

# Philip Rule KC

Call: 2001 | Silk: 2023

"Philip is reliable, approachable, has a good rapport with clients, obtains positive outcomes and receives subsequent requests for representation by returning clients."

Legal 500 2024 (Crime London)



Philip Rule KC is head of the Public Law Group at No5.

He is an extremely versatile and accomplished leading advocate, whose appellate and first-instance work encompasses many areas of law where his experience and skills enable him to provide clients with the assistance that they need. In addition to his core areas listed below he also undertakes work in varied fields such as extradition cases, or commercial matters particularly involving civil and criminal elements, and employment cases with issues of public law or discrimination arising. He has led in cases before the UK Supreme Court, Privy Council, Court of Appeal (both Divisions of England and Wales) and in other jurisdictions in the Caribbean

## Expertise

### Animal Law

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Philip has been conducting cases involving animal welfare across different intersecting areas of law concerning animals for many years. Animal law, recently recognised as a subject area in its own right, is multi-disciplinary and Philip is well-placed to understand the various interactions as a public law specialist with an extensive experience of working in both criminal, civil, and regulatory spheres alongside his appellate and judicial review practice.

Philip has been involved in several judicial review claims where animal rights have been at the forefront, as well as having previously acted in criminal prosecutions concerning animal welfare. Often, because the law remains nascent in recognising animal rights as an inherent aspect of dignity for non-human living beings, he has been able to apply public law decision-making principles of the common law, and even human rights (impacted by the treatment of the animal kingdom) to bring proceedings that challenge current ill-treatment of animals.

Philip has particular experience of appearing in the Supreme Court and Court of Appeal (both divisions), as well as the High Court.

Recent work includes:

**R (People for the Ethical Treatment of Animals) v Secretary of State for Defence**  
CO/4131/2022

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Instructed on behalf of PETA (People for the Ethical Treatment of Animals) in an ongoing dispute with the Ministry of Defence concerning use of real bearskin for the King's Guards caps worn by foot soldiers in the Grenadier Guards, the Coldstream Guards, the Scots Guards, the Irish Guards and Welsh Guards.

PETA was concerned that the MoD failed to properly consider a synthetic replacement it has developed with faux furrier ECOPPEL.

**R (The Animal Law Foundation) v Secretary of State for Environment, Food and Rural Affairs**

Instructed to assist in advising and drafting for the pre-action and following action to challenge the government's position that the sentience (ability to suffer pain) of decapod crustaceans (e.g. lobsters) has been proven, and is now recognised by the Animal Welfare (Sentience) Act 2022, but that it shall nonetheless not provide clear guidance to prevent the boiling alive method of killing as contrary to the Welfare of Animals at the Time of Killing Regulations 2015 (that transposed EU law Council Regulation (EC) No 1099/2009).

**R (Humane Being) v Secretary of State for Environment, Food and Rural Affairs**

[2022] EWHC 300 (Admin); [2022] 1 WLUK 436

And CA-2022-00348

And ECHR Application 36959/22

Use of the Human Rights Act 1998 to challenge factory farming conditions that, via the poor welfare conditions for the animals, pose risks to humans through zoonotic disease transmission, through overuse of antibiotics causing disease resistance in diseases that affect humans also, and through methane gas emissions. The case challenged the governmental failure to regulate and take all reasonable steps to safeguard against these risks posed by those conditions of large-scale factory farming.

## Civil Liberties & Human Rights

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Philip specialises in work on behalf of individuals who are experiencing civil liberties issues, using his expertise across multiple jurisdictions to provide representation in cases raising human rights and constitutional protections in the context of prison law, criminal justice, community care, inquest, immigration detention and deportation, and discrimination.

A proven judicial review expert with significant experience of appearing in the Supreme Court and Court of Appeal (both divisions), as well as the High Court. Also regularly undertakes civil actions against public authorities in human rights claim.

Previously as a junior appointed to the Equality and Human Rights Commission's Panel of preferred counsel. Head of Public Law group at No5 Chambers.

Winner of Legal Aid Practitioner's Group "LALYs" Legal Aid Barrister of the Year 2017 award. An independent panel awarded this considering over a dozen references.

Elected to Executive Committee of the Human Rights Lawyers' Association.

Counsel for one of the victim families in the Fishmongers' Hall terrorist incident inquests; and secured the acquittal of the Birmingham Pub Bombings Campaigners for alleged COVID lockdown breaches in demonstrating, relying on Article 10 and 11 freedoms of expression.

## Community Care

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Philip is frequently instructed in complex and test cases in community care matters, regularly appearing in the reported cases in this field.

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He regularly advises, and appears on behalf of, parties in cases concerned with accommodation and service provision, discrimination, and other matters leading to judicial review proceedings. Philip has a detailed and comprehensive knowledge of public law and is able to provide prompt, accurate and thorough advice and representation. Despite his skill in the courtroom he is always alive to the need for consideration of appropriate settlement where that is in his client's best interest, and recognises that some cases are better resolved ahead of contested litigation.

Philip has a very successful practice of urgent assistance in applications for interim relief before the Administrative Court, with paper decisions frequently granting the order sought on behalf of his client.

Philip's work includes judicial review actions concerning, amongst other things, the statutory duties of local authorities (and of the Home Office) regarding accommodation provision, its adequacy, and timeliness; services and support available to disabled and vulnerable persons; educational needs provision; needs assessment provision; and former looked-after children's provision of accommodation, care, or support; as well as age assessment and the requirements of Merton/caselaw and relevant guidance.

Philip is also very experienced in handling cases which raise issues under the Human Rights Act 1998, those invoking wider international human rights instruments, or raising questions of constitutional significance. His work also includes claims for discrimination engaging the protections of the Equality Act 2010 and/or Article 14 of the European Convention on Human Rights 1950. In cases that involve deprivation of liberty in the course of local authority provision he is able to draw on a background experience with various forms of detention and cases that involve issues of capacity.

In addition, Philip conducts inquests arising from deaths within care settings and where local authority (or other health service) provision is in issue, including those where Article 2 ECHR investigative duties may arise.

Philip has a wealth of experience in public law matters across a wide-range and variety. He has considerable experience in drafting and advocacy in matters that have gone before the Supreme Court, Court of Appeal and Administrative Court.

