

# Mark Bradshaw

Call: 2002

"Mark is very thorough, responsive and his appeal skeleton arguments are exceptionally well thought through, very detailed and shown a wealth of legal knowledge, whilst being very clear and easy to understand."

Legal 500 2026



Mark Bradshaw is an Immigration and Court of Protection specialist.

Mark has considerable experience in asylum matters, including appearing for the appellant in the Iraqi country guidance case – AAH (Iraqi Kurds – internal relocation) Iraq CG [2018] UKUT 00212 (IAC). He is particularly skilled in representing children and vulnerable appellants. Mark is regularly instructed in family and corporate immigration matters and has substantial knowledge and expertise of EEA cases, including the EU Settlement Scheme. He is proficient in both substantive appeals and judicial review.

Mark also specialises in all aspects of Court of Protection work. He is instructed regularly across England and Wales by the Official Solicitor, accredited legal representatives, local authorities and NHS bodies. Mark is experienced in a wide variety of health and welfare and property and financial affairs matters. He regularly appears in forced marriage cases, such as Coventry City Council v MK & Ors [2023] EWHC 249 (Fam).

Instructions are also welcomed in data protection and freedom of information matters, with experience appearing before the General Regulatory Chamber of the First-tier Tribunal.

Mark is a criminal Recorder and a fee-paid Judge of the First-tier Tribunal in the Immigration and Asylum Chamber.

## Expertise

### Immigration, Asylum & Nationality

Mark has considerable experience appearing before the First-Tier and Upper Tribunal in all types of immigration, human rights and asylum cases, both publicly and privately funded. He is also well-versed in drafting skeleton arguments in the most complex of appeals. He is regularly instructed in cases at Court of Appeal level.

Mark frequently appears in immigration and detention-related judicial reviews in both the Administrative Court and Upper Tribunal. He regularly drafts statements of grounds in such cases.

#### Birmingham

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Birmingham  
B3 3AG

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Telephone: +44 (0) 121 606 0500

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A previous practice in both criminal law and prison law ensures that Mark has a notable aptitude for deportation matters. He understands the particular complexities of criminal sentencing and prison/probation procedures, as well as the assessment of risk posed by offenders. He frequently assists in the instruction of psychologists for the provision of independent opinion on risk of reoffending and serious harm to the public.

Mark is known to be able quickly to establish a rapport with lay-clients, explaining difficult concepts in a manner that can be understood and putting them at ease, which is vital in a forum where the most sensitive matters are frequently aired.

In 2004, Mark received Legal Services Commission / Bar Council accreditation as an asylum advocate following comprehensive training.

Mark regularly provides CPD-accredited lectures to other legal representatives in immigration topics.

Mark is a fee-paid Judge of the First-tier Tribunal (Immigration and Asylum Chamber), as well as a Recorder (Criminal).

## Notable Cases

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### AAH (Iraqi Kurds – internal relocation) Iraq CG [2018] UKUT 00212 (IAC)

Mark was led in this country guidance case involving Kurds, redocumentation and internal relocation within the Iraqi Kurdistan Region. The Upper Tribunal set guidance on the considerations at play in determining whether Kurds could safely and reasonably relocate to the IKR, as well as the process to obtain replacement CSID documents.

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### Mendes, R (oao) v SSHD [2021] EWHC 115 (Admin) (25 January 2021)

Mark was led in a complex case involving a challenge to a notice of liability to deport and/or decision to deport and deportation order for a claimant who was a minor when served with deportation paperwork.

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### SA (Iran)

Mark represented SA, an Iranian Kurd, in his appeal against the refusal of asylum and humanitarian protection. SA is a vulnerable individual as he was a minor when events took place in Iran that led to his claim and he is illiterate. SA's appeal was dismissed by the First-tier Tribunal, but Mark was successful in obtaining permission to appeal from the Upper Tribunal based on arguable errors of law in the FTT's decision.

