

# Landmark Chambers

Barrister CV

Admas Habteslasie



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# Admas Habteslasie

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Admas specialises in public and human rights law, property law and international law.

## Expertise

Public and Administrative, Property, Rating and Valuation



## Contact Practice Managers

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## Practice Summary

Admas has a busy practice spanning public law (acting for claimants and interveners) and property law. Admas has extensive advocacy experience in the County Court, Tribunals and High Court, and regularly acts in high-profile and complex cases across his areas of specialism, including appellate litigation in the Court of Appeal and Supreme Court.

Prior to joining Chambers, Admas spent a year as the judicial assistant to Lord Neuberger, President of the Supreme Court and worked in Syria and Jordan for the UN Refugee Agency. Admas speaks fluent Arabic.

## Public and Administrative

Admas has a broad public law practice acting for claimants and interveners, principally in judicial review claims. He has significant experience in appellate public law litigation and particular expertise in cases raising human rights and public international issues.

**Notable public law experience include** (as sole counsel unless indicated otherwise):

- ***R (Roehrig) v SSHD***: Acting for the claimant in a judicial review claim raising the issue of whether children or those exercising EU free movement rights are born to persons 'settled' in the UK and are accordingly entitled to British citizenship (with Jessica Simor KC and Adrian Berry).
- Acting for a claimant who was born and spent his entire life in the UK challenging the Home Office's proposed deportation of him and failure to register him as a British citizen.
- ***R (Campaign Against the Arms Trade, Mwatana intervening) v Secretary of State for International Trade***: Acting for the intervener, a Yemeni NGO, in a claim challenging whether the export of arms by the Secretary of State involved a breach of domestic policy and international humanitarian law (with James McClelland KC and Aarushi Sahore).
- ***AB v SSHD***: Acting for the claimant in a judicial review claim and human rights/Equality Act damages claim arising from the failure of the Home Office to provide adequate accommodation for a severely disabled child asylum seeker.
- ***RHE v Commissioner of Police for the Metropolis and Brent***: Acting for a victim of trafficking in a human rights damages claim (Articles 3 and 4) against the Metropolitan Police and local authority.  
Acting for a vulnerable claimant challenging her eviction from NRPF accommodation on human rights grounds
- ***Antonio v SSHD***: Acting for the claimant in an application to the European Court of Human Rights challenging the compatibility of the bail provisions in the Immigration Act 2016 with Article 5 of the ECHR (with Alex Goodman KC).
- ***MAZ v SSHD***: Acting for the claimant in a judicial review claim challenging the operation of the Home Office's Rwanda scheme in relation to victims of trafficking (with Shu Shin Luh).
- ***Carrington v Revenue and Customs Commissioners*** [2021] EWCA Civ 1724: Appearing for a child benefit claimant in an important appeal regarding the scope of Regulation 883/2004 and the application of the CJEU's judgment in ***Tolley v Secretary of State for Work and Pensions*** to family benefits.
- ***HF and MF v France 24384/19 44234/20*** (ECtHR, Grand Chamber): acting for intervener Reprieve in application to the ECtHR by French nationals detained by Syrian Democratic Forces camps in north-eastern Syria following their capture in territory controlled by Islamic State, with the applicants arguing that the ECHR requires their repatriation to France.
- ***R (on the application of OK) v Royal Free London NHS Foundation Trust*** [2021] EWHC 3165 (Admin): Appearing for the intervener Doctors of the World in a challenge to the NHS charging regime.
- ***R (NB and others) v SSHD***: acting for intervener Liberty in multiple claims challenging the adequacy of asylum accommodation at Napier Barracks
- ***Project for the Registration of Children as British Citizens & O v Secretary of State for the Home Department*** (Court of Appeal): acting for one of the claimants in a challenge to the Home Secretary's mandatory fee of £1,012 for children to register as British citizens (with Richard Drabble KC and Jason Pobjoy).