#### Training Delivered

13 October 2015, Judicial Review Seminar for Local Authorities

Consultation Duties (an examination of the Supreme Court decision in *Moseley v Haringey LBC* [2014] 1 WLR 3947 and subsequent decisions); The New Permission Hurdle (of Section 84 Criminal Justice and Courts Act 2015); And Time-limits (application of the Court of Appeal's decision in *R (Hysaj) v SSHD* [2015] 1 WLR 2472 to public law proceedings).

#### Reported Cases

**R (M) v London Borough of Waltham Forest** [2021] EWHC 696 (Admin); [2021] P.T.S.R. 1195; [2021] 3 WLUK 830; [2021] WLR(D) 254 2021

Where an asylum seeker challenged an age assessment conducted by the local authority, arguing that it was procedurally unfair and legally flawed, an application by the local authority for an unless order that his claim be struck out if he did not consent to the preparation of an expert report on his teeth and age was misconceived. Expert evidence on such matters was irrelevant to the exercise to be conducted by the court in the judicial review process. The evidence to be considered in the judicial review is the evidence which was before the decision makers at the relevant time.

**R. (Henry) v National Probation Service** [2020] EWHC 1246 (Admin), [2020] A.C.D. 81, QBD; CLW/20/28/18

Interim relief which would have allowed a man who had been imprisoned for public protection and subsequently released on licence to stay overnight at his family home during the COVID-19 lockdown instead of at accommodation approved by the probation service was refused. The risks of him staying in the family home permanently before the further necessary work around violence and triggering behaviour had been completed outweighed the risk of infection in moving between two properties and his loss of opportunity to stay overnight at his family home and share childcare duties.

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**R (AB) v Kent County Council [2020] P.T.S.R. 746; [2020] 4 All ER 235; [2020] EWHC 109 (Admin); [2020] WLR(D) 52; [2020] All ER (D) 106 (Jan); [2020] 1 WLUK 152**

A local authority's abbreviated age assessment was unlawful because it was based on AB's physical appearance and demeanour, failed to adequately acknowledge the potential margin for error and to give AB the corresponding benefit of the doubt and to proceed to conduct a full Merton-compliant Age Assessment. In AB's particular case the council's suggested age range of between 20–25 being consistent to physical appearance and demeanour was insufficient to take account of the 'margin of error' required to be observed when disputing age. The local authority should have conducted a "Merton compliant" assessment. The Administrative Court ordered that a fresh assessment be conducted by independent social workers within a required timeframe.

## Court of Protection

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Philip has a wealth of experience in public law matters across a relatively wide-range, though he has established particular expertise in matters concerning the treatment of those subjected to detention or to imprisonment.

Philip's public law work often involves cases that have a civil law and criminal law overlap or elements of both affecting the individual client, and he has expertise in conducting concurrent or sequential proceedings or litigation. Throughout practise he has also undertaken both civil law and criminal cases themselves and he is entirely comfortable in each jurisdiction. He frequently represents those with serious mental health issues and is familiar with a wide range of psychiatric and psychological issues, both as to the evidence of medical expertise and knowledge, and the applicable law.

Philip is an established specialist in matters raising issues under the Human Rights Act 1998, those invoking wider international human rights instruments, affecting civil liberties, or raising questions of constitutional significance. His work also includes claims for discrimination placing reliance upon the protections of Article 14 of the European Convention on Human Rights 1950 and the Equality Act 2010 in particular.

He has considerable experience in drafting and advocacy in matters that have gone before the Supreme Court, Court of Appeal (both Civil and Criminal Divisions), the Divisional Court, Administrative Court, Queen's Bench Division and other higher tribunals and courts. He has also represented individuals before first-instance and appeal tribunals, and before the Parole Board.

Before the Administrative Court Philip's principal work is judicial review. He also has experience in pursuing applications for a writ of habeas corpus by the Part 8 claim process, seeking a certificate of inadequacy under the earlier proceeds of crime legislative schemes (i.e. the Criminal Justice Act 1988 (and as amended by the Proceeds of Crime Act 1995), and Drug Trafficking Act 1994), and conducting case stated appeals from the Magistrates' and the Crown Courts.

Philip has acted in several Supreme Court cases that proceeded to a full hearing, and has drafted both written application, and respondent's objection, submissions to the Supreme Court on a number of other occasions. Philip also has considerable experience of making applications directly to the European Court of Human Rights.

Philip is recognised for his skill in identifying legal issues of general public importance in the papers supplied to him. He relishes the challenge of addressing important or novel legal problems that arise in cases where the resolution of that issue offers potential benefit to his client.

### Civil actions and other cases

A specialist in claims for unlawful imprisonment, negligent imprisonment, and violations of Article 5 of the European Convention on Human Rights (the right to liberty). Philip also has also enjoyed considerable success in claims for violation of Art. 8 of the ECHR (the right to respect for private and family life) particularly where detained persons have been denied family visitation rights.

Philip conducts civil claims for damages on behalf of former or serving prisoners or detained persons before the High Court and county

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court complaining of breaches of Articles of the ECHR, or of unlawful imprisonment at common law, and other actions. In 2009 Philip was the first advocate to secure compensation for a prisoner who was not released but whose parole hearing was delayed in violation of Art. 5(4) ECHR (through a successful judicial review claim).

In 2014 his notable cases have included settlement with the Treasury Solicitors for payment of damages to a client who was not immediately released from prison despite a Parole Board direction in the sum of 12,500. Philip also obtained a settlement of 2000 for another client in respect of a failure to provide him with inter-prison visits to enable visitation with his brother over an unreasonable period of time for which an Art. 8 ECHR claim was pursued.

Philip successfully established for the very first time a duty of care owed to a prisoner in the provision of Home Detention Curfew, and that as a result of negligent failure to administer and provide that HDC an award of damages may be made: *McCreehan v MOJ* [2014] EWHC 569 (QB), [2015] 1 WLR 354, [2014] All ER (D) 77 (Mar)). That success involved persuading one High Court judge not to follow the example set by another High Court Judge in a previous claim. The proper level of damages was subsequently agreed with the Treasury Solicitors.

Philip's work in 2014 has continued to push boundaries, and he successfully overturned on appeal a refusal to find that a delay to a prisoner's move to open conditions had setback the return to liberty by that prisoner at the subsequent parole review: establishing that there is no impediment to such a claim for consequential delay in *R (Parratt) v SSJ* [2014] EWCA Civ 1478, [2014] All ER (D) 255 (Nov).

In 2013 Philip won an appeal at the Leeds County Court in relation to an Art. 8 ECHR claim concerning the prevention of a son visiting his father in a high-security prison, and the Judge on appeal awarded damages to both son and father.

