



Tim Buley QC

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Expertise

Planning, Public, Environment, Public Procurement, International

Overview

Tim Buley QC specialises in all areas of public and regulatory law, human rights, and planning and environmental law. He is recognised as a leading silk across eight areas in Chambers UK Bar 2021 and the Legal 500 2021. Immediately prior to his appointment to silk in 2019, Tim was the only junior named in Band 1 in both directories in Public Law ("probably the leading junior at the Administrative Law Bar",) and was top ranked in five practice areas. He was nominated as Chamber's Public and Human Rights Junior of the Year in 2017. The current edition of the Legal 500 describes him as "*clearly one of the most talented public lawyers of his generation of rising silks*" and Chambers UK says 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 Tim's 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. He is currently a member of the Welsh Government's Panel of Queen's Counsel, the Equality and Human Rights Commission's Panel of Counsel, and a Special Advocate. 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.

For more details of Tim's particular areas of expertise, please follow the links on the right.

Details of Tim's wide range of reported cases, with full case citations, can be accessed via the Cases link on the right. He is qualified to accept public access instructions.

General public law including commercial and regulatory public law

Tim Buley QC 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 an 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 3 appearances before the Information Tribunal since 2015.

Planning

Tim Buley QC 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 recent and current 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 recent 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

Environmental Law

Tim Buley QC 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 recent 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.

European Union Law

Tim Buley QC 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 GDPR
- 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.

Human Rights and Civil Liberties

Tim Buley QC 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.

Local Government

Tim Buley QC 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 bid, 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.

Immigration

Tim Buley QC 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 e.g. *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.

Social Security

Tim Buley QC 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: e.g. 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.

Community care, health and the NHS and mental health

Tim Buley QC 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 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 QC) 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.

Qualifications

Tim was a scholar of Lincoln College, Oxford, where he read Philosophy, Politics and Economics.

He 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.

He is joint editor, with Richard Drabble QC and James Maurici, of *Local Authorities and Human Rights* (OUP, 2004) and a contributor to *Supperstone, Goudie and Walker: Judicial Review* (3rd Ed, Butterworths, 2005, 4th Ed, 2010, 5th Ed, due 2014). He has contributed articles to the journal “*Judicial Review*”, including, most recently, “*Mandatory Detention*” (June 2012), and is co-author of the section on High Court challenges in the loose-leaf “*Garner’s Environmental Law*” (published 2014).

Tim is a regular speaker on all his areas of practice. He has been a regular speaker at both the London and regional judicial review conferences organised by the Public Law Project (including in the plenary session in 2011). He has been a main speaker at HJT’s annual immigration judicial conference in every year since 2005, and gives regular training for ILPA on judicial review, immigration detention and immigration work in the higher courts. He has been a speaker at ALBA conferences, and has been the main author of a number of ALBA’s responses to various government consultations on reforms to administrative justice. He has also contributed to consultation responses for ILPA, and in September 2012 provided training on judicial review to members of

the Upper Tribunal judiciary. In November 2013 Tim gave oral evidence in Parliament to the Joint Committee on Human Rights as to the implications of the government's proposals for further changes to legal aid. Tim was appointed as a member of the Equality and Human Rights Commission's 'A' panel in May 2019. This panel of counsel plays an important role in helping the Commission to achieve its objectives which include reducing inequality, eliminating discrimination and protecting human rights.

Tim is on ALBA's Executive Committee and is a member of PEBA, ILPA, the HRLA, Liberty, JUSTICE, the Environmental Law Foundation and the Bar Pro Bono Unit. Prior to commencing practice he was a Research Assistant for the Bar Human Rights Committee, and undertook voluntary work for Interrights, FRU, and as an election observer in Eastern Europe.

Recommendations

Legal 500 2021 recommends Tim as a leading silk across seven areas: Administrative and Public Law (including election law), Civil Liberties and Human Rights, EU law, Environment, Immigration, Local Government and Planning ("simply the best", "breathtakingly quick", "clearly one of the most talented public lawyers of his generation of rising silks").

Chambers UK Bar 2021 recommends Tim as a leading silk in six areas:

Administrative & Public Law: *Masterful representation of claimants and defendants in high-profile judicial review challenges to secondary legislation and important public body decisions. His broad public and administrative law practice encompasses commercial, regulatory and human rights claims. Recent cases include challenges to welfare reform, energy policy and professional discipline.*

"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."

