



HUGH SOUTHEY QC

MAIN AREAS OF PRACTICE:

Public Law
Human Rights
Prison Law
Inquests
Crime
Extradition
Mental Health
Terrorism
Immigration
Discrimination
Elections
EU Law
Information Law
Civil Actions Against the Police

Called to the Bar 1996

Appointed to Silk 2010

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With extensive experience in all aspects of public law, Hugh is highly recommended in a number of areas. He has appeared in the Court of Justice of the European Union and the European Court of Human Rights as well as on numerous occasions before the UK Supreme Court. His specialisms include immigration and human rights law.

EXPERIENCE

Hugh specialises in public law in a wide range of fields including human rights, prison law, inquests, crime, extradition, mental health, terrorism (including TPIMs and the Special Immigration Appeals Commission), immigration, discrimination and elections. Hugh litigates public law and human rights arguments both in judicial review proceedings and civil claims. Hugh also appears regularly in criminal appeals. Hugh's human rights practice has expanded so that it includes a number of cases regarding privacy. Hugh is called to appear in Northern Ireland.

Hugh is an author of **Judicial Review: A Practical Guide** (Jordans) as well as founding editor of the **United Kingdom Human Rights Reports**. He co-authored **A Criminal Practitioners Guide to Judicial Review and Case Stated**. He has recently written a chapter in **Human Rights in the Investigation and Prosecution of Crime and Judicial Review: Law and Practice**.

Hugh has spoken and presented at a number of seminars, conferences and training sessions on a wide variety of topics, most recently on privacy and surveillance, the right to be forgotten, police law and prisoners' rights.

NOTABLE CASES

European Court of Human Rights

Allen v United Kingdom app 25424/09 European Court of Human Rights concludes that compensation scheme for those wrongly convicted does not violate the presumption of innocence.

Court of Justice of the European Union

ZZ v Secretary of State C-300/11 Court of Justice of the European Union ruled that SIAC procedure is inconsistent with fundamental principles of European Union law

Supreme Court

Pham v Secretary of State [2015] 1 WLR 1591 The Supreme Court considers the extent to which citizenship engages European Union law.

R (Haney, Kaiyam & Massey) v Secretary of State for Justice and another case [2014] UKSC 66 Supreme Court finds that there is duty that arises by reason of article 5 to rehabilitate prisoners.

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DIRECTORIES' RECOMMENDATIONS

“He drafts beautifully, is extremely thorough, and takes a very collaborative approach with solicitors – he is a general delight to work with.”

“He is unflappable and not afraid to argue unpalatable points.”

“He is a library of public law. He’s more than willing to take on any difficult case, and he puts forward arguments strongly and eloquently”

“Absolutely brilliant: he picked up a matter at the last moment, the night before, and produced an absolutely brilliant skeleton argument in clear, unimpeachable English, and saved the day with less than 24 hours’ notice”

“Quick, creative, committed and very engaged”

“Very sharp, always on top of his brief and very responsive, and has a very broad range of expertise”

“An outstanding analyst who is fast at turning work around. He is extremely reliable and great on his feet”

Chambers & Partners

“A brilliant silk with exceptional attention to detail.”

“Defines tough, but is fair as an opponent”

He has an “astonishing work rate”

Legal 500

R (Whiston) v Secretary of State for Justice [2014] UKSC 39 Supreme Court considers the application of article 5 of the European Convention on Human Rights to Home Detention Curfew.

R (Nunn) v Chief Constable of Suffolk Constabulary and Anor [2014] UKSC 37 The Supreme Court considers the extent to which there is a right to disclosure of evidence following conviction.

R (T) v Secretary of State for the Home Department [2014] UKSC 35 The Supreme Court held that the scheme of disclosure of previous convictions violates article 8 of ECHR

Richardson & Anor v Director of Public Prosecutions [2014] UKSC 8 Supreme Court considers scope of defence to offence of lawful trespass.

HF & Ors v Secretary of State for the Home Department [2013] EWCA Civ 1276 Court of Appeal concludes Upper Tribunal erred in country guidance case regarding Iraq.

R (Chester) v Secretary of State [2103] UKSC 63 Supreme Court considered the ban on prisoner voting and arguments based on both EU law and the ECHR.

R (Booth) v Secretary of State for Justice [2013] 3 WLR 1020 Supreme Court rules that Parole Board had unlawfully denied prisoners an oral hearing

Court of Appeal

Kiani v SSHD [2015] EWCA Civ 776 Court of Appeal decides whether art 47 of the Charter of Fundamental Rights entitles a litigant to a minimum level of disclosure.

Zenati v Commissioner of Police of the Metropolis & Anor [2015] EWCA Civ 80 The Court of Appeal holds that delay in a criminal investigation resulting in continued detention may violate article 5 of European Convention on Human Rights.

Secretary of State for the Home Department v MA (Somalia) [2015] EWCA Civ 48 The Court of Appeal concludes that a failure to apply the new Immigration Rules regarding article 8 of European Convention on Human Rights is a material error.

Bright & Anor v The Secretary of State for Justice [2014] EWCA Civ 1628 Court of Appeal considers whether the absence of policy for gay and lesbian prisoners violates article 8.

R (FI) v Secretary of State for the Home Department & Ors [2014] EWCA Civ 1272 Court of Appeal considered the extent to which the policies governing the use of force during immigration removals is proportionate.

RN (Sri Lanka) v Secretary of State for the Home Department [2014] EWCA Civ 938 Court of Appeal considers the extent that a finding of the European Court of Human Rights has legal implications for the Secretary of State.

R (Smith) v Secretary of State for Justice & Anor [2014] EWCA Civ 380 Whether it was a breach of ECHR, arts 8 & 14 to compel a non-smoking prisoner to share a cell with a smoking prisoner

R (AHK & Ors) v The Secretary of State for the Home Department [2014] EWCA Civ 151 Court of Appeal considers whether national security judicial reviews should be stayed pending appeals to SIAC.

For more information, please visit: matrixlawinternational.com/lawyer/hugh-southey-qc