



GARDEN COURT CHAMBERS

# Connor Johnston

YEAR OF CALL: 2010



Connor primarily practises in housing, homelessness, community care, asylum support and public law. He is committed to legal aid work and to representing the interests of vulnerable clients and those who are homeless or at risk of losing their home.📍

He was appointed to the EHRC panel of preferred counsel in 2019.

"He is thorough, insightful, and gets to the heart of the case with full consideration of the details surrounding it. Extremely knowledgeable and analytical."

CHAMBERS UK, 2020

"Thinks through all the issues in the case and knows the law like the back of his hand."

LEGAL 500, 2020

"An extremely promising junior barrister who has a huge passion for social justice and the achievement of the best possible outcome for his clients."

"Vastly knowledgeable of complex eligibility issues and anti-social behaviour claims."

LEGAL 500, 2019

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"Very dedicated and conscientious, he is interested in pushing the law further to see how far it can be pushed to benefit our client groups."

CHAMBERS UK, 2018

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

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## HOUSING LAW

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Connor has a busy practice, which includes advising and representing tenants, occupiers and homeless persons in relation to:

- the allocation of social housing under Part VI Housing Act 1996
- homelessness appeals under Part VII Housing Act 1996
- homelessness related judicial review
- possession proceedings and related appeals
- disrepair
- unlawful eviction
- tenancy deposits
- anti-social behaviour injunctions and committal proceedings

Connor is regularly instructed in homelessness appeals and homelessness-related judicial review proceedings. As the co-author of *Housing Allocation and Homelessness: Law and Practice* ([Lexis](#), 5th edition 2018) he is regarded as a specialist in this area. He has acted in a number of cases in the last year on behalf of victims of trafficking seeking homelessness assistance and was recently instructed on behalf of the interveners, Shelter and the Child Poverty Action Group, in the Supreme Court case of *Samuels v Birmingham City Council* on

affordability and intentional homelessness. Judgment is awaited.

Connor has a keen interest in the crossover between housing and public law and is frequently instructed to act in possession proceedings raising public law, human rights and discrimination issues. He is regularly instructed, on behalf of the Official Solicitor, to represent clients who lack capacity, particularly in cases which have a community care element. He was appointed to the [EHRC panel of preferred counsel](#) in 2019.

## COMMUNITY CARE LAW

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Connor advises and acts in judicial review proceedings relating to:

- the provision of accommodation and support to children and care leavers under the Children Act 1989;
- the provision of accommodation and support to vulnerable adults under the Care Act 2014.

Connor often works on behalf of migrant families who are not eligible for mainstream support. He has represented trafficking victims and understands the challenges victims face when trying to obtain accommodation and support.

He has been instructed in a number of cases, on behalf of the Official Solicitor, to represent clients who lack capacity, particularly in cases which involve concurrent possession proceedings.

Connor has a particular interest in cases that involve the interplay between community care, housing, homelessness and asylum support.

Connor is a volunteer advocate at the First Tier Tribunal (Asylum Support) with the [Asylum Support Appeals Project](#), representing applicants who have been refused support under s4 or s95 Immigration and Asylum Act 1999. He accepts instructions in related matters including judicial review challenges to delays in the provision of accommodation by the Home Office. He is particularly interested in cases which involve the crossover between community care and asylum support.

## ADMINISTRATIVE AND PUBLIC LAW

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Connor's public law practice underpins and complements his other practice areas. As well as judicial review proceedings relating to homelessness, the allocation of social housing and community care, he has a keen interest in any public law challenge on behalf of persons who find themselves without adequate accommodation or support.

Of note, he was recently instructed on behalf of the Claimant MSM, a homeless Syrian asylum-seeker, in a [challenge to the absence of any adequate policy or application process to allow destitute migrants to access support under Immigration Act 2016 Sch 10](#). The Home Office published new guidance catering for those in MSM's position, shortly before the High Court was due to hear the challenge.

Connor also acted on behalf of the intervener Shelter in the recent Supreme Court challenge to the legality of the benefit cap, in *R (DA and other) v Secretary of State for Work and Pensions* [2019] UKSC 21. Shelter's intervention focused on the difficulty faced by families affected by the cap in accessing affordable accommodation.

## BACKGROUND

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Connor has been a member of the Young Legal Aid Lawyers since 2009. Between 2011-2015 he co-chaired the group and was jointly responsible for its activities campaigning against legal aid cuts, promoting social mobility and protecting the interests of junior lawyers who believe in legally aided work as a means of achieving social justice.

Before joining Garden Court in October 2012, Connor worked as a member of the children's legal team at the Howard League for Penal Reform, representing young people in custody, including children serving life sentences.

Prior to his legal training he volunteered at the Sheffield Citizens Advice Bureau and the Northern Refugee Centre.

## PUBLICATIONS

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*Housing Allocation and Homelessness: Law and Practice* (co-author) [Lexis](#), 5th edition 2018

Author of the housing and homelessness section of the [Garden Court Chambers Social Welfare Law website](#).

'Allocations: testing the boundaries' (2017) 20(1) [Journal of Housing Law](#) 7

'Housing difficulties for destitute migrant families unresolved' [Legal Action](#), November 2016

Regular column on legal aid in the *Socialist Lawyer* between 2011-2015.

Regular column on legal aid in *Legal Action* between 2011-2015.

'In defence of the human rights act - laws must change with society' [Open Democracy](#), 30 January 2015.

'The absurdity of Mr Grayling's residence test' [Open Democracy](#), 8 July 2013.

Editor of Garden Court response to *Transforming Legal Aid* featured in (2013) 18(3) *Judicial Review* 336

'Statutory succession or common law doctrine of survivorship?' (2012) 16 [Landlord & Tenant Review](#) 194

'*Hussein v SSHD*: case note and comment' (2010) 24(1) *Journal of Immigration, Asylum and Nationality Law* 52

'It's not just asylum seekers who need to make a case for legal aid' CiF, [The Guardian](#) 17 June 2010

'Indefinite Immigration Detention: Can it be Justified?' (2009) 23(4) [Journal of Immigration, Asylum and Nationality Law](#) 351

'Human rights aren't just for cute kids' CiF, [The Guardian](#) 18 December 2009

## TRAINING AND SEMINARS

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Connor regularly provides training to solicitors and charities and others. In particular, in 2017-18, he has provided training to (among others):

- The [Asylum Support Appeals Project](#), on advocacy at the Tribunal.
- The [Public Law Project](#) and the [Young Legal Aid Lawyers](#) on homelessness and community care.
- [JUSTICE](#), on human rights in the context of homelessness and the allocation of social housing.
- Arun District Council on the Homelessness Reduction Act 2017.
- MPs and caseworkers at Westminster on the homelessness duties owed to their constituents (organized by [HLPAs](#) and the [LAPG](#)).
- [LawWorks](#) advisors on the community care rights of life-limited children and their parents.
- [The Children's Society](#) on Children Act 1989 support for migrant families.

## INTERESTS

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An avid runner, Connor has run 14 marathons and has a personal best of 2 hrs 43 mins. He is an active member of East End running club the [Victoria Park Harriers](#).

## EDUCATION

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- BSc (Hons) Mathematics - University of Birmingham
- MA Law - University of Sheffield

## PROFESSIONAL MEMBERSHIP

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- [Housing Law Practitioners Association \(HLP A\)](#)
- [Young Legal Aid Lawyers \(YLAL\)](#)
- [Administrative Law Bar Association \(ALBA\)](#)

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