Civil Liberties and Human Rights: *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.*

Immigration: *A popular silk, he is highly regarded for his public law knowledge and immigration expertise. He routinely acts for claimants in deportation, detention and nationality law matters before fora such as the Court of Appeal and SIAC.*

"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."

Local Government: *A well-regarded silk with strong experience in public law and public sector matters, particularly cases arising within the context of community care, housing and planning. Advises a range of clients, including individuals, commercial entities and pressure groups. He has lots of experience of appearing at all levels of the UK court system, including the Supreme Court. He is well equipped to handle local government issues concerning vires, governance, land disposal and state aid.*

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

Planning: *Has a broad public law practice which includes a wide range of planning matters, including CIL cases, village green matters and complex judicial reviews. He is best known for his strong representation of clients in the High Court.*

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

Community Care: *... specialises in social welfare, human rights, immigration and EU law. He is experienced in every level of the domestic courts and acts for a variety of clients, including government and other public sector bodies, pressure groups and individuals.*

Strengths: *"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."*

Administrative and Public Law: *Masterful representation of claimants and defendants in high-profile judicial review challenges to legislation and important public body decisions. His broad public and administrative law practice encompasses commercial, regulatory and human rights claims. Recent cases include challenges to welfare reform, energy policy and professional discipline.*

"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 judgment."

Civil Liberties and Human Rights: A leading junior 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 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.”

Immigration: A popular silk, he is highly regarded for his public law knowledge and immigration expertise. He routinely acts for claimants in a diverse range of cases, including deportation and detention matters, and is also regularly instructed to act on behalf of major immigration charities. He is experienced in private and business immigration matters.

“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.”

Local Government: New silk with strong experience in public law and public sector matters, particularly cases arising within the context of community care, social housing and planning. Advises a range of clients, including individuals, commercial entities and pressure groups. He has lots of experience of appearing at all levels of the UK court system, including the Supreme Court. He is well equipped to handle local government issues concerning vires, governance, land disposal and state aid.

“He is very bright and very tenacious.”

Planning: Has a broad public law practice which includes a wide range of planning matters, including CIL cases, village green matters and complex judicial reviews. He is best known for his strong representation of clients in the High Court.

“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”.

Community Care: Standout junior who specialises in social welfare, human rights, immigration and EU law. He is experienced in every level of the domestic courts and acts for a variety of clients, including government and other public sector bodies, pressure groups and individuals.

“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”.

Chambers 100 UK Bar (December 2013) identified Tim as one of the top barristers in the UK across all practice areas:

A specialist in public law, human rights, EU and planning and environmental law ... “Able to immediately grasp the fundamentals of very complex issues and advise clearly on the key points and merits,” he “always looks for the creative angle to litigation and provides an excellent overview of the legal framework.”

Tim has been ranked as a leading practitioner in both directories for over a decade. In past years the Directories have said that Tim is “absolutely fantastic”, “technically outstanding”, “highly impressive in court”, “an exceptionally elegant drafter”, “probably the leading junior at the Administrative Law Bar”, “Judges have a lot of respect for him”, “standout junior”, “lawyer’s lawyer”, “excellent”, “outstanding reputation”, “a really serious force to be reckoned with”, “a first class public lawyer”, “has the respect of the court”, “admired by peers and clients alike for his technical ability”, “passionate, probing and won’t take no for an answer”, “can-do attitude” and “as good as it gets in a junior”. He has been identified as a leading planning lawyer in Planning Magazine, and (in 2009) as one of the Attorney-General’s Pro Bono Heroes for “outstanding commitment to *pro bono* work.

