



Julia Smyth

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Expertise

Public

Overview

Julia joined Landmark Chambers in June 2019 following a successful practice at Temple Garden Chambers between 2012 and 2019.

Prior to this Julia had a diverse career as a government lawyer. As a government lawyer, Julia advised the government on EU free movement, medicines and devices regulation, NHS secondary care, as well as prison health and prison judicial reviews. Since returning to chambers, Julia has developed a strong public and EU law practice, particularly in the fields of social security,

EU free movement and immigration.

Social Security

Since returning to chambers, Julia has been instructed in some of the leading “right to reside” and EU social security co-ordination cases, as well as ECHR and domestic law challenges. Julia is experienced in all aspects of social security law. Before returning to chambers, Julia was a senior lawyer at DWP leading a team of lawyers which advised Ministers on means-tested benefit entitlement of foreign nationals.

Immigration

Julia regularly appears in the High Court and Upper Tribunal. She has experience in many areas of immigration law, including Tier 2 cases (sponsorship), Article 8 ECHR claims, fresh claims, unlawful detention and appeal rights cases.

Health

As a government lawyer, Julia gained significant NHS experience. She was one of the Department of Health’s main legal advisers on foundation trusts, and the lead lawyer on the development of the new regime for failing health trusts. Julia’s broader health work included organ donation, NHS fraud, NHS reconfiguration, the private patient cap, prison health and work with special health authorities.

Pharmaceutical and devices regulation

Julia worked for several years as a legal adviser to the Medicines and Healthcare products Regulatory Agency, specialising in the regulation of both medicines and medical devices. She was a legal adviser to the Committee on Safety of Medicines.

Prisons

Julia has recent experience of acting in prison judicial reviews. She also worked on prison and Parole Board judicial reviews as a government lawyer.

EU Law and Free Movement

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.

Recommendations

“She is an EU law expert and is used a lot by the government for all manner of EU-related litigation.” (EU Law; Immigration) *Chambers & 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 & Public Law) *Legal 500*, 2021

“She has a real feel for EU law, and an intuitive feeling for how the law will move.”
(EU Law) *Chambers & Partners*, 2019

‘An outstanding barrister with an encyclopaedic knowledge of EU law. She is a phenomenally hard worker and has outstanding judgement.’
(EU Law) *Legal 500*, 2019

‘A genuine and outstanding free-movement specialist, who handles cases beyond her call.’
(EU Law) *Legal 500*, 2018

‘An effective advocate with an encyclopaedic knowledge of free movement issues.’
(EU Law) *Legal 500*, 2017

Memberships

- ALBA
- Attorney General Panel: Appointed to B panel

Languages

French and German (working knowledge)

An outstanding barrister

Legal 500

Cases

25 Sep 2020	Court of Appeal dismisses challenge to abortion rules during COVID-19
29 Jul 2020	Court of Appeal hears challenge to COVID-19 abortion rules
19 May 2020	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
27 Mar 2019	R (Sri Lalithambika) Ltd v Secretary of State for the Home Department [2019] EWHC 761 (Admin)
20 Mar 2019	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)
13 Mar 2019	Supreme Court hears worker registration case
05 Mar 2019	R (Foley) v Secretary of State for the Home Department [2019] EWHC 488 (Admin)
18 Feb 2019	FE v SSWP (RP) [2019] UKUT 61 (AAC)
11 Feb 2019	Court of Appeal considers genuine and sufficient link test
11 Feb 2019	Court of Appeal confirms limits on family member rights under EU law
07 Feb 2019	Fatima & ors v SSHD [2019] EWCA Civ 124

07 Dec 2018	DC v London Borough of Bromley (HB) [2018] UKUT 416 (AAC)
26 Nov 2018	VL v SSWP [2018] UKUT 403 (AAC)
08 Nov 2018	R (EH) v Secretary of State for the Home Department [2018] EWHC 2957 (Admin)
15 Jun 2018	R (Connell) v Secretary of State for the Home Department [2018] 1 WLR 3930
22 Feb 2018	VMcC v SSWP (IS) [2018] UKUT 63 (AAC)
15 Feb 2018	LH v SSWP (PIP) [2018] UKUT 57 (AAC)
13 Dec 2017	Court of Appeal hands down important judgment on “Zambrano” principle
09 Nov 2017	Lo v Secretary of State for Work & Pensions [2017] UKUT 440 (AAC)
24 Oct 2017	Court of Appeal hears tax credits appeal
20 Oct 2017	Court of Appeal hears significant EU law proportionality and free movement appeal
14 Jul 2017	Court of Appeals hears Zambrano appeals
12 Apr 2017	Secretary of State for the Home Department v Shah & Bourouisa [2017] EWCA Civ 2028
09 Apr 2017	Arthur v Her Majesty’s Revenue and Customs [2017] EWCA CIV 1756
08 Apr 2017	Secretary of State for Work & Pensions v Gubeladze [2017] EWCA CIV 1751
07 Apr 2017	R (Singh) v Secretary of State for the Home Department [2017] EWHC 1138 (Admin)
05 Apr 2017	Lo v Secretary of State for Work & Pensions [2017] UKUT 440 (AAC)
04 Apr 2017	FM v SSWP (DLA) [2017] UKUT 380 (AAC)
03 Feb 2017	Challenge to Irish deportation policy dismissed by Administrative Court
17 Oct 2016	R (Manzay Ltd) (T/A Mirch Masala Restaurant) v Secretary of State for the Home Department [2016] EWHC 2582 (Admin)
17 Oct 2016	Garland v HMRC [2016] UKUT 0431 (TCC)
19 Aug 2016	Sala (EFMS: Right Of Appeal) [2016] UKUT 00411 (IAC)
19 Aug 2016	SSWP v MB (JSA) (and linked cases) [2016] UKUT 372 (AAC)
29 Jul 2016	R (X) v Secretary of State for the Home Department [2016] EWHC 1997 (Admin)
21 Apr 2016	Court of Appeal dismisses ESA / EU jobseeker appeal
16 Mar 2016	Court of Appeal hears ESA / EU jobseeker appeal
15 Mar 2016	Alhashem v Secretary of State for Work & Pensions, Court of Appeal [2016] EWCA Civ 395
08 Mar 2016	Court of Appeal confirms Upper Tribunal’s decision in Bilal Ahmed
08 Mar 2016	Administrative Court refers question to CJEU on rights of dual nationals
08 Mar 2016	R (Bilal Ahmed) v Secretary of State for the Home Department, Court of Appeal [2016] EWCA Civ 603

07 Mar 2016	R (Lounes) v Secretary of State for the Home Department [2016] EWHC 436 (Admin)
17 Jan 2016	R (Manzay Ltd) (T/A Mirch Masala Restaurant) v Secretary of State for the Home Department [2016] EWHC 2582 (Admin)
15 Dec 2015	GS v Secretary of State for Work and Pensions [2015] UKUT 0687 (AAC)
26 Nov 2015	R (Masalskas) v Secretary of State for the Home Department (Regulations 24AA and 29AA EEA Regs) (IJR) [2015] UKUT 677
23 Sep 2015	Weldemichael and another (St Prix [2014] EUECJ C-507/12; effect) [2015] UKUT 540 (IAC)
13 Aug 2015	Ayinde and Thinjom (Carers - Reg.15A - Zambrano) [2015] UKUT 560 (IAC)
01 Jul 2015	Hainsworth v Ministry of Defence, Equality and Human Rights Commission intervening, Supreme Court

Publications

04 Jul 2019	EU Settlement Scheme - Cases At The Margins
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