



# Ronan Toal

YEAR OF CALL: 1999



Ronan's practice covers all areas of asylum and immigration. He has a detailed knowledge and understanding of the complex and changing interrelationship of international and European law, domestic legislation, immigration rules and policies and judicial decisions that make immigration and asylum a complicated area law.

"He has an exceptional legal mind and an uncanny knack of seeing the real crux of a case. His written work is clear and succinct, and he is calm, clear and extremely persuasive on his feet."

CHAMBERS UK 2019 (BAND 1)

"He is self-evidently brilliant and will go the extra mile for clients."

LEGAL 500 2019 (TIER 2)

"He has an encyclopaedic knowledge of immigration law and is creative in arguments." "He has a formidable intellect, and is excellent at advocating in difficult cases."

"He has a fantastic ability to elucidate complex matters, and displays great empathy and patience with clients."

LEGAL 500 2017 (TIER 2)

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"One of the most brilliant minds I have ever worked with. Notwithstanding his genius, often rooted in his innovative approach, he is down-to-earth, inclusive and generous."

CHAMBERS UK 2016 (BAND 1)

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

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## IMMIGRATION: ASYLUM AND HUMAN RIGHTS

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Having worked in the area since 1989, Ronan has a detailed knowledge and understanding of the complex and changing interrelationship of international and European law, domestic legislation, immigration rules and policies and judicial decisions that make immigration and asylum a complicated area law. He is able to identify practical and creative solutions to his clients' immigration problems and to give clear and comprehensive advice. His assistance ensures the most effective presentation of his clients' cases to the immigration authorities and to the courts and tribunals. Ronan edits *Macdonald's Immigration Law and Practice*, the leading practitioners' text.

He has made a number of fact-finding visits to Kenya and Djibouti to gather evidence for use in Somalis' asylum and family reunion appeals, including in a number of country guidance cases.

Ronan has recently been instructed in cases involving challenges to:

- Refusals of applications for leave to remain under the points based system and under the family

- immigration rules
- The withdrawal of sponsorship licences
- The deportation of individuals convicted of manslaughter and of conspiracy to import heroin and of individuals with serious mental illnesses
- Decisions to remove individuals that would cause catastrophic harm to their health
- Decisions to remove long resident individuals
- Denial of rights of appeal
- Detention under Immigration Act powers
- He has also been instructed in civil claims for damages for unlawful detention and damages for refoulement

## **NOTABLE CASES**

### ***HH (Somalia) v Secretary of State for the Home Department* [2010] EWCA Civ 426**

Whether an individual could win an appeal on asylum or human rights grounds on the basis that he or she would be at risk of harm en route to a safe home area.

### ***R (AM (Somalia)) v Secretary of State for the Home Department* [2009] EWCA Civ 114**

Whether certification of a human rights claim, after an appeal had commenced, could bring the appeal to an end.

### ***BA (Nigeria) v Secretary of State for the Home Department* [2009] UKSC 7**

In what circumstances the making of human rights claim entitled an individual to appeal against an immigration decision whilst still in the UK.

### ***R (Ozcan) v Immigration Appeal Tribunal* [2002] EWCA Civ 1183**

Whether removal of an asylum seeker to Turkey exposed him to risk of persecution.

## **TRAFFICKING AND MODERN DAY SLAVERY**

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A growing part of Ronan's practice consists of cases concerned with trafficking in human beings, including: appeals against deportation of victims of trafficking; claims for judicial review of the Home Office's conduct and policy in relation to trafficking victims; an intervention in the Supreme Court in a case where the Court of Appeal held that a victim of trafficking was not entitled to recover damages from her traffickers owing to her unlawful presence in the UK; civil claims for violations of victims' Article 4 ECHR rights and exploration of remedies in respect of systemic failures by the UK to protect victims of trafficking.

## ADMINISTRATIVE AND PUBLIC LAW

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Ronan has been actively involved in lobbying on behalf of the Immigration Law Practitioners' Association in respect of legislative, rules and policy changes.

### NOTABLE CASES

#### ***Secretary of State for the Home Department v Pankina* [2010] EWCA Civ 719**

Whether the Secretary of State could lawfully include elements of the points based system in policy documents rather than immigration rules.

#### ***HH (Somalia) v Secretary of State for the Home Department* [2010] EWCA Civ 426**

Whether an individual could win an appeal on asylum or human rights grounds on the basis that he or she would be at risk of harm en route to a safe home area.

#### ***R (AM (Somalia)) v Secretary of State for the Home Department* [2009] EWCA Civ 114**

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#### ***CN (Burundi) v Secretary of State for the Home Department* [2007] EWCA Civ 587**

Whether removal of an individual would breach Article 3 of the ECHR owing to the consequences for his mental health.

#### ***Saad, Diriye and Osorio v Secretary of State for the Home Department* [2001] EWCA Civ 2008**

Whether an appeal on asylum grounds could succeed even though the appellant had leave to remain and so was not facing removal from the UK.

## IMMIGRATION DETENTION CIVIL CLAIMS

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#### ***HXA v The Home Office* [2010] EWHC 1177 QB**

Claim for damages for unlawful detention.

#### ***R (Abdillahi) v Secretary of State for the Home Department* [2010] EWHC 808 Admin**

Judicial review of detention pending deportation.

## PUBLICATIONS

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Ronan is a general editor of *Macdonald's Immigration Law and Practice*

He was a consultant editor of *Halsbury's Laws of England: Immigration and Asylum*

He is an author of *Blackstone's Guide to the Borders, Citizenship and Immigration Act 2009*

He is a former contributor to *Blackstone's Criminal Practice* and the author of articles in *Immigration and Nationality Law and Practice*

## TRAINING AND SEMINARS

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Ronan provides training for the Immigration Law Practitioners' Association on: advocacy, Article 8 of the European Convention on Human Rights and new legislation.

## EDUCATION

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- BA History
- CPE

## PROFESSIONAL MEMBERSHIP

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- Immigration Law Practitioners' Association (ILPA)

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