Cases

Supreme Court and House of Lords

R (DA and ors) v SSWP [2019] 1 WLR 3289, [2019] UKSC 21 (revised Benefit Cap, Article 14 ECHR, for claimants DS and ors)

SSWP v Tolley [2016] All ER 40, [2015] UKSC 55 (export of social security payments to Spain, EU law, reference to CJEU)

Mathieson v SSWP [2015] [2015] UKSC 47, 1 WLR 3250 (sole counsel for the SSWP, Article 14 ECHR, disability living allowance, hospitalisation)

R (JS) v SSWP [2015] UKSC 16, [2015] 2 WLR 1449 (legality of Benefit Cap, Article 14 ECHR, relevance of international treaties to domestic law, for CPAG)

R (Sturnham) v Parole Board [2013] UKSC 47, [2013] 2 AC 254, [2013] 3 WLR 281 (life prisoners, imprisonment for public protection)

R (Faulkner and Sturnham) v Parole Board [2013] UKSC 23; [2013] 2 AC 254; [2013] 2 WLR 1157 (Article 5(4) ECHR, damages)

R (KM) v Cambridgeshire CC [2012] UKSC 23, [2012] PTSR 1189, [2012] 3 All ER 1218 (community care, local government, relevance of local authority resources)

R (Cart and MR) v Upper Tribunal [2011] UKSC 28, [2011] 3 WLR 107, [2011] PTSR 1053, [2011] 4 All ER 127 (constitutional law, judicial review of the Upper Tribunal)

R (Eba) v Upper Tribunal [2011] UKSC 29, [2011] 3 WLR 149, [2011] PTSR 1095 (constitutional law, judicial review of the Upper Tribunal, Scotland)

Odelola v SSHD [2009] 1 WLR 1230, [2009] UKHL 25 (retrospectivity, status of immigration rules, for individual claimant)

Court of Justice of the European Communities

Holohan v An Bord Pleanala (Case C-461/17) (for UK, Environmental Assessment, “alternatives”)

Gusa v Minister for Social Protection (Case C-442/16), [2018] 2 CMLR 23 (for UK Government, reference from Republic of Ireland, whether “self-employed” retain rights of residence when “unemployed”)

SSWP v Tolley (Case C-430/15), [2017] 1 WLR 1261 (export of social security benefits, “employed person”)

SSHD v NA (C-115/15) [2017] QB 109, [2016] 3 WLR 1439, [2017] 1 CMLR 12 (domestic violence, free movement, third country nationals, intervening for the AIRE Centre)

Court of Appeal

R (Giordano Ltd) v Camden LBC [2019] EWCA Civ 1544 (Community Infrastructure Levy)

Langford v SSD [2019] EWCA Civ 1271 (Article 14 ECHR, pensions, unmarried partners)

R (Youngsam) v Parole Board [2019] 3 WLR 33 (stare decisis / precedent, Article 5 ECHR, fixed term prisoners)

Worley v SSWP [2019] EWCA Civ 15 (Article 14 ECHR, migration from DLA to PIP)

Putney Bridge Approach Ltd v SSCLG [2019] PTSR 1431 (deemed advertising consent, Planning authorities’ powers and duties, amenity)

R (Network Rail Ltd) v SSEFRA [2019] PTSR 292 (rights of way, stopping up orders, planning conditions)

Waterstone Estates Ltd v Welsh Ministers [2018] EWCA Civ 1571 (Planning Policy Wales, retail development, infrastructure, need)

R (Lancashire CC) v SSEFRA [2018] 2 P&CR 15 (village greens, statutory incompatibility, sole counsel for SSEFRA)

R (RL) v Croydon [2019] 1 WLR 224 (costs of settled cases, sole counsel for claimant / Public Law Project)

French v SSWP [2018] EWCA Civ 470, [2018] 2 FCR 49 (assessment of gambler’s income for child support, sole counsel for SSWP)

Stevenson v SSWP [2017] EWCA Civ 2123 (Support for Mortgage Interest, Article 14 ECHR, sole counsel for Appellant)

S v SSHD [2017] EWCA Civ 1284, [2018] Imm AR 1284 (deportation, Article 8 ECHR, meaning of “very significant obstacles ...” to integration, sole counsel for Appellant)

R (Baker Tilly UK Audit LLP) v Financial Reporting Council [2017] EWCA Civ 206 (professional regulation of auditors, financial services, meaning of “misconduct”, alternative remedy, led by Richard Drabble QC)

NE-A (Nigeria) v SSHD [2017] EWCA Civ 239, [2017] Imm AR 1077 (deportation, foreign criminals, leading counsel for NE-A)

R (Jenkins) v Welsh Ministers [2016] EWCA Civ 1422 (public path creation orders, extinguishment, sole counsel for the Welsh Ministers)

