

Nia Gowman

Call: 2014

"Nia is excellent. She is always very professional and empathetic towards clients, very knowledgeable and has very good advocacy."

Chambers UK 2025



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Nia Gowman is known for her expertise across Court of Protection, Inquests and Inquiries and Public Law.

She is ranked in both Chambers UK and The Legal 500, where she is recognised for her calm manner, clear advice, and strong advocacy in complex and sensitive matters.

Nia's Court of Protection work involves regular instruction from local authorities, health boards, the Official Solicitor, RPRs, and family members. Nia is experienced in capacity and best interests disputes concerning residence, care, contact, medical treatment, marriage, and sexual relations. She also acts in inherent jurisdiction cases and has built a strong reputation in this area.

Nia is highly regarded for her Inquest and Inquiry work. She has acted for families, public bodies, and other interested parties. She is particularly experienced in cases involving community care, medical treatment and/or mental health considerations, often in cases where Article 2 ECHR is engaged due to deaths in custody or under mental health detention. Nia was instructed by Covid-19 Bereaved Families for Justice Cymru in Modules 1, 2, 2b and 3 of the UK Covid-19 Inquiry.

In public law, Nia is developing a growing practice in judicial review, particularly in community care. In particular, she was junior counsel in *R (Driver) v Rhondda Cynon Taf CBC*, a case that clarified the equal standing of Welsh and English legislation in statutory interpretation.

She also practises in family law, with a focus on public law proceedings involving medical treatment and deprivation of liberty.

Nia is a fluent Welsh speaker and is happy to conduct cases in Welsh.

Expertise

Court of Protection & Community Care

Nia is frequently instructed in complex Court of Protection matters under the Mental Capacity Act 2005 and inherent jurisdiction. Her cases involve capacity and best interests disputes on residence, care, medical treatment, contact, marriage, and sexual relations, often in sensitive or contested circumstances.

Inquests & Inquiries

Nia acts for families, local authorities, health boards, and other interested parties. She specialises in Article 2 inquests involving deaths in custody or under mental health detention. She was recently instructed in the UK Covid-19 Inquiry on behalf of Covid-19 Bereaved Families for Justice Cymru.

Public & Administrative Law

Nia is developing a respected practice in public and administrative law, with particular expertise in judicial review. She acted as junior counsel in *R (Driver) v Rhondda Cynon Taf CBC*, a case affirming the equal status of Welsh language legislation. She regularly advises on community care and statutory interpretation issues.

Appointments

- Deputy District Judge (Civil and Family) (2023)
- Court of Protection Practitioners Association Cymru, Committee Member (2021 – 2023)
- Bar Council Wellbeing Committee, Court of Protection Bar Association Representative (2020 – 2023)
- Court of Protection Bar Association Committee, Committee Member (2020 – 2023)
- Wales and Chester Circuit Management Committee, Young Bar Representative (2017 – 2018)
- Bar Council Young Barristers' Committee, Circuit Representative (2017 – 2018)
- Cardiff University Welsh Rugby Union, Student Advisor (2017 – 2018)
- Caerphilly Citizens Advice Bureau, Gateway Assessor (2012 – 2013)
- Cardiff University – The Fostering Network, Student Advisor (2012 – 2013)
- University of Bristol Law Clinic Executive, Committee Member (2009 – 2010)
- University of Bristol Law Clinic, Student Advisor (2008 – 2010)

Awards

- Pegasus Trust Outgoing Scholarship (India), Inns of Court (2017)
- Ann Goddard Pupillage Scholarship, Gray's Inn (2015)
- Edmund-Davies BPTC Named Award, Gray's Inn (2012)
- Bristol PLuS Outstanding Achievement Award, University of Bristol (2010)

Education

- BPTC (Outstanding), Cardiff Law School (2012 – 2013)
- Diploma in Financial Crime Prevention (Merit) International Compliance Association (2011 – 2012)
- LLB (Hons), University of Bristol (2007 – 2010)
- Ysgol Gyfun Gymraeg Glantaf (2000 – 2007)

Languages

- Welsh (fluent)

Memberships

- Court of Protection Bar Association
- Court of Protection Practitioners Association Cymru

