

# Landmark Chambers

## Barrister CV

Julia Smyth



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# Julia Smyth

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Julia has a strong public and EU law practice, particularly in the fields of social security, EU free movement and immigration.



## Expertise

Public and Administrative

## Contact Practice Managers

### **Ben Connor**

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## Public and Administrative

Julia is a public law, EU and ECHR specialist. She frequently appears unled in high-profile cases, and is praised by the legal directories as being “*a truly excellent public law specialist*,” who is “*phenomenally gifted*”, “*extremely clever and very effective*”, as well as “*phenomenally hard working*” and “*approachable and responsive*.” Julia won the award for ‘Human Rights and Public Law Junior of the Year’ at the Chambers UK Bar Awards 2022.

Prior to returning to self-employed practice in 2012, Julia had a successful career as a senior government lawyer. She is recognised by the legal directories as bringing her “experience as counsel for various government departments to claimant work, giving practical insights into how public bodies make decisions on the ground.”

Julia has particular expertise in EU and Withdrawal Agreement law, human rights and civil liberties, social security, health, immigration and free movement law, as well as experience in a broad range of other areas including education, police pensions, parking regulation and environment law and animal welfare.

### EU Law post-Brexit

Julia is an “*EU law expert*” (Chambers and Partners). She has been instructed in a wide range of areas of EU law, including citizens’ rights, social security, the environment, motor insurance and tax. Julia is also recognised for her expertise in Brexit-related issues (both the Withdrawal Agreement and retained EU law). She has appeared or is instructed in most of the leading cases testing post-exit citizens’ rights issues in the CJEU, Supreme Court, Court of Appeal and lower courts.

## Human Rights and Civil Liberties

Julia’s experience of human rights and civil liberties work spans a range of areas, including health, social security, education, human trafficking, and the immigration context. She frequently appears unled in ground-breaking cases, including the high-profile challenge to the abortion legislation brought by Heidi Crowter, a disability rights campaigner.

Julia won the award for human rights and public law junior of the year at the Chambers UK Bar Awards 2022.

## Judicial Review

Julia has many years’ experience of judicial review, gained both from her in-house experience as a government lawyer, and her practice since returning to the self-employed Bar in 2012. She acts for both claimants and defendants in a wide range of areas.

Her work in recent years includes successfully representing claimant car parking organisations in a major challenge to government’s flagship policy on the regulation of private car parks; successfully acting for claimants in a systemic challenge to the Government’s exclusion from free nursery care of children whose parents have no recourse to public funds; and acting for the Government in three linked challenges to the high-profile “pushback” policy (small boats).

## Immigration

Julia is experienced in all aspects of immigration and nationality law, having acted in courts from the Supreme Court and the Court of Appeal to the First-tier Tribunal. The directories describe her as a “*phenomenally gifted technical barrister*” in this field.

Her expertise includes trafficking, asylum, deportation, appeal rights, deprivation of citizenship, good character (nationality) and sponsorship (previously known as Tier 2) cases. Julia has particular expertise in EU free movement law, and is described by the directories as a “*genuine and outstanding free-movement specialist*” with “*an encyclopaedic knowledge of free movement issues*”.

## International

Described by Legal 500 as a “*genuine and outstanding free movement specialist who handles cases beyond her call*” and “*an effective advocate with an encyclopaedic knowledge of free movement issues,*” Julia is experienced in all aspects of EU law. She has been instructed in many recent test cases, often as sole counsel.

As a senior government lawyer, Julia was closely involved in many ground-breaking social security and EU free movement cases in the domestic courts and CJEU and established and chaired a cross-government group on EU free movement issues. She also spent several years as a lawyer advising the government on the regulation of medicines and medical devices.

## NHS, Health and Community Care

Julia has advised on and appeared in a number of high-profile issues and challenges, including challenges arising from the Government's response to the Covid-19 pandemic (such as the "traffic light" system, the social isolation rules, and a case about "rationing" of health care), as well as two highly-publicised abortion challenges in the Court of Appeal.

Julia's experience in the health field spans social care, NHS continuing care, the National Institute for Clinical Excellence and commissioning. As a government lawyer, Julia advised on foundation trusts, failing NHS trusts, organ donation, NHS fraud, NHS reconfiguration, the private patient cap, prison health and work with special health authorities. Julia also worked for several years as a legal adviser to the Medicines and Healthcare products Regulatory Agency, specialising in the regulation of medicines and medical devices.

## Social Security

Julia is experienced in all aspects of social security law, appearing in cases from the Supreme Court to the First-tier Tribunal. She has appeared in many of the leading cases in the Court of Appeal and Supreme Court concerning the "right to reside" test and EU social security co-ordination law, as well as high-profile and sensitive ECHR and domestic law challenges. Before returning to chambers, Julia was a senior lawyer at DWP.

