

Matthew Wyard

Year of Call: 2014

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Overview

Matthew is a public law specialist with a broad range of interests, including education and court of protection matters. More details can be found in his specialist profiles below.

He is recommended in both leading directories for all his main areas of practice. He is described as “brilliant in his field”, a “fantastically pragmatic barrister with an eye for detail” whose advocacy is “clear, concise and easy to follow” and “well beyond his year of call”. He is “good at strategic advice”, “always on top of things” and has “exemplary client care”.

Interesting or important cases in which Matthew has been involved in recent years include:

Cardiff Council v AW (ongoing): Matthew represents the respondent family in the first Upper Tribunal appeal concerning the Additional Learning Needs and Wellbeing (Wales) Act 2018.

Re: AECO [2025] EWCOP 5: successfully represented the Public Guardian in an application to remove a property and financial affairs deputy.

Re: Rwanda: Part of the counsel team quality assuring and providing operational advice to the Secretary of State for the Home Department in seeking to remove individuals to Rwanda whose asylum and protection claims had been declared inadmissible.

MM (as alternative person to C) v Royal Borough of Greenwich [2024] UKUT 179 (AAC): successfully represented the appellant in the leading authority on the approach the First-tier Tribunal should take to the question of ‘litigation capacity’ in special educational needs appeals.

FA (Iran) v Secretary of State for the Home Department [2024] EWCA Civ 149: represented the Respondent before the Court of Appeal considering whether the Upper Tribunal properly applied the country guidance on sur place activities to an application for asylum by an Iranian Kurdish national.

Land Adjacent to HMP Garth and HMP Wymott (ref: 3295556): represented the Rule 5 party in this recovered appeal that concerned the proposed development of a new prison near Chorley.

THTN v Secretary of State for the Home Department [2023] EWCA Civ 1222: represented the Respondent in this appeal concerning the proper interpretation of the Supreme Court’s decision in AM (Zimbabwe).

AB v Newport City Council [2022] UKUT 190 (AAC): successfully represented the appellant in this appeal that confirmed the existence of a right of appeal to the Upper Tribunal against a review decision of the Special Educational Needs Tribunal for Wales.

OA v Secretary of State for the Home Department [2022] UKUT 00033 (IAC): represented the respondent in this country

guidance case on Somalia.

R (Charles & Dunn) v Secretary of State for Foreign and Commonwealth Affairs [2020] EWHC 3185 (Admin): disclosure junior for the defendant.

Nottinghamshire County Council v SF [2020] EWCA Civ 226: successfully represented the respondent in this appeal that considered the meaning of "necessary" in s37 of the Children and Families Act 2014.

D v Hampshire County Council [2020] EWHC 2916 (Admin): instructed to seek permission to appeal to the Court of Appeal.

For more details about Matthew's specialist areas of practice, please see the specialist profiles below.

Away from practice, Matthew is a widely published legal author, a Chair in the Valuation Tribunal sitting on ratings appeals, the Vice Chair of the Board of Directors of a higher education institution and the Chair of the Court of Protection Practitioner's Association.

Matthew is committed to protecting and respecting your privacy. Please contact him for a copy of his privacy notice which sets out the basis upon which any personal data he may receive will be protected.

Administrative and Public Law

Matthew is an expert in public law and human rights. As a member of the Attorney General's panel of counsel to the Crown he regularly acts for Central Government, as well as all manner of public authorities, regulators, companies, charities and individuals. He accepts instruments for urgent and out of hours applications, as well as in strategic, public interest, litigation.

Maintaining a deliberately broad public law practice, Matthew has advised or represented clients in issues relating to: adult social care, asylum and immigration, children's social care, data protection, education, freedom of information, human rights, planning, pharmaceutical regulation.

Representative examples of contentious and advisory work undertaken recently include:

R (HM) v Oxfordshire County Council, AC-2024-LON-003762: drafted the summary grounds of resistance in this rationality challenge to the defendant's failure to implement an EHC Plan in the way requested by the parent.

Re: A charitable trust: advised a charitable trust on the proposed redevelopment of land in Ealing, including the conversion of a community centre into a Class F1 learning facility.

R (LS) v Somerset Council, AC-2024-CDF-000013: advised the claimant throughout, drafted Statement of Facts and Grounds and skeleton argument in this judicial review under s42 of the Children and Families Act 2014.

R (JC) v Essex County Council, AC-2024-LON-003692: advised on and drafted the summary grounds of resistance in this challenge under s42 of the Children and Families Act 2014.

