

Hannah Gardiner

Year of Call: 2016

Practice Summary

Hannah recently returned to regular practice having been junior counsel to the UK Covid-19 Inquiry since 2022. Hannah has broad experience across a range of areas of public law, in particular those involving human rights, and specific expertise in judicial review, homelessness and social housing.

Inquiries and Inquests

Hannah is currently instructed as a member of the Covid-19 Inquiry's counsel team since 2022, appearing in Module 2: Core UK decision-making and political governance and Module 5: Procurement of healthcare equipment and supplies. Hannah has experience of all aspects of public inquiries including scoping, rule 9 requests, oral advocacy and report writing. In her work on the procurement module of the Covid-19 Inquiry, Hannah led on all aspects relating to testing and diagnostics and procurement by the Northern Irish government, from the evidence-gathering stage to the examination of senior officials and politicians during the Inquiry hearings, to report writing and advising the Chair on recommendations.

Hannah also has experience of non-statutory investigations and reviews, and was instructed for five years on the Dame Linda Dobbs Review, a non-statutory inquiry considering whether the issues in relation to the HBOS Reading fraud were investigated and appropriately reported to authorities at the time by Lloyds Banking Group, following its acquisition of HBOS.

Hannah is developing a practice in inquests and has a particular interest in inquests involving mental health and psychiatric detention.

Public Law

Hannah has significant experience running public law and human rights arguments homelessness claims and possession actions as well as related areas of public law such as anti-social behaviour injunctions.

Hannah has experience of judicial review claims and experience of actions against local authorities in the context of housing and civil orders. Hannah was junior counsel on the Module 2 counsel team of the Covid-19 Inquiry which faced (and successfully defeated) the government's judicial review claim in *R(Cabinet Office) v Covid-19 Inquiry* [2023] EWHC 1702 (Admin). While still a pupil, led by Jonathan Manning, Hannah contributed to *R (Gaskin) v Richmond LBC* [2018] EWHC 1996, a judicial review concerning the licencing of landlords by local authorities, and the issue of whether letting property as a landlord was a service within the meaning of EU Directive 2006/123/EC.

Hannah has been led in the higher courts in cases involving human rights arguments including *Kamara v Southwark LBC* [2018] EWCA Civ 1616, *Haringey LBC v Simawi* [2018] EWCA Civ 1770 and *Forward v Aldwyck Housing* [2019] EWCA Civ 1334 and can advise on grounds of appeal from the lower courts.

Social Housing and Homelessness

Hannah practices in all areas of housing law with a particular interest in homelessness and litigation involving vulnerable clients. Hannah has experience of applying for, opposing and enforcing civil orders, having completed a secondment at a large local authority focusing on anti-social behaviour civil orders.

Hannah was led by Toby Vanhegan in *Kamara v Southwark LBC* [2018] EWCA Civ 1616, a homelessness appeal concerning whether a local authority is required to explicitly set out the applicant's right to make oral submissions in their 'minded-to' letter.

Hannah also appeared in *Haringey v Simawi* [2018] EWHC 2733, an appeal from a possession claim challenging the 'one succession' rule for secure tenancies, which is being appealed, and *Forward v Aldwyck Housing Group*, an appeal from a possession claim concerning retrospective compliance with the Public Sector Equality Duty.

Hannah also has an interest in Social Security claims, having authored a chapter of 'Social Housing Law in Practice' (2022) on Housing Benefit and been led on a FTT Housing Benefit appeal representing over 60 appellants.

Qualifications

- Bar Professional Training Course, University of Law
- BA (Hons) Jurisprudence, University of Oxford

Memberships

- The Honourable Society of Gray's Inn
- Administrative Law Bar Association

- Housing Law Practitioner’s Association

Publications

- Social Housing Law in Practice, 2022
- Housing Benefit and Universal Credit
- University of Law Student Law Journal, 2015
- Case Comment: (Public Law Project) v Lord Chancellor [2016] UKSC 39

Areas of Expertise

- Administrative Public Law
- Human Rights Equalities
- Homelessness
- Housing
- Inquiries And Inquests
- Investigations And Resolutions
- Local Government
- Planning Environment
- Property