

Landmark Chambers

Barrister CV

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Tim Buley KC

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Tim Buley KC specialises in all areas of public and regulatory law, human rights, and planning and environmental law.



Expertise

Planning, Environment, Public and Administrative

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Practice Summary

Tim is recognised as a leading silk across eight areas in Chambers and Partners 2024 and the Legal 500 2024. Comments about Tim include that he is “clearly one of the most talented public lawyers of his generation of rising silks”, “a great advocate”, and that “when he’s your opposition, your heart sinks because he is so good”.

Tim’s practice covers the full range of public law work, from commercial and regulatory matters, planning and the environment, through constitutional and EU law, local government and healthcare, to civil liberties and human rights, immigration, and social welfare. He is equally experienced acting for and against public bodies, and for commercial interests and individuals. The breadth of his practice is demonstrated by his clients, who include commercial organisations and developers, regulators, individuals, NGOs and pressure groups, most central government departments, devolved administrations, many local authorities, and a wide range of independent and non-departmental public bodies.

Tim has appeared as leading counsel at all levels of the UK court system including numerous appearances in the Supreme Court, Court of Appeal and Administrative and Planning Courts, as well as in public inquiries and tribunals. He has also appeared in the Court of Justice of the European Union and the General Court. He has well over 250 reported cases across his practice areas.

Tim is a Special Advocate and a member of the Welsh Government's Panel of King's Counsel and the Equality and Human Rights Commission's Panel of Counsel. Prior to appointment to silk, Tim was a member of the Attorney-General's A-Panel of junior counsel to the Crown and he continues to act for the government in significant cases. He is Developed Vetted. In Autumn 2022, he was appointed as a Deputy Judge of the Upper Tribunal (Administrative Appeals Chamber).

Planning

Tim Buley KC is recommended in both Chambers UK Bar 2021 and the Legal 500 2021 as a leading silk in planning ("*an exceptional advocate for tricky planning High Court litigation*", "*just a brilliant advocate and he's got a crossover of real experience*").

Tim has unrivalled experience in appearing in the Planning Court (some 25 significant cases in the last 4 years alone) and on appeal, and also appears at inquiries, hearings, and local plan examinations-in-public.

Tim's planning expertise is complemented by his recognised expertise in general public law, local government and environmental law (where he is again recommended as a leading silk in both directories).

Tim has a special interest in cases involving complex legal issues and is particularly well known for his representation of clients in the Planning Court, and his planning clients benefit from his particular knowledge of planning court practice and procedure (which often enables him to find a solution to issues around expedition, costs and interim relief).

Tim's notable work includes:

- **Parkhurst Road v SSCLG** [2019] JPL 855, on the approach to Benchmark Land Value for viability assessments.
- Advising and acting for the Defence Infrastructure Organisation in relation to a number of site allocations for large-scale residential development in the York Local Plan, on issues involving Habitats assessment, the extent of the Green Belt and housing numbers.
- Acting for the successful developer in **R (Giordano Ltd) v LB Camden** [2020] PTSR 490 in the first appeal to the Court of Appeal concerning Community Infrastructure Levy.
- Currently advising a number of "applicant" government departments in relation to obtaining planning permission by way of Special Development Orders for critical border infrastructure following the UK's departure from the EU.
- **Putney Bridge Approach Ltd v SSCLG** [2019] PTSR 1431, Court of Appeal, on advertising consent.
- Promoting a site allocation for RAF Henlow in the Central Bedfordshire Plan.
- **R (Tewkesbury BC) v SSCLG** [2019] PTSR 2144 on judicial review by parties who succeed before a planning inspector and "academic" cases.
- **Sefton MBC v Highways England** [2018] EWHC 3059 (Admin) (DCOs, consultation, major infrastructure for Liverpool port).
- **Dillner** [2016] Env LR 31, on the need for environmental impact assessment of the PFI agreement between the developer and Sheffield Council in relation to its impact on street trees. Tim was successful in defeating the claim and discharging the injunction.

- **Holohan v An Bord Pleanala** [2019] PTSR 1054, CJEU, preliminary reference from Northern Ireland on habitats assessment and Environmental Impact Assessment.
- **Waterstone Estates** [2018] EWCA Civ 1571, where Tim acted for the successful Welsh Government in its interpretation of Welsh national retail policy in Planning Policy Wales.
- **Goodman Logistics** [2017] JPL 1115, successfully defending refusal of planning permission for a Strategic Rail Freight Interchange in Slough.
- Acting for a developer resisting a challenge to planning permission for residential development in Croydon (**Toogood v Croydon and Brick by Brick**, pending).
- Many cases relating to the calculation of 5 Year Housing Land Supply including *Lichfield* (permission for a 750 dwelling development), *Gladman*, *Thornhill Estates*, *Cawrey Ltd* and *Cullen*.
- A number of significant cases concerning the interpretation of the National Planning Policy Framework including **CEG Land Promotions II Ltd** [2019] PTSR 353 on “valued landscapes”, *Brommell* [2019] JPL 501 (on substitute open space), and *Telford and Wrekin*, 2016, on the presumption in favour of sustainable development and best and most versatile agricultural land.
- For a local resident’s group successfully judicially reviewing the grant of planning permission for residential development (**Friends of Evenlode v West Oxfordshire DC**).
- **O’Brien** [2016] JPL 565, local authority powers to refuse to determine repeat planning applications under section 70C TCPA 1990.
- For Camden Council in relation to major residential development in Swiss Cottage.
- A number of cases concerning the scope of permissions and “prior approvals” granted under the General Permitted Development Order (**Pressland v Hammersmith and Fulham LBC**, **Orange PCS Ltd v Islington**).

Specifically in relation to highways, rights of way and village greens, Tim has appeared in many of the notable cases:

- **R (Lancashire v SSEFRA)** [2020] 2 WLR 1, on whether the registration of a village green was incompatible with the statutory purposes for which that land is held by a local education authority.
- **R (Network Rail) v SSEFRA** [2017] PTSR 1662, on diversion of a right of way to enable development precluded by a Grampian condition.
- **Slough BC v SSCLG** [2018] EWHC 1963 (Admin), common law dedication of right of way, for successful local authority and also at public inquiry.
- **R (Ramblers) v SSEFRA** [2017] EWHC 729, incompatibility of dedication of right of way of railway where incompatible with duty to maintain safe and efficient rail network.
- **R (Newhaven Port and Properties Ltd) v DEFRA** [2014] QB 282, whether creation of a village green incompatible with landowner’s property rights under Article 1 of the First Protocol to the ECHR.

Environment

Tim Buley KC is recommended as a leading silk in environmental law (“really making a name for himself” and “one to watch”). He has a wide-ranging environmental practice which includes both pure environmental law matters and environmental issues arising in planning. He has a particular interest and experience of the Aarhus Convention, environmental permitting across a range of industries, energy policy and waste.