R (King) v Parole Board [2016] 1 WLR 1947 (release of determinate sentence prisoners, led by Sam Grodzinski QC for Parole Board)

SSHD v NA (Pakistan) [2015] EWCA Civ 140 (EU Reference to CJEU, *Zambrano* principle, intervening for the AIRE Centre, led by Richard Drabble QC)

Bishop v Chhokar [2015] EWCA Civ 24, [2015] CP Rep 26 (Advocate to the Court of Appeal (sole counsel), introduction of fresh evidence showing fraud at trial, *Taylor v Lawrence* jurisdiction of Court of Appeal, inherent jurisdiction of county court to reopen proceedings)

R (Gudanaviciene, Reis and ors) v Director of Legal Aid Casework [2014] EWCA Civ 1622, [2015] 1 WLR 2247 (Legal aid exceptional funding, EU Charter of Fundamental Rights, access to justice, led by Richard Drabble QC for Reis)

R (SO (Eritrea)) v Barking and Dagenham LBC [2014] EWCA Civ 1486 (Community care / age assessment, fresh evidence on appeal, sole counsel for SO)

CJ (Dominica) v SSHD [2014] EWCA Civ 1355 (deportation, Article 8 ECHR, public interest, sole counsel for CJ)

Edgehill and ors v Director of Legal Aid Casework [2014] EWCA Civ 1241 (protective costs orders, conditional grant of permission to appeal, funding / conditional fees, sole counsel for Mr Reis)

Ahmed (Amos: Zambrano: Reg 15A(3)(c) 2006 EEA Regs) [2014] EWCA Civ 995, [2015] 1 CMLR 9 (Reference to CJEU, Article 15 Citizenship Directive, domestic violence, for AIRE Centre)

R (Francis) v SSHD [2014] EWCA Civ 718, [2015] 1 WLR 567 (immigration detention / false imprisonment, “mandatory detention”, sole counsel for Bail for Immigration Detainees)

Hakki v SSWP [2014] EWCA Civ 530, [2015] 1 FLR 547 (child support, assessment of taxable income, gambling, sole counsel for Secretary of State / Child Support Agency)

R (JS) v SSWP [2014] EWCA Civ 156, [2014] PTSR 619 (Benefit Cap, Article 14 ECHR, led by Richard Drabble QC for CPAG)

AM v SSWP [2014] EWCA Civ 286 (social security, Article 14 ECHR, withdrawal of DLA from children in hospital, sole counsel for SSWP)

R (Das) v SSHD [2014] EWCA Civ 45, [2014] 1 WLR 3538 (immigration detention, mental illness, led by Dinah Rose QC for interveners Mind and Medical Justice)

SSWP v MM and DM [2013] EWCA Civ 1565, [2014] 1 WLR 1716 (Equality Act 2010, reasonable adjustments, availability of judicial review, mental disablement, employment support allowance, led by Nathalie Lieven QC for MM and DM)

Welsh Minister v Davies [2013] EWCA Civ 1792 (planning inspector’s reasons, relevance of personal circumstances, sole counsel for Welsh Ministers)

SSWP v Tolley [2013] EWCA Civ 1471 (EU law, Reg 1408/71, “employed person”, whether to refer to CJEU, exportability of social security benefits, led by Richard Drabble QC for Ms Tolley)

R (Newhaven Port and Properties Ltd) v DEFRA [2013] EWCA Civ 673, [2014] QB 282 (village greens, retrospectivity, right to property, Article 1 First Protocol ECHR, sole counsel for Secretary of State)

Gray v SSWP [2012] EWCA Civ 1412, [2013] PTSR 520 (child maintenance, calculation of earnings, deductions for tax, sole counsel for SSWP)

R (NB (Algeria)) v SSHD [2012] EWCA Civ 1050, [2013] 1 WLR 31 (judicial review in the Upper Tribunal, inherent jurisdiction of the Court of Appeal, sole counsel for claimant)

AL (Albania) v SSHD [2012] EWCA Civ 710, [2012] 1 WLR 2898 (costs in statutory appeals, sole counsel for claimants)

Burnip, Trengove, Gorry v Birmingham CC, SSWP [2013] PTSR 117 (housing benefit, disability discrimination, Article 14 ECHR, more favourable treatment, led by Richard Drabble QC for claimants)

