



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.

Connor currently writes regularly for the [Garden Court Chambers Social Welfare Updates Blog](#).

"A great legal mind, great client skills and is very good at raising and progressing a case."

CHAMBERS UK, 2021 (SOCIAL HOUSING)

"Connor is my first-choice barrister in this area. He has a vast amount of knowledge of homelessness law for someone who is still relatively junior."

He is very diligent, hard-working and committed to this area of law."

LEGAL 500, 2021 (SOCIAL HOUSING)

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

LEGAL 500, 2020

"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

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

CHAMBERS UK, 2019

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

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HOUSING LAW

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 was instructed on behalf of the interveners, Shelter and the Child Poverty Action Group, in the Supreme Court case of *Samuels v Birmingham City Council* [2019] UKSC 28, the leading case on affordability and intentional homelessness. He also acted for Shelter in the case of *Al-Ahmed v Tower Hamlets LBC* [2020] EWCA Civ 51, the leading case on late homelessness appeals.

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

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.**
- **the provision of asylum support under Immigration and Asylum Act 1999 and support for those on immigration bail under Immigration Act 2016.**

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 been a volunteer advocate at the First Tier Tribunal (Asylum Support) with the Asylum Support Appeals Project for a number of years, 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. In 2019, he was 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 in April 2019, shortly before the High Court was due to hear the challenge.

Connor has a particular interest in cases that involve the interplay between community care, housing, homelessness and asylum support. He is currently co-authoring the forthcoming *Migrant Support Handbook* for LAG, together with Shu Shin Luh and a number of other contributors from Garden Court and Garden Court North. Publication is expected later in 2020.

ADMINISTRATIVE AND PUBLIC LAW

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, asylum support 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. He acted on behalf of the intervener, Shelter, in the 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

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.

Connor originally studied mathematics as an undergraduate at the University of Birmingham. But he later undertook an MA Law conversion course while living in Sheffield. During his time in Sheffield he volunteered at the Pitsmoor Citizens Advice Bureau and the Northern Refugee Centre.

PUBLICATIONS

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

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

'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

Connor regularly provides training to solicitors, charities and others. In particular, in 2019-20, he has provided training and seminars on:

- the impact on the Coronavirus Act 2020 on the services which local authorities need to provide to vulnerable adults under the Care Act 2014, to a number of solicitors firms;
- housing and community care rights for 18-25 year olds, at the Youth Legal conference;
- homelessness law and anti-social behaviour, to MPs and caseworkers at the House of Commons;
- community care law for immigration practitioners, for the Immigration Law Practitioners association;
- current issues in homelessness law to students at the RebLaw and Young Legal Aid Lawyers/Public Law Project conferences;
- the latest housing and homelessness case law, to solicitors and barristers at various conferences and seminars organised by the Housing Law Practitioners Association, LAG and Garden Court Chambers;

- migrant support, at the LAG community care and Legal Aid at 70 conferences.

INTERESTS

Formerly a keen rock climber and mountaineer, Connor took up running when he moved to London. He is now an enthusiastic runner and has completed 15 marathons with a personal best of 2 hrs 43 mins. He is a member of East End running club the Victoria Park Harriers. He completed his first triathlon in 2019 and hopes to do a few more if lockdown ever ends...

EDUCATION

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

PROFESSIONAL MEMBERSHIP

- **Housing Law Practitioners Association (HLP)**
- **Young Legal Aid Lawyers (YLAL)**
- **Administrative Law Bar Association (ALBA)**

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