Notable work includes:

- A significant number of cases concerning environmental permitting under the EPR 2016 including for the Environment Agency in ***R (Friends of the Earth) v EA*** [2019] Env LR 1020 (fracking, Preston New Road Site, Mining Waste Directive) and ***R (ClientEarth) v EA*** (2019, Humber Oil Refinery, Industrial Emissions Directive), and for the permit holder relating to emissions from a waste incinerator in ***R (No Essex Incinerator) v Environment Agency and Gent Fairhead Ltd*** (2020, Industrial Emissions Directive, waste incinerator).
- For commercial clients in relation to decision making under the Non-Domestic Renewable Heat Initiative, including successfully challenging a refusal to admit a facility to the scheme (***R (Atlantic Recycling Ltd) v Gas and Electricity Markets Authority / Ofgem***).
- ***Holohan v An Bord Pleanala*** [2019] PTSR 1054, CJEU, preliminary reference from Northern Ireland on habitats assessment and Environmental Impact Assessment.
- For the Environment Agency in a challenge to the compatibility of its charges for environmental permits with the EU Landfill Directive brought by a conglomeration of landfill operators, and separately in relation to a challenge by BT concerning the CRC Energy Efficiency Scheme.
- ***Geo Specialty Chemicals Ltd v Environment Agency***, 2019, the first case in the First-tier Tribunal (Environment Chamber) addressing the interpretation of Climate Change Agreements.
- ***Dillner*** [2016] Env LR 31, acting for the interested party, Amey Hallam Highways Ltd, on the need for environmental impact assessment of the PFI agreement between Amey and Sheffield Council in relation to its impact on street trees. Tim was successful in defeating the claim and discharging the injunction.
- For BEIS in a challenge by an environmental charity concerning compliance with the Aarhus Directive in relation to government subsidy, and the setting of the “strike price” price, for energy at Hinkley Point C power station. Advisory work on compliance with requirement for justification for nuclear practices under the Euratom Treaty and wider compliance with Aarhus in relation to funding for nuclear power.
- Advice to DEFRA, the EA, the Welsh Government and Natural Resources Wales on implementation on the Water Framework Directive in UK law and on modifications to the Main River Map.
- Acting for the UK government in an action for annulment in the CJEU relating to audit disallowances under the basic payments scheme of the common agricultural policy.

- Acting in a number of claims for judicial review concerning water abstraction licensing. Tim has also advised the Environment Agency on a number of policy and legal issues concerning water abstraction.
- Successfully representing a commercial operator in a challenge to its Private Finance Initiative agreement for the maintenance of highways in Sheffield on the basis of alleged failure to carry out an environmental assessment under the EIA Directive (*R (Dillner) v Sheffield CC and Amey* [2016] Env LR 31).
- *R (Ofgoba) v SS for Energy and Climate Change* [2014] EWHC 2665 (Admin), Energy Services Directive.
- *R (Glenavon Growers Ltd) v SS for Energy and Climate Change*, tariffs for energy from biomass burner.

Tim has spoken at UKELA events on issues arising from the Environment Bill, including in particular the establishment of the Office for Environmental Protection, and gave evidence on these issues to Parliament's Environmental Audit Committee in 2019. Tim's general expertise in EU law and the constitutional issues arising from Brexit makes him particularly well placed to advise on environmental issues arising from the UK's departure from the EU.

Public and Administrative

Tim Buley KC is recognised as a leading silk in administrative and public law in both directories, with recommendations across seven other related areas of public law (civil liberties, community care, local government, environmental law, EU law, immigration and planning).

Tim acts for the widest range of client including commercial organisations, central government, devolved administrations, local government, NGOs and individuals.

Tim has well over 150 reported cases in the public law field (see the Cases link for full citations). Some of Tim's more notable work (with links to more detailed information on his work in his various sub-specialisms) include:

- Acting for Baker Tilly LLP in a judicial review of the Financial Reporting Council's approach to disciplinary proceedings for "misconduct" by auditors in the Admin Court and Court of Appeal (*R (Baker Tilly v FRC)* [2017] EWCA Civ 1284). Tim has undertaken other work in the field of professional regulation including acting for the Legal Ombudsman in relation to solicitor's misconduct and advisory work for the Law Society and the Family Bar Association, as well as work for the Good Thinking Society concerning professional regulation of osteopaths.
- Eleven appearances in the Supreme Court and House of Lords including *Mathieson v SSWP* [2015] 1 WLR 3520 (where Tim appeared as sole counsel), the seminal constitutional case of *R (Cart) v Upper Tribunal* [2012] 1 AC 663, and the challenge to the Benefit Cap in (*SG and ors* [2015] 2 WLR 1449).
- Significant experience of **procurement** issues, including advising a commercial client on the structuring of an agreement so as to avoid the creation of a "works" contract and subsequent challenge to a failure to procure a contract with a third party developer, and acting for the Environment Agency in defending a procurement challenge.
- Successfully defending a number of judicial review claims concerning whether public body land sales were compliant with procurement and State Aid rules due to failure to obtain "best value" (*Jansons West v MOD*, *Keep Louth Special v East Lindsey DC*), and whether changes to energy pricing breached State Aid rules (*Glenavon v DECC*).

