

Joshua Jackson



Call: 2020

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Profile

Josh has a cross-cutting practice in human rights, public and administrative law, public international law, and civil litigation. At the root of each of Josh's practice areas is his expertise in international and domestic human rights.

Josh is instructed in judicial reviews in a wide range of fields, including climate change; equality and discrimination; homelessness and social housing; immigration detention; and modern slavery. Josh has acted as sole counsel in multiple successful cases before the Administrative Court.

Josh has acted in significant cases before international courts, and his domestic practice often involves complex issues of public international law. In addition to his expertise in international human rights law, Josh has experience in issues of State immunity; self-determination; international humanitarian and criminal law; international environmental law; and State responsibility.

In his civil litigation practice, Josh has been instructed in cases involving public nuisance, negligence, harassment and economic torts. Josh is typically instructed in contexts of business and human rights, modern slavery, and environmental destruction. He has experience in private international law and transnational tort litigation.

What people are saying about Joshua

Josh is ranked as a rising star in the *Legal 500* for Administrative Law and Human Rights, and as an up and coming barrister in *Chambers and Partners* for Administrative and Public Law and in Civil Liberties and Human Rights.

"A fiercely intelligent, prodigious talent who is unquestionably destined for greatness." – **Legal 500 2025**

"Joshua is one of the most impressive juniors I have worked with in human rights law. He's very good at getting things done. He has great diplomatic skills and client skills." – **Chambers and Partners 2025**

"His drafting is very persuasive and precise." – **Chambers and Partners 2025**

"Joshua is extremely bright and robust." – **Chambers and Partners 2025**

"Joshua is very knowledgeable when it comes to public law. His drafting has been exceptional." – **Chambers and Partners 2025**

"Joshua has encyclopaedic knowledge of ECHR law. He is extremely innovative, and possesses ability many years beyond his call." – **Legal 500 2024**

"Joshua has impeccable advocacy skills whilst working in some of the more difficult and complex cases we have." – **Chambers and Partners 2024**

"Joshua was brilliant; he came up with good legal ideas for the case, and was imaginative and inventive. His drafting skills were impressive and he was able to deal with complex matters of law." – **Chambers and Partners 2024**

"Joshua is a rising star with a strong expertise in the emerging field of human rights and climate change." – **Chambers and Partners 2024**

Josh was appointed to the Equality and Human Rights Commission's panel of counsel in 2023. He was also shortlisted for Young Pro Bono Barrister of the Year in 2022.

Education

Sir Henry Barber Law Scholarship – University of Birmingham, 2017

Bachelor of Laws with First Class Honours - University of Birmingham, 2017

Masters in Public International Law (Cum Laude) - University of Amsterdam, 2018

Valedictorian Speech – University of Amsterdam, 2018

BPTC Scholarship – City Law School, 2019

Queen's Scholar – Middle Temple, 2019

Related practice areas

Administrative & Public Law

International Law

Climate and Environmental Justice

Housing, Social Welfare and Property

Community Care and Health

Immigration Detention Group

Education

Business and Human Rights and Modern Slavery

Anti-Trafficking

Clinical Negligence, Personal Injury & Product Liability

Children's Rights Group

Public International Law

Administrative & Public Law

Josh acts in a broad range of judicial reviews. Drawing upon his experience in other areas, he has particular expertise in judicial reviews concerning the Human Rights Act, international law, the Equality Act, and climate change. He also has an established practice in community care, homelessness, social housing, and social welfare judicial reviews.

Recent instructions include:

- Advising on human rights-based challenges to the United Kingdom's climate change framework and targets following the Grand Chamber of the European Court of Human Rights' judgment in *Verein KlimaSeniorinnen Schweiz and Others v Switzerland* (App no 53600/20).
- Advising on challenges concerning local authority pension fund investment in companies involved in the commission of serious violations of international law in the occupied Palestinian Territories.
- Acting for legacy benefit claimants in an appeal to the Supreme Court from *T and Others v SSWP* [2023] EWCA Civ 24. The appeal concerned a challenge to the government's failure to increase the personal allowance of certain legacy benefits in line with the Universal Credit uplift during the Covid-19 pandemic on the grounds of A1P1

and Article 8 with Article 14 of the European Convention on Human Rights (ECHR).

