



Jack Castle

Contents

Banking, Finance & Financial Services	1
Representative Cases	1
Commercial	2
Representative Cases	2
Employment	3
Representative Cases	3
Environment	3
Representative Cases	3
European Union	3
Representative Cases	4
Group Actions	4
Local Government & Public Law	4
Representative Cases	4
Personal Injury and Health & Safety	5
Professional Discipline & Regulatory	5
Representative Cases	5
Property	6
Public Procurement and State Aid	6
Appointments	6
Memberships	6
Education	6



Jack Castle

Call 2018

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Jack accepts instructions in all areas of Chambers' practice.

He has experience of litigation in the County Court, High Court and Court of Appeal as well as the General Regulatory, Employment and Upper Tribunals, involving individuals, companies and government departments. He has appeared alone against members of the Attorney General's A and B panels, with the First-tier Tribunal praising the '*erudition*' of his submissions and constructive approach. He is a member of the Centre for Women's Justice Legal Reference Panel, and a pro bono member of the Environmental Law Foundation.

Prior to pupillage Jack worked as a paralegal at Hickman and Rose solicitors, assisting on matters ranging from civil liberties to civil fraud. He was an editorial assistant to the Journal of International and Comparative Law and Visiting Lecturer in European Union law at City Law School, University of London.

Before pursuing a legal career, funded by scholarships from both Inner Temple and City Law School, Jack worked at an international auction house and a commercial art gallery and wrote on art for national and specialist publications.

He is currently assisting the Government Legal Department's 'COVID Cell', advising on commercial, public procurement and state aid issues relating to COVID-19. From January – April 2021 Jack will be a Judicial Assistant in the High Court, assigned to both the Commercial and Queen's Bench divisions.

Banking, Finance & Financial Services

Jack has experience of claims and advisory work concerning FSMA, the Consumer Credit Act 1974 and the applicability of the FCA handbook. This includes matters involving compliance with FCA and EU rules, enforceability of secured and unsecured loans, s.140A unfair relationships, asset finance and *Plevin* claims.

During pupillage, he assisted leading counsel in a group action relating to mortgages following the collapse of Northern Rock and Bradford and Bingley.

Representative Cases

- *Advice on FCA compensation*

Assisted in a matter concerning whether redress paid for prospective *Plevin* claims under the FCA scheme barred further civil claims, raising issues of the interpretation of settlement clauses, contract formation and consideration, and the merger doctrine (as a pupil).

Commercial

Jack has experience of high-value commercial matters, including claims raising issues of forum and choice of law, unfair terms, penalties, company law issues (including unfair prejudice, derivative claims and just and equitable winding up), enforceability of guarantees, and scope of insurance coverage.

He has a particular interest in fraud and asset recovery, and has assisted on cases involving misrepresentation, deceit, breach of fiduciary duty, and attribution of knowledge to a company, gained during pupillage and at a firm of solicitors. He has worked on cases such as an alleged mis-selling of property investments to global investors (during pupillage), and an alleged US\$2 billion fraud on the Republic of Mozambique (as a paralegal at Hickman and Rose).

Building on his work before the Information Tribunal, Jack also has experience of Data Protection Act/GDPR issues and the law of confidentiality and disclosure, as well as *Norwich Pharmacal* relief and third-party disclosure orders.

From January – April 2021 Jack will be a Judicial Assistant in the High Court, assigned to both the Commercial and Queen's Bench divisions.

Representative Cases

- *Small claim with application for witness special measures*

Acting as sole counsel in a debt claim between ex-partners, in which an application for witness special measures was made on behalf of the claimant due to parallel criminal and family proceedings alleging harassment/stalking by the defendant.

- *Group action concerning mis-selling of property investments*

Assisted in advising the claimant group following the collapse of a US property investment scheme, on issues including forum and choice of law, attribution of knowledge to a company, joint liability in tort and issues surrounding how to arrange the claimant group (as a pupil).

- *Advice on shareholder remedies*

Assisted in advising a shareholder/director following the collapse of a joint venture, which included allegations of diverting company assets by the second director/shareholder (as a pupil).

- *Republic of Mozambique v Credit Suisse & Oths.*

Assisted in representing a defendant accused of involvement in the defrauding the Republic of Mozambique. Claim was valued at US\$2 billion (as paralegal).

- *Norwich Pharmacal order against a police force*

Assisted in obtaining a *Norwich Pharmacal* order to attempt to discover the author of a forged crime

report. Also assisted in advising on obtaining *Norwich Pharmacal* relief against persons outside the jurisdiction (as paralegal).

Employment

Jack has experience of matters involving unfair dismissal, whistleblowing, holiday pay, discrimination and TUPE. He welcomes all employment law instructions.

Representative Cases

- *Bithell v Ministry of Defence*
Instructed to represent the claimant at the preliminary and 4-day final hearing, in an on-going claim alleging health & safety unfair dismissal, whistleblowing, and direct and indirect disability discrimination (as sole counsel).

Environment

Jack has a particular interest in environmental and climate change law, and is a pro bono member of the Environmental Law Foundation.

He has gained experience of environmental cases in criminal, public and private law contexts, including habitat and species protection, nuisance, and rights to water, drainage and flooding. He also has experience of the regime concerning access to environmental information.

Representative Cases

- *Advice on challenging adoption of a local plan*
Advised a resident on a potential public law challenge to adoption of a local plan due to the presence of EU-protected species (as sole counsel).
- *Advice on response to planning application*
Advised residents on public law grounds to oppose grant of planning permission, including incompatibility with the local plan, loss of open space and overloading of local amenities, drainage/flooding issues and inadequate consideration of impacts on protected species, habitat, and climate change objectives (as sole counsel).

European Union

Jack was a Visiting Lecturer in European Union Law at City Law School, University of London, and has a particular interest in cases with an EU element.