- For the largest firm of legal aid solicitors in a successful challenge to the Legal Aid Remuneration Regulations on the basis that they create an unlawful barrier to access to justice by preventing payment for legal services in judicial review claims which settle after permission is refused on paper but before final hearing and that the government has failed to properly implement the Div Court judgment in **Ben Hoare Bell**.
- Acting for the Education and Skills Funding Agency successfully defending a judicial review challenging a decision to terminate a apprenticeship levy funding partnership brought by a commercial operator.
- Acting for Amey Hallam Highways Ltd and Amey Ltd in relation to a challenge to the Private Finance Initiative contract with Sheffield Council by protestors against tree felling in Sheffield (*Dillner* [2016] Env LR 31). Tim has subsequently acted for Amey on issues arising from unlawful action by protestors.
- Many notable public law cases in the **planning** field, including over 25 cases in the Planning Court since 2015. Highlights include **Parkhurst Road** (affordable housing, viability), **Waterstone** (retail planning policy, Wales, CA pending), **Lichfield** (planning permission for 750 new homes), **Holohan** (CJEU, environmental statements) and **Goodman Logistics** (Strategic Rail Freight Interchange in Slough).
- Highlights of public law work in the **environmental** field include defending judicial reviews against the environmental agency concerning increased charges for closed landfill, permitting for fracking by Cuadrilla, and the CRC energy efficiency scheme, acting for central government on a threat of judicial review concerning Hinkley Point C power station.
- Notable **civil liberties** cases include **R (Gudanaviciene, Reis and ors) v Director of Legal Aid Casework** [2014] EWCA Civ 1622, [2015] 1 WLR 2247 (exceptional legal aid funding, EU Charter of Fundamental Rights), acting as sole counsel for a claimant in SIAC, **Faulkner and Sturnham** (Supreme Court, parole, Article 5(4) ECHR) and **Zagorski** [2011] HRLR 6 (export of drugs to US, death row, EU Charter). This work overlaps with Tim's work in **immigration** including important cases on immigration detention (**Das, BA and Francis**), deportation (**NEA Nigeria, S v SSHD**) and freedom of movement (**NA Pakistan**) and **social security** (including **Burnip, Stevenson and Hardy**).
- Many public law cases in the fields of **local government** (including **Forest Heath** (boundary change, CA) and **Nicolson v Grant Thornton** (local government audit)), **community care** (including **SO v Barking** on duties to former relevant children and **KM v Cambridgeshire** in the Supreme Court) and **health and NHS** (including **SB v GOSH** on the NICE terms of access to specialist drug therapy, **Flatley** on NHS reorganisation, a number of cases concerning approval of new drugs by NICE, for the Good Thinking Society in relation to blacklisting homeopathic medicines and advisory work for the Secretary of State for Health).
- Many notable public law cases in the field of **EU law** including *Tolley* (Supreme Court and CJEU), **Gusa** and **Holohan** (CJEU, sole counsel), **R (RICS) v HMT** (implementation of the 4th Money Laundering Directive).
- Successfully defending a number of judicial review claims concerning whether public body land sales were compliant with procurement and State Aid rules due to failure to obtain "best value" (**Jansons West v MOD, Keep Louth Special v East Lindsey DC**), and whether changes to energy pricing breached State Aid rules (**Glenavon v DECC**).
- Reported cases on Administrative Court practice and procedure including the seminal cases of **Bahta** and **AL (Albania)** on costs on settled judicial review cases. Tim is a contributor to a chapter of JR procedure in Supperstone, Goudie and Walker (6th Ed) and edits the section on judicial review in the Environmental Law encyclopaedia, and has authored a number of consultation responses for ALBA and ILPA on procedural changes to Admin Court procedure.

- Significant advisory work for most central government departments on issues including funding for nuclear power, establishment of *ex gratia* compensation schemes, funding for the community care sector, drafting of legislation, the listing of Hyde Park Barracks, and exit payments for civil servants. Tim's non-departmental clients include the Parole Board, the Judicial Appointments Commission, the Boundary Commission for England, the Marine Fisheries Agency, the Intellectual Property Office, a number of Ombudsmen, the Environment Agency, the Land Registry and the Enemy Property Compensation Panel.
- Significant experience in the field of information law including three appearances before the Information Tribunal since 2015.

Human Rights and Civil Liberties

Tim Buley KC has unrivalled experience of undertaking human rights and civil liberties cases in the Administrative Court, and on appeal, as well as in a wide range of specialist tribunals. He is currently recommended as a leading silk in both directories, as well as in a number of related fields.

Tim's experience takes in the European Convention on Human Rights, the EU Charter of Fundamental Rights, the Equality Act 2010, domestic public law and constitutional law as it pertains to fundamental rights and the applicability of international human rights instruments in domestic law.

Tim's notable human rights and civil liberties work exemplifying this breadth of experience includes:

- For the claimant in ***R (Andrews) v Minister for the Cabinet Office*** [2019] EWHC 1126 (Admin) establishing that arrangements for blind voters are unlawful because they fail to enable blind voters to vote without assistance, and in breach of Article 14 ECHR.
- For the claimants, instructed by the Child Poverty Action Group, in the Supreme Court in their challenge to the Revised Benefit Cap on the basis that it discriminates against women and lone parents and their children, contrary to Article 14 ECHR (summer 2018) and the UN Convention on the Rights of the Child. Tim previously acted *pro bono* for CPAG when it intervened in the challenge to the original Benefit Cap in the Admin Court, Court of Appeal and Supreme Court (***SG and ors*** [2015] 2 WLR 1449).
- For one of the successful claimants in the lead case on the grant of legal aid exceptional case funding to comply with the EU Charter on Fundamental Rights (***R (Gudanaviciene, Reis and ors) v Director of Legal Aid Casework*** [2014] EWCA Civ 1622, [2015] 1 WLR 2247).
- For Duncan Lewis in its ongoing challenge to the Legal Aid Remuneration Regulations on the basis that they create an unlawful barrier to access to justice by preventing payment for legal services in judicial review claims which settle after permission is refused on paper but before final hearing and that the government has failed to properly implement the Div Court judgment in ***Ben Hoare Bell***.
- For the AIRE Centre, intervening in the Court of Appeal and CJEU, concerning the accrual of rights of residence under EU law by third country nationals following domestic violence (***SSHD v NA (C-115/15)*** [2017] QB 109, [2016] 3 WLR 1439, [2017] 1 CMLR 12).
- Acting for claimants in a number of significant cases concerning Article 14 ECHR in the social security field, notably including ***Burnip*** (the first case to require positive discrimination in favour of disabled people in the social security field), ***Hardy***

(imposing a duty on local authorities to make good shortfalls in housing benefit from the bedroom tax by paying Discretionary Housing Payments) and **Stevenson** (Support for Mortgage Interest, disability, Supreme Court pending), **FM** (Past Presence Test, CA pending), and many others.

