



Stephen Knafler QC

Call: 1993 Silk: 2010

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Expertise

Public, Property, International, European Union Law

Overview

“My favourite silk: his written work is strong, but he’s also very collaborative, he’s got a very teamwork-centred approach”

“He is an amazing academic lawyer and a very persuasive advocate”

“A joy to work with: he is a true lawyer’s lawyer. He has considerable knowledge of the law, and his written and oral skills are excellent. When we work with him it is truly as a team, and I feel my opinions are valued”

“He has great ideas and always gives fresh impetus to a case, and he is so easy to work with”

“He has a very good advocacy style and a real sense of how cases can be presented, which is exactly what you want from a leader”

“Very friendly and creative in approaching complicated problems”

“He’s brilliant fun to work with, passionate about social care law and really good on judicial review”
“His advice was to the point and he was very quick, responsive and open to supplementary questions.”
“He has a brain the size of a planet...a wonderful chap and a wonderful lawyer”
“Fantastic public law silk”
“A very able, powerful silk. His advocacy is impressive”
“An impressive intellect combined with practical clear-mindedness”

(Chambers & Partners)

Stephen practices across the whole area of public law and also undertakes property, planning and commercial cases.

He advises and represents individuals, public authorities, regulators and commercial operators, and is licensed to accept direct instructions by way of Public Access.

Stephen has appeared as an advocate at all levels of the judicial system, including the Supreme Court, the Court of Appeal, the European Court of Human Rights and the Court of Justice of the European Union. He has appeared in over 200 reported cases and many high value and/or sensitive mediations.

In addition to his advocacy work, Stephen also advises public authorities, regulators, individuals and commercial operators on policy issues that arise across the whole of public law, in particular in relation to adult and children’s social care, health, housing, education and financial misconduct.

In commercial and property cases with a public law or human rights element, Stephen is often paired with a specialist junior counsel.

Adult and Children’s services

Stephen is the general editor of the Community Care Law Reports and author of Adult Social Care Law (LAG 2016) and Children’s Social Care Law (LAG, 1st edition 2016, 2nd edition 2019).

He is experienced in disputes about assessments and care planning, charging issues, implementing (and challenging) large scale service changes, compliance with consultation and PSED duties, adult and children’s safeguarding, adult care in custody, trafficking, children from abroad, children leaving care, children in custody, serious case reviews, negligence issues, professional conduct, foster care, carers’ allowances, the NHS/local authority divide, ordinary residence, between local authorities and commercial operators about fees and contracts, service closures, mediation, education, delegation, relations between families and service providers.

Stephen offers a fixed fee option on social care opinions – click on the link on the right for more details.

Immigration

Stephen is experienced in asylum law, human rights cases, family reunion, health cases, PBS, student issues, all aspects of EU law, support, asylum support and benefits (Stephen is an author of Support For Asylum Seekers (LAG 2015), nationality law, deportation and removal, children’s rights, unlawful detention, Dublin disputes, trafficking. He regularly undertakes work for students, entrepreneurs and high net worth individuals.

Commercial property

Stephen is experienced in business lease renewals dilapidations, leasehold enfranchisement, rent reviews, compulsory purchase, rating, residential property, nuisance claims, ownership disputes, trusts. He regularly advises commercial operators, NGOs and public authorities on cases where public law/human rights law intersect with property law.

Health and Mental Health

Stephen is experienced in disputes over the provision of expensive or unusual treatment, contract issues, persons from abroad, NHS organisation and partnerships, healthcare in custodial settings, detention, discharge and after-care, NHS Continuing Healthcare (for adults and also children), hospital and other service closures, regulatory issues, professional conduct.

Commercial

Stephen is experienced in disputes over financial services provision, contractual and public law issues between public commissioners and private providers, procurement issues, restraint of trade and general contract issues in particular where commercial issues intersect with public law and human rights.

Housing

Stephen is experienced in housing strategy including housing allocation schemes, homelessness cases, housing and persons

from abroad, housing benefit issues, possession proceedings, large scale housing development projects, planning issues, licensing issues, disrepair (Stephen wrote several disrepair and building textbooks when a junior counsel), social landlords, trespass and protests, nuisance claims.