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### HR and HARC (El Salvador)

Mark was instructed on behalf of HR and HARC, father and son and nationals of El Salvador claiming asylum. The claims concern the refusal by HARC to be recruited to the Barrio 18 gang (aka Mara 18). Notwithstanding the Upper Tribunal having found those in the appellants' situation to be eligible to claim asylum on political grounds, the respondent was seeking to argue to the contrary, raising a difficult legal issue. The case was complex as both appellants had detailed reasons for refusal of their claims to address, as well as significant mental health issues. Mark drafted comprehensive written submissions for the appeal skeleton argument.

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### PJ (Hungary)

Mark was instructed on behalf of PJ, a Hungarian national facing deportation from the UK following criminality. The case was a complex one in different respects,

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firstly in calculating the length of time that PJ had resided in the UK in accordance with European Economic Area regulations before the decision was made to deport him. This affected the level of protection that PJ had against deportation. PJ fell around 4 days short of the 10-year threshold that would have significantly strengthened his prospects of success. Secondly, PJ's criminality, for drugs offences, placed him at real risk of deportation given the nature of his offending.

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### MEAA (Sudan)

Mark represented MEAA, a Sudanese national seeking asylum. He was a member of a non-Arab Darfuri minority tribe. MEAA was initially refused asylum mainly on the basis that he would not be at risk on return, but between drafting the appeal skeleton argument and the hearing, the country conditions in Sudan changed significantly due to political unrest, meaning MEAA was at even greater risk and the respondent's position in the refusal letter was fatally undermined. Mark drafted further representations just before the appeal hearing to seek to ensure MEAA gained at least humanitarian protection. Through those written submissions and hard negotiations by Mark, the respondent eventually conceded the appeal on the day of the hearing, meaning MEAA succeeded in full.

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### AKS (Iraq)

Mark represented AKS, an Iraqi national asylum claimant. AKS was particularly vulnerable as a young adult who had been abandoned by his parents at the age of 9. He feared ISIS following his father's possible involvement with the terrorist group. He was also without necessary identity documentation. Mark drafted detailed written representations in the form of an appeal skeleton argument in advance of the substantive hearing. AKS had received a diagnosis of PTSD and major depressive disorder, requiring Mark to exercise considerable skill and care to represent him effectively. The hearing did not run smoothly with further credibility issues arising. Despite all of this, the appeal succeeded.

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## Court of Protection

Mark has experience appearing in cases in the Court of Protection in both property and affairs and health and welfare matters. He regularly appears for both individuals and public bodies, including ICBs/health boards and local authorities. He is also instructed on behalf of the Official Solicitor and accredited legal representatives to appear on behalf of the protected party, as well as representing concerned family members. He has also appeared in cases on behalf of the Office of the Public Guardian.

In health and welfare cases, Mark regularly appears in cases involving deprivation of liberty and appropriate arrangements for care, residence and contact. Mark has experience representing protected parties of all ages. He regularly appears in complex matters before Tier 3 judges, as well as in cases involving the inherent jurisdiction and forced marriage.

Recent experience in property and affairs matters has included challenges to the exercise of powers of attorney, alleged financial mismanagement and the implementation of a statutory will. Mark's past involvement in financial dispute resolution on divorce and contact and residence in a family law context provides invaluable insight when required to negotiate pragmatic solutions in such matters within the Court of Protection.

Mark's work in other fields involving the liberty of the individual and their treatment whilst detained is of great relevance in Court of Protection health and welfare cases. His other areas of practice frequently bring him into contact with those affected by mental health or capacity difficulties, including challenges relating to the European Convention on Human Rights.

Mark also has considerable public law expertise, which assists when decisions require challenge by way of judicial review in the Administrative Court.

Mark is skilled in quickly establishing a rapport with lay-clients and displaying empathy for their situation, which is particularly important in cases involving the elderly or vulnerable to ensure they feel comfortable and a part of the court process.

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## Notable Cases

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### TQ & Ors v NHS Birmingham and Solihull Clinical Commissioning Group [2019] EWCOP 58 (13 September 2019)

Mark represented the CCG in this matter involving the decision as to whether to appoint a personal welfare deputy for P and an application for costs.