- Successfully acting as sole counsel for homeless clients in the leading cases of *R (YR) v London Borough of Lambeth* [2022] EWHC 2813 (Admin); [2023] HLR 16, *UO v London Borough of Redbridge* [2023] EWHC 1355 (Admin); [2023] HLR 39, and *R (UO No.2) v London Borough of Redbridge* [2024] EWHC 1989 (Admin), where it was held that the local authorities in question failed to lawfully assess the claimants' housing needs and provide them with suitable accommodation under Part VII of the Housing Act 1996.
- Acting and advising on challenges to local authority social housing allocation schemes on the grounds of discrimination (under the Equality Act and Article 14 of the ECHR) and the reasonable preference duty under s.166A of the Housing Act 1996.
- Acting for victims of trafficking in a challenge to the Secretary of State's arrangements to remove asylum seekers to Rwanda as part of the Migration and Economic Development Partnership contrary to Articles 4 and 14 of the ECHR, the European Convention on Action against Trafficking, and Modern Slavery Act Guidance.
- Acting for vulnerable consumers in a challenge against the Gas and Electricity Markets Authority (GEMA) and Ofgem's decisions to increase the energy price cap without having conducted an impact assessment; without having due regard to the impacts on vulnerable households; and without having considered mitigations for such households. The claim settled following the introduction of the energy price guarantee.
- Advising in a systemic challenge to the widespread failure of the Secretary of State for Work and Pensions to refer benefit claimants for workplace capability assessments on the grounds of frustration of statutory purpose, Tameside, and A1P1 and Article 8 with Article 14 ECHR.

Josh is a contributing author in the upcoming edition of *Supperstone, Goudie and Walker: Judicial Review* in the chapter on the Human Rights Act 1998. He has also delivered advanced training to the Equality and Human Rights Commission, law firms, and NGOs with a seminar entitled "Discrimination and Public Law: Using the Equality Act 2010 and the Human Rights Act 1998 – When, Why and How?". In addition, Josh co-drafted the Administrative Law Bar Association's response to the Independent Human Rights Act Review.

International Law

Josh has a particular specialism in European and international human rights law. He has acted in significant cases before international human rights courts, including seven applications to the European Court of Human Rights (ECtHR) and an intervention to the Inter-American Court of Human Rights (IACtHR). Josh also has experience in issues of State immunity, Statehood and self-determination, international humanitarian law, international environmental law, State responsibility, and international criminal law.

Recent instructions include:

- *Duarte Agostinho & Others v Portugal & 32 Other States* (App no 393371/20): Acting for six Portuguese children (led by Alison MacDonald KC) before the Grand Chamber of the ECtHR in a challenge to 33 European States' inaction on climate change. The case raised issues regarding exhaustion of domestic remedies, extraterritorial jurisdiction, international environmental law, victim status, and obligations under Articles 2, 3, 8, and 14 of the ECHR. Whilst *Duarte Agostinho* was unsuccessful, it was considered alongside and influenced the successful landmark judgement of *Verein KlimaSeniorinnen Schweiz and Others v Switzerland* (App no 53600/20).
- *IACtHR Advisory Opinion on the Climate Emergency and Human Rights*: Acting in an intervention before the Inter-American Court of Human Rights in its advisory opinion regarding the scope of obligations under the American Convention on Human Rights in the context of climate change.
- *T and Others v Secretary of State for Work and Pensions* [2023] EWCA Civ 24: Acting in an application to the ECtHR in a challenge to the government's failure to increase the personal allowance of certain legacy benefits in line with the Universal Credit uplift during the Covid-19 pandemic on the grounds of A1P1 and Article 8 with Article 14 of the ECHR.
- *Soubeste and Others v Austria & 11 Other States*: Assisted Baldon Avocats before the ECtHR in a challenge regarding the compatibility of the Energy Charter Treaty with Articles 2, 3, 8, and 14 of the ECHR.
- *Buttet v United Kingdom*: Assisted Schona Jolly KC before the ECtHR in a challenge regarding the compatibility of rules of State immunity with Article 6 of the ECHR.
- *Liu and Others v Norway*: Assisted Schona Jolly KC before the ECtHR in a challenge regarding the recognition of Taiwanese nationality, statehood, and Article 8 of the ECHR.

