



Alex Schymyck

YEAR OF CALL: 2020



Alex is frequently instructed in urgent judicial review proceedings and has significant experience appearing unled in interim relief applications before the High Court and Upper Tribunal. Alongside his judicial review work, Alex appears in asylum and human rights appeals.

Alex has a longstanding commitment to protecting the rights of immigration detainees. Alongside acting in many unlawful detention claims, Alex was instructed on the Brook House Inquiry and has published academic analysis of the law of immigration detention.

Alex regularly advises on civil claims in this area.

Alex is a public law and civil liberties barrister. He accepts instructions in Administrative and Public Law, Immigration, Community Care and Mental Health.

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

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IMMIGRATION DETENTION, ASYLUM AND DEPORTATION

ASK v United Kingdom (43556/20) (ongoing)

Alex acts for Bail for Immigration Detainees in an intervention before the European Court of Human Rights concerning the detention of vulnerable individuals suffering from mental illness (led by [Greg Ó Ceallaigh KC](#)).

TOEIC Civil Claims (ongoing)

Alex acts for a large number of claimants in a group claim against the Home Office for making baseless allegations of fraud in TOEIC exams (led by [Greg Ó Ceallaigh KC](#)).

R (Nakrasevicius) v Secretary of State for the Home Department [2024] EWHC 1856 (Admin)

Alex acted unled before the High Court and secured interim relief in this challenge concerning the overlap between immigration detention and the Proceeds of Crime Act 2002.

R (Oji) v Director of Legal Aid Casework [2024] EWHC 1281 (Admin); [2024] 4 WLR 53

Alex acted in a challenge to the absence of legal aid for Windrush Compensation Scheme applications (led by Chris Butler KC and [Grace Brown](#)).

Varkey & Joseph (ETS – Hidden rooms) v Secretary of State for the Home Department [2024] UKUT 00142 (IAC)

Alex acted in this test case challenging the approach taken by the Upper Tribunal to establishing allegations of TOEIC fraud (led by [Greg Ó Ceallaigh KC](#)).

R(MT) v Secretary of State for the Home Department

Alex acted in this challenge on behalf of an immigration detainee with very severe mental illness who had been subject to unlawful removal from association (led by Nick Armstrong KC). The Defendant conceded the claim shortly before trial and accepted that there had been a breach of Article 3 ECHR.

R (Barizi) v Secretary of State for the Home Department [2023] EWHC 3491 (Admin)

Alex acted unled before the High Court and secured a mandatory order for the claimant to be released from immigration detention to Schedule 10 accommodation.

R (AJ & AK) v Secretary of State for the Home Department

Alex was instructed in this policy challenge concerning failures in the evacuation of Harmondsworth IRC during November 2022 (led by Nick Armstrong KC). The Defendant conceded the claim on the first day of trial and accepted that there had been a breach of Article 3 ECHR, alongside paying the Claimants substantial damages.

Brook House Inquiry

Alex was instructed on behalf of several core participants in the [Brook House Inquiry](#) concerning the mistreatment and abuse of vulnerable detainees at Brook House IRC following a Panorama investigation in 2016 (led by [Stephanie Harrison KC](#)). The final report was published in September 2023 and vindicated the detainees who fought to establish the Inquiry.

Re Manston Short Term Holding Centre

Alex was instructed by a leading NGO to provide advice regarding a potential challenge to systemic failures at Manston Short-Term Holding Facility (STHF) during the widely reported migrant arrival crisis in September and October 2022 (led by [Greg Ó Ceallaigh KC](#)). Press Coverage: [The Guardian](#), [BBC News](#), [The Independent](#).

COMMUNITY CARE LAW

R (HZ and Others) v Secretary of State for the Home Department [2023] EWHC 660 (Admin)

Alex was instructed by Shelter on this challenge to the policy regarding Bridging Hotel accommodation provided to Afghan refugees (led by Martin Westgate KC). [News item here](#). Press Coverage: [Evening Standard](#), [ITV News](#)

R (Ganpot) v Secretary of State for the Home Department [2023] EWHC 197 (Admin)

Alex appeared unled for three claimants and successfully obtained a mandatory order requiring the SSHD to accommodate them at a contested interim relief hearing.

