



GARDEN COURT CHAMBERS

# Greg Ó Ceallaigh

YEAR OF CALL: 2006



Greg Ó Ceallaigh is a barrister specialising in human rights, asylum and immigration and public law. He is ranked in the Chambers UK Bar Guide 2021 and the Legal 500 2021 for immigration. He is eligible to take work on a Direct Access basis.

"He is very, very effective; he knows exactly how to pitch cases in a way that maximises the chance of success."

CHAMBERS UK, 2021 (IMMIGRATION)

"He is diligent in the way he works and is always available when needed, and works well with his instructing solicitors."

LEGAL 500, 2021 (IMMIGRATION)

"He's very clear-headed and his written work is very good. You get a real sense of authority with him in terms of knowing how a case ought to be

handled. He's very responsive and has a very good understanding of the law in EU immigration cases."

CHAMBERS UK, 2020

---

"Diligent in the way he works and is always available when needed."

LEGAL 500, 2020

---

"I am always impressed by the clarity of his written work, his general approachableness, and his grasp of a wide range of complex immigration matters."

CHAMBERS UK, 2019

---

If you would like to get in touch with Greg please contact the clerking team:

[contactmyclerks@gclaw.co.uk](mailto:contactmyclerks@gclaw.co.uk) | [+44 \(0\)20 7993 7600](tel:+442079937600)

## IMMIGRATION LAW

---

Greg has over a decade of experience in immigration law and has acted in all kinds of matters ranging from the most complex asylum and human rights claims to Tier 1 Investor cases. He has acted in many of the leading cases on issues such as Third Country cases (including *AB(Sudan) v SSHD* [2013] EWCA Civ 921; *R(Tesfay) v SSHD* [2016] 1 WLR 4853) and immigration detention (such as *Fardous v SSHD* [2015] EWCA Civ 92 and *R(Sathanantham) v SSHD* [2016] 4 WLR 128). He has a particular expertise in human rights (see e.g. *R(Ahsan) v SSHD* [2018] HRLR 5 and *Tikka v SSHD* [2018] EWCA Civ 642) and has acted in the past three test cases on returns to Italy.

The core of Greg's practice is public law challenges to decisions of the Home Office and other bodies dealing with the rights of migrants either in the Administrative Court or the Upper Tribunal. He is also an extremely experienced Tribunal advocate both at the First-tier and the Upper Tribunal and is regularly instructed in his own right in the Court of Appeal. He has much experience of urgent removal cases and is comfortable taking instructions at short notice.

Greg writes for Macdonald's Immigration Law and Practice and Butterworths Immigration Law Service. He is a regular contributor to Free Movement, and has been featured in national and international press as an expert on immigration issues and the refugee crisis, including the [\*Independent\*](#), [\*Wall Street Journal\*](#), [\*RTS\*](#) and [\*Al Jazeera\*](#). He is on the Lexisnexis Panel of experts.

## **NOTABLE CASES**

### ***Tikka v SSHD* [2018] EWCA Civ 642**

Successfully represented a man whose leave to remain had been revoked following an accident in a case in which the Court gave guidance on the application of the *Chikwamba* principle.

### ***Ribeli v Entry Clearance Officer, Pretoria* [2018] EWCA Civ 611**

Acted for the mother of a British citizen seeking to enter the United Kingdom as an Adult Dependent Relative.

### ***Ahsan v SSHD* [2018] HRLR 5**

Successfully represented the Appellant in a challenge to the certification of his human rights claim in what is the leading case on the application of the principles in *Kiarie and Byndloss* to the cases of those accused of TOEIC fraud.

### ***R(Tesfay) v SSHD* [2016] 1 WLR 4853**

Successfully acted for the appellants in the test case on costs in cases where the Secretary of State withdrew the relevant decisions following the Supreme Court's judgment in *EM(Eritrea)*.

### ***SSHD v Vassallo* [2016] 2 CMLR 12**

Successfully represented an EU national facing deportation having lived in the United Kingdom for 50 years.

### ***R(Sathanantham) v SSHD* [2016] 4 WLR 128**

Successfully acted for the claimants in a systemic challenge to delays in the provision of accommodation for those released from immigration detention.

