

3PB Barrister Profile



Mathew Gullick

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Academic Qualifications

MA (Oxon)

Dip Law (City)

Public Law & Regulatory

Mathew accepts instructions in a wide range of public law matters. He has a particular interest in prison law (especially early release), immigration law and the law relating to social security benefits.

In the immigration field, Mathew is regularly instructed to appear in the Administrative Court on behalf of the Secretary of State, and has been involved in several unlawful detention claims. He has also appeared in the County Courts on numerous appeals against the imposition of civil penalties for the employment of illegal workers. He undertakes both claimant and defendant work in the immigration field, and acted in the Court of Appeal for the appellant in *AM (Pakistan) v Entry Clearance Officer* [2010] EWCA Civ 1084, an appeal arising from the refusal of entry clearance on the basis of a re-marriage contracted under the law of Pakistan which was alleged not to be recognised by English law. Following Mathew's reformulation of the appellant's case, to raise principles of private international law, entry clearance was granted prior to the substantive appeal being heard.

Other indicative immigration law cases are:?

- *R (on the application of Mvuma) v Secretary of State for the Home Department* [2011] EWHC 3650 (Admin) (HHJ Oliver-Jones QC: claimant was found to have been lawfully detained for a total period of 15 months; UKBA acted lawfully in delaying release to ensure necessary conditions for management of the Claimant in the community were put in place to comply with medical advice in case involving a complex background of mental illness).
- *R (on the application of Mazrreku) v Secretary of State for the Home Department* [2011] EWHC 3622 (Admin), Lawtel 16th December 2011 (Frances Patterson QC: "clearly unfounded" certificate upheld notwithstanding the lack of an adverse credibility finding; acceptance by the Secretary of State of the Claimant's account of his treatment did not equate to a finding that his asylum claim was justified).

He has acted in claims for damages brought against the Prison Service, and on behalf of a coroner in proceedings to obtain an order from the High Court

requiring the production of a prisoner to give evidence at an inquest, under RSC 54.9.

In *Secretary of State for Work and Pensions v Cattrell* [2011] EWCA Civ 572, Mathew acted for the successful respondent in an appeal by the Secretary of State arising from the acceptance by the First-Tier and Upper Tribunals that there was no work that would be reliably safe for her as a result of a severe allergy, so that she was entitled to incapacity benefit. He has also advised on other benefit-related appeals and judicial review proceedings.

Another area of interest is all aspects of the law relating to elections and political parties, especially electoral procedure and the law on political donations, as well as local government law, particularly the powers and duties of local authorities. Mathew acted for the appellant in *Moss v KPMG LLP* [2010] EWHC 2923 (Admin), a statutory appeal against the refusal of an auditor to apply for a declaration that an item in a local authority's accounts covering income received from penalty charge notices levied on motorists was unlawful.

Mathew was a member of the *pro bono* team of barristers who appeared for the claimant in *R (Compton) v Wiltshire PCT* [2009] EWHC 1824 (Admin), Lawtel 28th July 2009, in which the decisions of the Primary Care Trust in respect of facilities at Savernake Hospital in Marlborough were challenged. Cranston J's judgment set out the principles to be applied where it is alleged that the decisions of public authorities are vitiated by apparent bias on the part of their advisers.

A further area of Mathew's public law practice is costs. Prior to the trial in the Savernake Hospital case, Mathew acted for the claimant in the High Court and in the Court of Appeal in *R (Compton) v Wiltshire PCT* [2008] EWCA Civ 749, [2009] 1 WLR 1436, in which he obtained two protective costs orders which were both upheld on appeal. He has advised on costs in several judicial review claims, including in one instance on an application for costs totalling more than £500,000.

Mathew has been published in *Criminal Law Review* (twice) on prison-related topics and also has published work relating to electoral law. Prior to joining 3PB he won numerous prizes for his work on public law including the Lee Essay Prize (Gray's Inn) for an essay on the impact of the Human Rights Act.

Mathew is a member of the Constitutional and Administrative Law Bar Association (ALBA). He was appointed to the Attorney-General's B Panel of Junior Counsel to the Crown in March 2012, following four years on the C Panel.

Professional Qualifications and Appointments

- Attorney-General's Junior Counsel to the Crown (B Panel)

Professional Bodies

- Constitutional and Administrative Law Bar Association (ALBA)
- Employment Law Bar Association (ELBA)
- Employment Lawyers Association
- London Common Law and Commercial Bar Association
- Proceeds of Crime Lawyers Association