and inquiries on behalf of government departments, local authorities, health bodies, the police and bereaved families. He has experience in healthcare cases, cases involving mental health provision, cases engaging article 2 and jury inquests. He has experience of assisting as part of a wider counsel team on inquiries and experience of representing clients in civil litigation arising out of inquests and inquiries.

### Notable Inquests & Inquiries cases

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#### Covid-19 Inquiry (ongoing)

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Tom is currently instructed by 'Covid-19 Bereaved Families for Justice UK' 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 arrangement in Wales.

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#### Inquest into the death of JP [2024]

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Tom represented a health board in a two-week jury inquest into the death of a prisoner with mental health problems who died in his cell during the course his sentence. The inquest considered the processes for transferring prisoners to a secure hospital under section 47 of the Mental Health Act 1983. No regulation 28 report was made.

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## Crime and Regulatory

Tom prosecutes and defends in criminal cases. He has experience of representing police forces in applications for account freezing orders, cash forfeiture, forced marriage prevention orders and public interest immunity applications. He is a member of the Regulatory Panel of Prosecuting Advocates (B Panel), the CPS (General Crime) Panel (Level 2) and the CPS (Extradition) Panel

(Level 1).

## Notable Crime and Regulatory cases

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### R v. F [2024]

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Tom prosecuted in this stalking case where the Defendant was not fit to plead. Following a trial of the facts, the sentencing hearing involved questioning a consultant psychiatrist on the making of a hospital order with restrictions pursuant to section 37 / 41 of the Mental Health Act 1983.

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

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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.

## 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 (2022 – Present)
- Regulatory Panel of Prosecuting Counsel, B Panel (2025- Present)

## 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