### ***Fardous v SSHD* [2015] EWCA Civ 931**

Successfully defended SSHD appeal of the case of *Fardous v SSHD* [2014] EWHC 3061 (QBD) in which a Moroccan national won his action for false imprisonment.

### ***Dudaev and Ors v SSHD* [2015] EWHC 1641 (Admin)**

Case challenging the lawfulness of Sch 3 to the 2004 Act involving the proposed return to Sweden under Dublin procedures of Chechen exiles.

### ***ZS(Afghanistan) v SSHD* [2015] EWCA Civ 1137**

Test case (heard with *Home Office v VS* [2015] EWCA Civ 1142) on the application of policies on detention of disputed minors.

***MS and others v SSHD* [2015] EWHC 1095 (Admin)**

Test case challenging lawfulness to Dublin returns to Italy.

***R(AMG) v SSHD* [2015] EWHC 5 (Admin)**

Case challenging the lawfulness of immigration detention of a severe ill man repeatedly detained under the Mental Health Act. Appeal settled by consent.

***Tabrizagh and others v SSHD* [2014] EWHC 1914 (Admin)**

Test case challenging the lawfulness of removals to Italy pursuant to Dublin II.

***R (Ismail) v SSHD* [2013] EWHC 3921 (Admin)**

Successful challenge to the unlawful detention of a Somali national pending a decision to deport and deportation proceedings.

***SHL (Afghanistan) v SSHD* [2013] UKUT 312 (IAC)**

Case involving a trafficked minor and justiciability of the Trafficking Convention, reliance on evidence obtained from a child interviewed when encountered without an appropriate adult, and the relevance of a failure to comply with the SSHD's obligation to trace.

***AB (Sudan) v SSHD* [2013] EWCA Civ 921**

Test case on whether there should be stays on all Dublin II Regulation removals to Italy pending the Supreme Court's consideration of the application for permission to appeal in *EM (Eritrea) v SSHD* [2012] EWCA Civ 1336 (See also *AB (Sudan) v SSHD* [2013] EWCA Civ 16 and *R (Bushara) v SSHD* [2012] EWHC 3483 (Admin)).

***R (Paul) v SSHD* [2013] EWHC 1317 (Admin)**

Challenge to the lawfulness of 30 months' detention with an allegation of non-cooperation, permission having been granted by the Court of Appeal following refusal in the Administrative Court.

***Ncube v United Kingdom* [2012] ECHR 897**

Successful challenge in the European Court of Human Rights to removal in a case of substantial long residence.

***R (Cheung) v Secretary of State for the Home Department* [2011] EWHC 2337 (Admin)**

Challenge to the SSHD's refusal of leave to remain under the seven-year child concession DP 5/96 (settled

following grant of permission to the Court of Appeal).

***R (Abdullah) v Secretary of State for the Home Department [2010] EWHC 259 (Admin)***

Successful challenge, as a junior, to the SSHD's detention of the claimant for three years.

## **ADMINISTRATIVE AND PUBLIC LAW**

---

Greg's substantial public law practice primarily involves judicial reviews challenges to decisions affecting the rights of migrants, notably in detention, nationality, third country, age assessment and children's rights cases. He has much experience of urgent removal cases and is comfortable taking instructions at short notice.

Greg has significant expertise in immigration detention and has represented detainees in detention claims at every level from the Tribunal to the Court of Appeal, as well as in civil actions for false imprisonment.

Greg has built up particular expertise at challenging removal to third countries under the Dublin system, notably Italy, in relation to which he was instructed in the last four test cases. He is also highly experienced in dealing with costs issues that arise in public law cases (see e.g. *R(Tesfay) v SSHD* [2016] 1 WLR 4853 and (*ZN(Afghanistan) v SSHD* [2018] EWCA Civ 1059).

### **NOTABLE CASES**

***ZN(Afghanistan) v SSHD [2018] EWCA Civ 1059***

Case dealing with costs in public law cases where a case settles for reasons extraneous to the litigation. The Court gave helpful guidance on the "JFS Principle".

***Ahsan v SSHD [2018] HRLR 5***

Successfully represented the Appellant in a challenge to the certification of his human rights claim in what is the leading case on the application of the principles in *Kiarie and Byndloss* to the cases of those accused of TOEIC fraud.