Kizhakkudan v SSHD [2012] EWCA Civ 566, [2012] Imm AR 886 (immigration, Upper Tribunal practice and procedure, human rights, sole counsel for claimant)

SSWP v Slavin [2012] PTSR 692 (social security, sole counsel for SSWP)

R (MD (Angola) and ors) v SSHD [2011] EWCA Civ 1238, Times 13 December 2011 (immigration detention, HIV, led by Michael

Fordham QC for claimants)

Brough v Law and CMEC [2012] 1 WLR 1021 (child support, termination of maintenance assessment, sole counsel for CMEC)

Stewart v SSWP [2011] UKHRR 1048 (funeral payments, Article 14 ECHR, led by Nathalie Lieven QC for claimant)

R (Bahta) v SSHD [2011] EWCA Civ 895, [2011] CPR Rep 43, [2011] 5 Costs LR 857 (costs in judicial review, led by Nathalie Lieven QC for Public Law Project)

R (Savva) v Kensington and Chelsea LBC [2011] PTSR 761 (community care, personal budgets, sole counsel for Secretary of State for Health, intervening)

SSCLG v Calderdale MBC [2011] 1 P & CR 15 (Planning Inspector's reasons, sole counsel for SSCLG)

R (SO) v Barking and Dagenham LBC [2011] 1 WLR 1283 (community care, duties to former relevant children, priority between local authorities and NASS, for Claimant, led by Richard Drabble QC)

R (Cart) v Upper Tribunal [2010] 4 All ER 714, [2010] EWCA Civ 859 (above)

SSWP v Deane [2011] 1 WLR 743 (carer's allowance, precedential value of judgments based on concession, sole counsel for SSWP)

Sandhu v SSWP [2010] EWCA 962 (social security, disability living allowance, sole counsel for SSWP)

HMRC v Ruas [2010] PTSR 1757 (EU law, social security, meaning of "employed person" in EE Reg 1408/71, for claimant led by Richard Drabble QC)

R (Wiles) v Social Security Commissioners [2010] EWCA Civ 258 (judicial review of Commissioner, constitutional law, "second appeals" test, led by Richard Drabble QC for claimant)

Wild v DEFRA [2009] EWCA 1406, [201-] 2 EG 85 (public rights of way, sole counsel for DEFRA)

R (Forest Heath v Boundary Committee / SSCLG [2010] PTSR 1205, [2009] EWCA Civ 1296 (local government reform, consultation, sole counsel for SSCLG)

R (Z) v Hillingdon LBC (2010) 13 CCL Rep 157 (community care, "care and attention", destitution, sole counsel for Claimant)

Novitskaya v Brent LBC [2010] PTSR 972 (social security, backdating, refugee status, sole counsel for SSWP intervening)

Cocktails Ltd v SSCLG [2009] JPL 953 (planning, use classes, change of use, sole counsel for claimant company)

Chilton-Merryweather (Listing Officer) v Hunt [2009] PTSR 568 (council tax, alteration of list, sole counsel, Advocate to the Court of Appeal)

SSWP v Burley [2009] 1 WLR 241 (retirement pension, EU law, Reg 1408/71, reciprocal international agreements, international law, sole counsel for SSWP)

Odelola v SSHD [2008] 1 WLR 126 (above, retrospectivity in immigration rules)

ND (Guinea) v SSHD [2008] EWCA Civ 458 (immigration, Article 8 ECHR, sole counsel for claimant)

HI ((Uganda) v SSHD [2007] EWCA Civ 1564 (entry clearance, jurisdiction on reconsideration, new points of law, sole counsel for claimant)

JK (Congo) v SSHD [2008] Imm AR 114 (refugee status, judge's reasons, sole counsel for claimant)

R (Orange PCS Ltd) v Islington LBC [2006] JPL 1309 (planning, mobile telephone masts, development orders, retrospectivity, for claimant developer led by Christopher Katkowski QC)

Aga v SSHD [2005] EWCA Civ 1575 (Article 8 ECHR, delay, sole counsel for claimant)

Stancliffe Stone Co Ltd v National Park Peak District Authority [2006] Env LR 7 (planning, mining permissions, mineral rights, declaratory orders, for claimant developer led by David Holgate QC)

St Leger-Davis v FSS [2005] 2 P & CR 6 (planning, mobile telephone masts, compulsory purchase, for claimant developer led by Christopher Katkowski QC)