Re: FOBH: advised an action group on the proper construction of a s106 agreement and on the merits of seeking reconsideration of planning authority's decision on Kides grounds.

R (MS) v Bradford Metropolitan Borough Council, AC-2024-LDS-000182: advised on and settled the summary grounds of resistance in this judicial review concerning an alleged breach of reg. 44 of the SENDIST regulations 2014.

FA (Iran) v Secretary of State for the Home Department [2024] EWCA Civ 149: represented the respondent before the Court of Appeal which considered whether the Upper Tribunal properly applied the country guidance on sur place activities to an application for asylum by an Iranian Kurdish national.

Land Adjacent to HMP Garth and HMP Wymott (ref: 3295556): represented the Rule 5 party in this recovered appeal concerning the proposed development of a new prison near Chorley.

R (AC & EC) v Hampshire County Council, AC-2024-LON-002167: drafted the summary grounds of resistance in this

challenge to the defendant's alleged irrationality in naming a particular school in an EHC Plan, breach of s19 of the Education Act 1996 and breaches of Article 14 and Article 2 of Protocol 1 of the Convention.

R (Adams) v The Legal Ombudsman, AC-2023-LDS-000015: settled the summary grounds of resistance and represented the defendant at an oral permission hearing at which permission to proceed was refused.

R (MA) v Essex County Council, AC-2023-LON-002747: successfully secured the refusal of permission in an age assessment judicial review having drafted the summary grounds of resistance.

Re: I: advised an action group on evidence and the merits of challenging a proposed traffic management order in a London Borough.

THTN v Secretary of State for the Home Department [2023] EWCA Civ 1222: represented the respondent in this appeal concerning the proper interpretation of the Supreme Court's decision in AM (Zimbabwe).

SS (India) v Secretary of State for the Home Department, CA-2023-000329: advised the respondent on the merits of this appeal to the dismissal of an Article 8 ECHR claim.

R (Lu) v The Legal Ombudsman, CO/1382/2023: settled the summary grounds of resistance in this challenge to the defendant's dismissal of a complaint pursuant to rules 5.7(f) and (g) of its scheme rules.

R (Rad-Niknam) v The Legal Ombudsman, CO/1623/2023: settled the summary grounds of resistance in a challenge to the defendant's refusal to consider a complaint.

R (AU) v Hertfordshire County Council, CO/779/2023: settled summary grounds of resistance concerning an alleged breach of s19 of the Education Act 1996.

R (IK) v Sir George Monoux College, CO/101/2022: advised the defendant on the merits of this challenge to a college exclusion decision in preparation for a rolled up hearing.

R (E) v Hertfordshire County Council, CO/4190/2022: settled the detailed grounds of resistance in this claim for alleged breaches of s19 of the Education Act 1996

OA v Secretary of State for the Home Department [2022] UKUT 00033 (IAC): represented the respondent in this country guidance case on Somalia.

Re: O: advised a regulator on the applicability of an international certificate of good conduct in the jurisdiction of England and Wales.

Church Street Regeneration Scheme (21/08160/COOUT) – drafted an objection to the redevelopment of land in Westminster on behalf of a local resident and advised on issues of compulsory purchase.

R (EP) v Norfolk County Council, CO/4354/2021: advised on and settled the statement of facts and grounds in a challenge to a failure to provide transport contrary to s508B of the Education Act 1996.

Nottinghamshire County Council v SF [2020] EWCA Civ 226: successfully represented the respondent in this appeal that considered the meaning of "necessary" in s37 of the Children and Families Act 2014.

D v Hampshire County Council [2020] EWHC 2916 (Admin): sought permission to appeal to the Court of Appeal.

Re: L: advised a regulator on whether it was obliged, pursuant to the 'Managing Public Money' guidance, to seek to recover its costs following a successful judicial review challenge.

R (YMC) v Office of Intercollegiate Studies & Ors, CO/4810/2020: advised on and drafted the statement of facts and grounds in the first judicial review challenge to the defendant body.

R (JC) v A London Borough: drafted the pre action protocol letter in a proposed application for judicial review for breach of s42 of the Children and Families Act 2014 that sought damages for unjust enrichment.

R (A) v B Council: advised a proposed claimant on the merits of a proposed judicial review against a City Council's charging policy for children's social care.

R (JH) v A CCG: drafted a pre action protocol letter challenging a CCG's breach of s3 of the NHS Act 2006 and National Framework in refusing to provide Continuing Care to a child with a life limiting condition.

Re: A Challenge Group: advised a public interest group on the merits of, and method to, seek a public inquiry into the examination arrangements during the Covid 19 pandemic.

