



GARDEN COURT CHAMBERS

# Steven Galliver-Andrew

YEAR OF CALL: 2018



PRO BONO  
RECOGNITION  
LIST  
ENGLAND & WALES

Steven is able to draw upon a wealth of multidisciplinary experience to contextualise the political economy of global geopolitical constructs that drive conflict, war persecution, and migratory flows.

He accepts urgent instructions and is happy to provide informal advice at the early stages of a case.

Steven specialises in asylum and immigration law, human rights, and related public law and civil actions. He regularly appears in the First-Tier Tribunal, Upper Tribunal, and the High Court.

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

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You can also contact Steven directly:

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## ASYLUM AND IMMIGRATION

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Steven has a busy claimant-orientated immigration practice. He regularly represents Appellants in asylum appeals, appeals against deportation, human rights appeals, and matters involving cross-border human trafficking and modern slavery. He is particularly adept at identifying cases which need expert evidence and – where required – assisting with instructions for experts which complement the factual and legal matrix of a case.

### NOTABLE CASES

Past notable cases can be viewed below. [Click here to see a list of recent notable cases.](#)

***R (Abulbahr) v Secretary of State for the Home Department [2022] EWHC 1183 (Admin)***: Sole junior in an urgent application for interim relief of a failed asylum seeker. Secured damages of £17,500 following 40 days of unlawful detention caused by delay in the provision of Schedule 10 accommodation. An uplift of £2000 reflected extra time in prison and COVID circumstances, with more emphasis upon the latter. As reported by [Free Movement](#).

***DA v SSHD (PA/06417/2019)***: Secured a grant of political asylum for a former diplomat who had survived an assassination attempt in his country of origin.

***TBS v SSHD (PA/50614/2020)***: Represented a prominent high-profile political activist who was arrested and tortured by the security forces in his country of origin. The case involved an agreed set of facts; representations hinged upon complex country expert evidence and submissions involving risk of return in a country with a rapidly evolving security situation.

***JB v SSHD EA/05346/2020***: Successful appeal against a refusal to issue an EEA Residence card to an individual who had received a 9-year custodial sentence and was at risk of deportation. Required the management and presentation of complex evidence and multiple witnesses to (a) establish that the client had a permanent residency with enhanced protection against deportation and (b) that his deportation would be disproportionate as per Article 8 of the European Convention on Human Rights.

***AW v SSHD (2021)***: Successful appeal for a former unaccompanied asylum-seeking child where his fresh claim had been refused following judicial review proceedings.

***FB v SSHD (2020)***: Grant of asylum for a client who was a victim of modern slavery and human trafficking who had been forced into prostitution.

***AK v SSHD (2020)***: Grant of leave to enter for the child siblings of a refugee under rule 319X after they had been forced to flee their country of origin and had no one to care for them in a refugee camp.

## UNLAWFUL DETENTION

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Steven has rapidly developed a specialism for identifying and strategising unlawful detention claims, often arising out of immigration bail or applications for urgent interim relief. He has represented clients in the High Court and often assists with securing damages by consent without the need for protracted litigation. He is happy to provisionally assess cases where detention might be unlawful.

### NOTABLE CASES

***R (Abulbokr) v Secretary of State for the Home Department [2022] EWHC 1183 (Admin)***: Sole junior in an urgent application for interim relief. Secured damages of £17,500 following 40 days of unlawful detention caused by delay in the provision of Schedule 10 accommodation. An uplift of £2000 reflected extra time in prison and COVID circumstances, with more emphasis upon the latter. As reported by [Free Movement](#).

***AB v SSHD (2019) Z2109851***: Damages of £55,000 agreed by consent following the extended detention of a Level III Adult at Risk in detention. Followed a transfer to the County Court after a successful application for interim relief and the provision of suitable s.95 accommodation.

***AJ v SSHD (2019)***: Significant damages for an individual detained contrary to the provisions of the Dublin III Regulation, and despite being a victim of modern slavery.

**MA v SSHD (2019):** Damages for an individual detained contrary to the provisions of the Dublin III Regulation.

**AL v SSHD (2019):** Successfully secured damages for an EEA national with serious mental health problems who had been detained for an extended period of time and deported for rough sleeping contrary to *Gureckis v SSHD* (2017).

## PUBLIC LAW AND JUDICIAL REVIEW

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Steven frequently accepts instructions where interim relief is required on an urgent basis. He is particularly interested in urgent removals. He is happy to be approached at an early stage of proceedings to assist with assessing merits and helping to identify legal issues to pursue during the pre-action-protocol stage of proceedings.

### NOTABLE CASES

**R (S) (2022) JR-2022-LON-001568; R (BNK) (2022) JR-2022-LON-001377:** Urgent interim relief for two separate individuals due to be removed via charter flight to Zimbabwe. Both cases involved country expert evidence suggesting that returnees would face inhuman or degrading treatment contrary to Article 3 of the European Convention on Human Rights. Contemporary country evidence runs contrary to existing Country Guidance and required successful submissions under *SG (Iraq)* (2012) (“*very strong grounds supported by cogent evidence*”) to depart from the existing legal framework.

**R (BHJ) (2022) JR/2022/LON/000765:** Interim relief for an individual scheduled to be removed from the UK to Iraq via charter flight. The Secretary of State for the Home Department conceded that she had not confirmed possession of identity documents to alleviate the risk of harm under Article 3 of the European Convention on Human Rights, as per SMO & KSP (civil status documentation); Article 15 Iraq CG [2022] UKUT 110 (IAC). The Charter flight was cancelled as [reported in the Guardian](#).