- ***A & B v Criminal Injuries Compensation Authority*** (Supreme Court): acting for the interveners in this appeal challenging provisions of the criminal injuries compensation relating to victims of trafficking on the basis of incompatibility with Article 4 ECHR, and raising the relevance of Articles 15 and 26 of the Council of Europe Convention on Action Against Trafficking (with Karon Monaghan KC and James Robottom).
- ***R (KK) v Tavistock & Portman NHS Foundation Trust*** (Court of Appeal): acting for the appellant transgender prisoner in their challenge to a decision by a NHS trust to refuse to recommend gender reassignment surgery, raising Article 8 ECHR issues (with David Lock KC).
- ***R (Hoareau and others) v Secretary of State for Foreign Affairs*** (Court of Appeal): acting for Chagos Islanders expelled to the Seychelles in the 1960s and 70s in a challenge to the UK government's decision to refuse to allow resettlement of the Chagos Islands; the appeal raises a number of international law issues, including the relevance of a recent Advisory Opinion of the ICJ which concluded that the UK's continued administration of the Chagos Islands was unlawful as a matter of international law (with Ben Jaffey KC and Paul Luckhurst).
- ***Mohamed v Abdi***: appearing as the Advocate to the Court in a case concerning the status in English law of foreign marriages celebrated in unrecognised states (with Deepak Nagpal).
- ***R (SHU) v Secretaries of State for Health and Social Care and the Home Department***: acting for the claimants in a challenge to the NHS charging regime (on the basis of Art.8 and 14 of the ECHR) and the vires/rationality of Immigration Rules provisions requiring NHS debts to be taken into account in applications for leave to remain (with Samantha Broadfoot KC).
- ***R (ERA) v Basildon and Thurrock University Hospitals NHS Foundation Trust*** (Secretary of State for Health and Social Care intervening): acting for a vulnerable claimant challenging the decision of two NHS trusts to charge her for life-saving treatment (with Stephen Knafler QC).
- Acting for a number of victims of trafficking challenging decisions of the Criminal Injuries Compensation Authority on, inter alia, grounds that refusals to grant compensation are contrary to EU law and the ECHR.

Admas is the co-author of the chapter on judicial review procedure in **Judicial Review** (Supperstone, Goudie and Walker); the chapter on Article 10 of the **ECHR in Human Rights Practice** (Simor); and a contributing author to **Children's Social Care Law** (LAG, 2018) and **Adult Social Care Law** (LAG, 2019).

## International

Admas is appointed to the Attorney-General's Public International Law C Panel of Counsel. He has a varied practice in public and private international law, both in the context of domestic litigation and disputes governed by international law, and a busy advisory practice, with a particular focus on issues arising from counter-terrorism policies and practices. He has undertaken work for NGOs, individuals, commercial entities and governments.

## Notable experience:

- **HF and MF v France** (ECtHR, Grand Chamber): acting for intervenor Reprieve in application to the ECtHR by French nationals detained by Syrian Democratic Forces camps in north-eastern Syria following their capture in territory controlled by Islamic State, with the applicants arguing that the ECHR requires their repatriation to France (due to be heard before the Grand Chamber in September 2021).
- Advising commercial entities and public bodies on a range of international law issues arising from the siting of offshore installations.
- **Mohamed v Breish**: acting for the respondent (with Shaheed Fatima KC) in the ongoing Commercial Court proceedings in respect of the dispute over the chairmanship of the Libyan Investment Authority, raising questions of Libyan law and the scope of the one-voice doctrine.
- Advising an NGO on public international law issues arising out a complaint to the African Commission on Human and Peoples' Rights.
- Advising Transparency International on the design and implementation of anti-corruption measures
- Advising private entities on commercial arrangements that raise issues under the law of the sea and the law of armed conflict.
- Advising an NGO on possible liability in UK domestic law for certain breaches of international criminal law in the Middle East.