Benefits

Stephen has worked for many years in the areas of housing benefit, supported housing, income support and other social security benefits, council tax, benefits for disabled people, PIP, child support, ESA, universal credit.

Court of Protection

Stephen was a regular in the COP as junior counsel and is experienced in cases involving deprivation of liberty, best interests, the withdrawal of life-sustaining treatment, the overlap with community care and mental health, children lacking capacity, the functions of deputies.

General Local Authority

Stephen advises regularly about HMO licensing, local authority decision-making, commercial and other powers, ethical issues, investment and charging issues, problems with the LGO or auditors, education issues, compulsory purchase, governance, rating and valuation, trespass and protests, elections, finance, responsibility disputes, disputes with commercial providers, service users and other public bodies.

General public law

In addition to the above, Stephen advises and appears in cases involving professional conduct (in particular involving barristers, solicitors and social/care workers), human rights and civil liberties (in this jurisdiction and abroad), public funding and costs issues and equality issues. He enjoys a new challenge!

What the Judges say:

- "submissions of high quality" *TM (Kenya) v SSHD* [2019] EWCA Civ 784
- "economy and clarity of submissions" *R (ERA) v Basildon and Thurrock University Hospitals NHS Foundation Trust* [2019] EWHC 1249 Admin
- "very high quality oral submissions" *R (Ahsan) v SSHD* [2017] EWCA Civ 2009
- "elegant and cogent submissions" *R (SG) v SHD* [2016] EWHC 2639 Admin
- "elegant and persuasive submissions" *Birmingham CC v Sec* [2016] EWCA Civ 1211
- "impressive arguments" *R (Walford) v Worcestershire CC* [2015] EWCA Civ 22
- "attractive submissions" *R (Hysaj) v SSHD* [2014] EWCA Civ 1633
- "submissions well made" *R (Hillsden) v Epping Forest DC* [2015] EWHC Admin 98
- "carefully crafted submissions" *R (Fitzroy George) v SSHD* [2014] UKSC 28, [2014] 1 WLR 1843
- "powerful submissions" *R (Kaziu) v SSHD* [2014] 4 All ER 133
- "clear and cogent submissions" *AA (Afghanistan) v Secretary of State for the Home Department* [2014] EWCA Civ 1625
- "clear and forceful submissions of the highest quality" *AH (Afghanistan) v Secretary of State for the Home Department* [2011] EWCA Civ 1284
- "excellent assistance" *John Reeves (Listing Officer) v Randy Northrop* [2013] EWCA Civ 362

Qualifications

MA (Cantab)

QC 2010. Former solicitor to 1993. Admitted 1988.

Recommendations

- "He has a brain the size of a planet...a wonderful chap and a wonderful lawyer"
- "Fantastic public law silk"
- "Supremely intelligent and pursues cases with diligence and skill. Brilliant on his feet"
- "A very able, powerful silk. His advocacy is impressive"
- "An impressive intellect combined with practical clear-mindedness"
- "He makes no-nonsense, concise arguments for claimants and defendants"