- Many successful claims for unlawful detention on behalf of individuals including **BA v SSHD** (one of the first cases in which the detention of a mentally ill person was found to breach Article 3 ECHR), **FH (Iran)**, and **MD (Angola)** (detention of persons with HIV). Tim has often acted *pro bono* on behalf of NGOs intervening in unlawful detention cases including **Das** (detention of mentally ill, for Medical Justice) and **Francis** (for Bail for Immigration Detainees) in the Court of Appeal. The Legal 500 2017 says that Tim is “especially knowledgeable in cases concerning the detention of the mentally ill” and his expertise in detention has been frequently noted in earlier editions of both the directories.
- Sole counsel for the Secretary of State in the Supreme Court in **Mathieson v SSWP** [2015] 1 WLR 3520, on Article 14 ECHR and the applicability of the UNCRC in domestic law.
- Successfully acting for an individual on death row in the US to prevent the export of drugs to be used for execution in the on the basis that it breached the EU Charter on Fundamental Rights (**R (Zagorski) v SSBIS** [2011] HRLR 6).
- Acting for Public Law Project (PLP) and for an individual appellant in the cases which established the current approach to payment of costs in favour of claimants where cases settle after lodging of the claim, **Bahta** and **AL (Albania)**, overturning **Boxall**. These cases were critical to ensure the viability of legal aid firms and are widely recognised for thereby promoting access to justice in public law.
- Acting for many individuals in immigration appeals and judicial reviews relating to human rights, asylum, trafficking and free movement law including **Dolat-Shahi** (acquisition of permanent residence, deportation, SSHD appeal pending in the Court of Appeal) **Sidey** (principle of equal treatment under EU law, domestic violence), **NEA Nigeria** and **S v SSHD** (Article 8, deportation, Court of Appeal). Tim undertakes significant *pro bono* work in the immigration field.
- Many significant cases concerning Article 1 of the First Protocol to the ECHR including **R (Newhaven Port and Properties) v SSEFRA** [2014] QB 282 (CA), successfully arguing that registration of a village green does not breach the landowner's right to property under A1P1, and **Turner v Chief Land Registrar** [2013] 2 P & CR 12 (A1P1 and Article 8).
- For PLP in **R (Cart) v Upper Tribunal** [2012] 1 AC 663, intervening in the Divisional Court, Court of Appeal and Supreme Court, on the major constitutional issue of the amenability of the Upper Tribunal to judicial review.
- For the AIRE Centre, intervening in the Court of Appeal and CJEU, concerning the accrual of rights of residence under EU law by third country nationals following domestic violence (**SSHD v NA (C-115/15)** [2017] QB 109, [2016] 3 WLR 1439, [2017] 1 CMLR 12).
- Many significant cases involving prison law and parole, for and against government bodies, including **Youngsam** (application of Article 5(4) to determinate sentence prisoners, CA pending), **Sturnham and Faulkner** (Supreme Court, test for release and damages for breach of the ECHR), **Cain** (for claimant, Cat A security categorisation), **Pennington** (Article 5(4) ECHR), and **King** (CA test for release of determinate sentence prisoners).
- Extensive experience of human rights arguments in the context of planning and environmental law and regulatory and commercial public law.
- Sole counsel in the Special Immigration Appeals Commission in a case concerning a refusal of naturalisation where reasons were withheld on public interest immunity grounds.

Immigration

Tim Buley KC specialised in acting for claimants in immigration from the very start of his practice, and is recommended as a leading silk in both directories.

Tim is known for his public law and appellate work in the immigration field but also has significant experience of the tribunal system and is pleased to undertake cases for individuals (on legal aid and, where appropriate, on reduced fees or *pro bono*) in all kinds of court and tribunals. He often acts as sole and leading counsel in the Court of Appeal but is also works as part of a larger team in cases raising major policy or legal issues.

He is known for his specialist in the field of immigration detention, where he has undertaken many important cases, and currently has an interest in the immigration issues arising from the UK's withdrawal from the EU.

Tim's notable immigration work includes:

- Acting on an emergency basis for a number of successful claimants challenging their detention under immigration powers at the start of the COVID-19 crisis, including the lead case on the interpretation of the government's policies for detention in such cases.
- For one of the successful claimants in the lead case on the grant of legal aid exceptional case funding for deportation appeals to comply with the EU Charter on Fundamental Rights (***R (Gudanaviciene, Reis and ors) v Director of Legal Aid Casework*** [2014] EWCA Civ 1622, [2015] 1 WLR 2247).
- Many successful claims for unlawful detention on behalf of individuals including ***BA v SSHD*** (one of the first cases in which the detention of a mentally ill person was found to breach Article 3 ECHR), ***FH (Iran)***, and ***MD (Angola)*** (detention of persons with HIV). Tim has often acted *pro bono* on behalf of NGOs intervening in unlawful detention cases including ***Das*** (detention of mentally ill, for Medical Justice) and ***Francis*** (for Bail for Immigration Detainees) in the Court of Appeal. Tim's expertise on Admin Court procedure makes him particularly well placed to advise on issues concerning interim relief and urgent cases.
- Lead counsel in the Court of Appeal in a number of reported cases concerning deportation: ***NEA (Nigeria)*** [2017] Imm AR 1077, ***S v SSHD*** [2018] Imm AR 169.
- For Duncan Lewis in its ongoing challenge to the Legal Aid Remuneration Regulations on the basis that they create an unlawful barrier to access to justice by preventing payment for legal services in judicial review claims which settle after permission is refused on paper but before final hearing and that the government has failed to properly implement the Div Court judgment in ***Ben Hoare Bell***.
- Current cases include judicial reviews for a company challenging a decision to revoke its Tier 2 Sponsors license, for an individual challenging a conclusive decision on whether she was a victim of trafficking, a number of detention claims.
- For the AIRE Centre, intervening in the Court of Appeal and CJEU, concerning the accrual of rights of residence under EU law by third country nationals following domestic violence (***SSHD v NA (C-115/15)*** [2017] QB 109, [2016] 3 WLR 1439, [2017] 1 CMLR 12).

- Acting for Public Law Project and for an individual appellant in the (immigration) cases which established the current approach to payment of costs in favour of claimants where cases settle after lodging of the claim, **Bahta and AL (Albania)**, overturning **Boxall**. These cases were critical to ensure the viability of legal aid firms and are widely recognised for thereby promoting access to justice in public law and immigration.
- Acting for many individuals in immigration appeals and judicial reviews relating to human rights, asylum, trafficking and free movement law including **Dolat-Shahi** (acquisition of permanent residence, deportation, SSHD appeal pending in the Court of Appeal) **Sidey** (principle of equal treatment under EU law, domestic violence), **NEA Nigeria** and **S v SSHD** (Article 8, deportation, Court of Appeal). Tim undertakes significant *pro bono* work in the immigration field.
- For the AIRE Centre, intervening in the Court of Appeal and CJEU, concerning the accrual of rights of residence under EU law by third country nationals following domestic violence (**SSHD v NA (C-115/15)** [2017] QB 109, [2016] 3 WLR 1439, [2017] 1 CMLR 12).
- Many significant cases involving prison law and parole, for and against government bodies, including **Youngsam** (application of Article 5(4) to determinate sentence prisoners, CA pending), **Sturnham and Faulkner** (Supreme Court, test for release and damages for breach of the ECHR), **Cain** (for claimant, Cat A security categorisation), **Pennington** (Article 5(4) ECHR), and **King** (CA test for release of determinate sentence prisoners).
- For PLP in **R (Cart) v Upper Tribunal** [2012] 1 AC 663, intervening in the Divisional Court, Court of Appeal and Supreme Court, on the major constitutional issue of the amenability of the Upper Tribunal to judicial review. Tim has brought a number of successful “Cart JRs” in cases where he subsequently went on to win his client’s cases in the later appeals.
- Innumerable successful claims for judicial review (almost all conceded) on behalf of claimants in the immigration field.
- Sole counsel in the Special Immigration Appeals Commission in a case concerning a refusal of naturalisation where reasons were withheld on public interest immunity grounds.
- Tim has acted for claimants in many cases concerning the overlap between **community care** and immigration, including eg **R (SO) v Barking and Dagenham LBC** [2011] 1 WLR 1283 (test case which established the duty of local authorities to provide support to “former resident child” asylum seekers and failed asylum seekers) and **R (Z) v Hillingdon LBC** (2010) 13 CCL Rep 157 (CA, duty to blind asylum seeker).

