



Practice

Marina Sergides joined Garden Court Chambers as a housing and immigration pupil in 2002 and became a tenant in the same year. She is a practitioner specialising in housing, social security, prison law and inquests.

Housing Law

Marina specialises in all aspects of social housing law. She has extensive experience in nuisance possession proceedings, s204 homelessness appeals, unlawful eviction and harassment claims, disrepair claims, judicial reviews, human rights, public law defences, disability discrimination and cross over ASBO proceedings in the magistrates and county courts. In particular, Marina has worked extensively in cases involving tenants with mental health problems, where capacity has been in issue, and where the Official Solicitor has been instructed. Marina has represented tenants before the Social Security Tribunal and before the Social Security Commissioner.

In December 2010 Marina was part of an Advocats San Frontier and Haldane delegation that visited Palestine and the Occupied Territories on a fact finding mission: "Enforcing Housing Rights: the case of Sheikh Jarrah".

Marina was listed in the Legal 500 for Housing Law.

Inquest Law

Marina has also represented bereaved families in inquests arising from deaths at work, whilst in the care of the state and where health and safety regulations have been breached. In 2010, Marina acted on behalf of the family of Darwin Kealey at the inquest into his death at HMP Wormwood Scrubs. There were eight interested parties at the inquest, which heard evidence about a catalogue of systemic failures by the police, Serco and the Prison Service. The jury returned a narrative verdict, identifying a range of missed opportunities and failures that occurred during his detention.

Prison Law

Marina has represented prisoners before independent adjudicators and parole boards and has advised in judicial review challenges. Marina recently acted on behalf of a lifer in a Parole Board hearing alongside a Special Advocate, in what was only the third such case of its type. In December 2006 Marina was co-editor of the Prison Booklet produced for the post Mubarak Inquiry Conference. It was provided for the 500 prison officials, Prison Governors and MPs that were amongst the attendees.

Notable Cases

Housing

Year of Call

2000

Email Address

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Telephone

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Education

LLB (Hons) (London)

Languages

Greek (bi-lingual).

Practice Areas:

Marina Sergides is a member of the following Practice Areas:

- Civil Law
- Community Care
- Court of Protection
- Housing
- Inquests
- Mental Health
- Prison Law
- Property Law
- Public & Administrative Law
- Welfare Benefits

Garden Court Chambers

57 - 60 Lincoln's Inn Fields
London WC2A 3LJ
Tel 020 7993 7600
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Aslam v Ali, 10 June 2009, LAG December 2009

Mr Aslam lived with his wife and eight children in a four bedroom house that suffered from substantial disrepair. The Court awarded damages at 50% of the rental value for the period 2003 to 2006 and at 33.3% of the rental value for the period 2006 to 2009.

Gargett, R (on the application of) v London Borough of Lambeth [2008] EWHC 663 (Admin)

The Court considered whether a claimant can be entitled to a discretionary housing payment if they are in receipt of maximum housing benefit and council tax benefit.

Gargett, R (on the application of) v London Borough of Lambeth [2008] EWCA Civ 1450 (18 December 2008)

Gargett, R (on the application of) v London Borough of Lambeth [2008] EWHC 663 (Admin) (08 April 2008)

Ferguson v Jones, Birmingham County Court, Legal Action December 2008

Damages for disrepair were awarded at £2700 p.a. pursuant to s.11 of the Landlord and Tenant Act 1985.

UKSSCSC CH_318_2005

Successful in arguing that a narrow boat with no permanent mooring was held to be within the meaning of "dwelling".

[2005] UKSSCSC CH_318_2005 (10 June 2005)

R v London Borough of Southwark

Ogunlowo, Camberwell Magistrate Court, Legal Action December 2004

[2004] UKSSCSC CH_4574_2003

The case considered whether there was a breach of Article 14 when read in conjunction with either article 8 or Article 1 of Protocol 1 in the provision of housing benefit for those residing in bail hostels. The Commissioner held that there was.

Inquests

Inquest touching upon the death of Billy Coulson, 15 April 2011

HMP Chelmsford were criticised over the death of a teenager remand prisoner. Eighteen year old Billy Coulson hanged himself in his cell at the prison in September 2008. The prison failed to recognise his suicide risk.

Inquest touching upon the death of James Connolly, 25 January 2011

Death of a vulnerable 23 year old man with mental health problems and who was being treated in the healthcare wing.

Inquest touching upon the death of Kirpal Rahel, 22 July 2010

Death in a secure mental health institution as a result of inappropriate administration of Olanzapine.

Inquest into the death of Kevin Jessup 14 August 2008

Kevin Jessup, 44, died from a blood clot to the brain at the Royal Free Hospital a day after he was found lying in the middle of Harmood Street, Chalk Farm, five



days before Christmas. The Coroner recorded an open verdict.

Inquest into the death of Stewart Klincke, June 2008

Stewart Klincke, 55, died after being overcome by carbon dioxide fumes in a room at the Scottish Courage brewery, on January 22, 2006. The Jury gave a narrative verdict, finding that Mr Klincke would not have died if the valve was in its original state.

Publications, Training and Memberships

Marina contributed to the Law Society Handbook on Housing Law 2009. Marina contributed to the annual Legal Action Disrepair Roundups in December 2004, 2005 and 2006. She is also a regular contributor to Socialist Lawyer, the magazine of the Haldane Society of Socialist Lawyers.

Marina has provided training to the Housing Law Practitioners Association and regularly provides training at the Garden Court Seminars on a wide range of housing and civil law topics. She recently spoke at the Garden Court Judicial Review Conference and currently provides training for Community Legal Advice Centres.

Marina is a member of the Housing Law Practitioners Association, Inquest Lawyers Group, Haldane, Lobby for Cyprus, Palestine Solidarity Campaign, and the Haldane Society. Marina was also a member of Pupillage and Training Committee from 2002 until 2008 and was convenor in 2007 - 2008.

Profile updated January 2012