Admas is regularly instructed in domestic public law proceedings that raise public international law issues:

- **R (Hoareau and others) v Secretary of State for Foreign Affairs**: (with Ben Jaffey KC and Paul Luckhurst) acting for the claimant in a challenge to the UK government's 2016 decision to refuse to allow resettlement of the Chagos Islands, raising issues of the relationship between the lawfulness of the UK's administration of overseas territory and Art.56 of the ECHR, and the domestic effect of ICJ advisory opinions.
- **Mohamed v Abdi**: appearing (led by Deepak Nagpal) as the Advocate to the Court in a case concerning the status of foreign marriages celebrated in unrecognised states in English law, raising the issue of the scope of the exception to the principle of non-recognition of the laws of unrecognised states/governments.
- **A & B v Criminal Injuries Compensation Authority** (Supreme Court): acting for the interveners in this Supreme Court appeal regarding the interplay of Article 4 ECHR, Articles 15 and 26 of the Council of Europe Convention on Action Against Trafficking and the criminal injuries compensation scheme (with Karon Monaghan KC and James Robottom).

Admas takes a particular interest in international law issues relating to the Middle East and the Horn of Africa. He speaks fluent Arabic and has extensive experience of working in Arabic, including with Arabic-language documents and working closely with experts in Arabic, particularly in relation to foreign law expert reports.

Admas also worked on public international law issues in the context of domestic appellate litigation as a judicial assistant at the Supreme Court, in particular in the following appeals:

- **Serdar Mohamed v Ministry of Defence**: legal basis for detention powers in non-international armed conflicts.
- **Youssef v Secretary of State for Foreign and Commonwealth Affairs** [2016] UKSC 3: a challenge to the United Kingdom's decision to allow the appellant's name to be added to the United Nations Security Council's list of people subject

to asset freezing asset-freezing.

- **Ministry of Defence v Iraqi Civilians** [2016] UKSC 25: a claim concerning the application of conflict of laws principles on the determination of the correct limitation period to claims applying Iraqi law.

Prior to commencing practice at the Bar, Admas worked as a caseworker for the UN Refugee Agency focusing on exclusion issues, carrying out determinations of whether applicants were excluded from protection on the basis of involvement in war crimes or crimes against humanity, and interviewed applicants in Arabic. Admas' other international law experience prior to commencing practice includes:

- As a legal assistant to the Legal Adviser to a state party to an inter-state post-war claims arbitration, carrying out legal research, assisting with the production of sworn declarations by witnesses and drafting sections of the state party's memorials.
- Carrying out legal research into developing areas of public international law and international human rights law pertaining to the conflict in Syria (with a focus on the powers of the UN Security Council) for the Legal Adviser to the Joint Special Envoy of the UN and Arab League to Syria.
- Advising non-governmental organisations in Haiti on the procedure and principles underpinning the UN Human Rights Council's Universal Periodic Review process.

Admas has published a number of articles on the interplay between public international law principles and the development of ECHR jurisprudence domestically and in the ECtHR (see articles). As an LLM student at the University of Pennsylvania, Admas graduated with the joint highest Distinction in his year, carried out research on public international law for a number of professors, and was awarded a discretionary A+ in his public international law examination.

## Property

Admas has a busy property practice and appears regularly in the High Court, County Court and tribunals in a wide variety of property disputes, with expertise in landlord and tenant and real property matters. He has a busy property trial practice, but also appears in application hearings and appeals, and is also regularly led in more heavyweight appellate and trial litigation.

Admas regularly advises on and acts in cases in the following areas of property litigation:

- A range of disputes relating to trusts of property
- Nuisance
- Opposed lease renewals under the Landlord and Tenant Act 1954
- Priorities of interests in a registered land context
- Forfeiture and relief from forfeiture
- Easements
- Land registration disputes, particularly adverse possession
- Discharge/modification of restrictive covenants

- Professional negligence (in a property litigation context)
- Dilapidations disputes
- Property disputes arising in the charity context
- School playing field and statutory trust issues.