Notable and reported cases

Administrative Law

- R (on the application of Jones) – Nia was instructed as Second Junior Counsel for the Claimant, a child in receipt of continuing healthcare, to judicially review the health board and council alleging a failure to provide the necessary care and support to allow to attend school. The case concerned the new duty of quality on health boards, the duty on the health board to provide health services it considered necessary, the duty on local authorities to meet needs for care and support, the duties on both to establish partnership arrangements and to provide additional learning provision.
- R (on the application of Lewis) – Nia was instructed as Junior Counsel for the Claimant to judicially review the decision of the Welsh Ministers to approve Velindre University NHS Trust's Outline Business Case to build Velindre Cancer Centre on a site at the Northern Meadows in Cardiff. Successfully applied for an Aarhus cost capping order on behalf of an individual claimant who was part of a campaign group in circumstances where the claim was crowd funded.
- R (on the application of Angell) – Nia was instructed on behalf of the Claimant in a Judicial Review application against a Local Authority for their failure to meet his eligible social care needs. Nia drafted the grounds, advised throughout the claim, and negotiated terms of settlement which were favourable to the Claimant.
- R (on the application of Russell) – Nia was instructed on behalf of the Local Authority, an Interested Party in respect of a Judicial Review application made on behalf of the Claimant against a Health Board for failure to meet her eligible health and social care needs. No

adverse findings were made against the Local Authority.

- R (on the application of Driver) – Nia was instructed as Junior Counsel for the Claimant in the High Court and Court of Appeal hearings in the case of R (on the Application of Driver) v Rhondda Cynon Taf CBC ('RCT'). The case involved a judicial review of the decision made by RCT to re-organise primary, secondary and sixth form education in the greater Pontypridd area. The case involved the statutory interpretation of the Welsh and English texts of the School Standards and Organisation (Wales) Act 2013. The case resulted in confirmation of the equal standing of Welsh language legislation and guidance in respect of how the Court should approach questions of statutory interpretation involving Welsh language legislation.

Court of Protection

- Re TIRE – Nia represented TIRE in a section 21A Mental Capacity Act 2005 challenge conducted in Welsh, and which resulted in the Court's judgment being published in Welsh.
- Re LL – Nia represented LL on appeal before Mrs Justice Theis against an earlier decision of HHJ Porter-Bryant to discharge a previous order appointing CL as LL's deputy for personal welfare. The Court agreed with the arguments advanced on behalf of LL and the Health Board. See Press report.
- Re CLMW – Nia represented CLMW who alleged inappropriate touching and other concerning behaviour by her father with whom she was residing. There were concerns about undue influence as the father continued to have inappropriate contact with CLMW after she was removed. Nia represented CLMW at a 5-day fact finding hearing, examining/cross-examining 13 witnesses and preparing lengthy written submissions. The Court made all findings sought by the LA. Nia successfully argued for the instruction of an ISW to report on accommodation options and contact in light of the findings.
- Re DN – Nia represented DN in a successful section 21A Mental Capacity Act 2005 challenge on capacity and best interest grounds. DN has a complex personality disorder and presents a sexual risk to others. The case resulted in a positive change of placement. An expert concluded that DN has capacity to save in times of 'crisis'. This conclusion necessitated advice, consideration and argument on i) anticipatory declarations, particularly in light of the timely judgment of Cobb J in the Wakefield case; ii) continuation of the standard authorisation; and iii) whether the High Court's Inherent Jurisdiction could be invoked. The case also involved arguments regarding disclosure of the expert report to non-parties for safeguarding.
- Re CC – Nia represented CC in a section 21A Mental Capacity Act 2005 challenge where capacity and best interests are in dispute. CC is 32 years old and has a learning disability and Schizoaffective disorder. CC often associates with dangerous individuals. CC has had a number of children removed from her care. The case requires an understanding of the interplay between the Mental Health Act 1983 and Mental Capacity Act 2005. The issues in the case include capacity/best interest decisions in respect of residence, care, social media, contact (in the context of safe relationships), contraception, sexual relations and substance misuse. The case is due to proceed in the High Court.
- Re FJB – Nia represented FJB via her RPR and litigation friend in a section 21A challenge to a deprivation of liberty authorisation where FJB was seeking to return to her own home. Issues included the adequacy of the capacity evidence and the court's power in ordering reports under section 49 of the Mental Capacity Act 2005, whether it was in FJB's best interests for money to be expended on remedial works to the property, and whether a trial at home with a package of domiciliary care should be attempted. The Court directed that the remedial work should be completed and that FJB should have a trial at home.
- Re LH – Nia represented the Local Authority in its application using the streamlined procedure to authorise LH's deprivation of liberty at her placement; for a Prohibited Contact Order and for Injunctions precluding LH's family from entering an area surrounding LH's placement and from placing certain information on social media. The Local Authority was successful in securing the Orders sought.
- Re Various – Nia represented the Health Board in respect of applications to move a number of residents from X Placement to alternative placements due to a change in X Placement's CSSIW registration. The move was vehemently opposed by X Placement. The case involved capacity considerations, dispute as to nature and extent of need, independent expert evidence, consideration of the implications of Funded Nursing Care and Continuing Health Care funding arrangements, and arguments as to the limitations of the Court's jurisdiction.