## EU Law post-Brexit

Julia is an "*EU law expert*" (Chambers and Partners). She has been instructed in a wide range of areas of EU law, including citizens' rights, social security, the environment, motor insurance and tax. Julia is also recognised for her expertise in Brexit-related issues (both the Withdrawal Agreement and retained EU law). She has appeared or is instructed in most of the leading cases testing post-exit citizens' rights issues in the CJEU, Supreme Court, Court of Appeal and lower courts.

## Recommendations

"Julia has a detailed approach across immigration issues." "Julia is smart and at the heart of everything."

**Administrative and Public Law, Chambers and Partners, 2024**

"Julia has an encyclopedic knowledge of public law but is incredibly user-friendly." "Julia is excellent; her advice is always incredibly thorough, well considered and strategic. She is also an absolute pleasure to work with."

**European Law, Chambers and Partners, 2024**

"A terrific barrister with particular expertise in complex EU matters." "Julia Smyth is brilliant, particularly on EU law and EU rights. She is incredibly hard-working."

**Immigration, Chambers and Partners, 2024**

"Julia is outstanding. She has an intuitive grasp of all matters related to EU law. A true star."

**European Union Law, Legal 500, 2024**

"Julia is truly phenomenal. She combines a brilliant intellect and superior work ethic with a down-to-earth and approachable style that make her a dream to work with."

**Administrative Law and Human Rights, Legal 500, 2024**

"Julia is utterly outstanding: a brilliant lawyer and one of the best of her generation. She has huge experience across some of the most difficult areas of contemporary immigration law."

**Immigration (including Business Law), Legal 500, 2024**

"She is exceptionally good. The system is so complex and involved and she really gets it." "She's absolutely brilliant. She's got a really good grasp of the law and her submissions are focused."

**Administrative and Public Law, Chambers and Partners, 2023**

"She's absolutely superb on EU law and free movement issues. I was hugely impressed with her breadth of knowledge and her ability to navigate complex matters."

**European Law, Chambers and Partners, 2023**

"Julia is exceptionally good. She worked in-house for several years and that really tells. The system is so complex and involved and she really 'gets' it."

**Immigration, Chambers and Partners, 2023**

"Delightful to work with, outstanding knowledge of the subject matter, and great judgment."

**Administrative Law and Human Rights, Legal 500, 2023**

"Delightful to work with, outstanding knowledge of the subject matter, great judgement."

**Immigration, Legal 500, 2023**

"She has an eye for detail and is incredibly approachable and responsive." "She is a truly excellent public law specialist."

**Administrative and Public Law, Chambers and Partners, 2022**

"A phenomenally gifted technical barrister."

**Immigration, Chambers and Partners, 2022**

"Her examinations are impressive and she understands the facts, as well as the underlying social security contexts."

**European Law, Chambers and Partners, 2022**

"Julia is an excellent public law senior junior. She has an eye for detail and is very thorough. Julia brings experience as counsel for various government departments to claimant work, giving practical insights into how public bodies make decisions on the ground."

**Administrative and Public Law, Legal 500, 2022**

"Julia has proven herself to be immensely capable, very thorough, responsive and impresses with a detailed knowledge of the law on EU free movement."

**Immigration, Legal 500, 2022**

"She is an EU law expert and is used a lot by the government for all manner of EU-related litigation."

**European Law, Chambers and Partners, 2021**

"Julia has proven herself to be immensely capable, very thorough, responsive and impresses with a detailed knowledge of the law on EU free movement."

**Immigration, Legal 500, 2021**

"Julia impresses with a strong work ethic, very good knowledge of the law, and her commitment to the case."

**Administrative and Public Law, Legal 500, 2021**

"A Home Office barrister of choice for EU-related cases. She's extremely clever and very effective, and has a really good reputation in EU law." "An excellent advocate with a very measured approach, and an exceptionally fair opponent."

**Immigration, Chambers and Partners, 2020**

"She has a wealth of European law experience" and "gets straight to the point."

**European Law, Chambers and Partners, 2020**

"She has a real feel for EU law, and an intuitive feeling for how the law will move."

**European Law, Chambers and Partners, 2019**

"An outstanding barrister with an encyclopaedic knowledge of EU law. She is a phenomenally hard worker and has outstanding judgement."

**European Law, Legal 500, 2019**

"A genuine and outstanding free-movement specialist, who handles cases beyond her call."

