



## Amy Just

Year of call: 2011

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### Practice Summary

Amy specialises in housing, landlord and tenant, property and public law, and accepts instructions from tenants, local authorities, and social and private landlords.

She has been instructed as junior counsel in the Supreme Court, Court of Appeal, and Upper Tribunal (Administrative Appeals Chamber) and (Property Chamber), as well as sole counsel in the High Court. Amy regularly appears in the County Court, First-tier Tribunal (Property Chamber) and accepts instructions to appear before the Magistrates' Courts.

Amy accepts instructions through the Public Access scheme from the public.

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### Anti-Social Behaviour

Amy has spent nine-months seconded to the Community Safety Team of a large local authority, and has gained significant experience in all aspects of anti-social behaviour law, including possession proceedings, injunction proceedings and committal hearings. She advises on all aspects of anti-social behaviour law, including the Protection from Harassment Act 1997.

Reported committal decisions include:

*Birmingham CC v Bishton* [2015] EW Misc B23 (CC) (30 June 2015)

*Birmingham CC v Khatoun* [2015] EW Misc B13 (CC) (05 June 2015)

*Birmingham CC v Fellows* [2015] EW Misc B12 (CC) (21 May 2015)

*Birmingham CC v Wale* [2015] EWFC B60 (12 May 2015)

She is particularly interested in how housing legislation can be utilised to further safety within local communities, including protecting individuals from domestic violence. She is happy to provide training on these issues.

*N (Death of a child in DRC: Order of Return: Contempt)* [2014] EWHC 337 (Fam); [2014] Fam. Law 956 (Committal proceedings against grandfather who had failed to return his grandchild from the Democratic Republic Congo further to a fact-finding trial which determined the child was still alive).

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## **Community Care / Court of Protection**

Amy has experience dealing with vulnerable adults and children who require care and safeguarding.

Her work in this area means she has experience dealing with cases engaging the Mental Capacity Act 2005. She accepts instructions from local authorities, individuals and the Official Solicitor in matters concerning both health and welfare, and property and affairs, in the Court of Protection.

Amy's experience in the Court of Protection makes her well placed to also advise on potential capacity issues (both in respect of litigation capacity and capacity concerns more generally) in the course of County Court and High Court proceedings.

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## **Homelessness**

Amy has detailed knowledge of homelessness law, and accepts instructions in respect of judicial review challenges and appeals under ss.204 and 204A of the Housing Act 1996. Her work in this area also covers the eligibility of immigrants and asylum seekers for housing assistance, as well as European Union law.

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## **Housing**

Amy has experience across a broad spectrum of housing law, including possession claims, closure orders, allocations policies, succession claims, injunctions, disrepair, right to buy applications, and nuisance. She has experience in cases concerning disability discrimination where the Equality Act 2010 and the European Convention on Human Rights have been engaged.

She has a particular interest in the legal problems surrounding minor tenants and provides specialist advice on related issues.

Amy was led by Andrew Arden QC in *Sims v Dacorum BC* [2014] UKSC 63; [2015] AC 1336; [2015] HLR 7, and *R (N) v Lewisham LBC* [2014] UKSC 62; [2015] AC 1259; [2015] HLR 6, heard by the Supreme Court in June 2014.

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## **Leasehold Disputes**

Amy regularly appears in the FTT(PC), and advises and represents in all aspects of residential and commercial leasehold disputes and related issues, including the payability and reasonableness of service and administration charges, and s.20C Landlord and Tenant Act 1985 applications, and licensing disputes. Amy also advises on recovery of costs in Tribunal and associated proceedings.

Amy provides training and updates on leasehold dispute law. In November 2016, she delivered a case law update

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to 650 attendees at the Association of Residential Managing Agents (ARMA) Annual Conference.

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## Public Access

Amy is public access qualified and welcomes inquiries from individuals or organisations seeking specialist advice or representation without the need to also instruct a solicitor.

Amy provides an initial 30-minute free consultation to assess to whether the case is appropriate for Public Access.

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## Public

Amy routinely deals with equality issues arising in the context of public authority policy decision-making, homelessness provision and possession claims.

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## Real Property

Amy has experience of a wide range of commercial and property law matters, and regularly appears in fast-track and multi-track actions in the County Court.

She advises in respect of neighbour disputes, including adverse possession, Party Wall matters, easements, nuisance, trespass (ex parte applications) and boundaries, as well as orders for sale, applications under the Trusts of Land and Appointment Trustees Act 1996, and applications for relief from forfeiture.

Amy also has experience representing parties in mediation and undertakes site visits, where required.

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## Residential and Commercial Landlord & Tenant

Amy acts for tenants and landlords in disputes concerning possession, type of tenure, rent increases, service of notices (section 8, section 21 and Notices to Quit). She provides advice in respect of tenancy deposit claims, including changes introduced by the Deregulation Act 2015, and in respect of rent repayment orders.

*Birmingham CC v Howell and Beech* [2013] EWHC 513 (QB) (Challenge to the validity of a notice to quit signed by the tenant due to the nature of the relationship between local authority and tenant, led by Jonathan Manning).

Amy has a detailed understanding of the practical issues concerning enforcement of possession orders. She was instructed in both *Nicholas v Secretary of State* [2015] EWHC 4064 (Ch) and *Birmingham CC v Mondhlani* [2015] EW Misc B41 (CC) which resulted in clarification of issues relating to the transfer up – and enforcement of – possession orders in the High Court. Following these cases the High Court published *Practice Note: Applications for transfers for enforcement of possession orders to the High Court* (21 March 2016).

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## Legal Publications

### Editor

Assistant Editor, Encyclopedia of Housing Law

Judicial Review Proceedings: A Practitioner's Guide, 4th Edition (LAG, Forthcoming), co-author with Jonathan Manning, Sarah Salmon and Robert Brown.

### Articles

"High Court Enforcement of Possession Orders" – Social Housing Law Association, February 2016.

"Minor Tenants – Part 1: Status and Succession" – [2014] 17 Journal of Housing Law 37, with Andrew Arden QC

"Minor Tenants – Part 2: Liability and Grounds for Possession" [2014] 17 Journal of Housing Law 62, with Andrew Arden QC

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## Memberships

Social Housing Law Association

Housing Law Practitioners' Association (Executive Committee)

Bar Pro Bono Unit

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## Qualifications

Prior to commencing pupillage Amy read Law at Keble College, Oxford. She subsequently studied for a Master of Laws (specialising in Public International Law) which was awarded with Distinction by University College London.

Alongside her academic studies Amy has gained further relevant experience through a number of legal research roles, including working as a research assistant for the British Institute of International and Comparative Law and for the Bar Human Rights Committee. She also volunteered as a legal monitor for the charity Scope, working as part of team to monitor the UK's compliance with UN Convention on the Rights of Persons with Disabilities.

Amy was awarded a Duke of Edinburgh Entrance Scholarship, and an Exhibition Scholarship by The Honourable Society of the Inner Temple.

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