High Court and other

R (HS) v SSHD [2019] ACD 117, EWHC 2070 (Admin) (immigration detention, bail, foreign criminals, for claimant)

Tewkesbury BC v SSHCLG [2019] EWHC 1775 (Admin) (judicial review of planning inspector, academic challenges, justiciability)

R (Morris) v Parliamentary and Health Service Ombudsman [2019] EWHC 1603 (Admin), [2019] ACD 93 (legitimate expectation, fairness, maladministration, health records, investigations)

R (Andrews) v Cabinet Office [2019] EWHC 1126 (Admin) (for claimant, establishing government's failure to provide lawful device to assist blind voters to vote without assistance)

R (Friends of the Earth) v Environment Agency [2019] PTSR 1020 (environmental permits, Mining Waste Directive, fracking) [2019] PTSR 1020

R (Brommell) v Reading BC [2019] JPL 501 (NPPF, open spaces, schools, planning permission, development plans)

R (Giordano Ltd) v Camden [2019] PTSR 735, [2019] JPL 495 (Community Infrastructure Levy, overturned by Court of Appeal)

R (Sefton MBC) v Highways England [2018] EWHC 3059 (Admin) (Development Consent Orders, consultation)

Ramsgate TC v Thanet DC [2018] 3042 (Ch) (local authority land sale, transfer of land, appropriation)

Slough BC v SSEFRA [2018] EWHC 1963 (Admin) (rights of way, Definitive Maps and Statements, common law dedication)

R (Cairns) v Hertfordshire CC [2019] Env LR 6 (environmental impact assessment, screening, habitats, Green Belt)

CEG Land Promotions II Ltd v SSHCLG [2019] PTSR 353 (NPPF, planning, interpretation)

Parkhurst Road Ltd v SSCLG [2019] JPL 855 (Admin) (affordable housing, assessment of viability, benchmark land value)

R (Woolcock) v SSCLG and ors [2018] EWHC 17 (Admin), [2018] 4 WLR 49 (Divisional Court, "systemic public law challenge", enforcement of Council Tax, sole counsel for SSCLG)

Geo Specialty Chemicals Ltd v Environment Agency, Environment Chamber (GRC) (Simon Bird QC), 17 January 2018 (Climate Change Agreements, variation / change of circumstances, jurisdiction)

Waterstone Estates Ltd v Welsh Ministers [2017] EWHC 2922 (Admin) (interpretation of Planning Policy Wales, retail development, sequential test, sole counsel for Welsh Ministers, CA appeal June 2018)

Gladman Developments Ltd v SSCLG [2017] EWHC 2448 (Admin) (housing development, 5 year land supply, sole counsel for SSCLG)

R (Barking and Dagenham LBC) v SSH [2017] EWHC 2449 (Admin, (2017) 20 CCL Rep 505 (ordinary residence, "deeming provision", sole counsel for SSH)

MH v SSWP (PIP) (Human Rights law - article 14) [2017] UKUT 424 (AAC) (lawful for adults not to be paid DLA or PIP whilst in hospital notwithstanding Mathieson, leading counsel for SSWP)

R (HS) v SSHD [2017] EWHC 2422 (Admin) (immigration detention, release, for claimant)

R (Network Rail Infrastructure Ltd) v SSEFRA [2017] PTSR 1662

Goodman Logistics Developments (UK) Ltd v SSCLG [2017] EWHC 947 (Admin)

R (Youngsam) v PB [2017] 1 WLR 2848 (application of Article 5(4) ECHR to determinate sentence prisoners, for Parole Board, CA appeal June 2018)

R (Rambler's Association) v SSEFRA [2017] EWHC 729 (Admin) (creation of public rights of way, public use, railways, public safety, criminal use, for SSEFRA)

Telford and Wrekin BC v SSCLG [2016] 3073 (Admin) (interpretation of National Planning Policy Framework, presumption in favour of sustainable development, protection of best and most versatile agricultural land, for SSCLG)

TW v SSWP [2017] UKUT 25 (AAC) (Personal Independence Payment, transitional from DLA, Article 14 ECHR, for SSWP)

SSWP v LB (PIP) [2016] UKUT 530 (AAC) (Personal Independence Payment, for SSWP)

