

Jonathan Landau

Call 2004



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Jonathan Landau has particular expertise in inquests and healthcare regulation.

He is regularly instructed in relation to high profile Article 2 and jury inquests, often in the context of media coverage or regulatory investigations. He is also instructed by coroners in judicial review proceedings. He advises in respect of a broad range of healthcare regulatory matters including all levels of CQC enforcement, safeguarding investigations, commissioning disputes, contract monitoring, and mental capacity.

Jonathan accepts instructions from a wide range of clients including police forces, NHS Trusts, healthcare providers, local authorities and bereaved families. He frequently provides training to his clients. He is often called upon by the media to comment on healthcare matters.

Jonathan practised as a solicitor from 2010 to 2018 and was a partner in a top-ranked national healthcare firm before returning to the bar. He therefore has client-side insight into solicitors' expectations of counsel. He provides an exceptionally responsive service. He is always happy to discuss cases informally at an early stage to contribute to strategy. He is always mindful of the wider context of his cases. Jonathan is regularly instructed on matters of utmost sensitivity and adopts an empathic and reassuring approach with respect to lay clients.

Jonathan is authorised to accept direct access instructions and is authorised to conduct litigation.

Jonathan sits as Assistant Coroner in South London.

Expertise

Court of Protection

Jonathan accepts instructions from healthcare providers and local authorities in respect of Court of Protection matters. He has particular expertise in relation to care homes and acts in relation to section 21A applications (applications in respect of Deprivation of Liberty Safeguards authorisations). He regularly trains clients in relation to the Mental Capacity Act and the Deprivation of Liberty Safeguards.

Notable Court of Protection cases

Acting for a social care provider in connection with section 21A proceedings in the context of a breakdown in the relationship between the provider and a family member.

Successfully arguing the application of N v ACCG regarding the extent of the Court's powers to determine questions of accommodation where a provider had terminated a placement.

Providing training to health and social care leaders on the Mental Capacity Act and the Liberty Protection Safeguards.

Healthcare

Jonathan specialises in healthcare regulation. He has extensive experience in relation to all levels of CQC civil and criminal enforcement from inspection reports to prosecutions. He also acts in connection with safeguarding investigations, commissioning disputes, contract monitoring, and mental capacity.

Jonathan is highly experienced at appearing on behalf of healthcare providers in inquests with clients including NHS Trusts, care home providers, and mental health providers. He is regularly instructed in relation to high profile and sensitive Article 2 and jury cases, often in cases that have attracted the interest of the media or regulators.

Jonathan regularly provides training relating to healthcare regulation. He has a niche expertise in care homes, having acted for social care providers for nearly 15 years. He also has an abundance of experience representing a broad range of other clients including both NHS and independent sector providers. Jonathan practised as a solicitor from 2010 to 2018 and was a partner in a top-ranked national healthcare firm before returning to the bar.

Notable Healthcare cases

Advising care home groups in relation to Safeguarding Adults Reviews (SARs) in respect of Covid outbreaks.

Successfully acting in several Tribunal appeals against CQC decisions to cancel registration.

Acting for a social care provider in connection with a police investigation relating to alleged failures in care during Covid.

Appearing on behalf of a social care provider in Court of Protection proceedings in the context of a breakdown in the relationship between the provider and a family member.

Successfully resisting an application by the CQC to strike out an appeal, CQC going on to withdraw its opposition to the appeal.

Appearing on behalf of an NHS Trust at an inquest into the death of a young man with autism and learning difficulties following the administration of an anti-psychotic medication that his parents warned he was allergic to it. The inquest concluded with no criticism of the care nor a regulation 28 report. [Click here to read more about this case in the press.](#)

Appearing on behalf of an independent mental health provider at an inquest into the death of a man who killed himself in a residential care home. The inquest concluded a narrative conclusion and no regulation 28 report in respect of the provider.

Inquests

Jonathan is regularly instructed in high-profile, complex Article 2 and jury inquests, often in the context of regulatory investigations and media interest. He often acts in cases where witnesses are giving evidence for the first time and adopts an empathic and reassuring approach. His cases often involve matters of the utmost sensitivity.

Jonathan has particular expertise with inquests involving healthcare matters having appeared in countless inquests on behalf of NHS and independent health and social care providers. He also acts on behalf of a wide range of other interested persons including prisons, police forces, local authorities, and bereaved families. Jonathan also acts for coroners in claims for judicial review.

Jonathan takes note of the wider context of cases including matters relating to workforce, and commercial, regulatory and reputational risk. Jonathan adopts a collaborative approach to ensure the inquest strategy coheres with wider considerations.

Jonathan sits as an Assistant Coroner in South London.

Notable Inquests cases

R (on the application of Dillon) v HM Assistant Coroner for Rutland and North Leicestershire [2022] EWHC 3186 (KB)

Successfully defended the Coroner in a claim for judicial review in respect of a decision not to issue a report to prevent future deaths.

R. (on the application of Gorani) v HM Assistant Coroner for Inner West London [2022] EWHC 1680 (Admin)

Successfully defended the Coroner in a claim for judicial review in respect of claims of bias, inadequate investigation, errors of law in relation to Article 2 and a failure to issue a report to prevent future deaths.