Josh also advises on human rights and international law in claims in foreign jurisdictions. For example:

- Advising Palestinian and Israeli NGOs on international law issues arising from the construction of a power station on the Israeli/West Bank border.
- Advising in *Thomas & Quadad v Attorney General* before the Guyanese Constitutional Court in a challenge to oil and gas exploration based on the constitutional right to a healthy environment.
- Advising on civil claims regarding oil spills off the coast of South America.

This extensive international experience adds a distinctive dimension to Josh's domestic practice, which often involves complex issues of public international law. For example, Josh is currently advising on human rights-based challenges to the United Kingdom's climate change framework and targets following the Grand Chamber of the European Court of Human Rights' judgment in *Verein KlimaSeniorinnen Schweiz and Others v Switzerland* (App no 53600/20). He is also advising on challenges concerning local authority pension fund investment in companies involved in the commission of serious violations of international law in the occupied Palestinian Territories.

Civil Litigation, Modern Slavery and Business & Human Rights

Josh has been instructed in a range of civil litigation with a human rights or environmental dimension. He has experience in claims against public authorities, modern slavery claims, environmental tort claims, and business and human rights matters. His experience covers causes of action in/under public nuisance, negligence, harassment, economic torts, the Human Rights Act 1998, and the Equality Act 2010. He also has experience in private international law and transnational tort litigation.

Recent instructions include:

- Advising and acting in claims in negligence and public nuisance against corporations with respect to their contributions to climate change.
- Acting for Greenpeace in the Admiralty Court in *Shell UK Ltd and Fluor Ltd v Greenpeace UK Ltd and Others*. Greenpeace is defendant in a claim brought by Shell for damages and injunctions in relation to the boarding of a ship carrying oil drilling

equipment. The defence raises novel issues regarding unlawful means conspiracy, jurisdiction, applicable law, jurisdiction, and Articles 10 and 11 of the ECHR.

- Advising and acting in employer liability claims regarding forced labour in the workplace. The claims have involved primary liability in negligence, unjust enrichment and breach of contract, and vicarious liability under the Protection from Harassment Act 1997, and conversion.
- Acting and advising in false imprisonment and Human Rights Act damages claims against the Home Office in the context of immigration detention.
- Acting and attaining settlement for a victim of trafficking in a High Court damages claim regarding the Home Office's delay in granting leave to remain and providing a biometric residence permit under Article 8 of the ECHR and Article 8 with Article 14 of the ECHR.
- Advising on potential tort claims regarding oil spills off the coast of South America, involving issues of private international law (applicable law and jurisdiction).
- Acting alongside Anna Beale KC in a civil claim against human traffickers outside of jurisdiction.
- Advising trade unions on mandatory human rights and environmental due diligence legislation, and corporate accountability frameworks in global value chains.

Climate and Environmental Justice

Across his public, international, and civil practices, Josh has a particular specialism in climate change. He has acted in or advised upon cases in multiple jurisdictions, including the European Court of Human Rights (ECtHR), the Inter-American Court of Human Rights (IACtHR), the High Court, and the Guyanese Constitutional Court. His experience in climate litigation cuts across a variety of different areas of law, including the European Convention on Human Rights (ECHR), negligence, public nuisance, unlawful means conspiracy, and international environmental law. Central to Josh's specialism in climate change litigation is an ability to engage with complex issues of climate science and attribution.

Recent instructions include:

- *Duarte Agostinho & Others v Portugal & 32 Other States* (App no 393371/20): Acting for six Portuguese children (led by Alison MacDonald KC) before the Grand Chamber of

the ECtHR in a challenge to 33 European States' inaction on climate change. The case raised issues regarding exhaustion of domestic remedies, extraterritorial jurisdiction, international environmental law, victim status, and obligations under Articles 2, 3, 8, and 14 of the ECHR. Whilst *Duarte Agostinho* was unsuccessful, it was considered alongside and influenced the successful landmark judgement of *Verein KlimaSeniorinnen Schweiz and Others v Switzerland* (App no 53600/20).