Tim gives regular training on immigration issues including a regular training session for ILPA concerning the detention of vulnerable adults. Tim has undertaken advisory work for major immigration charities including JCWI, BID, Medical Justice, and others.

NHS, Health and Community Care

Tim Buley KC undertakes a wide range of work in the NHS and community care field for individuals, central and local government and NGOs.

Tim’s notable past and current work in the healthcare and community care fields include:

- For SB in **R (SB) v Manchester Manchester University Hospital NHS Trust and Great Ormond Street Hospital for Sick Children NHS Trust** (judgment awaited) on whether SB qualifies for access to specialist treatment recommended by NICE for children with Spinal Muscular Atrophy.

- ***R (Flatley) v Welsh Government and Hywel Dda University Health Board*** (2014) 140 BMLR 1, for the Welsh Government in relation to a challenge to its proposals for NHS service reconfiguration in South Wales.
- ***R (KM) v Cambridgeshire CC*** [2012] UKSC 23, [2012] 3 All ER 1218, Supreme Court, whether local authorities are entitled to have regard to limits on their resources in deciding what level of community care needs to meet.
- Acting for the Good Thinking Society in a proposed challenge (conceded by the government) to the NHS's failure to "blacklist" homeopathic medicines to prevent them from being prescribed for free on the NHS despite the absence of evidence to demonstrate efficacy.
- For the claimant in ***R (SO) v Barking and Dagenham LBC*** [2011] 1 WLR 1283, test case which established the duty of local authorities to provide support to "former resident child" asylum seekers and failed asylum seekers.
- Acting for claimants in many other cases concerning the duties of local authorities to persons without leave to remain, including ***R (Z) v Hillingdon LBC*** (2010) 13 CCL Rep 157 (CA, duty to blind asylum seeker).
- Acting for the Secretary of State for Health on a number of important cases concerning the determination of ordinary residence for the purposes of deciding which local authority or NHS body is required to provide services under the National Assistance Act 1948, the Care Act 2014 or the Mental Health Act 1983: ***R (Barking and Dagenham LBC) v SSH*** (2017) 20 CCL Rep 505, ***R (Greenwich LBC) v SSH*** (2007) 20 CCL Rep 505, ***R (Kent CC) v SSH*** [2015] 1 WLR 1221. Tim is closely involved in advising the Secretary of State on ordinary residence issues and has also determined a number of OR disputes on his behalf.
- ***R (Savva) v Kensington and Chelsea LBC*** [2011] PTSR 761 (personal budgets, NHS continuing care, community care).
- ***XYZ v Portsmouth Hospital NHS Trust*** (2011) 121 BMLR 13, intervening on the question of whether the Secretary of State for Health should prioritise a kidney transplant for a victim of clinical negligence by the NHS.
- For claimants (with David Lock KC) on a number of cases concerning the availability of drugs for participants in successful drugs trials sponsored by the NHS.
- A number of cases concerning the payment of disability living allowance to persons receiving NHS or community care services: ***Mathieson v SSWP*** [2015] [2015] UKSC 47, 1 WLR 3250, ***MH v SSWP (PIP) (Human Rights law – article 14)*** [2017] UKUT 424 (AAC), ***ML v SSWP*** [2016] UKUT 0323 (AAC), ***SSWP v Slavin*** [2012] PTSR 692.
- Extensive advisory practice for the Secretary of State for Health, NHS bodies, local authorities and others.

Social Security

Tim Buley KC is a specialist in social security law, with extensive experience of social security litigation in the First-Tier Tribunal, Upper Tribunal, Administrative Court, Court of Appeal and Supreme Court.

He undertakes legal aid work for individuals and is committed to *pro bono* work in this field for individuals and NGOs (notably Child Poverty Action Group, the AIRE Centre, Z2K). On the other hand Tim also regularly acts for the Secretary of State for Work and Pensions in this field, both on major cases and in advisory work on policy and the formulation of legislation.

Tim's breadth of experience enables to see cases from a number of different perspectives to the benefit of all of his clients, as does his wider experience of public, human rights and EU law. Tim has particular experience of issues of EU law, equality and human rights law (especially Article 14 ECHR) as they pertain to social security, being ranked as a leading junior in these areas

in the Directories.

Tim has appeared in a significant proportion of the most notable cases in the social security field in the last decade, including:

- For a number of children challenging the “past presence test” which prevents children coming to live in the UK from abroad from claiming disability living allowance until they have been resident for 2 years.
- For the appellant in **Konevod v SSWP** [2020] EWCA Civ 809 on EU social security co-ordination rules.
- For the claimants, instructed by the Child Poverty Action Group, in the Supreme Court in their challenge to the Revised Benefit Cap on the basis that it discriminates against women and lone parents and their children, contrary to Article 14 ECHR (summer 2018). Tim previously acted *pro bono* for CPAG when it intervened in the challenge to the original Benefit Cap in the Admin Court, Court of Appeal and Supreme Court (**SG and ors** [2015] 2 WLR 1449).
- **Mathieson v SSWP** [2015] 1 WLR 3520, where the court found a breach of Article 14 by reason of failure to pay DLA to children in hospital. Tim also acted for the Secretary of State in the follow on cases of **MH** [2017] UKUT 380 (AAC) and **ML** [2016] UKUT 323 (AAC), where the UT held that it was lawful to withhold DLA from adult claimants in hospital and care homes.
- For the claimant in the seminal case of **Burnip v Birmingham CC** [2013] PTSR 117, where the Court of Appeal held that there was a breach of Article 14 ECHR because the housing benefit scheme failed to make adequate provision for disabled claimants who required an additional room for a carer, applying the *Thlimmenos* approach to require positive discrimination for the disabled for the first time in UK law.
- Many notable cases concerning social security coordination issues between EU member states under EU Reg 883/2004 and its predecessor Reg 1408/71: **Tolley** [2017] 1 WLR 1261 (CJEU) and [2016] 1 CMLR 23 (Supreme Court), **Ruas** [2010] PTSR 1757, and **Burley** [2009] 1 WLR 241.
- **TW v SSWP** [2017] UKUT 25 (AAC), CA appeal pending, for the Secretary of State, successfully arguing that the transitional scheme for the migration of DLA claimants to PIP did not breach Article 14 ECHR.
- **R (Hardy) v Sandwell MBC** [2015] 1292, for Mr Hardy, test case holding that failure of local authority to pay Discretionary Housing Payments to disabled person subject to the bedroom tax breaches Article 14 ECHR and the Equality Act 2010.
- Acting for claimants in two ongoing challenges concerning Article 14 ECHR: **Stevenson** [2017] EWCA Civ 2123, SC pending, on the cap on Support for Mortgage Interest, and **FM v SSWP** [2018] PTSR 1036, CA appeal pending, on whether application of Past Presence Test to children claiming DLA breaches the Public Sector Equality Duty and Article 14.
- Many notable cases in the Social Security Commissioners, Upper Tribunal and Court of Appeal, for and against the Secretary of State, on social security law, including: **Deane** [[2011] PTSR 289, **Slavin** [2012] PTSR 692, **Local** [2008] UKSSCSC CHR 3855 (Tribunal of Comms), **JA-K** [2018] 1 WLR 2657, and many others.
- For the claimants in **R (MM and DM) v SSWP** [2014] 1 WLR 1716, systemic challenge to the treatment of ESA claimants with mental health problems for failure to make reasonable adjustments as required by the Equality Act 2010.
- Tim also has significant experience of free movement issues in the immigration context and as they affect social security: eg For the AIRE Centre, intervening in the Court of Appeal and CJEU, concerning the accrual of rights of residence under EU law by third country nationals following domestic violence (**SSHD v NA (C-115/15)** [2017] QB 109, [2016] 3 WLR 1439,

