

Joseph Byrne

Call: 2016

Contact Joseph Directly: 020 7353 6802 or



Joseph's practice focuses on immigration, public law, civil and crime. He is currently instructed as Junior Counsel to the Grenfell Tower Inquiry, led by Andrew Kinnier QC for Phase 2 of the Inquiry.

Joseph read Law at the University of Cambridge and completed a Research Masters in Law at Queen Mary University London. Prior to the Bar, he volunteered at South West London Law Centres.

Publications

'Reconstructing Judicial Review' (Publication Review), P. L. 2018, Oct, 788-791

Immigration

Joseph regularly appears in the First-Tier and Upper Tribunal with particular experience in asylum, deportation and human rights appeals, judicial review and bail hearings.

He also accepts instructions in relation to proposed civil claims for unlawful immigration detention, combining his immigration expertise with his experience of actions against the police for false imprisonment.

Joseph has a strong commitment to improving access to justice and accepts pro bono instructions from Bail for Immigration Detainees (BID) and the Refugee and Migrant Forum of Essex and London (RAMFEL).

Recent notable cases include:

IN, HN and JN v SSHD (2020): Article 8 adult dependent relative appeal representing an elderly Indian couple and the

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severely disabled adult son they are no longer able to care for without the assistance of family in the UK.

OO v SSHD (2020): Successful deportation appeal following OO's conviction for affray, relying on the unduly harsh effect of deportation on OO's ex-partner's daughter.

MH v SSHD (2020): Successful long residence appeal in which the Tribunal accepted that MH's 3C leave had continued to run since a 2015 human rights application which the SSHD had incorrectly treated as 'varied' by a subsequent (refused) EEA residence card application.

FA v SSHD (2020): Successful Article 8 appeal on behalf of a divorced victim of domestic abuse facing stigmatisation on her return to Pakistan.

SM and JU v SSHD (2019): Successful Article 8 appeal representing SM (and her infant son) who fell just short of 20 years' residence in the UK following a 7 year delay in the SSHD refusing her asylum application. Acted pro bono, instructed by RAMFEL.

MS v SSHD (2019): Successful challenge to the Tribunal's dismissal of MS's asylum appeal following the FTTJ's erroneous understanding of his power to direct the SSHD to disclose evidence.

R (on the application of AA) v SSHD (2019): Granted permission to bring judicial review proceedings in relation to the SSHD's failure to consider AA's further submissions as a fresh claim.

Joseph has regularly represented clients pro bono in bail hearings instructed by BID.

Public Law

Joseph has a keen interest in public law, civil liberties and the relationship between the individual and the state. His public law practice encompasses immigration, asylum and human rights law, judicial review and civil actions against the police. He is also instructed as Junior Counsel to the Grenfell Tower Inquiry, focused on the circumstances of and leading up to the tragic fire on 14 June 2017.

In relation to immigration matters, he regularly appears in the First-Tier and Upper Tribunal with particular experience in asylum, deportation and human rights appeals, judicial review and bail hearings.

Within his actions against the police practice, Joseph has advised claimants and drafted pleadings in relation to unlawful arrest, false imprisonment, unlawful/excessive detention, assault and battery, malicious prosecution, misfeasance in public office, trespass to goods and property, unlawful search and seizure and related property actions.

Joseph has a strong theoretical grounding in public law, with academic research focused on the legitimate ambit of *Wednesbury* unreasonableness and proportionality review.

Crime

Joseph regularly appears in the Crown, Magistrates' and Youth Court. He both prosecutes and defends, frequently

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acts for the probation service and has also been instructed in Court Martial proceedings. Throughout practice Joseph has gained experience of a broad spectrum of offences including violence, dishonesty, drugs, public order, domestic violence, driving offences and confiscation.

Joseph has completed specialist training in relation to vulnerable witnesses and youth advocacy.

Civil

Joseph's civil practice spans a wide range of County Court work. He frequently represents clients in small claims, fast track and multi-track cases in cases involving:

- Contractual disputes
- Road Traffic Accidents
- Personal Injury
- Credit hire
- Debt recovery
- Equitable remedies
- Landlord and Tenant / Housing
- Defamation

Joseph also has a strong interest in Actions Against the Police. He regularly advises and drafts pleadings in relation to:

- Unlawful arrest
- False imprisonment / excessive detention
- Assault and battery
- Malicious prosecution
- Misfeasance in public office
- Trespass to property
- Unlawful search
- Unlawful seizure and related property actions

Memberships

The Honourable Society of Lincoln's Inn

Lord Denning Society

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