- “He is a very measured and pragmatic barrister”
- “An exceptionally bright and intuitive lawyer who comes out with new points nobody’s seen before”
- “He is really good on big public law issues. He is able to get on top of the issues exceptionally quickly”
- “One of the finest lawyers out there. He’s extremely able, skilful and creative. He’s both exceptionally good on paper and exceptionally good on his feet”
- “He gets a ten out of ten for his academic and intellectual ability. He can always see all sides of the argument”
- “brilliant and highly effective advocate” who is “able to cut through to the essential issues of a case and get the court to listen to him”
- “He is well loved by the judiciary”
- “I really like working with him. He is very engaged, works hard and is very insightful”
- “He has an unflappable manner in court. I see him being put on the spot and he always deals with it very well, never snatching at an answer and then getting it wrong”
- “Brings innovative and persuasive arguments”
- “He gives composed and thoughtful addresses to the court, and has good tactical sense”
- “Hard-working, intelligent and a good opponent”
- “He is a very nice person to work with and is very hands-on from an early stage” “He is very clear-headed, determined and always very collaborative, whilst also knowing that it’s up to him to run the case”
- “He is eager to get everyone involved in the case and willing to listen to everybody’s arguments”
- Outside court, Knafler is “very client-friendly, very approachable and accessible” and proves “immaculate in his preparation for conferences or advices”
- “A lawyer who grasps the essential elements and puts them across to the Bench in simple terms, he is loved by judges”
- “is tremendously intelligent, and has the ability to get on top of complex cases really quickly”
- “sources note his exceptional cross-examination skills and describe him as “approachable, calm and reassuring”
- “an “attractive advocate” with a “very calm and questioning approach”
- “he just devours information and seizes on the killer points immediately, making his speed of turnaround unmatched”
- “a brilliant advocate who works extremely hard and to a very demanding standard”
- “a deep thinker and a highly creative lawyer”
- “quick and efficient”
- “an absolutely fantastic advocate”
- with “fantastic advocacy, which hinges on his sheer ability to put a point across clearly”
- “legally rigorous but able to put his cases in a moderate, non-inflammatory way”
- “His “helpful and reasonable approach” to working with others has won him a lot of friends”

Fixed Fees in Social Care Cases

Sometimes, public bodies, commercial operators and private individuals simply want a speedy, short, no frills opinion on the meaning/effect of social care legislation or guidance and its application and on relatively straight-forward issues such as ordinary residence and charging. To meet that need in a cost-effective manner Stephen Knafler QC provides fixed fee opinions in social care cases as follows:

- 1 or 2 questions with no more than 10 pages of papers: £350 plus VAT
- 1 or 2 questions with no more than 50 pages of papers: £500 plus VAT
- 3 to 5 questions with no more than 10 pages of papers: £500 plus VAT
- 3 to 5 questions with no more than 100 pages of papers: £750 plus VAT

Exceptionally, the difficulty of the issue(s) raised may result in a decision that the case cannot be dealt with on this fixed fee basis and instead a different fixed quote will be given.

Publications

Adult Social Care (LAG, 2016)

General editor of the Community Care Law Reports (LAG)

Support for Asylum Seekers (LAG) 2001 (1st edition), 2004 (2nd edition) and 2009 (3rd edition)

Contributor to De Smith, Woolf and Jowell: Judicial Review of Administrative Action (Sweet and Maxwell, 1996)

Author of Remedies for Disrepair and other Building Defects (Sweet and Maxwell, 1996)

Co-author of Disrepair: Tenants’ Rights (LAG, 3rd edition, 1999)

Articles in Legal Action and Solicitors' Journal

Seminars for, inter alia, Legal Action Group, Housing Law Practitioners' Association, judicial organisations, Community groups, Central Law Training and Public Law Project.

Both a wonderful chap and a wonderful lawyer

Chambers & Partners

Cases

27 May 2020	Hackney LBC v Okoro [2020] EWCA Civ 681
11 May 2020	Arkin v Marshall [2020] EWCA Civ 620
26 Feb 2020	Supreme Court allows Appellant's appeal in DN (Rwanda) and overturns Draga
26 Feb 2020	R (DN (Rwanda)) v Secretary of State for the Home Department [2020] UKSC 7, [2020] 2 WLR 611
31 Oct 2019	Simawi v Haringey LBC [2019] EWCA Civ 1770, [2020] 2 All ER 701
09 Oct 2019	Supreme Court hears appeal on meaning of Lumba - R (DN (Rwanda)) v SSHD
01 Aug 2019	R (DJ) v Welsh Ministers [2019] EWCA Civ 1349, [2020] PTSR 466
30 Jul 2019	Secretary of State for the Home Department v BK (Afghanistan) [2019] EWCA Civ 1358, [2019] 4 WLR 1111
14 May 2019	R (ERA) v Basildon and Thurrock University Hospitals NHS Foundation Trust [2019] EWHC 1249 Admin
10 May 2019	R (Good Law Project) v. Secretary of State for Health and Social Care [2019] EWCA Civ 1211
26 Mar 2019	R (TM) Kenya v SSHD [2019] EWCA Civ 784
07 Mar 2019	R (Islam) v SSHD [2019] EWCA Civ 500
27 Feb 2019	Government's "no-deal Brexit" approach to medicine shortages challenged in High Court - Good Law Project v SSHSC
13 Feb 2019	TT (Vietnam) v SSHD [2019] EWCA Civ 248
12 Feb 2019	R (Guled) v SSHD [2019] EWCA Civ 92
09 Nov 2018	MM (Malawi) v SSHD [2018] EWCA Civ 2482
24 Oct 2018	KO (Nigeria) v SSHD [2018] UKSC 53
19 Oct 2018	R (DJ) v Welsh Ministers [2018] EWHC 2735
31 Jul 2018	R (Mustafa) v Kent CC [2018] EWHC 2025
26 Jul 2018	R v McMeekin [2018] EWCA Crim 1922