Cullen v SSCLG [2016] EWHC 2197 (Admin) (5 year housing supply, residential development)

Jackley v Information Comm, Information Tribunal, 4 August 2016 (Freedom of Information, commercial sensitivity, for SSWP)

R (Al-Sharifi) v SSHD [2016] EWHC 2168 (Admin) (immigration detention, Iraq, mental illness, for Claimant)

ML v SSWP [2016] UKUT 0323 (AAC) (DLA, hospitalization, care homes, application of *Mathieson* to adults)

R (Pressland v Hammersmith and Fulham LBC [2016] EWHC 1763 (Admin) (permitted development, variation of planning permission, for Hammersmith)

R (Lancashire CC) v SSEFRA [2016] EWHC 1238 (Admin) (village greens, "locality", spread of users, statutory incompatibility, for SSEFRA)

Cawrey Ltd v SSCLG [2016] EWHC 1198 (Admin) (5 year supply, residential development, sustainable development, for SSCLG)

Wright v SSEFRA [2016] EWHC 1053 (Admin) (public paths, for SSEFRA)

R (Dillner) v Sheffield CC [2016] Env LR 31 (environmental impact assessment, highway authority powers and duties, Public Finance Initiatives, local government consultation, for highway contractor Amey Hallam Highways)

Nicolson v Grant Thornton LLP [2016] 2 Costs LR 211, Divisional Court (local government audit, council tax, for LB Haringey)

Castelite Ltd v SSCLG [2016] EWHC 1479 (Admin) (green belt)

R (Scarisbrick) v SSCLG [2016] EWHC 715 (Admin) (hazardous waste landfill, development orders, Nationally Significant Infrastructure Projects, for SSCLG)

R (O'Brien) v South Cambridgeshire DC [2016] JPL 656 (repeat planning applications, transitional provisions, retrospectivity, for SSCLG)

Thornhill Estates v SSCLG [2015] EWHC 3169 (Admin) (assessment of 5 year housing supply, residential development, for SSCLG)

R (Baker Tilly UK Audit LLP v Financial Reporting Council [2015] EWHC 1398 (Admin) (financial regulation, disciplinary proceedings, alternative remedy, for claimant led by Richard Drabble QC)

R (Xue) v SSHD [2015] EWHC 825 (Admin) (immigration detention, mental illness / EIG 55.10, sole counsel for Claimant)

R (Hardy) v Sandwell MBC [2015] EWHC 890 (Admin) (discretionary housing payments, bedroom tax, disabled persons, Article 14 ECHR, equality impact assessment, sole counsel for Claimant)

Langford v SSD [2015] EWHC 875 (Ch) (pensions, unmarried partners, Article 14 ECHR, sole counsel for Secretary of State)

R (Knights) v Parole Board [2015] EWHC 136 (Admin) (sentences of imprisonment for public protection, access to offender coursework, Article 5 ECHR, for Parole Board)

SSWP v PD [2014] UKUT 549 (AAC) (Employment and Support Allowance, migration / existing awards of incapacity benefit, secondary legislation, *vires*)

Powell v DEFRA [2014] EWHC 4009 (Admin) (rights of way, prescription, for DEFRA)

SSHD v Sidey [2014] UKAITUR 181982014 (Citizen's Directive, principle of equal treatment, EU law, domestic violence)

Pengelly v Lisiting Officer [2014] EWHC 4142 (Admin) (rateable value, principles of valuation,)

R (Hovenden) v Parole Board [2014] EWHC 3738 (Admin) (public protection, release on license, for PB)

R (SA (Holand)) v SSHD [2014] 2570 (Admin) (immigration detention, mental health, for claimant)

R (Ofogba) v Secretary of State for Energy and Climate Change [[2014] EWHC 2665 (Admin) (consultation, EU law, Energy Service Directive, climate change, for DECC)

R (Flatley) v Welsh Government and Hywel Dda University Health Board [2014] EWHC 2258 (Admin), (2014) 140 BMLR 1, [2014] PTSR D22 (NHS reorganization, consultation, Public Sector Equality Duty, legitimate expectation, Wales)

Pearce's Appeal, Re [2014] UKUT 291 (LC), [2014] RA 341 (local government, rateable value, *res judicata*)

