



Year of call: 2010

Areas of Practice

Employment & Discrimination, Direct Public Access Barristers, Immigration, Business & Commercial, Property, Landlord & Tenant, Local Authorities & Public Law

David has a mixed common law practice. The broad nature of his practice enables him to deal effectively with matters which cut across different areas of law. He is qualified to accept direct access instructions.

Public Law and Human Rights

David practises at all levels of the courts and tribunal system in all aspects of immigration, asylum and European law. He has considerable experience of appearing in appeal proceedings.

In addition, he frequently drafts judicial review grounds and appears in court in connection with the oral renewal or substantive judicial review hearings. Many of the cases in which David is instructed to draft judicial review grounds are settled before proceeding to a court hearing.

David is increasingly instructed on the preparation and drafting of initial applications made both overseas and within the UK. He also drafts grounds for administrative review of decisions that now have no right of appeal.

He provides advice to local authorities and individuals on immigration issues arising in family proceedings.

David also acts in public law areas more generally. This has included challenges to the award and fulfillment of contracts by public authorities and representing local authorities in challenges to decisions of the Upper Tribunal (Administrative Appeal Chamber) to refuse permission to appeal.

He deals with breaches of planning law and subsequent enforcement and breaches of health & safety legislation. He has acted in proceedings challenging the imposition of civil penalties for immigration offences.

Property/Landlord and tenant

David accepts instructions in a wide range of property matters both residential and commercial. These include possession claims, construction of leases, forfeiture, claims for new tenancies, easements, service charges, party wall matters and boundary disputes.

David also deals with cases concerning homelessness under the Housing Act 1996. His work ranges from advising on decision letters and the merits of appeals through to representing clients in court in appeal and judicial review proceedings.

Commercial

David's practice covers all areas of commercial and business law, including agency, contractual disputes, corporate insolvency and bankruptcy.

He accepts instructions in professional negligence claims, both for and against legal advisors, particularly in the field of immigration law where his knowledge of that area is a valuable asset.

He also undertakes some personal injury work including employers' and occupiers' liability cases and advises on liability and quantum.

Employment

David acts on behalf of both claimants and respondents and undertakes a full range of employment disputes with a particular focus on cases involving aspects of immigration law as well as discrimination. He is also instructed in partnership disputes.

Notable cases

Supreme Court

Taiwo & Anor v Olaigbe & Ors [2016] UKSC 31 (22 June 2016)

- *Led junior in the Supreme Court concerning whether discrimination on grounds of immigration status amounted to discrimination on grounds of nationality*

Court of Appeal

SS (India) v Secretary of State for the Home Department

- *Acting for the appellant in a case concerning the correct approach to be adopted by the Upper Tribunal remitting appeals to the First-tier Tribunal with directions. Permission was granted on the papers and the appeal was settled shortly before the hearing.*

AG (Pakistan) & Ors v Secretary of State for the Home Department

- *Acting for the appellant in a case concerning the jurisdiction of the tribunal and the right of appeal in a student visa appeal as well as the interpretation of paragraph 245ZX(ha) of the Immigration Rules. The appeal was settled after permission to appeal was granted following an oral hearing.*

IA (Nigeria) v Secretary of State for the Home Department [2016] EWCA Civ 529 (28 January 2016:)

- *Court of Appeal permission hearing concerning a FtT Judge's adverse view of the case by virtue of the applicant's decision not to give evidence*

High Court

Han, R (on the application of) v Secretary of State for the Home Department [2014] EWHC 4606 (Admin) (04 November 2014)

- *Judicial review concerning issues relating to paragraph 245AA of the Immigration Rules and the evidential flexibility policy*

Upper Tribunal (Immigration and Asylum Chamber)

HU030542016 [2017] UKAITUR HU030542016 (21 November 2017)

- *An appeal to the Upper Tribunal concerning the application of Chikwamba*

HU039822017 [2017] UKAITUR HU039822017 (10 October 2017)

- *An appeal to the Upper Tribunal concerning the application of the Immigration Rules to a deportation appeal*

IA275692015 [2017] UKAITUR IA275692015 (9 October 2017)

- *An appeal to the Upper Tribunal concerning an application under the Immigration EEA Regulations 2006*

HU008862015 [2017] UKAITUR HU008862015 (4 August 2017)

- *An appeal to the Upper Tribunal concerning an appeal against the refusal of an entry clearance officer in an adult dependant relative application*

IA216902015 [2017] UKAITUR IA216902015 (20 June 2017)

- *An appeal to the Upper Tribunal concerning a private life application based on long residence*

IA083092015 & IA083362015 [2016] UKAITUR IA083092015 (26 May 2016)

- *An appeal to the Upper Tribunal concerning an appellant who had obtained 10 years lawful residence whilst the appeal was pending*

IA303682014 [2016] UKAITUR IA303682014 (26 April 2016)

- *An appeal to the Upper Tribunal concerning the appellant's family and private life and the consideration of these outside of the immigration rules*

AA038982015 [2016] UKAITUR AA038982015 (25 April 2016)

- *An appeal to the Upper Tribunal concerning a Mongolian asylum appeal and the Judge undertaking their own independent enquiries*

DA006662014 [2016] UKAITUR DA006662014 (20 January 2016)

- *Resisting the Secretary of State's appeal in a deportation case concerning the correct version of the Immigration Rules to be applied*

OA004522014 [2015] UKAITUR OA004522014 (13 November 2015)

- *Resisting the Secretary of State's appeal to the Upper Tribunal relating to whether the applicant's mother had sole responsibility*

IA164122014 & Ors. [2015] UKAITUR IA164122014 (10 November 2015)

- *An appeal to the Upper Tribunal concerning whether there were significant obstacles to integration under paragraph 276ADE*

IA317042014 [2015] UKAITUR IA317042014 (13 October 2015)

- *Resisting the Secretary of State's appeal to the Upper Tribunal concerning a tier 1 appeal that had been allowed on the basis that the refusal was procedurally unfair*

IA195252014 [2015] UKAITUR IA195252014 (26 June 2015)

- *An appeal to the Upper Tribunal concerning the exercise of discretion when cancelling leave to remain*

DA000572014 [2014] UKAITUR DA000572014 (18 November 2014)

- *Resisting the Secretary of State's appeal to the Upper Tribunal concerning the FtT's finding that there were exceptional circumstances in the context of an appeal against a deportation order*

DA006772013 [2014] UKAITUR DA006772013 (30 January 2014)

- *An appeal to the Upper Tribunal concerning deportation under the EEA Regulations*

IA161672013 & IA161742013 & IA161802013 [2014] UKAITUR IA161672013 (27 January 2014)

- *An appeal to the Upper Tribunal concerning the failure to apply the evidential flexibility policy to a tier 1 application*

AA024602012 [2014] UKAITUR AA024602012 (8 January 2014)

- *An appeal to the Upper Tribunal concerning the failure to grant an adjournment in an asylum hearing*

Qualification and awards

BVC, BPP Law School London (2009)

University College London, LLB (honours)

Professional memberships

South Eastern Circuit



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