***R(Tesfay) v SSHD [2016] 1 WLR 4853***

Successfully acted for the appellants in the test case on costs in cases where the Secretary of State withdrew the relevant decisions following the Supreme Court's judgment in *EM(Eritrea)*.

***R(CK) v SSHD [2016] Imm AR 894***

Leading case establishing the right to challenge decisions made under the Dublin II Regulation on the basis of a breach of human rights or other public law error.

***R(Sathanantham) v SSHD [2016] 4 WLR 128***

Successfully acted for the claimants in a systemic challenge to delays in the provision of accommodation for those released from immigration detention.

***Fardous v SSHD [2015] EWCA Civ 931***

Successfully defended SSHD appeal of the case of *Fardous v SSHD* [2014] EWHC 3061 (QBD) in which a Moroccan national won his action for false imprisonment.

***Dudaev and Ors v SSHD [2015] EWHC 1641 (Admin)***

Case challenging the lawfulness of Sch 3 to the 2004 Act involving the proposed return to Sweden under Dublin procedures of Chechen exiles.

***ZS(Afghanistan) v SSHD [2015] EWCA Civ 1137***

Test case (heard with *Home Office v VS* [2015] EWCA Civ 1142) on the application of policies on detention of disputed minors.

***MS and others v SSHD [2015] EWHC 1095 (Admin)***

Latest test case challenging lawfulness to Dublin returns to Italy.

***R(AMG) v SSHD [2015] EWHC 5 (Admin)***

Case challenging the lawfulness of immigration detention of a severe ill man repeatedly detained under the Mental Health Act.

***Tabrizagh and others v SSHD [2014] EWHC 1914 (Admin)***

Test case challenging the lawfulness of removals to Italy pursuant to Dublin II.

***R (Ismail) v SSHD [2013] EWHC 3921 (Admin)***

Successful challenge to the unlawful detention of a Somali national pending a decision to deport and deportation proceedings.

***AB (Sudan) v SSHD [2013] EWCA Civ 921***

Test case on whether there should be stays on all Dublin II Regulation removals to Italy pending the Supreme Court's consideration of the application for permission to appeal in *EM (Eritrea) v SSHD* [2012] EWCA Civ 1336 (See also *AB (Sudan) v SSHD* [2013] EWCA Civ 16 and *R (Bushara) v SSHD* [2012] EWHC 3483 (Admin)).

***R (Paul) v SSHD [2013] EWHC 1317 (Admin)***

Challenge to the lawfulness of 30 months' detention with an allegation of non-cooperation, permission having

been granted by the Court of Appeal following refusal in the Administrative Court.

***R (AK) v SSHD [2011] EWHC 3188 (Admin)***

Successful challenge to the lawfulness of the detention of a disputed minor (settled following grant of permission).

***R (Cheung) v Secretary of State for the Home Department [2011] EWHC 2337 (Admin)***

Challenge to the SSHD's refusal of leave to remain under the seven-year child concession DP 5/96 (settled following grant of permission to the Court of Appeal).

***R (Abdullah) v Secretary of State for the Home Department [2010] EWHC 259 (Admin)***

Successful challenge, as a junior, to the SSHD's detention of the claimant for three years.

## **IMMIGRATION DETENTION CIVIL CLAIMS**

---

Greg is highly experienced in immigration detention work and has represented detainees in detention claims at every level from the Administrative Court to the Court of Appeal, as well as in civil actions for false imprisonment both in the County Court and the Queen's Bench Division.

He frequently appears pro bono on behalf of Bail for Immigration Detainees. He has contributed to several of the leading practitioners' texts on the subject of immigration detention and is a Lexisnexis Panel expert on false imprisonment.

### **NOTABLE CASES**

***R(Sathanantham) v SSHD [2016] 4 WLR 128***

Successfully acted for the claimants in a systemic challenge to delays in the provision of accommodation for those released from immigration detention.

***Kamal v Home Office[2016] EWHC 65 (QB)***

False imprisonment trial in respect of an Iraqi Kurd who had been removed to the KRG.