Philip has represented claimants at full trial in multi-track actions against the police brought for assault, negligence or misfeasance.

He regularly advises as to quantum, and settles Particulars of Claim, including for personal injury, but more commonly in relation to unlawful detention or Article 8 ECHR infringements.

Philip conducts work that is privately-funded, publicly-funded, and under Conditional Fee Agreements in suitable cases.

### Other elements of practice

In addition to his principal areas of practice some occasional types of work Philip has undertaken includes:

- advising on appeal from the mental health tribunal
- employment Tribunal work (for applicants pro bono and privately-funded),
- licensing applications appeals concerning the Security Industry Authority, and liquor licensing appeals,
- appeals before the Immigration Tribunal against automatic deportation following criminal conviction (relying on Art. 8 ECHR grounds, successful before the Upper Tier),
- personal injury claims for injuries caused by assault or misfeasance by police or prison officers,
- hearings before QBD Masters, civil actions against the police before Circuit Judges, and against prisons or the Ministry of Justice before the High Court.

## Crime

Philip is listed as a leading junior barrister practising in Crime in London, and recently also on the Midland circuit courts, with the recognition that: 'His undoubted talent in appeal work has complemented his already strong criminal defence practice' and 'A criminal appeal specialist' (Legal 500, 2017). 'His ability to form the most complex legal arguments is outstanding' (Legal 500, 2016). He 'Goes above and beyond...' the work of others (Legal 500, 2015).

Please see below for a description of Philip's practice, appointments, and further information concerning:

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- Murder cases: Appeals and trials
- Supreme Court criminal cases
- Court of Appeal (Criminal Division) including CCRC reference work
- Judicial Review in criminal cases and Appeals by way of case stated
- Criminal first-instance work

Philip is a criminal appeal specialist with considerable experience in drafting and advocacy in matters that have gone before the Supreme Court, Court of Appeal, Divisional Court, and Administrative Court. He is frequently instructed on behalf of the defence, providing advice and representation where the client is seeking a second opinion from an appeals specialist, or is unhappy with previous counsel. Philip is often instructed to provide privately-funded representation, or to draft advice or grounds for potential or ongoing appeals. On occasions he is also instructed by the specialist CPS Appeals and Review Unit in criminal appeals where he did not act at first-instance.

His considerable experience of, and expertise in, appellate work complements his busy practice in the Administrative Court. He is particularly interested in human rights and public international law as aspects of his criminal practice. He has extensive experience of taking cases to the Court of Appeal (Criminal Division) in relation to both sentence and conviction, and to the Administrative Court on behalf of either party to criminal proceedings. Many of Philip's cases have established points of law of general application and are cited in the leading practitioner textbooks.

Philip also has an extensive criminal plea and trial practice in which he accepts private client instruction to advise and to represent in all manner of criminal and regulatory proceedings, and will also accept instructions in the most serious matters that are tried before the Crown Court. Philip primarily defends at first instance, though has in the past also been instructed by the CPS Homicide Team in London in particular.

In 2017 Philip was called to the Bar of the Cayman Islands. His work there has included trials by jury before the Grand Court and settling grounds before the Cayman Islands Court of Appeal. One such appeal concerned a death caused by driving offence and on appeal the sentence was reduced from a term of 40 months to one 30 months' imprisonment. He also has conducted actions brought under the Bill of Rights and by way of judicial review in the Cayman Islands.

Alongside his advocacy and trial work Philip also advises private clients on legal issues related to criminal proceedings. For example he has been instructed and retained by a leading global firm to advise a member of a foreign royal family regarding matters arising from a criminal trial of other persons with whom it was alleged there had been business dealings. Issues included legal professional privilege, access to the court and the ability for members of the public to take notes of proceedings, witness summonses, etc. Philip also regularly accepts private-client work from non-criminal firms and solicitors whose longstanding clients primarily occasionally require assistance with regulatory or road-traffic matters, including deaths caused on the roads. Philip guides the professional client through the criminal litigation process so that they may maintain conduct of the matter for their existing client.

Philip's public law work in judicial review and appeals by way of case stated often involve cases that have a civil law and criminal law overlap or elements of both affecting the individual client, and he has expertise in conducting concurrent proceedings or litigation. Throughout practise he has also undertaken both civil law and criminal cases and is comfortable in each jurisdiction.

Philip has experience of representing and advising those seeking licences, or appealing the loss of licences for work purposes providing door supervisor or taxi services, and liquor licensing. He also has experience of inquest proceedings.

#### **Criminal first-instance work**

Philip has specialist expertise and experience in criminal offences involving fatalities, drugs, firearms, sexual offending and violence. He has expertise in proceeds of crime and fraud work. He is well-experienced with a wide variety of expert evidence particularly including causation of injury, mental health issues, pathology, and road traffic reconstruction.

He has experience and knowledge of confiscation and related proceedings at all stages, including restraint, cash forfeiture proceedings, and following conviction. He has experience of such work under POCA 2002, and the CJA 1988 (as amended) and DTOA 1994.

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Philip has extensive experience of dealing with defendants with mental health issues (both psychiatric illnesses and psychological disorders) which are or may be relevant to the offence, available defences, or ultimate disposal of the case. He has dealt with such issues in the context particularly of arson, violent offences and murder, as well as in his extensive prison law experience, alongside much less serious matters e.g. Matthew Sadler (18 March 2005, The Daily Mail, The Sun, The Mirror) where a drink-drive automatism defence succeeded. Philip's expertise includes partial defences, and full defences such as automatism and insanity, arising from a number of potential causes or of particular categories.

His considerable experience in practice of complex trials at first instance gives him a practical insight to the working of such trials in practice, both from the defence and prosecution point of view. He has particular expertise on the law of evidence and is recognised amongst his peers for sound legal knowledge. Even at first instance he is able to take complex legal points others might not recognise, and to provide detailed drafting.

Philip has been instructed as the instructed advocate in six murder trials by four different solicitors' firms, in a number of large-scale conspiracies concerning facilitation of immigration, money laundering, conspiracy to defraud, firearms supply and intent to endanger life, drugs supply including importation conspiracies. Areas of work regularly undertaken include offences of dishonesty including complex deception and conspiracy to defraud, robbery, violence including Section 18 GBH, public order, drugs conspiracies, racially aggravated offences, Firearms Act offences, arson with intent to endanger life, sexual offences of all seriousness, death by dangerous driving, and murder.

Philip demonstrates a thorough, practical and friendly approach with strong advocacy allied to particular expertise on the law of evidence and sound legal knowledge.