17 Jul 2018	Khan v SSHD [2018] EWCA Civ 1684
11 May 2018	ZN (Afghanistan) v SSHD [2018] EWCA Civ 1059
06 Mar 2018	Evans v Alder Hey Children's NHS Foundation Trust [2018] EWCA Civ 550
06 Mar 2018	R (AB) v SSHD [2018] EWCA Civ 383
19 Oct 2017	Kamki v SSHD [2017] EWCA Civ 1715
10 Oct 2017	R (Tinsley) v Manchester CC [2017] EWCA Civ 1704
19 Sep 2017	R (Ahsan) v SSHD [2017] EWCA Civ 2009
14 Sep 2017	R (Hysaj) v SSHD [2017] UKSC 82
03 Aug 2017	R (CG) v SSWP [2017] UKUT 324 (AAC)
22 Jun 2017	R (SG) v SSHD [2017] EWCA Civ 433
22 Jun 2017	R (JK)(Burundi) v SSHD [2017] EWCA Civ 433
14 Jun 2017	Adebayo Abdul v SSHD DA/02564/2013
27 Apr 2017	R (SG) v Haringey LBC [2017] EWCA Civ 322
28 Feb 2017	R (Williams) v Secretary of State for the Home Department [2017] EWCA Civ 98
09 Feb 2017	R (AB) v SSHD [2017] EWCA Civ 59
30 Nov 2016	Birmingham CC v Sec [2016] EWCA Civ 1211
25 Oct 2016	Majumder v Secretary of State for the Home Department [2016] EWCA Civ 1167
24 Oct 2016	R (SG) v Secretary of State for the Home Department [2016] EWHC 2639 Admin
22 Jul 2016	R (DAT) v West Berkshire Council [2016] EWHC 1876
07 Jul 2016	R (MA (Pakistan)) v Secretary of State for the Home Department [2016] EWCA Civ 705
04 May 2016	R (Tesfay) v Secretary of State for the Home Department [2016] EWCA Civ 415
22 Mar 2016	Morris-Garner v One Step (Support) Limited [2016] EWCA Civ 180
27 Jan 2016	R (C) v Secretary of State for Justice [2016] UKSC 2
26 Jan 2016	R (Rahman) v Local Government Election Court [2016] EWHC 1280
09 Dec 2015	Adebayo Abdul v SSHD (DA/02564/2013)
26 Nov 2015	R (Hysaj) v Secretary of State for the Home Department [2016] EWCA Civ 1195
21 Jul 2015	Mohamoud v Royal Borough of Kensington & Chelsea [2015] EWCA Civ 780
24 Jun 2015	AA (Afghanistan) v Secretary of State for the Home Department [2015] UKSC 40
12 Jun 2015	Ruta Asefaw v Secretary of State for the Home Department IA/25433/11
11 May 2015	R (Williams) v Secretary of State for the Home Department [2015] EWHC 1268 Admin

