

Kevin Brown

Year of Call: 2014

Practice Summary

Kevin accepts instructions across chambers' key areas of work. He has a particular interest in Housing and Homelessness, Public and Administrative Law, Equality and Human Rights. He also acts in Regulatory and Professional Discipline matters.

Kevin regularly represents clients in the county court and magistrates court in relation to housing matters, including homelessness, possession, disrepair, injunctions and anti-social behaviour. He is able to advise public bodies and tenants on a range of housing-related duties and obligations. He has been seconded to a local authority to deal with homelessness matters and currently works with Citizens Advice to provide housing advice and support on legal matters to people affected by the Grenfell Tower tragedy.

Kevin has a growing public law practice and has appeared in the High Court and Upper Tribunal. He undertook pupillage with the Government Legal Department where he gained significant experience of judicial review including immigration, asylum claims and human rights matters. He was also seconded to a leading commercial and civil law chambers where he drafted advice and pleadings for clients including HMRC and other government departments. He is a member of the Attorney-General's Junior Junior scheme.

Before coming to the Bar, Kevin worked for several years as a Legal Advisor at the Council of Europe. His responsibilities included researching and drafting decisions of the European Committee of Social Rights on migrant workers' rights, adequate housing and homelessness. Kevin also helped to draft the Council of Europe's harassment and safeguarding policies and other internal rules, and gave legal advice and training to staff on grants and procurement procedures. He was seconded to the Council of Europe's Tunis Office as Assistant Coordinator of two multi-million pound projects to promote human rights, democracy and the rule of law in Tunisia, where he had oversight of a significant budget. As a result he has considerable pragmatic commercial experience.

Kevin has experience in judicial review of local and central government decisions. He has particular expertise in local authority homelessness duties and the interaction of statutory duties under the Housing Act 1996, the Children Act 2004 and the Equality Act 2010.

Kevin accepts instructions in cases relating to closure orders, sexual harm prevention orders and sexual risk orders. He has also been instructed by the Government Legal Department for disclosure exercises and evidence gathering in inquests and claims against public bodies.

Recent cases:

Tortoise Media v Conservative Party. Successfully resisted the application for permission in the High Court on behalf of the Defendant. The claim concerned the reviewability of the Conservative Party and its internal leadership elections, the prerogative power of appointment of the Prime Minister, and whether or not political parties perform public functions for the purposes of the Human Rights Act 1998.

Kevin has experience of drafting and advocacy in judicial review of asylum and immigration decisions especially under Article 2, Article 3, and Article 8 of the European Convention on Human Rights. He recently appeared in the High Court in *Tortoise v Conservative Party* which considered whether a freestanding right of access to information under Article 10 ECHR could be enforced in domestic proceedings following the European Court of Human Rights' decision in *Magyar Helsinki Bizottsag v Hungary*. He also regularly acts for clients suffering from discrimination under the Equality Act 2010.

Kevin is part of the editorial team of *Parker's Law and Conduct of Elections* and accepts instructions in election petitions and related matters.

Kevin has a strong practice in Homelessness and regularly acts for applicants and local authorities in section 204 appeals and judicial review proceedings. He also has considerable experience advising on section 202 reviews and has successfully challenged homelessness and housing application decisions on suitability and other factors for clients of Citizens Advice.

Recent cases:

King v Welwyn Hatfield Borough Council. Acted for the appellant in a section 204 review. The case raises novel issues about the meaning of the word "household" in the homelessness context and the scope of the duty under Section 11 Children Act 2004. The appellant is currently awaiting permission to appeal to the Court of Appeal.

Kevin is part of Chambers' specialist Housing team and acts for tenants and landlords including local authorities and housing associations in relation to a wide range of housing matters, including homelessness, possession, disrepair, injunctions and anti-social behaviour. He has experience of dealing with cases raising discrimination based on race, sex, disability and other protected characteristics, as well as issues of mental capacity.

Kevin also has specific expertise in Housing Benefit appeals in the First Tier Tribunal.

Kevin has a growing practice in inquiry and inquest work, particularly acting for public authorities.

Kevin has a broad public law practice encompassing a wide variety of local government powers and duties. Through secondments at a large city council and at a local Citizens Advice, Kevin has gained valuable experience of internal decision making policies and procedures and is able to advise on both legal and practical matters. He has particular interest in housing and homelessness, education and adult social care. He also accepts instructions in relation to planning and other local authority decisions.

Kevin is regularly instructed by the NMC in disciplinary matters involving nurses and midwives. He is adept at cross-examining witnesses and making oral and written submissions to the Panel at interim and final hearings. He also has experience acting for Defendants in proceedings brought by the GMC against doctors and the BSB against barristers.

Direct Access

- Yes

Memberships

- The Honourable Society of the Middle Temple
- Administrative Law Bar Association
- Housing Law Practitioners Association
- Social Housing Law Association

Education

- Downing College, Cambridge: BA (Hons), Law
- City Law School: Bar Professional Training Course
- University of Paris III – Sorbonne Nouvelle: Maitrise, European Studies
- University of Rennes II: Master, Gender Studies

Areas of Expertise

- Administrative Public Law
- Human Rights Equalities
- Elections
- Homelessness
- Housing
- Inquiries And Inquests
- Local Government
- Professional Discipline And Regulatory