Admas is confident working on property matters that involve a tax (particularly SDLT), business rates, public law (including human rights) or planning law component, and a significant proportion of his practice involves cross-cutting legal issues. For example, Admas has significant experience in relation to the Building Safety Act 2022, both through advisory work and through acting for the Department for Levelling Up, Housing and Communities in a number of judicial reviews challenging the legislation and regulations thereunder.

#### **Notable experience:**

- ***Fanning v Revenue and Customs Commissioners*** (on appeal to the Court of Appeal): Appearing (with Elizabeth Wilson KC) for HMRC in this appeal regarding the effectiveness of a SDLT avoidance scheme involving the grant of an option to acquire a property.
- ***Aviva Investors v Secretary of State for Levelling Up, Housing and Communities***: Representing the Secretary of State (with Aaron Walder) in a judicial review claim challenging the Building Safety (Leaseholder Protections) (Information etc.) (England) Regulations 2022, made under the Building Safety Act 2022.
- ***Jones v Ministry of Defence***: Representing the Ministry of Defence in an eight-day nuisance trial in the Queen's Bench Division (led by David Elvin KC), regarding the question of whether jets flying over and near to a complainant's land constituted a nuisance.
- ***Windmill Holdings SPV Ltd v Adams*** [2021] UKUT 228 (LC): Appearing for respondent in Upper Tribunal appeal following two-day adverse possession trial raising issues of scope of without prejudice rule.
- ***AEW UK REIT plc v Sportsdirect.com Retail Limited*** [2021] EWHC 1013 (QB): representing a commercial tenant resisting a claim for rent on the basis that government measures imposed in the wake of COVID-19 suspended or nullified the obligation to pay rent under the lease (led by Katharine Holland KC).
- ***Nathwani & Anor v Kivlehan & Ors*** [2021] UKUT 84 (LC) (22 April 2021): Appearing for an objector in a two-day hearing of an application to modify a restrictive covenant in relation to residential property, raising issues of amenity impact.
- Advising public and private bodies on issues relating to redress for defective cladding installed on residential buildings
- Advising as to whether occupation of a property booked through an online site for short-term stays created a lease
- Appearing for a commercial landlord in a four-day trial regarding a dispute about the existence of a public/private right of way
- Acting for the Chief Land Registrar in judicial review claims raising property issues
- ***Mayor and Burgesses of the London Borough of Brent v Johnson and others*** [2020] EWHC 2526 (Ch): appearing for the claimant local authority in a two-week trial in the Chancery Division (led by Katharine Holland KC) raising issues of constructive and charitable trust, locus to enter a restriction and whether an unincorporated association could be a beneficiary under a private trust.

- Advising on stamp duty land tax and nuisance issues arising from a public body's exercise of statutory powers
- A dispute regarding a historic transfer of publicly owned land subject to various statutory obligations
- 1954 Act proceedings on behalf of a local authority landlord seeking possession on ground (f), in the context of a broader major development raising politically sensitive issues.
- Injunction proceedings in a four-day trial in the County Court, acting for the Claimant
- An application by a tenant to set aside a statutory demand for liabilities arising under a commercial lease
- A dispute arising from the interpretation of COVID-19 clauses in sale contracts
- A dispute arising from overage provisions in a sale contract
- A misrepresentation claim in the context of a property bought at an auction.

As a judicial assistant to the (then) President of the Supreme Court, Lord Neuberger, Admas worked on a number of property-related appeals:

- ***Edwards v Kumarasamy*** [2016] UKSC 40: a disrepair case concerning the application of section 11 of the Landlord and Tenant Act 1985 as between a tenant and subtenant, and the question of when a landlord is liable under a repair covenant despite not having had notice of the disrepair.
- ***Lynn Shellfish v Loose and another***: a case concerning a dispute as to the boundaries of a fishing right acquired by prescription
- ***Marks & Spencer v BNP Paribas Securities Services Trust Company***: construction of a commercial lease, implication of terms
- ***McDonald v McDonald***: an appeal concerning the question of whether Article 8 of the ECHR applied in the context of possession claims in relation to tenancies granted by private landlords.
- ***Commissioners for Her Majesty's Revenue and Customs v Investment Trust Companies (In Liquidation) and others; Bank of Cyprus v Menelaou*** [2015] UKSC 66: claims in unjust enrichment.