R (AT) v An Academy: advised on the merits of a proposed application for judicial review in relation to the procedure followed when conducting a managed move.

Re: D: advised on the merits of a proposed application for judicial review against a local authority's policy of not placing children below the age of 16 in children's homes.

Recommendations

Matthew Wyard acts for a wide range of clients, including several individuals and education institutions. He is particularly well-regarded for this work before the SEN Upper Tribunal and offers additional expertise in judicial reviews.

Strengths: "Matthew Wyard's advocacy is clear, concise and easy to follow. He is very personable with clients." "Matthew is very responsive and proactive, with great drafting and preparation skills." "Matthew is brilliant in his field, and his knowledge of both English and Welsh law is second to none."

Chambers UK 2025/Administrative and Public Law/Regions

Matthew Wyard is skilled in handling public law challenges arising from decisions made in relation to education and immigration. He is a member of the Attorney General's 'C' panel.

Strengths: "Matthew is prompt, sharp and effective." "Matthew is a fantastically pragmatic barrister with an eye for detail. He takes the complicated details of his cases and puts forward straightforward and sensible solutions." "His written work in age assessment matters is super strong." "Matthew is good at strategic advice."

Chambers UK 2025/Administrative and Public Law/Regions

Matthew Wyard is skilled in handling public law challenges arising from decisions made in relation to education. He is a member of the Attorney General's 'C' panel.

Chambers UK 2024/Administrative and Public Law/Regions

Strengths: "He is very good and knowledgeable in the education law field."

"Matthew is very good at reviewing papers and picking up information and facts very quickly, and he is always on top of things."

Chambers UK 2024/Education/London Bar

Strengths: "He is an outstanding advocate with a fantastic grasp of complex, factual cases and a thorough and detailed knowledge of the legal framework. His client care is exemplary."

"Matthew is capable of dealing with complex matters at a rapid pace."

"Matthew works tirelessly for his clients and puts up quite a performance within the special needs tribunals."

Chambers UK 2023/Education/London Bar

Strengths: He is proactive, very knowledgeable and good at what he does." "His advice is excellent - comprehensive and very practical as well."

Recent work: Acted for the successful respondent in Nottinghamshire County Council v SF & Others, a challenge to the approach taken by the Upper Tribunal to a 'refusal to issue' appeal.

Chambers UK 2022/Education/London Bar

Matthew Wyard is noted for his expertise in judicial reviews and in special educational needs matters.

Matthew is a shrewd advocate, often finding nuance arguments in cases which other counsel may overlook. His advocacy is very reasoned, balanced, and he has a fantastic legal mind for untested areas of the law and judicial review. One to watch.

Legal 500 2025/Education/Leading Juniors/London Bar

Mathew is a conscientious barrister who will do his utmost for his client. He is a good lawyer and a very helpful junior in the quality of his legal research and his thoughts and ideas for advancing the case.

Legal 500 2025/Court of Protection and community care/Leading Juniors/London Bar

'His knowledge and expertise make him a natural choice to instruct on judicial review matters. He knows the Welsh legislation inside out. He is tactically very astute in such challenges and delivers advice in a timely and sensitive manner.'

Legal 500 2024/Administrative and Public Law/Leading Juniors/Wales and Chester

'Matthew is quick to get to the crux of a case and exhibits particular expertise in cases involving special educational needs. His ability to look at a case from all sides is a particular strength.'

Legal 500 2024/Education/Leading Juniors/London Bar

'He quickly picks the issues in the case and is particularly great in a round table meeting which includes litigants in person. He is able to clearly take the parties through the main issues, which helps to progress the matter and discussion.'

Legal 500 2024/Court of Protection and Community Care/Leading Juniors/Wales and Chester - Ranked in Tier 1

'He is calm under pressure, very reassuring with clients and has a keen eye for detail. He is measured in his approach and has particular expertise within the area of special educational needs law within Wales. He is fast becoming the go-to barrister in this area of law, which has seen major changes over the last couple of years. He appropriately adapts his style of advocacy to the relevant forum and is respected by fellow barristers and judges alike.'

Legal 500 2024/Education/Leading juniors/Wales and Chester - Ranked in Tier 1

'Matthew is meticulous with his preparation and has a great way with clients, putting them at ease so that they can give clear and cogent evidence. His advocacy is well beyond his year of call.'

Legal 500 2023/Education/Leading Juniors/London Bar

'Matthew is very detailed and will go that extra step further in order to present the strongest case possible. He is very approachable and clients like him.'