[2017] 1 CMLR 12).

- Significant expertise in Child Support, with a number of leading cases in the Court of Appeal and many UT cases: **Brough v Law** [2012] 1 WLR 1021, **Gray** [2013] PTSR 520, **Hakki** [2014] 1 FLR 547, and **French** [2018] 2 FCR 49.
- For PLP in **R (Cart) v Upper Tribunal** [2012] 1 AC 663, intervening in the Divisional Court, Court of Appeal and Supreme Court, on the major constitutional issue of the amenability of the Upper Tribunal to judicial review (Cart itself was a child support case). Tim also appeared in the related case of **R (Wiles) v Social Sec Commissioner** [2010] EWCA Civ 258, where the Court of Appeal first mooted a “second appeals” approach to judicial review of the Upper Tribunal.

EU Law post-Brexit

Tim is recommended as a leading silk in EU law as it relates to public, regulatory and planning and environmental law. He has appeared frequently in the Court of Justice of the European Communities (CJEU), and in notable EU law cases in the Supreme Court, Court of Appeal, Administrative Court and a wide variety of specialist tribunals. He also has a busy advisory EU law practice.

In the last two years Tim has taken a particular interest in the legal and constitutional issues arising from Brexit under the Withdrawal Agreement Act 2018 and subsequent legislation, and he has provided advice and training on these issues.

Tim’s notable past and current work in EU law includes:

- Acting for the UK government in an action for annulment in the first instance court relating to the Basic Payment Scheme under the Common Agricultural Policy.
- Successfully representing a commercial operator in a challenge to its Private Finance Initiative agreement for the maintenance of highways in Sheffield on the basis of alleged failure to carry out an environmental assessment under the EIA Directive (**R (Dillner) v Sheffield CC and Amey** [2016] Env LR 31).
- Acting for the Her Majesty’s Treasury and HMRC in a challenge to the regulations implementing the Fourth Money Laundering Directive, **R (Royal Institute of Chartered Surveyors) v HMT and HMRC**.
- Representing the UK government in a preliminary reference in the CJEU from Northern Ireland concerning the duty to consider “main alternatives” in an environmental statement (**Holohan v An Bord Pleanala** (Case C-461/17)).
- For the Environment Agency in a challenge to the compatibility of its charges for environmental permits with the EU Landfill Directive brought by a conglomeration of landfill operators (ongoing).
- Advising a range of commercial and public body clients in relation to compliance with procurement rules.
- Successfully acting for the individual claimant in the Supreme Court and CJEU in a case concerning exportability of DLA benefit payments after moving to Spain (**SSWP v Tolley** [2015] UKSC 55, **SSWP v Tolley** (Case C-430/15), [2017] 1 WLR 1261). Many other EU law cases in the social security field including **Ruas** (for the claimant) and **Burley** (for the SSWP) in the Court of Appeal.
- For the Environment Agency in a claim by Friends of the Earth concerning compliance with the Mining Waste Directive in varying the environmental permit for fracking at Cuadrilla’s Preston New Road site.

- For the AIRE Centre, intervening in the Court of Appeal and CJEU, concerning the accrual of rights of residence under EU law by third country nationals following domestic violence (**SSHD v NA (C-115/15)** [2017] QB 109, [2016] 3 WLR 1439, [2017] 1 CMLR 12).
- For the UK Government in the CJEU in relation to retention of rights of residence for the self-employed when becoming unemployed (**Gusa v Minister for Social Protection (Case C-442/16)** [2018] 2 CMLR 23).
- For a successful individual claimant in a test case in the Court of Appeal on the grant of legal aid exceptional case funding for a deportation appeal so as to comply with the EU Charter on Fundamental Rights (**R (Gudanaviciene, Reis and ors) v Director of Legal Aid Casework** [2014] EWCA Civ 1622, [2015] 1 WLR 2247).
- Acting for many individuals in immigration appeals relating to Free Movement law including **Dolat-Shahi** (acquisition of permanent residence, deportation, SSHD appeal pending in the Court of Appeal) and **Sidey** (principle of equal treatment under EU law, domestic violence).
- For BEIS in a challenge by an environmental charity concerning compliance with the Aarhus Directive in relation to government subsidy, and the setting of the “strike price” price, for energy at Hinkley Point C power station. Advisory work on compliance with requirement for justification for nuclear practices under the Euratom Treaty and wider compliance with Aarhus in relation to funding for nuclear power.
- Successfully acting for an individual on death row to prevent the export of anaesthetic drugs to be used for execution in the United States on the basis that it breached the EU Charter on Fundamental Rights (**R (Zagorski) v SSBIS** [2011] HRLR 6).
- A number of judicial review claims concerning the Common Agricultural Policy and EU Fisheries Policy.
- Successfully defending a number of judicial review claims concerning whether public body land sales were compliant with procurement and State Aid rules due to failure to obtain “best value” (**Jansons West v MOD, Keep Louth Special v East Lindsey DC**), and whether changes to energy pricing breached State Aid rules (**Glenavon v DECC**).
- A number of cases concerning the Data Protection Directive and the GPDR.
- Advice to DEFRA, the EA, the Welsh Government and Natural Resources Wales on implementation of the Water Framework Directive in UK law.
- Advising various private and governmental clients on issues arising from Brexit.