Appearing on behalf of Essex Police in an inquest into the manslaughter of a woman and her unborn child by a man with mental illness who had been unable to secure medication. [Click here to read more about this case](#)

Appearing on behalf of an NHS Trust at an inquest into the death of a young man with autism and learning difficulties following the administration of an anti-psychotic medication that his parents warned he was allergic to it. The inquest concluded with no criticism of the care nor a regulation 28 report. [Click here to read about this case in the press.](#)

Appearing on behalf of a police force in relation to the death of a man from an overdose of recreational drugs whilst in a mental hospital. [Read the news article here.](#)

Appearing on behalf of a local authority in respect of the death of a young person with complex needs. [Read more in the press.](#)

Appearing on behalf of the Diocese of Westminster in relation to a suicide in the context of a safeguarding investigation. [Click here to read more.](#)

Appearing on behalf of a local authority in respect of an inquest into the suicide of a man after being discharged from section 136 detention.

Appearing on behalf of a bicycle race organiser following a collision at an event due to inadequate signage. HSE was an Interested Person. Following the inquest, the HSE decided not to prosecute.

Appearing on behalf of an independent mental health provider at an inquest into the death of a man who killed himself in a residential care home. The inquest concluded with a narrative conclusion with no regulation 28 report in respect of the provider.

Appearing on behalf of an NHS Mental Health Trust regarding a mental hospital patient who self-immolated on leave. Narrative conclusion with no finding of neglect or a regulation 28 notice.

Acting on behalf of a prison healthcare provider in an inquest into the death of a prisoner who died in hospital whilst handcuffed.

Professional Discipline & Regulatory

Jonathan has an abundance of experience in healthcare regulation. He acts in relation to both civil and criminal enforcement by the CQC at all levels. He has extensive experience of acting on behalf of health and social care providers in connection with inquests, safeguarding, contract monitoring, mental capacity, and commissioning disputes. He also has experience of acting in relation to prosecutions by the HSE and fire authorities. He has been instructed in several cases in relation to the Definitive Guideline on Health and Safety, Corporate Manslaughter and Food Safety and Hygiene offences.

Jonathan acts for a broad range of clients in this field including both NHS and independent health and social care providers. He has a particular expertise in relation to care homes, having advised providers in that sector for nearly 15 years.

Notable Professional Discipline & Regulatory cases

Advising care home groups in relation to Safeguarding Adults Reviews (SARs) in respect of Covid outbreaks.

Acting for a social care provider in connection with police and safeguarding investigations relating to alleged failures in care during Covid.

Successfully acting in several Tribunal appeals against CQC decisions to cancel registration.

Successfully resisting an application by the CQC to strike out an appeal, CQC going on to withdraw its opposition to the appeal.

Acting on behalf of a care provider in a sentence against a fire safety offence. The eventual fine was so low that the prosecution considered an appeal.

Appearing on behalf of a bicycle race organiser following a collision at an event due to inadequate signage. HSE was an Interested Person. Following the inquest, the HSE decided not to prosecute.

Public & Administrative

Jonathan accepts instructions in relation to judicial reviews relating to the police, coronial law and healthcare matters. He is regularly instructed by coroners in relation to judicial reviews concerning inquests.

Notable Public & Administrative cases

R (on the application of Dillon) v HM Assistant Coroner for Rutland and North Leicestershire [2022] EWHC 3186 (KB)

Successfully defended the Coroner in a claim for judicial review in respect of a decision not to issue a report to prevent future deaths.

R. (on the application of Gorani) v HM Assistant Coroner for Inner West London [2022] EWHC 1680 (Admin)

Successfully defended the Coroner in a claim for judicial review in respect of claims of bias, inadequate investigation, errors of law in relation to Article 2 and a failure to issue a report to prevent future deaths.

Public Inquiries

Jonathan's expertise in healthcare regulation and inquests means that he is particularly well suited to act in public inquiries relating to health and social care. He is currently instructed as sole counsel to a core participant of the [Essex Mental Health Independent Inquiry](#).

Covid-19 Public Inquiry Hub

Jonathan specialises in inquests, inquiries and healthcare regulation.

He is currently instructed as sole counsel for a core participant in the Essex Mental Health inquiry.

He has particular knowledge of, and insight into, the health and social care sectors, having advised providers throughout his career. His first case relating to Covid 19 was advising a care home provider in connection with pressure being brought on a care home to accept a discharged patient without testing in March 2020. He continued to accept instructions relating to Covid throughout the crisis, advising providers in connection with rapidly changing law and guidance, and legal, ethical and operational matters such as visits to care homes. He has advised two providers in connection with Safeguarding Adults Reviews in the context of Covid.

Jonathan has extensive experience of appearing in inquests concerning healthcare matters. He has appeared in such cases on behalf of healthcare providers, mental health services, local authorities, prisons, care homes and families.

Jonathan sits as an Assistant Coroner in South London where he regularly hears such cases on a regular basis.

Education & Qualifications

- BVC (Very competent) – BPP Law School
- LLM (Distinction) – Law and Economics – University of Manchester
- LLB (Hons) – University of Manchester

Appointments

- Assistant Coroner, South London

Awards