During pupillage Jack has assisted in advising a group of potential claimants on issues of EU law including indirect effect, general principles and the impact of Brexit. He also has experience of the European regimes governing state aid, product liability, habitat and species protection, regulated lending and consumer credit.

Jack's experience of International work includes cases raising issues of forum and choice of law, geopolitical issues relating to arms exports, and the immunity of international organisations.

Representative Cases

- *A consumer group action*
Assisted in advising on the indirect effect of an EU consumer rights directive (as a pupil).
- *A financial services group action*
Assisted in advising on a potential state aid and/or public law defences to the setting of interest rates on certain financial products (as a pupil).

Group Actions

Jack has assisted a number of members of chambers on the procedural and substantive aspects of group actions relating to financial mis-selling, medical devices and medications, consumer rights and international tort claims. This has included issues ranging from choice of law and management of the Claimant group to novel points in the law of tort and the immunity of international organisations.

Local Government & Public Law

Jack welcomes all instructions relating to administrative law and the duties and powers of public bodies.

He has experience of a broad range of public law work, encompassing judicial review, statutory tribunals and administrative appeals processes, and the overlap between public and other areas of law, such as employment, discrimination, environmental and commercial.

He has assisted on a diverse range of cases, from food standards, to immigration, mental capacity, deprivation of liberty, and matters associated with the criminal justice system, as well as those involving the powers of regulatory bodies (see 'Professional Discipline & Regulatory'). He has also appeared in his own right before the General Regulatory and Social Security chambers of the First-tier Tribunal, which praised the '*erudition*' of his submissions and constructive approach, and has advised on a potential judicial review relating to the presence of protected species (see 'Environment').

Representative Cases

- *Advice regarding approval for employment*
Assisted in advising on potential grounds of challenge to the withholding of special approval to a public appointment (as a pupil).

- *Complaint regarding misuse of Investigatory Powers*
Assisted in successful appeal to the Independent Office for Police Conduct following a complaint alleging misuse of RIPA and breach of Article 8 regarding a police force's arrest of an individual wrongly identified as possessing incident images of children (as a paralegal).
- *Gibbs v Information Commissioner and FCO (EA/2017/0258 & 0275)*
3-day Freedom of Information Act appeal relating to the decision to approve export of a warship to a known militant in the Niger Delta. Raised issues of prejudice to international relations, ongoing criminal investigations and the Article 6 rights of potential defendants, judicial deference to Government witnesses, and the scope of the Article 10 right to receive information following the ECtHR's ruling in *Magyar Helsinki Bizottság v Hungary* (pre-qualification).

Personal Injury and Health & Safety

During pupillage and as a paralegal Jack has assisted senior partners and members of chambers in high-value and complex personal injury claims arising from negligence, assault, false imprisonment, malicious prosecution and product failure. He also has experience of claims against public authorities in tort and under the Human Rights Act, working on cases ranging from prisoner-on-prisoner assaults to matters arising out of the activities of UK armed forces in Afghanistan.

From January – April 2021 Jack will be a Judicial Assistant in the High Court, assigned to both the Commercial and Queen's Bench divisions.

Professional Discipline & Regulatory

Jack has experience of a number of regulatory jurisdictions and processes gained during pupillage and, prior to pupillage, as a paralegal.

This has included proceedings involving regulators such as the Information Commissioner, Independent Office of Police Conduct, Association of Chief Police Officers, Food Standards Agency, Financial Reporting Council and directors disqualification investigations brought by the CMA and Insolvency Service, raising issues of vires, rationality, procedural fairness and human rights. He has also gained experience of fitness to practice proceedings.

Representative Cases

- *R (Stillmans (Somerset) Ltd and Penny & Sons) v Food Standards Agency*
Assisted with a case concerning withdrawal of Official Veterinarians from slaughterhouses following allegations of bullying (as a pupil).
- *An Insolvency Service investigation*
Assisted in representing a director being investigated by the Insolvency Service following the collapse of a multi-national company due to the actions of a rogue employee (as paralegal).

- *Gibbs v Information Commissioner and Financial Reporting Council (EA/2017/0284)*
Concerned the applicability of the Freedom of Information Act to the FRC's scheme for the regulation of statutory auditors in the immediate aftermath of the 2008 financial crisis (pre-qualification).

Property

Jack has experience of property issues in contexts as diverse as secured lending, auctions, health & safety/fire safety and corporate manslaughter, and drainage and water rights. He welcomes all instructions in relation to property disputes, including injunction applications, possession claims, and other procedural matters.

Public Procurement and State Aid

Jack has a particular interest in public procurement and state aid, and assisted in advising on a potential state aid and/or public law defences to the setting of interest rates on certain financial products while still a pupil.

He is currently assisting the Government Legal Department's 'COVID Cell', advising on commercial, public procurement and state aid issues relating to COVID-19.

Appointments

- Centre for Women's Justice, Legal Reference Panel
- Panel Member, Advocate
- Government Legal Department, Junior Junior (21/04/2020 to 08/08/2024)

Memberships

- ALBA
- COMBAR
- Environmental Law Foundation
- Inner Temple
- UKELA
- Young Public Lawyers' Group

Education

Education

- BA English Literature, Bristol University, First Class
- MSt. English Literature Post-1900, University of Oxford, Distinction
- GDL, City Law School, University of London, Distinction (6th in year)

- BPTC, City Law School, University of London

Scholarships

- Major Scholarship (BPTC), Inner Temple (2017)
- Duke of Edinburgh Entrance Award, Inner Temple (2017)
- Postgraduate Scholarship (BPTC), City Law School (2017)
- Exhibition (GDL), Inner Temple (2016)
- Postgraduate Scholarship (GDL), City Law School (2016)