

Julian Norman

Call: 2012

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Julian has specialised in immigration law since 2002. After ten years working in private practice, initially as a paralegal and then qualifying as a solicitor in 2007, she was called to the Bar in 2012.

After being called to the Bar she has continued to build a practice in immigration and professional discipline. She is registered to undertake Direct Access work and she is also a qualified mediator.

Julian is recommended in the Legal 500 2025 edition as a Leading Junior (Tier 4) *'Julian is a fantastic advocate; she is calm, collected, concise, and always well-prepared. She makes clients feel comfortable and well-represented'*.

Immigration

Julian has worked in immigration law since 2002 and is familiar with all aspects of immigration, including applications and appeals from the First Tier Tribunal to the Court of Appeal. She is experienced in entry clearance, immigration, asylum, deportation and EEA work. She specialises in particular in family immigration appeals which have an Article 8 element, and in claims based on sex, sexual orientation and / or gender.

With respect to asylum claims, Julian has been involved in the leading Ukrainian cases of PK (Ukraine) v The Secretary of State for the Home Department [2019] EWCA Civ 1756 and PK and OS (basic rules of human conduct) Ukraine CG [2020] UKUT 314 (IAC) , and has a particular interest in claims from Ukraine and the former Soviet states.

Julian also enjoys judicial review work, including fresh claims; unlawful detention; breach of human rights and securing emergency injunctions against removal. Julian also provides immigration training seminars and is available to bring these seminars to solicitors' firms.

Notable cases:

PK and OS (basic rules of human conduct) Ukraine CG [2020] UKUT 314 (IAC)

Location

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<https://www.bailii.org/uk/cases/UKUT/IAC/2020/314.html> The Upper Tribunal case changed the definition as to when a draft evader will be a refugee. The Tribunal agreed that if the background evidence shows a real risk that the asylum seeker would provide “indispensable support” to a military committing acts contrary to international humanitarian law, then any criminal penalty for refusal, including a fine, would amount to persecution. OS appealed to the Court of Appeal and was granted permission to appeal. The full hearing was listed for 30 March 2022. However, after the invasion of Ukraine by Russia on 24 February 2022, the SSHD agreed to withdraw the underlying decision and reconsider the application in light of ongoing events. Julian was led by Anthony Metzer QC.

PK (Ukraine) v The Secretary of State for the Home Department [2019] EWCA Civ 1756
<https://www.bailii.org/ew/cases/EWCA/Civ/2019/1756.html> This overturned the Upper Tribunal decision in **PK (draft evader; punishment; minimum severity) [2018] UKUT 241 (IAC)** and looked at military service in Ukraine. Sir Rupert Jackson, with whom Patten J and Asplin J agreed, said that “*the question whether a draft evader facing a non-custodial punishment for failing to serve in an army which regularly commits acts contrary to IHL is entitled to refugee status, is one of overarching importance*” and allowed the appeal, remitting it to the Upper Tribunal. Julian was led by Anthony Metzer QC.

PY (Nepal) v SSHD <https://www.bailii.org/uk/cases/UKAITUR/2021/PA098072017.html> Julian successfully argued that “Nepali women who marry outside their caste and nationality” are a Particular Social Group for the purposes of the Refugee Convention. The appeal was allowed.

Orire-Banjo, R (On the Application Of) v Secretary of State for the Home Department [2020] EWHC 3516 (Admin)
<https://www.bailii.org/ew/cases/EWHC/Admin/2020/3516.html> This case explored the evidential and legal burden of proof in cases where nationality is disputed. The Court held that the legal burden rests with the claimant but that the evidential burden reverts to the defendant (para 18 – 19).

TS (Ukraine) v SSHD – a claim relating to military service in Ukraine. The Appellant was successful on the basis that he faced detention in conditions which would contravene Article 3 ECHR.

NK (Ukraine) v SSHD – this appeal related to Article 8 family life of a mother with two children born in the UK, and whether it would be reasonable for the children to leave the UK with their mother. The appeal was allowed.