His previous performances have caused a number of Instructing Solicitors to choose him for the most serious cases as reflection of his diligence and pain-staking approach to preparation and representation in more complex, paper-heavy and difficult cases.

Philip has been a Grade 3 Prosecutor on the Attorney-General's list for CPS prosecutions on the South Eastern and Western circuits. In 2013 he was appointed to the CPS specialist lists for fraud and serious crime. Prosecution instructions were received from the Homicide team based at the CPS Headquarters. Philip was instructed regularly as trial counsel for deaths caused by dangerous driving and other similar offences, and instructed by other units to provide remunerated pre-charge advice in large-scale frauds involving mortgage, credit card, and benefits payments frauds on several occasions, and by the Appeals Unit to provide appeal documentation through Respondent's Notice or skeleton argument particularly in cases raising difficult points of law. As well as the CPS he has worked for the Department of Work and Pensions, and Revenue and Customs Prosecution Office (as it was). He has also defended in cases brought by the Department of Work and Pensions, Royal Society for the Prevention of Cruelty to Animals, Environment Agency, Trading Standards, Customs and Excise, and District Councils.

**Other notable trials (defending unless otherwise stated):**

- R v P, Winchester Crown Court, trial. Defended man who walked naked into the home of strangers during a psychotic episode.
- R v N, Guildford Crown Court. One-week trial. Defended man accused of sexual offences against relation in 1970s. Acquitted.
- R v Hathaway, Reading Crown Court. Three-week trial. Defending a mother accused of neglect of her infant alongside the manslaughter charge against her husband arising from the same incident and sequence of events. Four types or categories of expertise concerning Sudden Infant Death Syndrome and medical conditions and examinations were involved in the trial. Philip secured the services of a QC to lead. Acquitted.
- R v Simonson and others, Reading Crown Court. Five-handed conspiracy to supply and import drugs worth 1.5million (six-week trial). Philip secured a representation extension to allow Queen's Counsel to lead. Philip represented the client alone at a four-day contested confiscation proceeding at which the Crown's application was rejected by the Judge at 'half-time' on the basis of legal argument concerning the 'courier' role ascribed to the client and POCA provisions.
- R v Niazi, Kingston Crown Court. Eight-defendant people-smuggling conspiracy (conspiracy to facilitate illegal entry to United Kingdom) and money laundering case. Concerning trafficking of Afghans into the UK through several channels in Europe. The case went to retrial and eventually the case was discontinued against the client, whose brother was convicted.

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- DWP v Hawes, conspiracy to defraud, 3-hander, 2-week trial at Oxford Crown Court. Postmistress of previous good character acquitted of defraud of 100,000 of benefits processed for just two customers over the course of less than one year.
- R v Butt, sexual touching of child, 4-days of trial before acquittal upon no case to answer submission.
- R v Houghton, death by dangerous driving. Aylesbury Crown Court. Bus driver knocked down and killed an elderly woman on a zebra crossing. Four days of trial, acquitted upon submission at half-time.
- R v Kamil Mandes, Aylesbury Crown Court. Death by dangerous driving single-count indictment. Private-hire driver drove on wrong side of road for 1.5 miles, involved in head-on collision killing other driver. Automatism defence raised (“micro-sleep” issues), and issue whether careless or dangerous. First jury (5-day trial) unable to decide, unanimously acquitted at retrial (4-days). The Crown had rejected an offer of a plea to death by careless driving prior to the first trial.
- R v Saunders, rape, Harrow Crown Court, five days, acquitted.
- R v Gallagher, Winchester Crown Court, two-week trial. Benefits fraud (reported in tabloids)
- R v Latus and others, 3-hander, possession with intent to supply class A, Winchester Crown Court. Two-week trial.
- R v Rigby large-scale E-bay fraud involving six defendants, Oxford Crown Court. All others pleaded on first day. Philip’s client was acquitted after a 7-day trial.
- R v Morgans, Reading Crown Court, 2-week trial, arson with intent to endanger life.
- R v Donaldson, arson with intent to endanger life. Five days. Wood Green Crown Court. Philip prosecuted this trial. Convicted relying on facial mapping evidence.
- R v Gregory, sexual penetration, Wood Green Crown Court. Philip was prosecuting. Convicted despite complainant denying her original statement.
- R v Tesfamichael and Tesfamariam, conspiracy to defraud, 6-days, Wood Green Crown Court. Prosecuting: convicted.
- R v Lyefook death by dangerous driving trial at Wood Green Crown Court (12 days). Prosecuting: convicted. Sentenced to 9 years’ imprisonment.
- R v Cheng, death by dangerous driving, five-days. Prosecuting: convicted. Conviction upheld on appeal also.
- R v Phaedonos, possession with intent to supply class A worth 30,000, eight days. Prosecuting: convicted.
- R v Syedzadah death by careless driving trial. Croydon Crown Court. 5-days. Prosecuting.
- R v Mathieson, death by uninsured driving trial (6-days). Identification issue. Snarbrook Crown Court. Prosecuting: convicted. The maximum two-year sentence was imposed. An appeal was lodged and Philip drafted the Respondent’s notice. The Court of Appeal refused permission and the appellant did not renew.

## Immigration, Asylum & Nationality

Philip has a wealth of experience in public law matters across a relatively wide-range, though he has established particular expertise in matters concerning the treatment of those subjected to detention or to imprisonment.

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He has considerable experience in drafting and advocacy in matters that have gone before the Supreme Court, Court of Appeal (both Civil and Criminal Divisions), the Divisional Court, Administrative Court, Queen’s Bench Division and other higher tribunals and courts. He has also represented individuals before first-instance and appeal tribunals, and before the Parole Board.

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Philip is recognised for his skill in identifying legal issues of general public importance in the papers supplied to him. He relishes the challenge of addressing important or novel legal problems that arise in cases where the resolution of that issue offers potential benefit to his client.

Philip has experience of representing and advising those seeking licences, or appealing the loss of licences for work purposes providing door supervisor or taxi services, and liquor licensing. He also has some experience of inquest proceedings, and successful defence of automatic deportation proceedings pursuant to the UK Borders Act 2007.

### **Civil actions and other cases**

A specialist in claims for unlawful imprisonment, negligent imprisonment, and violations of Article 5 of the European Convention on Human Rights (the right to liberty). Philip also has also enjoyed considerable success in claims for violation of Art. 8 of the ECHR (the right to respect for private and family life) particularly where detained persons have been denied family visitation rights.