EU Law post-Brexit

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- Acting for the UK government in an action for annulment in the first instance court relating to the Basic Payment Scheme under the Common Agricultural Policy.
- Successfully representing a commercial operator in a challenge to its Private Finance Initiative agreement for the maintenance of highways in Sheffield on the basis of alleged failure to carry out an environmental assessment under the EIA Directive (*R (Dillner) v Sheffield CC and Amey* [2016] Env LR 31).
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- Advising a range of commercial and public body clients in relation to compliance with procurement rules.
- Successfully acting for the individual claimant in the Supreme Court and CJEU in a case concerning exportability of DLA benefit payments after moving to Spain (*SSWP v Tolley* [2015] UKSC 55, *SSWP v Tolley* (Case C-430/15), [2017] 1 WLR 1261). Many other EU law cases in the social security field including *Ruas* (for the claimant) and *Burley* (for the SSWP) in the Court of Appeal.
- For the Environment Agency in a claim by Friends of the Earth concerning compliance with the Mining Waste Directive in varying the environmental permit for fracking at Cuadrilla's Preston New Road site.
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- For the UK Government in the CJEU in relation to retention of rights of residence for the self-employed when becoming unemployed (*Gusa v Minister for Social Protection (Case C-442/16)* [2018] 2 CMLR 23).
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- A number of judicial review claims concerning the Common Agricultural Policy and EU Fisheries Policy.

- Successfully defending a number of judicial review claims concerning whether public body land sales were compliant with procurement and State Aid rules due to failure to obtain “best value” (***Jansons West v MOD, Keep Louth Special v East Lindsey DC***), and whether changes to energy pricing breached State Aid rules (***Glenavon v DECC***).
- A number of cases concerning the Data Protection Directive and the GPDR.
- Advice to DEFRA, the EA, the Welsh Government and Natural Resources Wales on implementation of the Water Framework Directive in UK law.
- Advising various private and governmental clients on issues arising from Brexit.

Local Government

Tim Buley KC is recognised as a leading silk in local government in both directories, where he is also recognised in the related fields of public law, community care, and planning.

Much of Tim’s work in the local government field overlaps with his work in public and regulatory law, planning and environment, and community care. However, Tim also has expertise in a range of issues specific to local authorities, such as local government reorganisation, governance and local government propriety, local government audit, Council Tax and rating, devolution issues especially in Wales, local government land disposal, procurement and local government finance.

Tim’s notable past and current work in the local government field includes:

- ***Nicolson v Grant Thornton LLP and Haringey LBC*** [2016] 2 Costs LR 211, concerning local government audit and Council Tax recovery, where Tim acted successfully for Haringey LBC.
- ***R (KM) v Cambridgeshire CC*** [2012] UKSC 23, [2012] 3 All ER 1218, Supreme Court, concerning whether local authorities are entitled to have regard to limits on their resources in deciding what level of community care needs to meet. Tim has acted in many other significant **community care** cases for against against local authorities. His experience includes ordinary residence disputes (***Greenwich v SSH, Barking and Dagenham v SSH***, care packages (***Savva***), duties to former relevant children (***SO v Barking (No 1)***), age disputes (***SO v Barking (No 2)***), and other matters).
- Successfully representing a commercial operator in a challenge to its Private Finance Initiative agreement for the maintenance of highways in Sheffield on the basis of alleged failure to carry out an environmental assessment under the EIA Directive (***R (Dillner) v Sheffield CC and Amey*** [2016] Env LR 31).
- A number of significant cases about local government reorganisation in the High Court and Court of Appeal including ***Forest Heath v SSCLG*** [2010] PTSR 1205 and ***Devon and Cornwall v SSCLG*** [2011] BLGR 64.
- ***R (Woolcock) v SSCLG and ors*** [2018] EWHC 17 (Admin), [2018] 4 WLR 49, on whether there was “systemic unfairness” in the way in which local authorities enforce Council Tax liability by seeking committal orders against debtors in the Magistrates Court.
- A number of cases, and further advisory work, concerning local authority land disposals including the duty to obtain best best, State Aid, procurement issues around land disposals, and related issues (***Jansons West v MOD, Keep Louth Special v East Lindsey DC***).

- Many notable planning cases, some of which specifically concern the powers and duties of local planning authorities (see the **planning** page). Some of Tim's planning work overlaps with issues of local government propriety and powers: e.g. currently acting for a local authority owned company defending a judicial review brought on bias grounds of a planning permission.
- Extensive experience of rights of way and village green issues (see the **planning** page) including **R (Lancashire v SSEFRA)** [2018] EWCA Civ 721, **R (Network Rail) v SSEFRA** [2017] PTSR 1662, **R (Ramblers) v SSEFRA** [2017] EWHC 729 and **R (Newhaven Port and Properties Ltd) v DEFRA** [2014] QB 282.
- Experience of the work of the Ombudsman including a challenge to a decision of the Local Government Ombudsman (**R (Adams) v Commission for Local Administration** [2012] PTSR 1172, acting for the Legal Ombudsman in defending a number of claims for judicial review concerning solicitor's misconduct and defending decisions of the Pensions Ombudsman (e.g. **Langford v MOD** [2015] EWHC 875 (Ch).
- Significant advisory work for local authorities including on governance, local government mergers (West Somerset and Taunton), shared services arrangements (advice to Weymouth and Portland BC), local authority mergers (West Somerset and Taunton Deane councils), powers to develop land for commercial purposes, propriety and other matters.
- Successfully representing a commercial operator in a challenge to its Private Finance Initiative agreement for the maintenance of highways in Sheffield on the basis of alleged failure to carry out an environmental assessment under the EIA Directive (**R (Dillner) v Sheffield CC and Amey** [2016] Env LR 31).
- Tim has experience of Freedom of Information, Data Protection and related issues with a number of appearances in the Information Tribunal.

Qualifications

- Tim was a scholar of Lincoln College, Oxford, where he read Philosophy, Politics and Economics.
- Tim studied law at City University, London, and subsequently undertook an LL.M in Public Law at King's College, London, achieving distinctions in public law and jurisprudence.

Recommendations

"Tim is brilliant and engaging with the judge, leading them down the path to where he wants them to go." "He is incredibly perceptive and very astute on knowing what is going to work."

Administrative and Public Law, Chambers and Partners, 2024

"Tim is a very impressive advocate. He is incredibly knowledgeable about benefit issues."

Community Care, Chambers and Partners, 2024

"Clients adore him because has such a reassuring presence, particularly in legal disaster. He cuts through to the heart of a case and is involved in some of the highest-profile cases."

Civil Liberties and Human Rights, Chambers and Partners, 2024

"He is really terrific, very intelligent and demanding. He is a great counsel to clients."