30 Apr 2015	Ayinde and Thinjom v Secretary of State for the Home Department IA/05809/14, IA/05151
17 Apr 2015	R (AM) v Havering LBC/Tower Hamlets LBC [2015] EWHC 1004 Admin
04 Mar 2015	R (Jamar Brown) (Jamaica) v Secretary of State for the Home Department [2015] UKSC 8
10 Feb 2015	R (Sanneh & Others) v. Secretary of State for Work and Pensions [2015] C.M.L.R. 27
04 Feb 2015	Nicholas v Secretary of State for Defence [2015] EWCA Civ 53
27 Jan 2015	R (Walford) v Worcestershire CC [2015] EWCA Civ 22
20 Jan 2015	Hussain v Waltham Forest LBC [2015] EWCA Civ 14
07 Jan 2015	R (Hillsden) v Epping Forest DC [2015] EWHC Admin 98
16 Dec 2014	R (Hysaj) v Secretary of State for the Home Department [2014] EWCA Civ 1633
10 Oct 2014	R (YM) (Uganda) v Secretary of State for the Home Department [2014] EWCA Civ 1292
07 Oct 2014	R (FF) v Director of Public Prosecutions [2014] EWHC Admin 3419
08 Jul 2014	R (Akpinar) v Upper Tribunal [2014] EWCA Civ 937, Times July 17 2014
07 Jul 2014	One Step (Support) Ltd v Morris-Garner [2014] EWHC 2213 QB
13 Jun 2014	R (OP) v Secretary of State for Justice [2014] EWHC 1944 Admin
14 May 2014	R (Fitzroy George) v Secretary of State for the Home Department [2014] UKSC 28, [2014] 1 WLR 1831
26 Mar 2014	R (Kaziu) v Secretary of State for the Home Department [2014] 4 All ER 133
11 Dec 2013	AA (Afghanistan) v Secretary of State for the Home Department [2013] EWCA Civ 1625
12 Nov 2013	R (JS (Sudan)) v Secretary of State for the Home Department [2013] EWCA Civ 1378
22 Oct 2013	R (SQ) (Pakistan) v Secretary of State for the Home Department [2013] EWCA Civ 1251
26 Jul 2013	R (MC (Guinea) and others) v Secretary of State for the Home Department [2013] EWCA Civ 922
10 Jul 2013	R (AA) v Secretary of State for the Home Department [2013] UKSC 49, [2013] 1 WLR 2224
05 Jul 2013	R (Nicholas) v Upper Tribunal Administrative Chamber and others [2013] EWCA Civ 799
21 Jun 2013	L, HVN, THN, T v R [2013] EWCA Crim 99
12 Jun 2013	R (JB) Jamaica v Secretary of State for the Home Department [2013] EWCA Civ 666
06 Jun 2013	MA, BT, DA v Secretary of State for the Home Department C-648/11
09 May 2013	R (SL) v City of Westminster [2013] UKSC 27
17 Apr 2013	John Reeves (Listing Officer) v Randy Northrop [2013] EWCA Civ 362
10 Apr 2013	R (Sanneh) v Secretary of State for Work and Pensions and others [2013] EWHC Admin 793
19 Dec 2012	GF (Sudan) v Secretary of State for the Home Department [2013] EWCA Civ 1954
26 Oct 2012	R (AA) v Secretary of State for the Home Department [2012] EWCA Civ 1383

23 Oct 2012	Fitzroy George v Secretary of State for the Home Department [2012] EWCA Civ 1362
13 Jul 2012	SG (Iraq) v Secretary of State for the Home Department [2012] EWCA Civ 940

Publications

06 Aug 2020	Difficult Assessments of Need
30 Jul 2020	Social Care - Part 3 - Webinar
30 Jul 2020	Local Authority Safeguarding and Support for Persons from Abroad
23 Jul 2020	Social Care - Part 2 - Webinar
16 Jul 2020	Social Care - Part 1 - Webinar
16 Jul 2020	Coronavirus and Social Care
17 Apr 2020	Coronavirus And Social Care
03 Mar 2020	Background To The Case And Draga
04 Oct 2017	Recent case law in adults' and childrens' social care

Landmark Chambers remains fully operational during the Coronavirus (COVID-19) crisis

We would like to reassure you that Landmark Chambers remains fully operational and able to support your needs. Our barristers and staff are now working remotely and we have the technology in place to continue providing our normal level of service during this unprecedented time.

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