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## Other elements of practice

In addition to his principal areas of practice some occasional types of work Philip has undertaken includes:

- advising on appeal from the mental health tribunal
- employment Tribunal work (for applicants pro bono and privately-funded),
- licensing applications appeals concerning the Security Industry Authority, and liquor licensing appeals,
- appeals before the Immigration Tribunal against automatic deportation following criminal conviction (relying on Art. 8 ECHR grounds, successful before the Upper Tier),
- personal injury claims for injuries caused by assault or misfeasance by police or prison officers, hearings before QBD Masters, civil actions against the police before Circuit Judges, and against prisons or the Ministry of Justice before the High Court.

## International

Philip has particular expertise in international human rights law.

Philip worked in the Cayman Islands in the summer of 2017, and is an attorney called to the Bar of the Cayman Islands. His work there included an action under the Bill of Rights and by way of judicial review successfully seeking an injunction to prevent the removal from the jurisdiction of a Jamaican man facing a charge of murder that raised the real risk of a death penalty being imposed. A diplomatic and prosecutorial assurance was sought from Jamaica to ensure the risk of a violation of the right to life guaranteed under the constitution of the Cayman Islands was removed.

<https://www.thelawyer.com/no5-chambers-philip-rule-obtains-injunction-protect-art-2-right-life-man-wanted-murder/>

He was also instructed to settle judicial review proceedings seeking to quash the removal of a prisoner serving a mandatory life sentence taken to the UK many thousands of miles from his family to serve his sentence. This action also relies upon international human rights protections and constitutionally protected human rights.

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Philip's skill in appellate work attracts instruction also in matters arising in a variety of other contexts that require the expertise of an appellate advocate. For example Philip was instructed by a leading US firm to settle an appeal application to the Judicial Committee of the Privy Council in a matter arising in the context of copyright law, appealing from the Falkland Islands Court of Appeal.

Philip is an established specialist in matters raising issues under domestic and international human rights protections, invoking more than one international human rights instrument, cases affecting civil liberties, or raising questions of constitutional significance. He has established particular expertise in matters concerning the treatment of those subjected to detention or to imprisonment. His work also includes claims for discrimination concerning the protection of Article 14 of the European Convention on Human Rights 1950. He has experience of advancing human rights arguments concerning international norms and Convention rights before the domestic courts and to courts outside the UK.

Philip has advised foreign-based companies, and private-client individuals, including a member of a well-known Gulf state Royal Family, in relation to criminal proceedings within England and Wales in which they have been involved or retained an interest in. This has included consideration of matters beyond the four walls of the courtroom and included advice upon issues of legal professional privilege, witness summonses, access to closed proceedings, and matters extending to management of publicity and press relations. He provides tailored and tactically astute guidance and advice to his clientele.

Philip was instructed by a Cuban national detained in the Cayman Islands and seeking advice and representation in relation to delays to processing of his asylum application, and concerning the conditions of immigration detention in which he was held. The issues concerned the Bill of Rights protections similar to, and familiar to those who have knowledge of, those found within the European Convention on Human Rights 1950.

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Philip has been instructed to advise a person repatriated to the UK from a country in the Far East as to his human rights in relation to the length of sentence to be imposed within the UK following his transfer.

Philip's public law work often involves cases that have a civil law and criminal law overlap or elements of both affecting the individual client, and he has expertise in conducting concurrent or sequential proceedings or litigation. He is comfortable in both the criminal and civil jurisdiction of the courts. In criminal assets recovery and confiscation work he has experience of dealing with assets held in multiple jurisdictions.

Philip is regularly instructed by firms based in the United States and Ontario, Canada, and is often sought out by commercial and business law solicitors or attorneys who require guidance on the practice of an area of law for an existing client with which they are not themselves yet familiar. He is friendly and approachable and happy to guide professional clients through practical and procedural steps relating to the English criminal law, or any other area in which a lay client may find themselves embroiled and requiring legal services.

Philip has recognised skill both as an advocate in oral submissions and in cross-examination, and in drafting pleadings. In the UK for example Philip has acted in several Supreme Court cases that proceeded to a full hearing, and has drafted both written applicant submissions and respondent's objection submissions to the Supreme Court on a number of other occasions. Philip also has considerable experience of making applications directly to the European Court of Human Rights in Strasbourg.

Philip is recognised for his skill in identifying legal issues of general public importance in the papers supplied to him. He relishes the challenge of addressing important or novel legal problems that arise in cases where the resolution of that issue offers potential benefit to his client.

In addition to his skills in identifying and formulating legal argument and presentation of the same, Philip also has considerable trial experience involving evidential fact-finding and witness handling.

### **European Court of Human Rights**

*Kaiyam, Massey and Robinson v United Kingdom* (Application no. 28160/15, 28103/15 and 28443/15) (12 January 2016) 62 E.H.R.R. SE13

Application concerning Article 5(1)(a) ECHR inadmissible: this decision establishes a higher threshold test is applied to arbitrariness or disproportionality in that particular violation in comparison to that which applies to the ancillary rehabilitative obligation within Article 5 ECHR generally that is recognised by UK law.

*Minter v United Kingdom* (application no. 62964/14) (2017) 65 E.H.R.R. SE6

Application communicated by the Court to the Government on 15 December 2015. Concerns Articles 8 and 14 of the ECHR.

*Bayliss v United Kingdom* (Application no. 440/10) (10 June 2014)

Unilateral declaration and so-called 'friendly settlement' obtained from Government (Article 5(4) ECHR violation)

On that basis case removed from list but "the Court emphasises that, should the Government fail to comply with the terms of their unilateral declaration or should the Legal Aid Agency seek to recover, against the award made in the present decision, sums paid by way of legal aid in the domestic proceedings, the application could be restored to the list in accordance with Article 372 of the Convention"

In 2014 his notable cases have included a significant settlement with the Government's Treasury Solicitors for payment of damages to a client who was not immediately released from prison despite a Parole Board direction. Philip also obtained a monetary settlement for another client in respect of a failure to provide him with inter-prison visits to enable visitation with his brother over an unreasonable period of time for which an Art. 8 ECHR claim was pursued.

In 2013 Philip won an appeal at the Leeds County Court in relation to an Art. 8 ECHR claim concerning the prevention of a son visiting his

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father in a high-security prison, and the Judge on appeal awarded damages to both son and father.

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He regularly advises as to quantum, and settles Particulars of Claim, including for personal injury, but more commonly in relation to unlawful detention or Article 8 ECHR infringements.

