



## Hannah Gardiner

Year of call: 2016

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## Practice Summary

Hannah became a member of 4-5 Gray's Inn Square in October 2018 following successful completion of her 12-month pupillage. Having gained a wide range of experience under the supervision of Jonathan Manning, Justin Bates, Annette Cafferkey and Toby Vanhegan, Hannah accepts instructions in matters relating to many of Chambers' core practice areas.

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### Housing

Hannah practices in all areas of housing law including possession matters, homelessness, allocations, anti-social behaviour, judicial review unlawful eviction, disrepair, succession and assignment. Hannah has recently completed a secondment to the housing litigation department of a large local authority, where she regularly advised on and appeared in cases involving disrepair, homelessness and a wide variety of possession claims.

Hannah was recently led by Toby Vanhegan in *Kamara v Southwark LBC* [2018] EWCA Civ 1616, a homelessness appeal concerning whether a local authority is required to explicitly set out the applicant's right to make oral submissions in their 'minded-to' letter.

Hannah was also led by Toby Vanhegan in the High Court in the cases of *Haringey v Simawi* [2018] EWHC 2733, an appeal from a possession claim challenging the 'one succession' rule for secure tenancies, which is being appealed, and *Forward v Aldwyck Housing Group*, an appeal from a possession claim concerning retrospective compliance with the Public Sector Equality Duty.

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## **Landlord & Tenant**

Hannah accepts instructions in all areas of landlord and tenant, including possession proceedings, residential leasehold and forfeiture. She is regularly instructed in possession and injunction proceedings in the County Court.

During pupillage Hannah assisted Justin Bates in a number of residential leasehold disputes in the County Court, First Tier Tribunal and Upper Tribunal, including *Avon Ground Rents v Child*, an Upper Tribunal case concerning the role of FTT judges when acting in their capacity as a County Court judge when assessing costs.

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## **Anti-Social Behaviour**

Hannah recently completed a secondment to the housing litigation team of a large local authority, focused primarily on anti-social behaviour. She has extensive experience of drafting claims and applications and appearing in both the County Court and Youth Court. She has experience of all areas of anti-social behaviour law, including possession proceedings, injunction proceedings (including gang injunctions) and committal trials.

As a pupil, Hannah assisted Jonathan Manning in a number of significant ASB cases, including proceedings for large scale gang injunctions and sexual restraint orders.

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## **Education**

Hannah accepts instructions in school exclusion appeals, admission appeals and judicial reviews, and can act as a clerk/legal advisor to Independent Review Panels.

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## **Community Care & Social Services**

Hannah accepts instructions in the Court of Protection that relate to housing and community care and has experience of dealing with persons who lack capacity to litigate.

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## **Social Security**

Hannah accepts instructions in a wide range of matters related to social security and benefits. Hannah is currently assisting Jonathan Manning in a housing benefit appeal involving over 60 appellants.

Before pupillage, Hannah volunteered for the Free Representation Unit and regularly provided pro bono assistance to appellants in the Social Security tribunals, particularly PIP and ESA claims.

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## Public Law, Equality & Human Rights

Hannah frequently appears in, advises on and drafts pleadings for cases that involve public law, equality and human rights arguments, such as *Kamara v Southwark LBC* [2018] EWCA Civ 1616, *Haringey LBC v Simawi* [2018] EWHC 2733 and *Forward v Aldwyck Housing*.

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## Regulatory & Disciplinary

Hannah accepts instructions in all areas of regulatory law relating to chambers' core practice areas. She also has experience of Magistrates Court proceedings relating to improvement notices.

Hannah assisted Jonathan Manning in the case of *R (Gaskin) v Richmond LBC* [2018] EWHC 1996, a judicial review concerning the licencing of landlords by local authorities, and the issue of whether letting property as a landlord was a service within the meaning of EU Directive 2006/123/EC.

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## Planning

Hannah has spent time seconded to a local planning authority dealing mainly with planning matters and environmental enforcement.

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## Memberships

- Housing Law Practitioners Association
  - Social Housing Lawyers Association
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## Qualifications

- Bar Professional Training Course, University of Law, Very Competent
  - BA (Hons) Jurisprudence, University of Oxford, 2.1
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## Other

- Hannah received the Uttwhatt Scholarship from Gray's Inn for her Bar Professional Training Course (2016).
  - Prior to beginning pupillage, Hannah worked for a large international human rights organisation. She also sits on the trustee board of a student social justice charity that she co-founded while at university.
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