Legal 500 2023/Education/Leading juniors/Wales and Chester - Ranked in Tier 1

'An excellent advocate.'

Legal 500 2023/Court of Protection and Community Care/Leading Juniors/Wales and Chester - Ranked in Tier 1

'A junior with good client care skills, and his advice is well-considered, comprehensive and clear.'

Legal 500 2022/Court of Protection and Community Care/Rising Stars/Wales and Chester - Ranked in Tier 1

'A strong and detailed advocate who quickly identifies the relevant issues in a case. He has the ear of the Tribunal.'

Legal 500 2022/Education/Rising Stars/Tier 1/Wales and Chester

"[...] the addition of Matthew Wyard to the team has given real fire power to their Court of Protection offering in Wales."

'His in-depth knowledge of Welsh social care law is an advantage.'

Legal 500 2021/Court of Protection and Community Care/Rising Stars/Tier 1/Wales and Chester

"[...] 3PB's presence in this region comes in the form Matthew Wyard... He specialises in public law challenges in the education sector, civil claims against education institutions and special educational needs appeals."

'One of very few barristers in the Country who has a true grasp of Welsh Education Law.'

Legal 500 2021/Education/Rising Stars/Tier 1/Wales and Chester

"Thank you again for the excellent outcome you obtained for us yesterday. This note is also very helpful. I have shared it with our wider team because I am sure that the outcome will assist with the handling of many of the other data protection claims across [the organisation] at the moment.

It was a stroke of luck for us that you were able to assist with this matter at short notice and your work is very much appreciated."

Instructing Solicitor, Data protection matter

"I did also want to mention that...we have received some excellent feedback recently for 3PB and thought it would be good to share this with you. I have received excellent reports from [team members] and most importantly of all, my clients, regarding the high quality and standard of the work that we are receiving...specifically in relation to...Matthew...I have worked closely with Matthew on one of my cases recently and I am hugely impressed, as are the clients, over his handline and management of the case. The clients are absolutely delighted with his professionalism, conduct and communication. This is a case where it has gone part-heard and the clients do not seem to mind a bit as Matthew has been just excellent"

Partner/Head of Education - National Law Firm

"I instruct Matthew regularly and am never disappointed by the level of professionalism and knowledge he brings to each case he is instructed on. Matthew has a unique way of identifying the key issues of a case and preparing submissions in a clear and persuasive manner, in order to achieve the best result possible. I can trust that he will always provide honest and efficient advice and am happy to have good working relationship with him."

Instructing Solicitor

As you can imagine, it is extremely stressful for families to be going through this so I just wanted to say a big thank you for supporting me through [the] tribunal. I would recommend you to anyone going through similar proceedings. We are delighted with the outcome and have not stopped smiling since!

Client, Education

Firstly, the client would like for me to pass on their gratitude to Matt for all of his assistance on this matter. They described him as "a really nice guy who fought formidably for them and have nothing but praise for the work he has undertaken".

Clients feedback to instructing solicitor

Thank you so much for recommending and introducing us to Matthew. We've effectively been on hold for two years waiting to hear from the Coroner's. It was painful for us to engage again with the legal process. We appreciate that you also experienced difficult emotions. We were on a very long journey that ultimately ended in tragedy, so we'd be lying to say we weren't dreading the meeting at 3PB.

Matthew was so professional, on point and informative. But above all, he was kind and empathetic. We didn't feel pushed into making a decision, but ultimately, his clarity in describing the potential road ahead allowed us to make a pragmatic decision. We did leave the Chambers convinced that pushing forward was the right thing to do. However, as the night wore on, and emotions fluctuated we were able to come to the view that there is little point in pushing for an Inquest to be opened. It's a huge weight off our shoulders and we'd be grateful if you could convey to Matthew just how pivotal he was in helping us reach this point of release.

Clients feedback to instructing solicitor

Academic qualifications

- LL.B (Hons) Law, Upper Second Class, University of Surrey
- Pg Dip (BPTC), Very Competent, City Law School

Scholarships

- Erasmus Scholarship
- Blackstone Chambers BPTC Mooting Competition, Semi finalist, 2013

Professional qualifications & appointments

- Chair of the Valuation Tribunal for England
- Attorney General's C Panel of Counsel to the Crown
- Chairman, Court of Protection Practitioners Association (COPPA), Midlands

Professional bodies

- Lincoln's Inn
- Western Circuit
- Education Law Association
- Court of Protection Practitioners Association (COPPA)
- Court of Protection Bar Association
- Constitutional and Administrative Law Bar Association