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### Coventry City Council v MK & Ors [2023] EWHC 249 (Fam) (09 February 2023)

Mark was instructed by the local authority in this case, which involved an allegation of forced marriage and which raised complex issues relating validity of marriage, *lex loci celebrationis*, and non-qualifying ceremonies.

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### A Local Authority v PG & Ors [2023] EWCOP 9 (10 March 2023)

Mark represented the local authority in this matter involving fluctuating capacity and whether the longitudinal approach was to be preferred over anticipatory declarations.

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### Re. MW

Appearing on behalf of Office of Public Guardian in application to revoke and cancel a registered LPA for property and financial affairs and to appoint a panel deputy. Actions of P's relative suggested possible conduct in breach of duties under the Mental Capacity Act 2005 Code of Practice.

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### Re. ML

Appearing for P by way of Official Solicitor, bringing challenge to standard authorisation of deprivation of liberty for a very elderly female with severe cognitive deficit placed in Local Authority respite care.

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### Re. SB

Advising in potential application challenging a statutory will on behalf of father of mentally incapacitated child.

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### Re. DC

Representing the mother of P in a challenge to the local authority's decision to remove P from her care following concerns over possible neglect.

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### Re. GI

Representing P, a female with vascular dementia, paranoia/schizophrenia and learning disability, by way of the Official Solicitor. The proceedings ran as a s21A

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DoLS challenge and there was an issue as to whether proceedings should continue where wishes and feelings arguably suggested P was content in her placement, contrary to earlier expressions.

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### Re. K

Representing the local authority in Mental Capacity Act proceedings in relation to P, a Polish national child, removed from the care of family. The involvement of the Polish consulate and potential provision of information by Polish statutory agencies raised complex issues.

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### Re. EW

Representing EW, an 18-year-old female with diagnoses of autism spectrum disorder, ADHD, PTSD, and low cognitive and executive functioning. EW's complex presentation led to a challenging picture in terms of her fluctuating capacity, with EW having capacity to make decisions about residence and care when calm and settled, but at times of emotional dysregulation and crisis lacks that capacity.

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### Re. HM

Representing the protected party, HM, in this hearing before a Tier 3 Judge. The key issue in this case was whether the estranged husband of HM should be made a party and whether he should be permitted disclosure of material against HM's apparent wishes and feelings.

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### Re. PH

Representing PH by way of his litigation friend, the Official Solicitor. PH was a challenging individual who had been left in hospital for over a year when medically fit for discharge for most of the time, due to the failure of the public authorities to identify a suitable residential option for him. The case required robust advocacy and persistence to seek to move the case forward, so that PH was not left languishing even longer. The case returned to court on multiple occasions with attempts made to preserve PH's placement in the face of his hostile and challenging behaviour towards carers.

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## Public Law

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Mark has experience in public law proceedings arising from immigration, Court of Protection, prison law, human rights, criminal and quasi-criminal matters. He regularly advises on the merits of claims in the public law sphere, as well as quantum of damages. He is frequently instructed in cases solely or significantly involving public law challenges, and is regularly involved in judicial review cases before the Administrative Court and Upper Tribunal, including those seeking urgent interim relief.

Mark is actively involved in matters relating to information law. Mark's caseload includes advising public authorities on their obligations under data protection and freedom of information legislation. He also has experience in assisting members of the public with the formulation of requests for information from the State. His knowledge of tribunal procedure and advocacy is valuable in relation to challenges to the decisions of the Information Commissioner's Office via the General Regulatory Chamber of the Tribunal (Information Rights), as well as in the higher courts.

Mark is a fee-paid Judge of the First-tier Tribunal (Immigration and Asylum Chamber), as well as a Recorder (Criminal).

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## Awards



## Accreditations

- Prince of Wales Scholar, Gray's Inn

## Appointments

- Recorder (criminal)
- Fee-paid Judge of the First-tier Tribunal (Immigration and Asylum Chamber)

## Qualifications

- LLB (Hons), Staffordshire University
- Bar Vocational Course, Nottingham Law School

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