## Inquests, Public Inquiries & Coronial Law (Public Law)

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An experienced inquest practitioner who acts for the families of the deceased as well as for organisations and public authorities (such as care providers), and has represented coroners in judicial review matters. Philip has expertise in representation at inquest, in bringing or defending judicial review, and applying to the Attorney General for a *fiat* to seek a fresh inquest.

His legal knowledge and attention to detail ensures that he works effectively to obtain the appropriate conclusions recorded. He has particular skill with a jury which he puts to effective use in his inquest practice. As well as his legal skills, Philip always seeks to bring to any case a humanity and understanding of the client's concerns.

Philip advises and represents family members in complex and high-profile cases. He has acted for the family in cases that range from self-inflicted deaths in custody to unexplained or complex medical response and treatment deaths. He has particular expertise in cases engaging the investigative duty of the state arising by virtue of the positive obligations to protect life under Article 2 of the European Convention on Human Rights. Many of the cases he is involved in concern deceased children or young adults.

He was instructed on behalf of the family of one of the deceased whose two-month long inquest was heard by the Chief Coroner concerning the terrorist attack at the Fishmongers' Hall and London Bridge. That inquest raised important issues of systemic and operational matters engaging a multitude of public and private bodies, and a large number of recommendations followed in the Chief Coroner's Prevention of Future Deaths report.

In addition, Philip is also instructed on behalf of care service providers in inquest proceedings, and therefore understands the workings of organisations that provide essential care to the elderly and disabled in the community (and benefits also from his work in the community care field also).

In a very unusual case Philip settled the proceedings and appeared before the Chancery Division of the High Court in a case concerning the Worcester Crematorium, a funeral care home and the representatives of a deceased person, seeking an injunction to prevent a funeral proceeding to enable a person suspected of a homicide offence and under police investigation to obtain a pathologist's post-mortem of the body prior to its destruction.

Since 2016 Philip has regularly presented at No5's Annual Inquest and Public Inquiries seminars.

He has a keen interest in legacy cases and transitional justice, and historic miscarriages of justice. Philip spoke at the joint Bar Council and Law Society conference in Bogota, Colombia, in 2019 on issues of public law accountability and judicial review. Philip has also spoken about continuing efforts to obtain a public inquiry into a murder and State collusion in Northern Ireland.

Philip has a particular interest in detention and the safeguarding of vulnerable individuals. His detailed knowledge of the procedures and policies applied to detention for instance in police stations, and in prisons and young offender institutions, is an advantage to him in inquest and inquiry work that concerns events and deaths in custody. However Philip's attention to detail and analytical strengths make him a force also in cases concerning detailed medical issues and contests of expert opinion. He has been instructed in cases concerning 'shaken baby syndrome' as well as a wide variety of psychiatric conditions.

In other forms of inquiry, in 2017 Philip was instructed to advise the Chairman of a football association in the Caribbean in

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relation to an investigation by an anti-corruption commission concerning matters connected to the international investigations FIFA are undertaking into corruption and misappropriation of funds.

Philip was also instructed to advise the director of an organisation providing care and rehabilitation accommodation to remanded young boys facing a corporate manslaughter investigation following the drowning of one boy on a day trip conducted by the home.

## Planning & Environment

Philip is instructed in a variety of regulatory and public law contexts, and has considerable experience and expertise in particular in:

- (1) Judicial review proceedings, and appeals by way of case stated, predominantly for claimants, but also for local authorities and defendant companies;
- (2) Injunctions proceedings;
- (3) Proceeds of Crime Act confiscation proceedings and applications; and
- (4) Cases involving human rights and environmental protections, with obligations and rights established in international treaties including in the EU

Charter, and ECHR Protocols, as well as relevant UN Conventions. His experience includes cases concerning gypsy and travellers' rights brought before the Administrative Court.

In the planning and environmental law context Philip is particularly interested in the protection of the environment and of wildlife (aquatic, marine and land-based), pollution and waste disposal, and assurance of air and water quality conditions for both human and animal populations.

Philip has considerable experience amassed during over 19 years' full time practice at the Bar. As well as public law and regulatory work, he has years of experience of both criminal and civil work and is able to provide tactical and practical advice where proceedings are concurrently running in different jurisdictions.

Philip has considerable experience in drafting and advocacy in matters that have gone before the Supreme Court, Court of Appeal (both Civil and Criminal Divisions), the Divisional Court, Administrative Court, Queen's Bench Division and other higher tribunals and courts. He also represents and advises individuals before tribunals and regulatory bodies; and has brought proceedings to the European Court of Human Rights.

Philip regularly presents seminars run by No5 and externally to solicitors and to events hosted by professional representative organisations.

### Examples of Work Undertaken

Philip is a versatile and thorough advocate, with considerable experience of appellate proceedings, and particularly well-placed to be able to advise and represent where there are concurrent proceedings arising from events.

Philip has acted in several Supreme Court cases that proceeded to a full hearing, and has drafted submissions to the Supreme Court on a number of other occasions (both written applications, and respondent's objections). He has appeared in the Supreme Court, and at all levels of the appellate system. He has drafted submissions and advised in relation to appeals to the Privy Council also.

Many of Philip's appeal cases have involved points of law of general public importance, and are frequently subject to law report and

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inclusion in the leading textbooks.

## Prison & Police Law

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Philip's Public Law profile lists his most high-profile work on behalf of prisoners and others in judicial review. His Criminal Law page lists some of his criminal appeal successes.

Philip is also a specialist in civil claims for unlawful imprisonment, negligent imprisonment, and violations of Article 5 of the European Convention on Human Rights (the right to liberty). Philip also has also enjoyed considerable success in claims for violation of Art. 8 of the ECHR (the right to respect for private and family life) particularly where detained persons have been denied family visitation rights.

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In 2016 Philip challenged the lawfulness of an indeterminate prisoner's detention continued for a period after a parole board direction had been made for the prisoner's release, on the basis of a lack of available space at a release hostel. The claim was settled with a payment of damages in the sum of 4,500, and a declaration of the breach of the duty to release by the Secretary of State (R (Langley) v SSJ).

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## Public Law

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Philip has a wealth of experience in public law matters across a wide-range and variety. He has considerable experience in drafting and advocacy in matters that have gone before the Supreme Court, Court of Appeal (both Civil and Criminal Divisions), the Divisional Court, Administrative Court, Queen's Bench Division and other higher tribunals and courts. He has also represented and advised individuals before tribunals and regulatory bodies.