- Advising on human rights-based challenges to the United Kingdom's climate change framework and targets following the Grand Chamber of the European Court of Human Rights' judgment in *Verein KlimaSeniorinnen Schweiz and Others v Switzerland* (App no 53600/20).
- Advising and acting in claims in negligence and public nuisance against corporations with respect to their contributions to climate change.
- *IACtHR Advisory Opinion on the Climate Emergency and Human Rights*: Acting in an intervention before the Inter-American Court of Human Rights in its advisory opinion regarding the scope of obligations under the American Convention on Human Rights in the context of climate change.
- *Soubeste and Others v Austria & 11 Other States*: Assisted Baldon Avocats before the ECtHR in a challenge regarding the compatibility of the Energy Charter Treaty with Articles 2, 3, 8, and 14 of the ECHR.
- *Advising in Thomas & Quadad v Attorney General* before the Guyanese Constitutional Court in a challenge to oil and gas exploration based on the constitutional right to a healthy environment.

Josh also has experience in protest cases representing climate activists in civil claims brought by carbon majors. He is currently acting for Greenpeace in the Admiralty Court in *Shell UK Ltd and Fluor Ltd v Greenpeace UK Ltd and Others*. Greenpeace is the defendant in a claim brought by Shell for damages and injunctions in relation to the boarding of a ship carrying oil drilling equipment. The defence raises novel issues regarding unlawful means conspiracy, jurisdiction, applicable law, jurisdiction, and Articles 10 and 11 of the ECHR.

Equality and Discrimination

In his public and civil law practice, Josh often acts for individuals in discrimination challenges under the Equality Act 2010 and Article 14 of the ECHR. For example:

- Acting for legacy benefit claimants in an appeal to the Supreme Court from *T and Others v Secretary of State for Work and Pensions* [2023] EWCA Civ 24 and the ongoing application to the ECtHR. This is a challenge to the government's failure to increase the personal allowance of certain legacy benefits in line with the Universal Credit uplift during the Covid-19 pandemic on the grounds of A1P1 and Article 8 with Article 14 of the ECHR.
- Acting and advising on challenges to local authority social housing allocation schemes on the grounds of discrimination (under the Equality Act and Article 14 of the ECHR).
- Acting for victims of trafficking in a challenge to the Secretary of State's arrangements to remove asylum seekers to Rwanda as part of the Migration and Economic Development Partnership contrary to Article 4 of the ECHR with Article 14 of the ECHR.
- Acting for vulnerable consumers in a challenge against the Gas and Electricity Markets Authority (GEMA) and Ofgem's decisions to increase the energy price cap without having conducted an impact assessment. This involved a ground concerning reasonable adjustments for vulnerable disabled claimants affected by increased energy prices.
- Advising in a systemic challenge to the widespread failure of the Secretary of State for Work and Pensions to refer benefit claimants for workplace capability assessments on the grounds of frustration of statutory purpose, Tameside, and A1P1 and Article 8 with Article 14 of the ECHR.

Josh has delivered advanced training to the Equality and Human Rights Commission, law firms, and NGOs in a seminar entitled "Discrimination and Public Law: Using the Equality Act 2010 and the Human Rights Act 1998 – When, Why and How?".

Further, while Josh no longer practices in Employment Law, his previous experience in that area complements his ongoing equality and discrimination practice. For example, Josh acted in the partly successful disability discrimination appeal in *Pipe v Coventry University* [2023] EAT 73; [2023] IRLR 745, which concerned the application of PhD/research promotion requirements to persons with ADHD. The appeal to the Court of Appeal was unsuccessful [2024] EWCA Civ 91.

Housing and Social Welfare

Josh regularly undertakes judicial reviews concerning homelessness, social housing, and social welfare. Recent instructions include:

- Successfully acting as sole counsel for homeless clients in the leading cases of *R (YR) v London Borough of Lambeth* [2022] EWHC 2813 (Admin); [2023] HLR 16, *UO v London Borough of Redbridge* [2023] EWHC 1355 (Admin); [2023] HLR 39, and *R (UO No.2) v London Borough of Redbridge* [2024] EWHC 1989 (Admin), where it was held that the local authorities in question failed to lawfully assess the claimants' housing needs and provide them with suitable accommodation under Part VII of the Housing Act 1996.
- Acting for legacy benefit claimants in an appeal to the Supreme Court from *T and Others v SSWP* [2023] EWCA Civ 24 and the ongoing application to the ECtHR. This is a challenge to the government's failure to increase the personal allowance of certain legacy benefits in line with the Universal Credit uplift during the Covid-19 pandemic on the grounds of A1P1 and Article 8 with Article 14 of the ECHR.
- Acting and advising on challenges to local authority social housing allocation schemes on the grounds of discrimination (under the Equality Act and Article 14 of the ECHR) and the reasonable preference duty under s.166A of the Housing Act 1996.
- Advising in a systemic challenge to the widespread failure of the Secretary of State for Work and Pensions (SSWP) to refer benefit claimants for workplace capability assessments on the grounds of frustration of statutory purpose, Tameside, and A1P1 and Article 8 with Article 14 of the ECHR.
- Successfully acting for Disabled Qualified Panel Member of the First-Tier Tribunal in *KB v SSWP* (Appeal No. UA-2021-001521-ESA), an appeal before the Upper Tribunal against an overpayment decision on ultra vires grounds.