Inquests & Inquiries

- Re SL – Nia represented the Health Board in an Article 2 inquest concerning the death of a teenage child who took her own life following an out-of-area placement.
- UK Covid-19 Inquiry – Nia represented Covid-19 Bereaved Families for Justice Cymru in Modules 1, 2, 2b and 3 of the UK Covid-19 Inquiry. Nia cross-examined witnesses and made closing and oral submissions at substantive hearings.
- Re DH – Nia represented the Local Authority in a high-profile inquest arising from Operation Jasmine and the Flynn Report. The inquest examined the care afforded to DH in a care home. No adverse findings were made against the Local Authority.
- Re RE – Nia represented the Welsh Ambulance Service ('WAST') in an Article 2 jury inquest concerning the death of RE who died in custody. The issues in the inquest included i) drug withdrawal and the adequacy of healthcare provision/drug support; ii) adequacy of mental health support in prison; iii) whether RE should have been on an ACCT; iv) the process for getting medication to prisoners after hours; v) delay in ambulance attendance and; vi) causation. No adverse findings were made against the WAST.
- Re DJR – Nia represented the family members of the deceased (DJR) in a jury inquest. DJR was resident in a care home and subject to a standard authorisation. DJR fell from her bed and sustained injury to her neck. The jury returned a conclusion of accidental death contributed to by neglect. During questioning, Nia recommended several improvements which should be made, all of which were accepted by the Regional Manager of Hallmark Care Homes.
- Re DR – Nia represented the Health Board in an Article 2 jury inquest. The deceased was detained under section 3 Mental Health Act 1983 on a psychiatric ward at the time of her death. The deceased had been demonstrating self-injurious behaviours and staff had had to intervene to prevent the deceased from ligaturing on multiple occasions. The deceased died after having ligatured. The family were concerned that the observation policy had been used inappropriately. Nia questioned the professional witnesses and made submissions regarding conclusions and Regulation 28 to the coroner. No significant adverse findings were made against the Health Board.
- Re AD – Nia represented the Health Board in an Article 2 jury inquest where the medical cause of death was unknown. Queries were raised regarding the interplay between the deceased's complex mental health and physical needs, whether her care had been managed appropriately, and whether her observations had been appropriately recorded. Nia questioned the professional witnesses and made submissions regarding conclusions and Regulation 28 to the coroner. No adverse findings were made against the Health Board.
- Re JB – Nia represented the Welsh Ambulance Service in the inquest of a gentleman who died having sustained a blow to the head after falling from a first floor window whilst under the influence of cocaine. The patient was not on the scene when the ambulance arrived. The WAST were criticised for the delayed use of an interpreter on the initial call, the delay in dispatching an ambulance, failure to conduct a thorough search of the area upon arrival, and failure to engage the services of the police to locate the gentleman. Nia questioned the professional witnesses and made submissions regarding conclusions and Regulation 28 to the coroner. No adverse findings were made against the WAST.

Mental Health

- Re JH – Nia represented a 22 year old patient who had been convicted of rape and detained in a secure unit pursuant to section 38/41 Mental Health Act 1983 when he was 15 years old. Nia played an active role at the section 117 multi-disciplinary meeting and at the subsequent tribunal hearing to determine whether the patient was able to be discharged from a secure unit. Nia was successful in securing the conditional discharge of the client.
- Re LH – Nia represented a patient detained pursuant to section 3 Mental Health Act 1983 at the tribunal hearing to determine whether he could be discharged. Nia questioned the professionals who were not supportive of LH's request to be discharged primarily due to uncertainty regarding LH's accommodation post-discharge. Nia presented compelling arguments to the Tribunal that LH was seemingly being detained solely due to the respective public bodies' lack of understanding of their section 117 aftercare duties. The Tribunal adjourned and made directions for senior officers from the Health Board and the Local Authority to come and give evidence on section 117 aftercare services. Suitable accommodation was subsequently sourced very quickly for LH who was discharged by his RC.
- Re ND – Nia represented an Approved Mental Health Professional in an application brought pursuant to section 29(3)(e) Mental Health

Act 1984 for an order directing that the functions of the patient's nearest relative be exercised by his mother, thereby displacing his father as nearest relative. Nia was successful in securing the order on the basis that: ND's father was unsuitable to act as ND's nearest relative as he did not accept the care and treatment proposed by professionals; ND's mental health deteriorated and subsequent detention under the Mental Health Act 1983 was required; and ND had made an allegation that his father had been physically violent toward him.

- Re HH – Nia represented an Approved Mental Health Professional in an application brought pursuant to section 29(3)(c) Mental Health Act 1984 for an order directing that the functions of the patient's nearest relative be exercised by the Local Authority thereby displacing her father as nearest relative on the basis that he was unreasonably objecting to detaining HH under section 3 Mental Health Act 1983. Nia questioned HH's father and medical professionals on complex issues pertaining to the use of anti-psychotic medication. Following robust examination, HH's father conceded and agreed to HH being placed on Section 3.