Philip's public law work often involves cases that have a civil law and criminal law overlap or elements of both affecting the individual client, and he has expertise in conducting concurrent or sequential proceedings or litigation. Throughout practise he has also undertaken both civil law and criminal cases and he is experienced in those jurisdictions as well as within the Administrative Court. He frequently represents those with serious mental health issues and is familiar with a wide range of psychiatric and psychological issues, both as regards evidence of medical expertise and knowledge, and the applicable law.

Philip is a specialist in matters raising issues under the Human Rights Act 1998, those invoking wider international human rights instruments, affecting civil liberties, or raising questions of constitutional significance. His work also includes claims for discrimination placing reliance upon the protections of Article 14 of the European Convention on Human Rights 1950 and the Equality Act 2010 in particular.

Before the Administrative Court Philip's principal work is judicial review. He also has experience in pursuing applications for a writ of habeas corpus by the Part 8 claim process, and conducting case stated appeals from bodies including the Magistrates' and the Crown Courts. He has established particular expertise in matters concerning the treatment of those subjected to detention or to imprisonment, with many reported cases in this field.

Philip has acted in several Supreme Court cases that proceeded to a full hearing, and has drafted submissions to the Supreme Court on a number of other occasions (both written applications, and respondent's objections). Philip also has considerable experience of making applications directly to the European Court of Human Rights.

Philip is recognised for his skill in identifying legal issues of general public importance in the papers supplied to him. He relishes the challenge of addressing important or novel legal problems that arise in cases where the resolution of that issue offers potential benefit to his client.

In late 2017 before the Contract Review Board of the Legal Aid Agency Philip successfully argued against the termination of a legal aid contract for a breach of a fundamental term under the 2017 standard criminal contract. The Board reversed the decisions previously taken by the LAA and imposed a lesser sanction.

Philip advised the Chairman of a football association in the Caribbean in relation to an investigation by an anti-corruption commission concerning matters connected to the international investigations FIFA are undertaking into corruption and misappropriation of funds.

Philip has experience of representing and advising those seeking licences, or appealing the loss of licences for work purposes providing door supervisor or taxi services, and liquor licensing. He also has some experience of inquest proceedings, and successful defence of automatic deportation proceedings pursuant to the UK Borders Act 2007.

Philip worked in the Cayman Islands in the summer of 2017, and is an attorney called to the Bar of the Cayman Islands. His work there

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included an action under the Bill of Rights and by way of judicial review successfully seeking an injunction to prevent the removal from the jurisdiction of a Jamaican man facing a charge of murder that raised the real risk of a death penalty being imposed. A diplomatic and prosecutorial assurance was sought from Jamaica to ensure the risk of a violation of the right to life guaranteed under the constitution of the Cayman Islands was removed.

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Philip is currently instructed on behalf of the family of a deceased person seeking to secure a fresh inquest to comply with the state's Article 2 ECHR investigative duties.

#### Civil actions and other cases

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#### Other elements of practice

In addition to his principal areas of practice some occasional types of work Philip has undertaken includes:

- advising on appeal from the mental health tribunal
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- personal injury claims for injuries caused by assault or misfeasance by police or prison officers
- hearings before QBD Masters, civil actions against the police before Circuit Judges, and against prisons or the Ministry of Justice before the High Court.

## Regulatory

Philip is instructed in a variety of regulatory contexts and has considerable experience and expertise in judicial review including matters concerning regulatory decisions and tribunals. He has also written extensively on various regulatory topics.

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Philip has considerable experience amassed during over 18 years' full-time practice at the Bar. As well as regulatory work, he has years of experience of both criminal and civil work and has been appointed to various bodies' lists of counsel maintained for prosecution, for criminal defence, and for inquest and civil work.

Philip regularly presents seminars on relevant topics, including at No5's annual Regulatory Law Seminars, and externally to solicitors and to events hosted by professional representative organisations.

#### Examples of recent work undertaken

Philip is a versatile and thorough advocate, with considerable experience of criminal, civil, regulatory and appellate proceedings and particularly well-placed to be able to advise and represent where there are concurrent proceedings arising from the subject matter events. He also appears before disciplinary tribunals and at inquests, and in Court of Protection matters (relevant to the work of the Care Quality Commission and its regulatory functions).

Philip has acted in several Supreme Court cases that proceeded to a full hearing and has drafted submissions to the Supreme Court on a number of other occasions (both written applications, and respondent's objections). He has appeared in the Supreme Court, and at all levels of the appellate system. He has drafted submissions and advised in relation to appeals to the Privy Council also.

Many of Philip's appeal cases have involved points of law of general public importance and are frequently subject to law report and inclusion in the leading textbooks.

Before the Contract Review Board of the Legal Aid Agency Philip has successfully argued against the termination of a legal aid contract for a breach of a fundamental term under the 2017 standard criminal contract. The Board reversed the decisions previously taken by the LAA and imposed a lesser sanction.

Philip has advised the Chairman of a football association in the Caribbean in relation to an investigation by an anti-corruption commission concerning matters connected to the international investigations FIFA are undertaking into corruption and misappropriation of funds.

Philip was also instructed to advise the director of an organisation providing care and rehabilitation accommodation to remanded young boys who is facing a corporate manslaughter investigation following the drowning of one boy on a day trip conducted by the home.

Philip has acted for a member of the royal family of a significant Arab state in relation to proceedings occurring in the UK and on behalf of a company operating in the Falkland Islands in relation to a dispute with the government.

At the other end of the scale, and equally thorough and tenacious in his approach, Philip has for example been instructed to defend a company and director facing allegations of breach of a noise abatement notice. Philip has experience of advising and representation in relation to licensing applications; appeals concerning the Security Industry Authority (door supervisors, etc); taxi licensing; and liquor licensing appeals.

Philip is also instructed in professional conduct and discipline matters.