Onyschuk v SSHD- successfully argued that a British spouse would face ‘insurmountable obstacles’ to moving to his wife’s country of origin, and that his wife should therefore be entitled to remain in the UK under Appendix FM of the Immigration Rules.

SM (Kenya) v SSHD – successfully argued that the First Tier Tribunal Judge had erred in law by giving undue weight to the Appellant’s “mannish appearance” and her ability to present herself in a more feminine way on return, in a case relating to her sexual orientation and history of trafficking.

ZB (Uzbekistan) v SSHD – an Upper Tribunal judge is entitled to reconstitute herself as a First Tier Tribunal Judge in order to treat a Rule 24 response as an application for permission to cross-appeal.

HVT & ET v SSHD – where the grant of permission does not engage materially with the application made, it should be determined on the basis that the grant of permission is formulated in clearly qualified terms and to allow the appellant to pursue the appeal on any other ground would be procedurally unfair. The SSHD’s appeal was therefore dismissed.

Elsakhawy (immigration officers: PACE) Egypt [2018] UKUT 86 (IAC)
<https://www.bailii.org/uk/cases/UKUT/IAC/2018/86.html> Immigration officers conducting a ‘pastoral’ home visit are acting in an administrative enquiry and not a criminal one, and are therefore not bound to abide by the provisions of PACE.

Boswell v SSHD- Julian successfully argued that the Armed Forces Covenant supports the contention that service in

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the armed forces can be taken into account to weigh on the Appellant's side in a public interest assessment under Article 8.

Regulatory and Disciplinary Tribunals

In 2014 Julian was seconded to the Nursing and Midwifery Council where she appeared for the NMC in a wide range of hearings, and she has maintained a regulatory practice since then. She has experience of substantive hearings, interim order hearings and interim/substantive order reviews and has dealt with expert and vulnerable witnesses and a variety of legal issues. She has also gained significant experience in dealing with litigants in person.

Julian is also familiar with the regulatory framework of other regulators and professional disciplinary bodies. She has experience of drafting grounds of appeal and acting in appeals against sanctions such as suspension. As a qualified mediator she is able to mediate or act as mediation advocate where this is a viable option.

Public Law

Julian is experienced in judicial review proceedings from pre-action protocol and emergency applications to full hearings and, where necessary, appeals to the Court of Appeal. She has experience of claims arising from equality and human rights law, including advising on single sex exceptions within the Equality Act 2010.

FDJ, R (On the Application Of) v Secretary of State for Justice (Rev 1) [2021] EWHC 1746
<https://www.bailii.org/ew/cases/EWHC/Admin/2021/1746.html> Julian was second junior, led by Karon Monaghan QC, for the Claimant in this challenge to the Secretary of State for Justice's policy of accommodation transgender prisoners in the female estate.

Orire-Banjo, R (On the Application Of) v Secretary of State for the Home Department [2020] EWHC 3516 (Admin)
<https://www.bailii.org/ew/cases/EWHC/Admin/2020/3516.html> This case explored the evidential and legal burden of proof in cases where nationality is disputed. The Court held that the legal burden rests with the claimant but that the evidential burden reverts to the defendant (para 18 – 19).

Korobtsova, R (on the application of) v Secretary of State for the Home Department [2015] EWHC 970 (Admin)
<https://www.bailii.org/ew/cases/EWHC/Admin/2015/970.html> – this case dealt with the meaning of “insurmountable obstacles” in the context of a claimant who had been the victim of domestic abuse in her home country.

Appointments

Recorder, South Eastern Circuit, Family Court (12 October 2020)

Fee-paid Judge of the First Tier Tribunal (Health, Education and Social Care Chamber – Mental Health) – 28 May 2020

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Memberships

Member of Administrative Law Bar Association and the Bar Human Rights Committee

Member of Middle Temple

Awards

Legal 500 – 2020

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