



Glen Hodgetts

Called 1995

Areas of Practice

Immigration, Nationality and Asylum Law. Human Rights and Administrative Law.

Background

Glen gained a First Class Honours Degree in Law from Lancaster University in 1993 and obtained the Lancaster and Morecombe Law Society Prize for the best degree result. He was called to the Bar in 1995 but worked as an in-house barrister at a leading immigration charity until 2000 when he became a tenant at Tooks Chambers.

He has now over 17 years' experience of acting for clients in immigration and asylum cases before the First Tier Tribunal, Upper Tribunal, Administrative Court and Court of Appeal. He also has experience of taking cases to the House of Lords (now the Supreme Court) and European Court of Human Rights. Glen is ranked as a leading immigration barrister by Chambers and Partners.

Direct Public Access



Glen is now accredited with the Bar Council, as a "Public Access Barrister", which means that he is able to provide legal services to a private paying lay client without the need to also instruct a solicitor. A lay client may now contact Glen directly to ascertain whether the case is suitable for direct public access legal services by simply by contacting Glen directly on 07966 495 468 or through chambers' public access portal at:- http://www.tooks.co.uk/law/direct_access/



Glen works regularly near his chambers in London, but is also based in Bristol and the South West and regularly appears at Immigration Tribunals in Newport, Courts in Cardiff, South Wales and Birmingham. Glen's past experience of working for an immigration charity, and with directly dealing with members of the public, makes him particularly suited to offering a friendly, frank, efficient and professional service via Direct Public Access.



See the Bar Council's advice about Public Access at:- <http://www.barcouncil.org.uk/instructing-a-barrister/public-access/>



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Areas of Immigration Law

Glen specialises in a wide variety of immigration and asylum cases and is particularly strong in complex cases involving human rights' considerations but also has vast experience advising and representing commercial and business clients under the Points Based System, including all types of Tier 1, Tier 2, and Tier 4 student applications:-

"meticulous in his approach and very thorough in all he does." Observers commend him for his expertise on business immigration matters, including the Points Based System. He also has a wealth of experience advising on asylum and is said to be "a human rights gold mine." (Chambers and Partners, Immigration Section, London, 2011).

Glen can also advise employers and educational establishments on their practices relating to the Points Based System.

Notable Cases

Glen has appeared in leading cases in the Upper Tribunal, Administrative Court and Court of Appeal:-

Country Guidance cases

SM and others (Entry Clearance – proportionality) Afghanistan CG [2007] UKAIT 00010, successfully arguing that the Secretary of State for the Home Department had failed to establish the burden upon him to show that an illegal entrant could reasonably, practically and safely return to Afghanistan to make an entry clearance application to return as a spouse, and that to expect him to do so would violate his right to family life protected by Article 8 ECHR

Court of Appeal

EA v. SSHD [2012] EWCA Civ 1490 – concerning the lawfulness of the Upper Tribunal setting aside the decision of the First Tier, who had allowed a deportation appeal under Article 8 ECHR.

MO (Iraq) v. SSHD [2008] EWCA Civ 554 - a case concerning the jurisdiction of the Asylum and Immigration Tribunal to interfere with decisions of Immigration Judges

VN (Uganda) v. ECO [2008] EWCA Civ 232 - a case concerning the jurisdiction of the Tribunal to consider the human rights of 3rd parties.

JV (Tanzania) v. SSHD [2007] EWCA Civ 1532 - a case concerning the extent to which a refusal of citizenship can amount to persecution for a convention reason.

Dogan (Nuri) v Secretary of State for the Home Department [2005] EWCA Civ 1697 - a case concerning the rationality of a credibility finding in which Lord Justice Maurice Kay observed:

"11. Mr Hodgetts persuasively submits that the immigration judge's approach to this aspect of the case misunderstood the case for the applicant"

Egilmez v. SSHD [2005] EWCA Civ 827 - which concerned the jurisdiction of the Immigration Appeal Tribunal - successfully arguing

that the Tribunal had erred in law in interfering with a lower Tribunal's decision in his Turkish client's favour

Ahmed Djebari v. SSHD [2002] EWCA Civ 813 - a case involving consideration of Article 3 in the context of return of Algerian nationals - successfully arguing that the Tribunal had failed to give appropriate consideration to the issue);

Sugar v. SSHD [2002] EWCA Civ 1180 considering the position of Roma from the Czech Republic.

Administrative Court

The Queen on the application of Boroumand v. SSHD [2010] EWHC 225 (Admin) - considering the lawfulness of a failure to grant humanitarian protection following an appeal being allowed on the basis of a violation of Article 1 of the 13th Protocol of the ECHR due to the risk of the application of the death penalty in Iran.

European Court of Human Rights

T.I. v. UK (Application no. 43844/98), 7th March 2000, ECtHR

Glen also experience of taking cases to the European Court of Human Rights at Strasbourg and was, for example, part of the legal team involved in pursuing this case to the Court. An application in the case of **CI v. UK**, concerning the state's procedural obligations arising under Article 3 ECHR to "ascertain all relevant evidence" including medical evidence, is currently before the Strasbourg Court.

European Law

Glen's practice also involves consideration of European Law concerning, inter alia, the Freedom of Movement provisions. He has been successful in arguing for a broad interpretation of the consolidating Council Directive 2004/38 in various cases.

Publications

Glen was a Consulting Editor of the UK Human Rights Reports published by Jordans; he wrote and edited the quarterly summaries of ECHR judgments for those reports and also now contributes to the immigration section of the Legal Action Group journal.

Glen has also contributed numerous articles and summaries for the Immigration Law Update and Immigration Law Digest published by IAS and HMSO for which he also acted as Deputy Editor.

He has been a contributor to the human rights' chapter of the leading textbook on Immigration Law, *Macdonald's Immigration Law and Practice (5th edition)*, *Butterworths*

Speaking Events and Training, Seminars

Glen has given various immigration related "Tooks snapshot" training seminars and has regularly lectured in immigration law at the Solicitors' Group annual training conferences held at Olympia.

What Others Say

"Following strong market feedback for this "unsung hero of the Bar," Glen Hodgetts takes his place in this year's rankings. An experienced practitioner, commentators are keen to highlight not only his recent track record, but also his prior experience working at a leading immigration charity. Characterised as "a calm, organised barrister and a safe pair of hands who gets the right result," he is admired for the fact that he does not feel the need to self-promote. As one interviewee said: "When you're that good, you don't need to shout about it." (Chambers and Partners, Immigration Section, London, 2008)

"Immigration and asylum specialist Glen Hodgetts is recommended by solicitors, who say that when you instruct him "you feel as though you have someone on board who you can make decisions with and who can add value." (Chambers and Partners, Immigration Section, London, 2009)

"People also like working with immigration, nationality and asylum specialist Glen Hodgetts because he "always gives realistic advice." (Chambers and Partners, Immigration Section, London, 2010)

"The 'imaginative' Glen Hodgetts is an 'unsung hero', with a detailed knowledge of deportation and detention law." (Legal 500)

Membership and Societies

Glen is a member of the Immigration Law Practitioner's Association

Other Relevant Information

Basic French

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