**European Law, Legal 500, 2018**

## Cases and inquiries

12 03 24	Does a child born in the UK to an EU national exercising free movement rights automatically acquire British citizenship?
11 03 24	Admin Court rejects challenge to EU Settlement Scheme
22 01 24	Upper Tribunal clarifies law on ambit in Article 14 claims concerning benefit entitlement
08 11 23	Court of Appeal applies Article 1 of EU Charter of Fundamental Rights on right to dignity to destitute EU citizens post-Brexit
25 11 22	R (Crowter) v Secretary of State for Health and Social Care [2022] EWCA Civ 1559
13 07 22	Court of Appeal hears challenge to law permitting abortion on the basis of disability
01 12 21	Supreme Court allows appeal on EU-Pre-Settled Status Regime – R (Fratila) v SSWP
23 09 21	Divisional Court finds abortion laws do not breach human rights of those with Down's Syndrome
20 07 21	International travel Green-Amber-Red list system found lawful by High Court
05 07 21	International travel traffic-light system to be challenged in High Court this week
25 09 20	Court of Appeal dismisses challenge to abortion rules during COVID-19
29 07 20	Court of Appeal hears challenge to COVID-19 abortion rules
19 05 20	Changes to abortion laws during COVID-19 pandemic ruled lawful by Divisional Court – R (Christian Concern) v Secretary of State for Health and Social Care
25 09 19	R (Connell) v Secretary of State for the Home Department [2018] 1 WLR 3930
25 09 19	R (Singh) v Secretary of State for the Home Department [2017] EWHC 1138 (Admin)
25 09 19	Secretary of State for Work & Pensions v Gubeladze [2017] EWCA CIV 1751
25 09 19	Arthur v Her Majesty's Revenue and Customs [2017] EWCA CIV 1756
25 09 19	Secretary of State for the Home Department v Shah & Bourouisa [2017] EWCA Civ 2028
25 09 19	LH v SSWP (PIP) [2018] UKUT 57 (AAC)
25 09 19	VMcC v SSWP (IS) [2018] UKUT 63 (AAC)

25 09 19	VL v SSWP [2018] UKUT 403 (AAC)
25 09 19	DC v London Borough of Bromley (HB) [2018] UKUT 416 (AAC)
25 09 19	FE v SSWP (RP) [2019] UKUT 61 (AAC)
25 09 19	Cases on application of Tolley JG v SSWP [2019] UKUT 83 (AAC); KR v SSWP [2019] UKUT 85 (AAC); SSWP v TG [2019] UKUT 86; GK v SSWP [2019] UKUT 87 (AAC)
25 09 19	R (EH) v Secretary of State for the Home Department [2018] EWHC 2957 (Admin)
25 09 19	R (Foley) v Secretary of State for the Home Department [2019] EWHC 488 (Admin)
25 09 19	R (Sri Lalithambika) Ltd v Secretary of State for the Home Department [2019] EWHC 761 (Admin)
25 09 19	Fatima & ors v SSHD [2019] EWCA Civ 124
25 09 19	Lo v Secretary of State for Work & Pensions [2017] UKUT 440 (AAC)
25 09 19	R (Manzay Ltd) (T/A Mirch Masala Restaurant) v Secretary of State for the Home Department [2016] EWHC 2582 (Admin)
05 07 19	R (Masalskas) v Secretary of State for the Home Department (Regulations 24AA and 29AA EEA Regs) (IJR) [2015] UKUT 677
05 07 19	Weldemichael and another (St Prix [2014] EUECJ C-507/12; e?ect) [2015] UKUT 540 (IAC)
05 07 19	GS v Secretary of State for Work and Pensions [2015] UKUT 0687 (AAC)
05 07 19	Hainsworth v Ministry of Defence, Equality and Human Rights Commission intervening, Supreme Court
05 07 19	Sala (EFMS: Right Of Appeal) [2016] UKUT 00411 (IAC)
05 07 19	Garland v HMRC [2016] UKUT 0431 (TCC)
05 07 19	R (Lounes) v Secretary of State for the Home Department [2016] EWHC 436 (Admin)
05 07 19	R (X) v Secretary of State for the Home Department [2016] EWHC 1997 (Admin)
05 07 19	R (Bilal Ahmed) v Secretary of State for the Home Department, Court of Appeal [2016] EWCA Civ 603
05 07 19	Alhashem v Secretary of State for Work & Pensions, Court of Appeal [2016] EWCA Civ 395

05 07 19	SSWP v MB (JSA) (and linked cases) [2016] UKUT 372 (AAC)
05 07 19	FM v SSWP (DLA) [2017] UKUT 380 (AAC)
04 07 19	Administrative Court refers question to CJEU on rights of dual nationals
04 07 19	Court of Appeal hears ESA / EU jobseeker appeal
04 07 19	Court of Appeal dismisses ESA / EU jobseeker appeal
04 07 19	Challenge to Irish deportation policy dismissed by Administrative Court
04 07 19	Court of Appeals hears Zambrano appeals
04 07 19	Court of Appeal hears significant EU law proportionality and free movement appeal
04 07 19	Court of Appeal hears tax credits appeal
04 07 19	Court of Appeal hands down important judgment on "Zambrano" principle
04 07 19	Court of Appeal considers genuine and sufficient link test
04 07 19	Court of Appeal confirms limits on family member rights under EU law
04 07 19	Supreme Court hears worker registration case
04 07 19	Ayinde and Thinjom (Carers – Reg.15A – Zambrano) [2015] UKUT 560 (IAC)
04 07 19	Court of Appeal confirms Upper Tribunal's decision in Bilal Ahmed