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John Goss

Call: 2015

John accepts instructions in all of Chambers' main practice areas with particular interest in police law, public/administrative matters, inquests and information law.

John's clients include police forces and other public bodies and he is a member of the Attorney General's C Panel (appointed 2019). Recent cases he has acted in include the high profile 'Deepcut' Inquests and the Grenfell Tower Inquiry.

John joined 5 Essex Court in September 2016 after successfully completing pupillage. Previously, he spent six years as a Royal Engineer officer in the British Army, including service in Iraq and Afghanistan.

Police Law

John advises and represents police forces defending damages claims brought in the High Court and County Court for false imprisonment, negligence, trespass to the person, malicious prosecution, misfeasance in public office and breaches of the Human Rights Act 1998, the Equality Act 2010, and the Data Protection Acts 1998 and 2018.

He is currently instructed on substantial multi-track claims arising out of both arrests and stop and search. He has also appeared on behalf of a police force in the High Court to resist an injunction sought by individuals within witness protection. He has considerable experience in multi-track and fast-track claims, both at trial and interlocutory stages. He is regularly instructed for CCMCs, strike out/summary judgment applications and on other interim hearings.

John acts in police discipline cases, including both representing the Appropriate Authority in misconduct hearings and legal advising at Stage 3 UPP meetings. He regularly drafts Reg 21 notices, and advises on the conduct of misconduct investigations, hearings and appeals.

John also appears in the Crown, County and Magistrates' Courts on civil applications by the police relating to anti-social behaviour, the Proceeds of Crime Act 2002, orders under the Sexual Offences Act 2003, gang violence, domestic violence, football hooliganism and dangerous dogs.

He has particular experience in cash and listed asset forfeiture proceedings under the Proceeds of Crime Act 2002, and in Sexual Risk Orders and Sexual Harm Prevention Orders, including in situations involving vulnerable witnesses or defendants. He has completed ICCA's Vulnerable Witness Training.

In 2018, John advised on and appeared in a series of applications for injunctions to reduce gang-related violence linked to drill music. Many of the respondents were involved in very significant violence, up to and including serious risk to life.

He regularly appears in the Family Court and Court of Protection on behalf of police forces seeking or resisting disclosure of information. He also represents police forces in the Family Court on applications for Forced Marriage Protection Orders relating to both capacity and coercion. He recently appeared in the Family Division of the High Court in relation to whether the police should fund Special Advocates in family proceedings.

He has an in-depth understanding of the Determinations relating to police pay and has advised on recoupment of

overpayments made in respect of police injury pensions.

Inquests

John acts for a wide variety of interested persons in inquests, including family members, but has particular experience representing police forces in both Article 2 and non-Article 2 inquests. He recently acted in a four day jury inquest, successfully persuading the Coroner not to leave neglect as a conclusion. The jury ultimately returned a short form conclusion that did not mention his client and no PFD report was issued.

He has also acted in cases involving suicide or sudden death following arrest or other police contact, and has assisted with substantial inquests following deaths in custody. He is also familiar with applications under s.13 of the Coroners Act 1988 for a fresh inquest, having worked on such an application and written about them for chambers' Inquests & Inquiries Update.

In 2018, John was led by Francesca Whitelaw on the **Sean Benton Inquest** after working extensively with her on the **Cheryl James Inquest** in 2016. In both inquests, John and Francesca acted for individual soldiers and NCOs who had been made Interested Persons. Both inquests arose out of deaths of trainee soldiers following gunshot wounds at Deepcut Barracks in 1995 and were extensively covered in the media.

Public / Administrative

John has a developing Administrative Court practice. He is regularly instructed to draft summary and detailed grounds and appeared on behalf of public bodies in permission hearings in the Administrative Court.

He recently acted for a police force on a substantive judicial review relating to the handling of public complaints under the Police Reform Act 2002, reported at **R (S) v Chief Constable of West Midlands Police** [2018] EWHC 1709 (Admin), and has been instructed on other similar matters. He is currently being led by Alan Payne QC on a case involving information sharing between police and other government agencies. Other cases have involved police vetting decisions, decisions in relation to the retention of police information and challenges to orders under the Proceeds of Crime Act 2002.

He is frequently instructed by the Home Office to draft grounds for immigration judicial reviews in the Upper Tribunal and Court of Appeal.

John regularly appears in the Crown Court to resist appeals against firearms licensing decisions. His military experience gives him particular insight into the technical issues that can arise.

He also appears in the Magistrates' Court to resist appeals under the Licensing Act 2003 and in relation to minicabs and taxis. He successfully represented Nottingham City Council in a high profile appeal against the revocation of a premises licence following a summary review, securing findings that 'the mis-management of the premises was intertwined with, and a conduit for, violence' and that the licensing objectives had been 'catastrophically undermined.'

Public Inquiries

John acted for the Mayor of London on phase 1 of the Grenfell Tower Inquiry (led by Anne Studd QC).

He previously acted in large-scale disclosure and LPP reviews in respect of the Renewable Heat Incentive Inquiry.

Employment

John assisted with providing advice to respondents in employment disputes and drafting grounds of resistance to Tribunal claims. He has drafted statements in several complex and high-value employment claims. Additionally, many of his police and public law matters raise issues under the Equality Act 2010.

Prior to joining chambers, John volunteered for the Free Representation Unit representing employees bringing claims in the Employment Tribunal for unfair dismissal, discrimination and unlawful deductions from wages.

John is a co-author of the Employment Tribunal Handbook, 5th edition (Bloomsbury Professional) 2017.

Personal Injury

John appears in multi-track and fast-track personal injury cases involving occupier's liability, employer's liability, as well as credit hire trials and contested interim applications and CCMCs.

He regularly advises on both liability and quantum. Many of his public law and police cases have a substantial personal injury aspect and he is regularly instructed to draft pleadings, advise, and appear in personal injury matters for Government departments.

He has also acted in credit hire claims, both at trial and on appeal.

John is happy to accept cases on a CFA basis where appropriate.

Human Rights

Many of John's instructions raise human rights issues, particularly under Articles 2, 3, 4, 5, 6, 8 and 10 of the ECHR.

He advises on liability and damages under the Human Rights Act 1998, and often acts in cases where human rights are engaged – either on a freestanding basis or in conjunction with other issues – in the High Court, County Court, Family Court, Coroner's Court, Crown Court and Magistrates' Court.

Information Law

John has extensive experience in information law, the Data Protection Acts 1998 and 2018 and the General Data Protection Regulation. He is well placed to act in claims relating to the handling of information by public bodies.

John advised on the extent of the police's obligation to co-operate with annual risk assessments under the Children's Homes (England) Regulations 2015, and on the general powers and duties on police forces and other public bodies about sharing information. He also advised on and drafted Information Sharing Agreements. He has delivered training to police forces and other agencies on information sharing between public bodies, on data protection in the context of fighting anti-social behaviour, and on RIPA/IPA. He has also drafted and appeared in trials and strike out/summary judgment applications in relation to defamation and Data Protection Act claims in the High Court and County Court, and regularly advises on the compatibility of decisions about the collection, handling and distribution of information with Article 8 ECHR and the common law.