## Awards

#### Birmingham

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## Accreditations

- 2017 winner of Legal Aid Barrister of the Year, awarded by the Legal Aid Practitioner’s Group at the Legal Aid Lawyer of the Year Awards
- 2019/2020 and 2017/2018 Nominated for Barrister of the Year by the Modern Law Awards

## Memberships

- Administrative Law Bar Association
- Criminal Bar Association
- Bar Human Rights Committee
- Human Rights Lawyers Association
- Executive Committee Member of the Human Rights Lawyers Association
- Health and Safety Lawyers’ Association
- Association of Regulatory and Disciplinary Lawyers

## Appointments

- HSE, CQC, Env. Agency, et al., Regulatory Counsel A-panel
- Equalities and Human Rights Commission Panel of Counsel
- Called to the Bar of the Cayman Islands (2017)
- Selected expert for the Lexis Nexis PSL Q and A panel
- Admitted to the International Criminal Court’s list to work on cases proceeding at the Hague
- Pupil supervisor (2010)
- Appointed to CPS specialist Fraud Panel (level 2) (March 2013); and specialist Serious Crime Group Panel (level 2) (March 2013)
- Appointed Grade 3 in the CPS prosecution advocates scheme from its inception in London. June 2012 appointed to the new national list for three areas: South
- Eastern – London, South Eastern – Non London and Western Circuits (Please note Philip no longer accepts general CPS work).
- Appointed after competition to Attorney-General’s Unified List of Prosecution Advocates, administered by the RCPO as it then was, in 2006 (for 3-year term; extended in 2009 and 2010 until the cessation of that list system).

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## Publications

### Regulatory/Licensing

- Street Trading and Interpretation of s38 London Local Authorities Act 1990 (2006) 170 Justice of the Peace Journal 604 [170 J.P.N. 604]
- Licensing Act Offences (2007) Entertainment Law Review Volume 18 Issue 7 (Sweet and Maxwell) 231, (2007) 171 JPN 50 (at p879) and 171 JPN 51 (at p899).
- What it means to be an ambulance (2009) 153 C.L. and J. (Criminal Law and Justice) 86 (concerns regulations on vehicles being fitted with a siren, or blue beacon lights) And Wilkinson's Road Traffic Law Bulletin Vol 23 No9 March 2009

### Proceeds of Crime

- An alternative handler: offences under the Proceeds of Crime Act 2002 (2006) 170 Justice of the Peace Journal 884 [170 J.P.N. 884]
- POCA or Handling? [2007] 1 Archbold News 5 (comments on decision in R. (Wilkinson) v DPP [2006] EWHC 3012 (Admin).
- Confiscation Orders: Criminal Justice Act 1988 – Enforcement and Extension of Time to Pay (2007) Vol. 171 Justice of the Peace 607, (2007) 151 Solicitors Journal 1178

### Prison law and Sentencing

- Unlawful Consecutive Sentences: Sentences of Less Than 12-Months' Length Ordered to Run Consecutively to a Period of Recall Under The CJA 2003 (2008) 172 J.P.N. 499 (also included in Crimeline)
- Time on Remand and Maximum sentences (sub editor's nom: Once punished twice served?) (2008) 152 (35) Sol. Jnl. 18
- Crediting the Time spent on remand subject to a curfew to custodial sentences: the impact of the Criminal Justice and Immigration Act 2008 (sub editor's nom: Getting a full discount) (2009) 153 No 8 SJ p19
- Calculation of tariff length for the purposes of pre-tariff expiry reviews in the SSJ's policy for indeterminate sentence prisoners (sub editor's nom: When time doesn't count) (2010) 154 (6) S. J. 8 (16-02-2010)
- No end in sight? Philip Rule ((2010) 154(16) S.J. 8) (parole/ indeterminate sentences: Bayliss)
- Custodial Sentencing (174 C.L. and J. 613) (making allowance for time spent in custody or on bail subject to curfew conditions)
- Employing Custody Too Readily. Philip Rule (174 C.L. and J. 745) (sentencing/ theft from an employer)
- When Does Time Spent in Custody Really Count? – Part 1, and Part 2. Philip Rule (175 C.L. and J. 461, and 478)
- Transparency, Finality and Crediting Time Spent in Custody on Remand (2014) 78 Journal of Criminal Law 286

### Anti-Social Behaviour Orders

- ASBO "victim". Solicitors Journal [S.J. (2007) Vol.151 No.5 Page 151] (comment on R. (on the application of Gosport LBC) v Fareham Magistrates Court)
- ASBO Sentencing, The Times (Law Supplement), 28 August 2007.

### Others

- The power to re-open the case in the "interests of justice" and Croydon (2009) 173 CLandJ 213 (considering proper approach to s142 of the Magistrates' Courts Act 1980)
- Viewing the Locus in Quo and Reconstruction of Events (2009) 173 CLandJW 406
- Lawful Stopping of Vehicles (2009) 174 CLandJW 121 (issues over police officers not in uniform stopping vehicles)

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## Training

- 23.4.15 at Austin Court, 80 Cambridge Street, Birmingham, B1 2NP No5 seminar (full-day): Inquests, Public Inquiries and Coronial Law Seminar
- 7.5.15 at No5. Press Relations training (by SEAL and CONNECT PR) (3 hours)
- 20.5.15 at Birmingham Chambers. Court of Protection training delivered by NKQC (3 hours, 3.30-6.30pm).
- 21.5.15 at London Chambers. Association of Prison Lawyers: Parole Board Member Case Management Effective Representation for Practitioners (3hours, 2pm-5pm)

## Seminars/lectures presented

- 13 November 2017, Developments in Judicial Review and Human Rights claims
- Training delivered to Hodge Jones and Allen solicitors, London
- 6 November 2015, Introduction to Judicial Review for claimant solicitors
- Training in relation to costs and funding of judicial review, amongst other things
- 13 October 2015, Judicial Review Seminar for Local Authorities
- Consultation Duties, The New Permission Hurdle, And Time-limits
- An examination of the Supreme Court decision in *Moseley v Haringey LBC* [2014] 1 WLR 3947 and subsequent decisions, of Section 84 Criminal Justice and Courts Act 2015, and of the application of the Court of Appeal's decision in *R (Hysaj) v SSHD* [2015] 1 WLR 2472 to public law proceedings.
- 24 June 2015, Public Law Project's Private Law for Public Law Practitioners
- Freshfields (London) (Chair of afternoon session) 26 March 2015, Detention Law Seminar
- Recent Developments in the Right to Liberty and Art. 5 ECHR: The Path to Release from Indefinite Detention.
- An examination in particular of landmark decisions of the Supreme Court and Court of Appeal at the end of 2014 concerning Article 5 ECHR, including the decision in *Massey and Haney* identifying the ancillary duty within that Article.
- 18 October 2012, Criminal practice seminar, Matters arising following convictions or acquittals
- Consideration of the growing number of ancillary orders applied to general offenders, sexual offenders and orders applied even to those who are acquitted of any offence, the tests for imposition and principles for advocates and representatives to be familiar with to argue for or against relevant potential ancillary orders.

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