## Rating and Valuation

Admas has a busy rating practice advising and appearing for billing authorities, private entities and central government in a range of courts and tribunals.

In assisting his clients on rating matters, Admas is able to draw on his expertise in property law, including in property disputes involving charitable bodies/charitable trust issues.

### Notable rating experience includes:

- Appearing in the Upper Tribunal on valuation disputes for ratepayers and for the Valuation Officer
- Advising on rates mitigation schemes, including in the context of charitable relief



- Advising ratepayers on various issues arising from the effects of government restrictions imposed in response to COVID-19
- Advising and appearing in the Magistrates' Court for ratepayers seeking to challenge the imposition of liability orders on a variety of grounds.
- Appearing in the Valuation Tribunal for ratepayers in valuation disputes and completion notice appeals
- Advising on a range of rating issues, including: exemptions from unoccupied rates; state aid issues; transitional relief; valuation tribunal practice and procedure; the VOA's powers and duties; and a wide range of business rates liability issues relating to the occupation of office buildings.

As a pupil to Dan Kolinsky KC, Admas assisted on appeals in the Upper Tribunal, Court of Appeal and in the Supreme Court ( *Woolway (VO) v Mazars* ).

## Qualifications

- City Law School: BPTC (Very Competent, 2014)
- University of Pennsylvania Law School: LLM (Distinction, Award for Excellence (joint 1st in year), 2012)
- Kaplan Law School: GDL (Commendation, 2009)
- University of the Arts London: MA Documentary Photography (Distinction, 1st in year, 2005)
- University of Warwick: BA Film and Literature (2003)

## Recommendations

"Admas provided nuanced and clear advice." "Always willing to go the extra mile in cases; he is highly experienced." "Admas is easy to work with, he is good in court and a clear thinker."

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

"Very easy to work with, very good in court and a very clear thinker."

**Civil Liberties and Human Rights, Chambers and Partners, 2024**

"Admas is a stellar barrister. He is a forensic thinker with a sharp instinct for how the court will react to any argument. His knowledge of judicial review is second-to-none."

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

"Admas is a wise head beyond his years. He has very good judgement and knows when to push and when not to. He is also very good on discussing strategy." "He brings a very refined drafting skill." "He works at great speed and is very calm."

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

"He has a brilliantly unusual and analytical way of thinking about human rights cases. He is a very smart and calm advocate, who is a true pleasure to work with."

#### **Civil Liberties and Human Rights, Chambers and Partners, 2023**

"His knowledge is excellent and his drafting is really clear." "Admas' handle on the law in complex areas like trafficking is impressive. He is very aware of victim's compensation rights in Article 3 and 4 cases."

#### **Civil Liberties and Human Rights, Chambers and Partners, 2022**

## 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?
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04 12 17	Oxford student accommodation appeal dismissed on heritage grounds
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## Publications

November 2019 - *A Humanitarian Intervention? The Court of Appeal Decision in CAAT v Secretary of State for Trade* | Judicial Review 2019, Issue 3

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August 2019 - *When does the "no substantial difference test" make a difference in judicial review applications? Does the outcome differ, depending on whether the case is based on EU or UK law?* | Judicial Review 2019, Issue 2 (with James Maurici KC)

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August 2018 - *Costs conditions on permission: a neglected tool in the claimant public lawyer's toolbox?* | Judicial Review 2018, Issue 2 (with Tim Buley KC)

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January 2017 - *Room for improvement* (commentary on Supreme Court decision in *R (Carmichael and Rourke) v Secretary of State for Work and Pensions* [2016] UKSC 58, the 'bedroom tax' appeal) | New Law Journal, Issue 7731

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February 2017 - *Derogation in Time of War: The Application of Article 15 of the ECHR in Extraterritorial Armed Conflicts* | Judicial Review 2016, Issue 4

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