Immigration, Chambers and Partners, 2024

"Tim is very good and skilled in public law."

Local Government, Chambers and Partners, 2024

"He is a phenomenal and sensible advocate, and someone you want to instruct if you have a difficult public law case." "He really is a safe pair of hands. Really easy to work with and good with communication."

Administrative and Public Law, Chambers and Partners, 2023

"He provided a masterfully drafted and very compelling Statement of Facts and Grounds."

Planning, Chambers and Partners, 2023

"Tim is a great advocate."

Community Care, Chambers and Partners, 2023

"Tim is absolutely excellent, particularly on immigration matters." "A very personable advocate who knows his law."

Civil Liberties and Human Rights, Chambers and Partners, 2023

"He is a really safe pair of hands and really easy to work with." "A cut above the rest. His written and oral advocacy are both of the very highest standard."

Immigration, Chambers and Partners, 2023

"He's clever, sensible and has a nice style."

Local Government, Chambers and Partners, 2023

"He has considerable experience in judicial review and public law and is able to quickly digest and understand novel legal points."

Environment, Legal 500, 2023

"A great advocate, strategic, very clever with good client manner."

Local Government, Legal 500, 2023

"When it comes to the complex area of EU law, Tim is able to quickly digest and understand novel legal points and formulate cogent arguments. An incredibly approachable silk, he is both engaged and responsive with any matter he deals with."

Energy, Legal 500, 2023

"He can think on his feet and respond to lines of questioning, and really understands how a judge thinks throughout a case." "A very smooth practitioner who inspires confidence."

Administrative and Public Law, Chambers and Partners, 2022

"Tim is a powerful and effective advocate." "What is most impressive about him is that his advocacy in court is second to none."

Civil Liberties and Human Rights, Chambers and Partners, 2022

"Tim is really committed to pursuing a good result for the client."

Community Care, Chambers and Partners, 2022

"He is so committed and experienced, and has an eye for details."

Immigration, Chambers and Partners, 2022

"He is fabulous and a really impressive advocate." "He is creative when developing arguments and is committed to pursuing a good result for the client."

Local Government, Chambers and Partners, 2022

"Tim displays excellent advocacy in relation to highly technical environmental material." "He is exceptionally fluent and persuasive."

Planning, Chambers and Partners, 2022

"Simply the best. Breathtakingly quick to assess and advise. Uncanny perception of the key issues within complex matters. The judges listen with real attention when he speaks."

Administrative and Public Law, Legal 500, 2022

"He focuses on the issues that matter and has a steadfast and unshakeable advocacy style."

Environment, Legal 500, 2022

"A great advocate, strategic, very clever with good client manner."

Local Government, Legal 500, 2022

"Tim focusses on the issues that matter and ability to express difficult ideas simply with a steadfast and unshakeable advocacy style. Overall, I think Tim is a super-reliable advocate who presents cases sensibly and persuasively but efficiently as well."

Planning, Legal 500, 2022

"Tim is fantastic at drafting and often knocks up a first draft (which requires minimal amendment) while taking instructions from you on the phone; this really is a rare quality in a barrister and means that cases move forward quickly while always staying at a high standard."

Immigration, Legal 500, 2022

"Uncanny ability to locate the key issues in complex cases. Simply the best."

Civil Liberties and Human Rights, Legal 500, 2022

"When he's your opposition, your heart sinks because he is so good. An excellent drafter, and makes the really complicated seem simple." "Absolutely brilliant to work with – my new favourite. He's a superb all-rounder: he's a fantastic advocate and produces excellent written work."

Administrative and Public Law, Chambers and Partners, 2021

A highly capable silk in the human rights and civil liberties field who operates at every level of domestic court, with a particular focus on appellate work and judicial reviews. He frequently appears on behalf of central and local government, individuals and pressure groups. His human rights practice encompasses prisoner rights, social welfare and immigration. "He's extremely clear and persuasive."

Civil Liberties and Human Rights, , Chambers and Partners, 2021

"It is a pleasure working with him. He produces work to the highest of standards and always delivers. His drafting skills are excellent." "He is outstanding at clearly and persuasively summarising complex legal issues." "His grasp of issues is razor-sharp and he is able to identify points and dissect them."

Immigration, Chambers and Partners, 2021

"He's very thorough and looks at cases from every angle." "He has a charming manner both with clients and in court."

Local Government, Chambers and Partners, 2021

"He is just a brilliant advocate and he's got a crossover of real experience to bring in and knowledge of case law."

Planning, Chambers and Partners, 2021

"He's fabulous, and very good tactically. He understands the issues, gets to the point and is very good in court." "He is extremely fair in how he thinks about things, and is so approachable and friendly." "He has a real presence in court."

Community Care, Chambers and Partners, 2021

"He has the uncanny knack of being able to put his finger on the answer and has a very swift and sure judgement as to what the key points are and how to approach them in litigation. He phrases his argument in a way that really engages the attention of the court, and his written work is extremely highly polished."

Immigration, Chambers and Partners, 2020

"He is an exceptional advocate for tricky planning High Court litigation. He has a very good manner and is very persuasive as an advocate." "He is very good on submissions."

Planning, Chambers and Partners, 2020

"He was very good on his feet in a difficult hearing and showed some very quick thinking." "A strong advocate both orally and in writing. He's good at explaining things concisely and clearly." "A very bright and experienced public lawyer who has great judgement."

Administrative and Public Law, Chambers and Partners, 2020

"He is very bright and very tenacious."

Local Government, Chambers and Partners, 2020

"He's very impressive and very good at dealing with cases involving novel concepts of law. The quality of his legal analysis is very impressive." "An excellent advocate."

Community Care, Chambers and Partners, 2020

"He is absolutely excellent in the field of civil liberties and human rights both in terms of his drafting and his advocacy. He is second-to-none for immigration detention cases involving mentally ill detainees." "He has an uncanny knack of being able to put his finger on the answer. He has a very swift and sure judgement of the key points in a case and how to approach them in litigation."

Civil Liberties and Human Rights, Chambers and Partners, 2020

Cases and inquiries

23 11 23 High Court rules on limitation periods in public procurement challenges

29 04 21 Legal challenge to South Oxfordshire Local Plan rejected for second time

Publications

Joint editor, with Richard Drabble KC and James Maurici KC, of Local Authorities and Human Rights (OUP, 2004)

Contributor to Supperstone, Goudie and Walker: Judicial Review (3rd Ed, Butterworths, 2005, 4th Ed, 2010, 5th Ed, due 2014)

Contributed articles to the journal "Judicial Review", including, "Mandatory Detention" (June 2012)

Co-author of the section on High Court challenges in the loose-leaf "Garner's Environmental Law" (published 2014)
