



# Steven Galliver-Andrew

YEAR OF CALL: 2018



Steven is a specialist in asylum and immigration law, building on a wealth of multi-disciplinary experience. He regularly appears at all levels of the Tribunal system in statutory appeals and increasingly accepts immigration orientated public law instructions.

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

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

You can also contact Steven directly:

[stevenga@gclaw.co.uk](mailto:stevenga@gclaw.co.uk)

## IMMIGRATION: ASYLUM AND HUMAN RIGHTS

Steven provides advice and guidance spanning all aspects of asylum and immigration law. He frequently represents clients in asylum appeals, appeals against deportation, immigration bail, and entry clearance. He also accepts urgent instructions where injunctions preventing removal are required, unlawful detention claims, and challenges to fresh claim refusals.

## NOTABLE CASES

*R. (on the application of Abulbaker) v Secretary of State for the Home Department* [2020] 7 WLUK 513  
Successfully represented the Claimant in obtaining a declaration of unlawful detention in circumstances where the Covid-19 pandemic meant that there was no reasonable prospect of removal in a reasonable period for a proportion of his detention. There was also an unreasonable delay in the provision of accommodation under Sch 10 of the Immigration Act 2016, meaning that the Defendant had acted unreasonably and unlawfully in the execution of her sch.10 powers.

*AL v Secretary of State for the Home Department* (2020)

Secured interim relief of a release to suitable accommodation for an EEA national with a myriad of health ailments who was detained despite the Defendant accepting that he was a Level 3 Adult at Risk in detention.

*PK v Secretary of State for the Home Department* (2021)

Successfully represented a victim of trafficking in a complex appeal against the Respondent's decision to refuse her asylum claim, successfully arguing she would be at risk of re-trafficking despite a negative NRM Conclusive Grounds decision.

*WA v Secretary of State for the Home Department* (2020)

A particularly complex matter which involved assisting a former unaccompanied asylum seeking child in challenging the Respondents decision to refuse his asylum claim. This was after drafting judicial review grounds challenging unreasonable delays to the processing of his asylum claim and a refusal of fresh submissions.

*AA v Secretary of State for the Home Department* (2020)

Obtained an urgent injunction preventing the imminent removal of a vulnerable individual via charter flight. Client was released from detention, acknowledged to be a victim of trafficking, and had his substantive asylum claim considered in the UK.

*SM v Secretary of State for the Home Department* (2020)

Successfully obtained an injunction preventing imminent removal of an individual subsequently found to be a victim of trafficking and modern slavery.

*AS (by way of litigation friend) v Secretary of State for the Home Department* (2020)

Represented an unaccompanied asylum seeking child stranded in a Greek refugee camp after his application for family reunification under Dublin III was refused. This was a particularly complicated matter, with the client turning 18 midway through litigation. Successfully argued that the material date was the date of application (i.e., when the client was still a minor).

### *TZ v Secretary of State for the Home Department (2020)*

Represented a highly vulnerable appellant with significant physical and mental health ailments in successfully appealing the Respondent's decision to refuse asylum. Also successfully argued Article 8 ECHR (private and family life).

### *SK v Secretary of State for the Home Department (2020)*

Obtained permission in a judicial review application challenging a decision to refuse to treat fresh submissions as a fresh claim. The matter was particularly complicated by the fact that the client lacked capacity to instruct and capacity to conduct litigation.

### *EH v Entry Clearance Officer (2019)*

Successfully represented an appellant after his application for entry clearance to join his wife – who had been granted asylum – was refused.

### *AD v Secretary of State for the Home Department (2019)*

Represented a senior diplomat in a successful appeal against a decision to refuse asylum. This was a highly sensitive and complex asylum application involving a number of cross-jurisdictional issues.

### **Other Matters**

During pupillage, Steven gleaned significant experience of high-level litigation after helping to prepare intervener submissions in the Supreme Court decision of *KV (Sri Lanka) v Secretary of State for the Home Department* [2019] UKSC 10 concerning the correct approach to be taken in the assessment of medical evidence in asylum claims alleging torture.

## **ADMINISTRATIVE AND PUBLIC LAW**

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Steven accepts instructions relating to judicial review applications to the Upper Tribunal and Administrative Court on matters such as certification, fresh claims, negative NRM referrals, community care / provision of bail accommodation and unlawful detention. He is happy to accept instructions on an urgent basis.

## **GARDEN COURT INTERNATIONAL**

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Since joining Garden Court, Steven has provided delicate and discrete advice and assistance on International Public Law to organisations such as Transparency International. In October 2020, he designed and conducted an independent election observation mission of politically sensitive and potentially volatile Presidential

Elections in Bolivia. More recently, he consulted with Progressive International as a legal advisor on the 2021 Ecuadorian Presidential elections.

Steven has worked and consulted for various organisations on various matters involving an international dimension. His dissertation research – concerning NGO beneficiary accountability – was completed in Port-au-Prince, Haiti, in association with major aid organisations including Oxfam GB, Concern Worldwide, and JP/HRO.

Prior to joining Garden Court, Steven worked with the Prosecution team at the United Nations Assistance to the Khmer Rouge Trials (UNAKRT) at the Extraordinary Chambers in the Courts of Cambodia (ECCC). He has worked and consulted as an election observer for OSCE/ODIHR, AEGEE, the British Embassy Tbilisi (Georgia), and spent a brief period of time lecturing at Zaporizhzhya National University in conflict afflicted South-east Ukraine. In 2018, he volunteered his time to assist with a challenge to capital punishment in New Orleans, Louisiana with Amicus ALJ.

Steven is anxious to develop this aspect of his practise, and to better utilise his cross-disciplinary skills and experiences which transcend law and extend into international relations, humanitarianism, and socio-political issues concerning human rights.

## **BACKGROUND**

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Before coming to the Bar, Steven worked with vulnerable teenagers on projects which aimed to increase the educational attainment of underrepresented groups in higher education. He was later employed by the Ministry of Justice, gaining a unique understanding of the impact of legal aid reform. He left this position to obtain an MSc. His dissertation research – concerning NGO beneficiary accountability – was completed in Port-au-Prince, Haiti, in association with major aid organisations including Oxfam GB, Concern Worldwide, and JP/HRO.

Steven went on to work with the Prosecution team at the United Nations Assistance to the Khmer Rouge Trials (UNAKRT) at the Extraordinary Chambers in the Courts of Cambodia (ECCC). He later worked as an election observer for AEGEE (Romania) and the British Embassy Tbilisi (Georgia), and spent a brief period of time lecturing at Zaporizhzhya National University in conflict afflicted South-east Ukraine. In 2018, he volunteered his time to assist with a challenge to capital punishment in New Orleans, Louisiana with Amicus ALJ. More recently, he worked as a short-term election observer with OSCE/ODIHR on both rounds of the 2019 Ukrainian Presidential Elections.

## EDUCATION

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- University of Liverpool - Law – LL.B (hons)
- Liverpool School of Tropical Medicine – Humanitarian Studies MSc
- Bar Professional Training Course (BPP Manchester)

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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