Community Care and Education

Josh undertakes judicial reviews concerning local authorities' duties under the Care Act 2014, the Children Act 1989, and under education legislation. Recent instructions include:

- Successfully acting in a permission hearing in *R (FG) v London Borough of Lambeth* (AC-2023-LON-003792), challenging the local authority's assessment of the claimant's eligibility for support under the Care Act.
- Acting for two children asylum seekers in a challenge to a local authority's failure to provide access to education under s.10 of the Education and Skills Act 2008, s.175 of the Education Act 2002, Article 2 Protocol 1 of the ECHR, and s.149 of the Equality Act.

Josh's community care practice overlaps with and is complemented by his experience regarding homelessness, social housing, welfare, human rights, and discrimination.

Human Trafficking and Immigration Detention

Josh is often instructed in judicial reviews and civil claims on behalf of victims of trafficking and immigration detainees. Recent instructions include:

- Acting for victims of trafficking in a challenge to the Secretary of State's arrangements to remove asylum seekers to Rwanda as part of the Migration and Economic Development Partnership contrary to Article 4 of the ECHR, Article 14 of the ECHR, the European Convention on Action against Trafficking, and Modern Slavery Act Guidance.
- Acting and advising in false imprisonment and Human Rights Act damages claims against the Home Office in the context of immigration detention.
- Acting and attaining settlement for a victim of trafficking in a High Court damages claim regarding the Home Office's delay in granting leave to remain and providing a biometric residence permit under Article 8 ECHR, and Article 8 with Article 14 ECHR.

Education and Awards

Bachelor of Laws (First Class Honours), University of Birmingham, 2017

- JF Gregg Prize for Best Law Student, 2017
- Sir Henry Barber Law Scholarship, 2017

Master's in Public International Law (Cum Laude), University of Amsterdam, 2018

- Valedictorian Speech, 2018

Bar Practice Training Course (Outstanding), City Law School, University of London, 2020

- BPTC Scholarship, 2019
- Queen's Scholar, Middle Temple, 2019

Languages

Josh has advanced intermediate proficiency in Spanish.

Publications and Seminars

Rachel Barrett and Joshua Jackson, 'The Human Rights Act and Judicial Review' in Sir Michael Supperstone, James Goudie KC, and Sir Paul Walker (eds.), *Judicial Review* (7th Edition, 2024, Lexis Nexis).

Schona Jolly KC and Joshua Jackson, 'Butt v United Kingdom: A Missed Opportunity for the Court to Clarify the Relationship between State Immunity and Article 6 of the ECHR in the Context of Employment' (2022) 33(5) *European Human Rights Law Review* 469.

Catherine Casserley and Joshua Jackson, 'Discrimination as a Public Law Wrong: Using the Equality Act and Art 14 in Judicial Review' (Training, November 2021).

Joshua Jackson, 'Pathways to Justice in a Globalised World: An Assessment of the Justiciability of the Extraterritorial Obligations in the Area of Economic, Social and Cultural Rights' (2018) Amsterdam Center for International Law No. 2018-09.

Personal

Josh is from Northern Ireland. His family ran a cross-community youth club in an interface area in inner-city Belfast during the Troubles and have a history of service to those less fortunate than themselves. In line with his background, Josh has a deep-seated commitment to poverty alleviation, equality, and human rights protections. He volunteers at a food bank in his local community on the weekends and is involved in numerous human rights and civil society organisations.

Prior to becoming a barrister, Josh worked as a project manager at Action4Justice, where he helped develop access to justice platforms in different countries and authored guidebooks on public interest litigation. Previously, he spent a year as an intern in Greenpeace International's legal team, where he assisted on climate litigation in several jurisdictions. He has also gained experience with the UN and the Global Legal Action Network.