MENTAL HEALTH LAW

Derbyshire Healthcare NHS Foundation Trust v Secretary of State for Health And Social Care
[2023] EWHC 3182 (Admin); [2024] 2 WLR 1113

Alex acted for MIND in a successful intervention to this case concerning the lawfulness of remote assessment to renew Community Treatment Orders (led by Roger [Pezzani](#)).

SS v Cornwall Partnership NHS Foundation Trust [2023] UKUT 258 (AAC)

Alex acted in this successful appeal concerning the requirement to obtain aftercare information (led by [Roger Pezzani](#)).

AC v Cornwall Partnership NHS Trust [2023] MHLO 1 (UT)

Alex appeared unled before the Upper Tribunal in an application for permission to appeal concerning the refusal to make a statutory recommendation rather than an extra-statutory recommendation.

Buckinghamshire CC v MP (unreported)

Alex appeared on behalf of the patient's parent and resisted a Nearest Relative displacement application.

BACKGROUND

Prior to coming to the Bar, Alex taught Public Law at the London School of Economics and worked as a Judicial Assistant at the Court of Appeal. Alex also spent several years as a senior caseworker at a public law firm preparing judicial review and civil claims on behalf of vulnerable clients.

PUBLICATIONS

'The Hardial Singh principles and the Principle of Legality', Public Law, July 2021, 489-496

'Immigration bail: focus', Legal Action, 2020, Oct, 26-27

'A comparison of the Hardial Singh principles and article 5(1)(f) ECHR', Journal of Immigration, Asylum and Nationality Law, 2020, 34(3), 236-253

'Why the proposed changes to asylum legal aid fees are unlawful', U.K. Const. L. Blog (23rd June 2020)

'Helicopter Money: Could the government force the Bank of England to print money?', U.K. Const. L. Blog (15th April 2020)

'Vulnerable Detainees in Prison Illustrate the Need for Consistency as a Ground of Review', U.K. Const. L. Blog
(24th Feb 2020)

Free Movement Blogs

[Significant damages for victim of abuse at Brook House](#)

[Home Office ordered to pay £20,000 for 60 days' false imprisonment – 4 Jan 2024](#)

[Youth Mobility Visa – 12 May 2024](#)

[Upper Tribunal awards significant damages for unlawful Dublin refusal – 25 April 2023](#)

[High Court rejects challenge by Afghan families to hotel move – 4 April 2023](#)

[High Court orders Home Office to provide Schedule 10 accommodation to destitute migrants – 10 Feb 2023](#)

[No damages for unlawful no recourse to public funds policy – 10 Feb 2023](#)

[High Court orders Home Secretary to immediately increase asylum support rates – 9 Jan 2023](#)

Garden Court Blogs

[Immigration Blog: The expansion of immigration detention in the Illegal Migration Act 2023 – 1 November 2023](#)

[Social Welfare Update: Open Justice and the Mental Health Tribunal: Maher v FTT – 30 May 2023](#)

TRAINING AND SEMINARS

Alex provides training in relation to his areas of practice. Please [contact the clerks](#) to arrange training.

Previous Events:

[Brook House Inquiry Conference – 6 Dec 2023](#)

[Court of Protection Conference – 8 Nov 2023](#)

[Urgent applications in homelessness and community care cases – 11 May 2023](#)

AWARDS

LexisNexis Legal Awards 2023 - Garden Court Brook House Inquiry Team - Highly Commended Halsbury Rule of Law Award

Lord Denning BPTC Scholarship, Lincoln's Inn

Advocacy BPTC Scholarship, BPP

William Charnley LLM Scholarship, Hughes Hall, University of Cambridge

EDUCATION

LLM, University of Cambridge, First Class

GDL, City Law School, Distinction

BA Philosophy, Politics and Economics, University of Oxford, First Class

PROFESSIONAL MEMBERSHIP

Administrative Law Bar Association

UK Constitutional Law Association

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