R (Gudanaviciene and Reis) v Director of Legal Aid Casework [2014] EWHC 1840 (Admin), [2014] ACD 123 (legal aid, exceptional funding, EU Charter of Fundamental Rights, sole counsel for Reis)

R (Moore) v Parole Board [2014] EWHC 2713 (Admin) (Parole Board, public protection, release on license)

R (King) v Parole Board [2014] EWHC 564 (Admin), [2014] ACD 103 (public protection, determinate sentence prisoners, test for release)

Makanjuola v SSCLG [2013] EWHC 3528 (Admin) (planning, over-enforcement)

R (JS and ors) v SSWP [2013] EWHC 3350 (QB) (social security, legality of “benefit cap”, Article 14 ECHR, led by Richard Drabble QC for intervener, CPAG)

Jaytee (Rainton) LLP v SSCLG [2013] EWHC 2835 (Admin) (planning, motorway service areas, leading counsel for Secretary of State)

MF v SSD [2013] UKUT 491 (AAC) (war pensions, counsel for MOD)

R (McIntyre) v Parole Board [2013] EWHC 1969 (Admin) (natural justice, record of proceedings, sole counsel for Parole Board)

R (SO) v Barking and Dagenham LBC [2013] UKUT 256 (IAC) (age dispute, identity, judicial review in the Upper Tribunal)

West London Aero Club v Hazell (Valuation Officer) [2013] RA 386 (rating, issue estoppel)

Turner v Chief Land Registrar [2013] EWHC 1382 (Ch), [2013] 2 P & CR 12 (adverse possession, first registration, Article 8 ECHR, sole counsel for Land Registrar)

R (MM and DM) v SSWP [2013] UKUT 259 (AAC), [2013] Eq LR 754 (reasonable adjustments, Equality Act 2010, disabled persons, judicial review in the Upper Tribunal)

R (FH (Iran)) v SSHD [2013] EWHC 1092 (Admin) (immigration detention, sole counsel for Claimant)

R (Cain) v SJ [2013] EWHC 900 (Admin) (prison security categorization, natural justice, oral hearings, sole counsel for claimant)

Westminster Council v SSCLG [2013] EWHC 690 (Admin) (planning section 106 agreements, validity, reasons)

MB v SSWP [2013] UKUT 111 (AAC) (constitution of First-tier Tribunal, jurisdiction, 3-judge panel, counsel for claimants)

AM (by appointee CM) v SSWP (DLA) [2013] UKUT 27 (AAC) (Article 14 ECHR, disability discrimination, disability living allowance)

Ramblers Association v SSEFRA [2012] EWHC 3333 (Admin) (rights of way, diversion orders)

R (MM) v SSWP [2012] EWHC 2106 (Admin) (Equality Act 2010, duty to make reasonable adjustments, transfer of judicial review to Upper Tribunal, led by Nathalie Lieven QC for claimants)

Kotegaonkar v SSEFRA [2012] EWHC 1796 (Admin), [2012] ACD 105 (rights of way)

R (Adams) v Commission for Local Administration in England [2012] PTSR 1172 (Local Government Ombudsman, duty to give reasons, investigation, costs)

R (BA) v SSHD [2011] EWHC 2748 (Admin) (immigration detention, mental illness, breach of Article 3 ECHR, breach of policy)

R (Belmihoub) [2011] EWHC 2044 (Admin) (immigration detention, *Hardial Singh*)

XYZ v Portsmouth Hospital NHS Trust [2011] EWHC 243, (2011) 121 BMLR 13 (intervention as sole counsel for Secretary of State for Health, priority in allocation of organs to potential donees)

R (Robin Murray & Co) v Lord Chancellor [2011] EWHC 1528 (Admin), [2011] ACD 103 (closure of magistrates courts, equality impact assessment, led by Sam Grodzinski QC for defendant)

R (Vale of Glamorgan Council) v Lord Chancellor [2011] EWHC 1532 (Admin) (closure of magistrates courts, consultation, led by Sam Grodzinski QC for defendant)

AM (Evidence - route of return) Somalia [2011] UKUT 54 (IAC) (Somalia, Article 3 ECHR, route of return)

R (Zagorski) v SSBS [2011] HRLR 6 (export of drugs for use on death row, EU Charter on Fundamental Rights, EU export rules, scope of EU law)

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