



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.

Connor is currently on Sabbatical leading up the Law Commission's review of Disabled Children's Social Care law.

"Connor Johnston is an extremely strong advocate and he works, under extreme pressure, very quickly and accurately."

CHAMBERS UK, 2024 (SOCIAL HOUSING)

"Connor thinks quickly. He is very compassionate and has an exceptional understanding of complex legal issues."

CHAMBERS UK, 2024 (COMMUNITY CARE)

"He leaves no stone unturned in his pursuit of justice for clients."

LEGAL 500, 2024 (SOCIAL HOUSING)

"I know Connor will not leave any stone unturned to achieve the best possible outcome. His commitment to giving voice to the voiceless comes across in his down-to-earth and compassionate approach."

CHAMBERS UK, 2023

"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)

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 and fitness for habitation
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, 6th edition 2022) 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 have no recourse to public funds, as well as unaccompanied asylum-seeking children and other children and care leavers who require local authority accommodation or support. He has represented trafficking victims and understands the particular challenges survivors face when trying to obtain accommodation and support.

Many of his Care Act cases involve concurrent possession proceedings and often relate to clients who lack capacity where the Official Solicitor is involved.

Connor has been a volunteer advocate at the First-Tier Tribunal (Asylum Support) with the Asylum Support Appeals Project since 2017, representing applicants who have been refused support under s4 or s95 Immigration and Asylum Act 1999. He brings this experience to bear in his judicial review practice which encompasses challenges to delay, dispersal and adequacy of accommodation, among other things.

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 contributors from Garden Court and Garden Court North. Publication is expected in 2023.

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](#) and in the High Court case of *R (Ncube) v Brighton and Hove* [2021] EWHC 578 (Admin) relating to the provision of accommodation for rough sleepers during the COVID-19 pandemic.

BACKGROUND

Connor was a member of the Young Legal Aid Lawyers between 2009-2020. 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, 6th edition 2022

“Everyone In”: R. (on the application of Ncube) v Brighton & Hove City Council’ (2021) 24(4) *Journal of Housing Law* 80

‘The Homelessness Reduction Act 2017: one year on’ *Legal Action*, Jul/Aug 2019

‘Accommodation needs of vulnerable young families’ (2018) 48 (Apr) *Family Law* 368

‘Revised benefit cap unlawful for lone parents with children under two’ *Legal Action*, Jul/Aug 2017

‘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, Parliamentary caseworkers and others across his areas of expertise, as well as speaking at seminars and conferences. Most recently in 2022-23 he has delivered seminars on the latest developments in asylum support, spoken at the Legal Action Group conference on homelessness and suitability and provided bespoke training to Parliamentary caseworkers on homelessness law.

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 16 marathons with a personal best of 2 hrs 43 mins. He is a member of East End running club the Victoria Park Harriers. He also likes to bike and swim: he has completed several half-iron distance triathlons and hopes to complete his first full-iron in June 2023.

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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