***R(MMM) v SSHD [2016] EWHC 2655 (Admin)***

Successful challenge to the claimant's detention for the purposes of third country removal.

***R(Abdulkadir) v SSHD[2016] EWHC 1504 (Admin)***

Challenge to removal to Austria and to the lawfulness of detention pursuant to the Dublin III Regulation.

***Fardous v SSHD [2015] EWCA Civ 931***

Successfully defended SSHD appeal of the case of *Fardous v SSHD* [2014] EWHC 3061 (QBD) in which a Moroccan national won his action for false imprisonment.

***ZS(Afghanistan) v SSHD* [2015] EWCA Civ 1137**

Test case (heard with *Home Office v VS* [2015] EWCA Civ 1142) on the application of policies on detention of disputed minors.

***R(AMG) v SSHD* [2015] EWHC 5 (Admin)**

Case challenging the lawfulness of immigration detention of a severe ill man repeatedly detained under the Mental Health Act. Appeal settled by consent.

***R (Ismail) v SSHD* [2013] EWHC 3921 (Admin)**

Successful challenge to the unlawful detention of a Somali national pending a decision to deport and deportation proceedings.

***R (Paul) v SSHD* [2013] EWHC 1317 (Admin)**

Challenge to the lawfulness of 30 months' detention with an allegation of non-cooperation, permission having been granted by the Court of Appeal following refusal in the Administrative Court.

***R (Abdullah) v Secretary of State for the Home Department* [2010] EWHC 259 (Admin)**

Successful challenge, as a junior, to the SSHD's detention of the claimant for three years.

## **YOUTH JUSTICE & CHILD RIGHTS**

---

Greg has extensive experience of representing children and disputed minors for more than a decade across public law, immigration and in the context of civil actions.

He has represented victims of trafficking and has particular experience of helping children who are overseas and are seeking to be reunited with family members, or children seeking to avoid being separated from family members currently in the United Kingdom.

## **PRO BONO WORK**

---

Greg undertakes a large volume of pro bono work in immigration law, including for Bail for Immigration Detainees.



Greg was a runner-up at the Bar Pro Bono Award 2009 with a team from Tooks Chambers for work on an application to the Human Rights Appeal Panel in Kosovo on behalf of the family of Mon Balaj.

Greg previously worked on a team writing the legal arguments for an amicus curiae on behalf of Binyam Mohammed (detained at the time in Guantanamo Bay), in *Hamdan v Rumsfeld* in the United States Supreme Court.

## BACKGROUND

---

Greg trained at Garden Court Chambers and Tooks Chambers before becoming a tenant at 1 Pump Court. He re-joined Garden Court Chambers in August 2013.

Before pupillage Greg worked as a researcher for Keir Starmer QC. He was a paralegal at Janes Solicitors while volunteering at the AIRE Centre advising on European law and human rights to members of the public. He assisted in research for Blackstone's Guide to the Identity Cards Act 2006.

Greg has a degree in Philosophy and English from Trinity College Dublin and a Masters' Degree in Legal and Political Theory from University College London. He completed his CPE at City University and BVC at the Inns of Court School of Law.

In 2005 Greg was awarded a Gold Medal for Oratory by the University Philosophical Society of Trinity College Dublin.

In 2006 Greg was awarded the Otto Rix Scholarship by the Honourable Society of the Inner Temple.

Greg considers himself a triathlete based on very limited evidence. He enjoys playing and watching football.

## TRAINING AND SEMINARS

---

Greg regularly provides training in respect of immigration detention and human rights claims.

## EDUCATION

---

- BA (Trinity College Dublin)

- MA Legal and Political Theory (University College London)
- CPE (City University)
- BVC (Inns of Court School of Law)

## LANGUAGES

---

- Irish
- French (conversational)
- German (basic)

If you would like to get in touch with Greg please contact the clerking team:

[contactmyclerks@gclaw.co.uk](mailto:contactmyclerks@gclaw.co.uk) | [+44 \(0\)20 7993 7600](tel:+442079937600)



57-60 Lincoln's Inn Fields, London, WC2A 3LJ

Email: [info@gclaw.co.uk](mailto:info@gclaw.co.uk)

Tel: +44 (0)20 7993 7600

DX: 34 Chancery Lane