

Mark Bradshaw

Call: 2002

"Mark's advocacy is clear and addresses the heart of the matter. He is wonderful with clients and provides realistic advice. He is exceptionally reliable and engages in the preparation of the appeal."

Legal 500 2024



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.

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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).

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.

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

Public Law

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.

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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).

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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