

David Hughes

Call: 1997

‘An outstanding advocate with a sharp legal mind and an exceptional ability to present complex arguments with clarity and persuasion. He is confident, articulate and effective in court.’

Legal 500 2026



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David Hughes is an experienced civil liberties barrister with a specialist practice spanning police law, inquests, defamation, and public law.

He joined 30 Park Place in 2007 after practising full-time at the Gibraltar Bar, where he argued some of the jurisdiction’s most significant constitutional cases.

David is regularly instructed in civil actions against the police and other public authorities in relation to claims of unlawful detention, excessive force, misuse of data, and failures to protect victims of crime. He is also instructed in challenges to licence revocations. He is a member of the Police Action Lawyers’ Group.

His inquest practice is focused on representing bereaved families in sensitive cases. He recently appeared in the high-profile inquest into the death of Christopher Kapessa.

David is one of the few barristers outside London with a regular defamation practice. His advice spans online publications, social media, and disputes involving public figures and local government. He co-authored a key consultation response on the Defamation Act 2013 and frequently speaks on this area.

David also practises in public, commercial and regulatory law. He has particular experience in mental health, Court of Protection matters, disciplinary hearings, and soft IP disputes. He is Chair of the Wales Commercial Law Association.

A fluent Spanish speaker, with excellent French and Italian, David brings international insight to his work.

David has dyslexia and dyspraxia, and is a founding member of equality and diversity committees within chambers and on the circuit.

Expertise

Police Actions & Prison Law

David represents claimants in civil actions against the police, prisons, and other public bodies. His cases include unlawful detention, excessive

force, tasering, misuse of data, and failures to protect. Known for principled, claimant-focused advocacy, he is an experienced jury advocate and a member of the Police Action Lawyers' Group.

Business, Property & Chancery

David maintains a commercial practice with particular interest in soft intellectual property, online reputation, and disputes in sport and local government. He has advised clients ranging from businesses to public figures, and chairs the Wales Commercial Law Association.

Appointments

- Fee Paid Judge of the Employment Tribunal (2020)
- Fee Paid Judge of the First Tier Tribunal, Social Entitlement Chamber (2020)

Awards

- Middle Temple Anglo-American Scholar (1997)
- Jules Thorn Scholar (1996)
- Blackstone's entrance exhibition (1995)

Languages

- Spanish (fluent)
- French
- Italian

Memberships

- Liberty (formerly vice-chair and member of executive and national policy councils)
- Police Action Lawyers Group
- Administrative Law Bar Association
- Commonwealth Lawyers Association

- British Spanish Law Association
- Public Law Wales (committee member)
- Wales Commercial Law Association (committee member and current chair)

Publications

- Justice for Wales, pamphlet published with others.
- Style counsel, article in Counsel Magazine (September 2020)
- “Thomas on Wales” – article in Counsel Magazine (January 2020)
- Pride in Wales: Lady Justice Nicola Davies, interview with Nicola Davies LJ in Counsel Magazine (June 2019)
- The View from Wales, article in Counsel magazine (November 2017)
- Pride of Wales, article in Counsel magazine (August 2016)
- “Our Quasi-Federal Kingdom”, Society of Conservative Lawyers (September 2014)
- Caseless tweets cost, Confederation of South Wales Law Societies Legal News, August 2013. Article for South Wales Solicitors on defamation, why it matters to their clients, and the lessons from the McAlpine -v- Bercow case.
- Constitutional Litigation in Gibraltar – the legacy of Rojas -v- Berllaque, The Commonwealth Lawyer (December 2012)
- Gibraltar and Wales: Indications of possible development of devolution, WJLP 330, 2006. A discussion of how devolution in Wales might develop, based on experience of Gibraltar’s Constitutional position. Prepared having spoken to the Legal Wales Conference on the same subject.
- Had a fortnightly column in a Gibraltar newspaper when in full-time practice there, has often written pieces on current and legal affairs in the Western Mail and the Gibraltar Chronicle.

Notable and reported cases

- Afriyie v Commissioner of City of London Police [2024] EWCA Civ 1269; [2024] 4 WLR 86 Court of Appeal case on the lawfulness of taser, led by Richard Clayton KC. See also [2023] EWHC 1974 (KB) and [2023] Costs LR 1125 re: qualified one-way costs shifting in a mixed claim against police (unled).
- Willis v Secretary of State for Justice and Chief Constable of South Wales Police – MoJ liable for breach of Data Protection Act 2018 when misinterpreted niche entry led to W’s recall to prison.
- Inquest into the death of Christopher Kapessa Leading Cat Jones, for an interested party in high-profile inquest. Successfully avoided a conclusion of unlawful killing.
- Potter v CC Northumbria – Held that, where a jury unable to agree answers to every question in a civil case, it is open to the court to accept answers to those questions on which the jury was able to agree.
- Allen & Wood v Panorama & Olivero [2022] Gib LR 72 Gibraltar Court of Appeal – On the availability of jury trial in defamation claims in

Gibraltar, led by Richard Clayton KC. See also [2021] Gib LR 271 for Supreme Court's decision on same point (unled).