**HM v SSHD (2021):** The Court of Appeal granted permission in a Cart judicial review after the High Court refused permission. The matter was remitted to the First-Tier Tribunal for a de novo appeal.

**WW v SSHD (2021):** The Court of Appeal granted permission to appeal a decision of the Upper Tribunal in a case concerning residual obligations under the Dublin III Regulation. Matter was resolved by consent.

***R (ABC) (2022): CO/3085/2022:*** Granted urgent interim relief preventing the removal of a potential victim of human trafficking who later received a 'Reasonable Grounds' decision from the Single Competent Authority. Damages claim for unlawful detention ongoing.

***R (DL) v SSHD (2022) JR-2022-LON-001568:*** The Upper Tribunal granted an application for urgent interim relief preventing the deportation of an individual who has lived in the UK for over 30 years after arriving as a child. Case involved complex issues concerning the nationality of Commonwealth citizens prior to independence from the UK.

***AB v SSHD (2019):*** Successful application for interim relief for an individual who had been held in immigration detention for an extended period of time, despite being a Level III Adult at Risk. Released to suitable accommodation. The client received substantial damages after a transfer to the County Court.

***R (N) v SSHD (2022) CO/00882/2022:*** Successful interim relief application securing release to appropriate accommodation for a victim of trafficking who was detained for 11 months after being re-trafficked. The case raised issues concerning Article 4 of the European Convention on Human Rights (prohibition of slavery and forced labour) and the application of the Council of Europe Convention on Action against Trafficking in Human Beings (ECAT).

***R (SK) v SSHD (2020):*** Fresh Claim. The Upper Tribunal granted permission to apply for judicial review challenging the refusal of further submissions where the applicant lacked capacity. The Secretary of State agreed to grant asylum.

***WW v SSHD (2021):*** Fresh Claim / Delay: The Upper Tribunal granted permission to bring judicial review for a former unaccompanied asylum seeker where the delay was directly impacting the client's mental health. Secretary of State refused his further submissions. The appeal was eventually allowed by the Tribunal.

## **ADMINISTRATIVE APPEALS AND COMMUNITY CARE**

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Steven accepts instructions on administrative appeals and matters involving community care, including homelessness and the provision of immigration accommodation.

### **NOTABLE CASES**

***R (Abulbaker) v Secretary of State for the Home Department [2022] EWHC 1183 (Admin):*** Secured damages of £17,500 following 40 days of unlawful detention caused by delay in the provision of

Schedule 10 accommodation.

***MP v DBS (2019)***: Represented a client in a three-day hearing against the decision of the Disclosure and Barring Service to place the Client on the barred list.

***YA v Croydon (2022)***: Local authority agreed to reconsider an age assessment where they had assessed the client as an adult. Reassessment resulted in the Defendant's authority accepting the client was a child.

***AB v SSHD (2019)***: Released to section 4 accommodation following a successful application for interim relief. Client received substantial damages after a transfer to the County Court.

***AB v SSHD (2019)***: Release of a Level III Adult at Risk from detention to suitable s.95 accommodation.

## PRO BONO

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Steven regularly works with Bail for Immigration Detainees (BID) in bail applications. He also works with Advocate on appeals against deportation and applications for leave to remain in the UK on human rights grounds.

## EXTRADITION (CRIME)

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Steven has acted as sole junior in a number of extradition cases, including a serious case involving conspiracy to supply Class A drugs and prison conditions contrary to Article 3 of the European Convention on Human Rights. He has also advised individuals as to the interplay between extradition proceedings and applications for EU Settled Status. Steven is fascinated by the interplay between deportation, extradition, and political asylum. He is actively seeking to develop this area of his practice.

## GARDEN COURT INTERNATIONAL/ENVIRONMENTAL LAW

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Steven brings a significant body of international experience to the bar. He has advised and consulted for a number of NGOs and non-profit organisations about cross-jurisdiction and environmental issues. Steven does a lot of work on transitional justice and takes an interest in the development of democratic constitutional institutions. He has been accredited as an international election observer by the OSCE / ODIHR and has observed numerous elections for various organisations. These include the following:

**Ecuadorian Presidential Elections 2021 (with Progressive International);**  
**Bolivian Presidential Elections 2020 (accredited by the Supreme Electoral Court of Bolivia);**  
**Ukrainian Presidential Elections 2019 (OSCE / ODIHR);**  
**Georgian Legislative Elections 2016 (British Embassy Tbilisi).**

Steven also spent six months with the United Nations Assistance to the Khmer Rouge Tribunal in Cambodia in 2016 and volunteered on a challenge to the death penalty in Louisiana in 2017. He spent a brief period of time as a guest lecturer at Zaporozhia National University in 2016.

In 2014, he was a researcher with the Liverpool School of Tropical Medicine in Port-au-Prince, Haiti. He utilised qualitative and quantitative research methods to explore the topic of donor and beneficiary accountability in humanitarian settings.

Steven's previous experience means that he is adept at crossing the divide between political sciences and law. He is actively seeking to develop this area of his practice.

## **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 in Tbilisi (Georgia) and spent a brief period of time lecturing at Zaporizhzhya National University in conflict-afflicted Southeast 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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