- *Awdry v CC Gloucestershire Police and Forest of Dean Council* – Concerning s24 of the Town Police Clauses Act 1847, on which there was no authority for over 100 years. Court held that Ds had acted unlawfully in seizing A's sheep.
- *McEvoy v Michael* [2014] EWHC 701 (QB) – For the Claimant (against Hugh Tomlison QC). Where a local politician complained of statements made in leaflets produced by the local branch of a rival political party, the chairman of that branch could be considered a publisher of the leaflets despite not having written them himself. The judge also held that, if necessary, he would have found that the printer and promoter of electoral material was a publisher of the same for the purposes of the law of defamation, as David had argued.
- *Cometson v Merthyr Tydfil CBC* [2012] EWHC 3446 (Ch); [2012] 50 E.G. 101 (C.S.) – A local housing authority co-ordinating a group repair scheme under the Housing Grants, Construction and Regeneration Act 1996, which had entered into separate contracts with the property owners and the builders, was not the main contractor and was not therefore responsible for the quality and progress of the work. While the local authority did not act as agent for the property owners, it had nevertheless assumed various obligations, which it had to discharge in accordance with the Supply of Goods and Services Act 1982 s.13 and s.14.
- *Govt. of Spain v Dixon* [2007–09] Gib LR 244 – A successful appeal against order for surrender to Spain under a European Arrest Warrant.
- *Dixon v Superintendent of H.M. Prison Gibraltar* [2007–09] Gib LR 12 habeas corpus application, Court of Appeal held that the European Arrest Warrant Act was within Gibraltar's legislative competence.
- *Att. Gen. v Shimidzu* [2005] UKPC 26, [2005] 1 WLR 3335 – Junior counsel for S in Court of Appeal (successfully) and the Privy Council – constitutionality of costs regime for trials on indictment (acquitted defendants unable to claim costs).
- *Gonzalez v Collado & Collado* [2005–06] Gib LR 257 – Acted for the successful claimant, not estopped from requiring her daughter and son-in-law to move out of her home.
- *A-G v Vinet, Abecasis & Ors* [2005–06] Gib LR 228 – As to whether defendants are entitled to defend possession proceedings on the basis that eviction would constitute degrading treatment – see also [2007–09] Gib LR 63.
- *Fisher v Small* [2005–06] Gib LR 1 – Junior counsel for Fisher, in a successful application that residence in Gibraltar for tax purposes did not amount to domicile in Gibraltar so as to the Gibraltar courts jurisdiction to hear a personal injury claim arising from facts in Spain.
- *Rojas v Berllaque* [2003] UKPC 72, [2004] 1WLR 201 – A successful challenge against all-male juries in Gibraltar; appearing alone in Supreme Court and Court of Appeal, and as junior in the Privy Council.
- *Goodwin v Topgem, Haymills and Balfour Beatty* [2001–02] Gib LR 316 – No blanket immunity from disclosure for information generated or obtained by Factories Inspectorate.
- *R (Jurado) v Manager of KGV Hospital* [2001–02] Gib LR 235 – Jurado was unlawfully detained as a recommendation only signed by one doctor, not the required two. The court also held that the Gibraltar Constitution required legal aid to be available before the Mental Health Review Tribunal.
- *R v Shimidzu & Martinez* [2001–2002] Gib LR 106 – An order for disclosure of complaints against a police officer not yet adjudicated upon, and Police Training manual.
- *R v Shimidzu* [2001– 2002] Gib LR 100 – The Supreme Court was unable to vary bail conditions imposed by magistrates' court in order to preserve possible costs arguments.
- *R v Stipendiary Magistrate* [2001–2002] Gib LR 68 – Acting for the claimant on an application to stay serious criminal charges on the ground that inadequacies in Gibraltar's criminal legal aid scheme made a fair trial impossible. The case led to the first increase in criminal legal aid rates in 20 years.
- *Menich v Mathews* [2001–02] Gib LR 58 – Acting for a defendant who accepted liability in correspondence estopped from pleading a limitation defence.
- *Parody v R* [2001–2002] Gib LR 13 – A matter involving a fair trial requirement that magistrates' court give reasons when convicting.

- R v HM Prison Gibraltar, ex parte Chichon [1999-2000] Gib LR 143 – An application for Judicial Review by an inmate of prison who had been denied prescription drugs, and failure to provide medical examinations as required by prison rules.
- Pannell v R [1997-98] Gib LR 254 – A successful appeal to the Gibraltar Court of Appeal (not having appeared at trial), trial court having heard evidence from P’s wife, who was not a competent witness without his consent.

Privacy Policy

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