

Barrister

BENJAMIN BUNDOCK

Email: bbu@onepumpcourt.co.uk

Call: 2013



Specialist in

Crime

Personal Immigration

Business Immigration

Public Law

Civil Law

Civil Actions Against Public Authorities

Modern Slavery & Trafficking Team

Experience

Ben specialises in immigration and asylum law. He acts for appellants and claimants in the full range of cases in these fields, at all levels.

Ben has a busy Judicial Review practice, advising and acting in claims relating to all aspects of

immigration decision-making and the exercise of immigration powers.

Ben has developed a strong practice advising and acting in civil claims against the State, with a focus on claims relating to immigration detention.

Ben is ranked as a Band 3 junior for Immigration in Chambers UK and Legal 500.

- Chambers UK 2024: “He writes beautifully. He is very good at distilling quite complex issues into written proceedings which are easy for a judge to get hold of”; “He is very intelligent and his written submissions and oral advocacy are brilliant”; “He can turn a piece of work around in no time, with just phenomenal attention to detail”.
- Legal 500 2024: “Ben is the perfect balance of a great legal mind and a compassionate advocate. His written work is impeccable and has an incredible attention to detail”.
- Chambers UK 2023: “Ben is a brilliant barrister. He is excellent to work with, very intelligent, very hard-working, collaborative, meticulous, and client-focused”; “A great legal mind. Brilliant written work and incredible attention to detail”; “Astute and impressive”.
- Legal 500 2023: “Ben is highly intelligent, innovative, meticulous, tenacious and client focussed. He works tirelessly and collaboratively for the best interests of clients”.

Significant cases:

- *R (VT and another, AAA and others) v Commissioner of the British Indian Ocean Territory and SSFCDO* ([BIOT/SC/No.1/2023](#), [BIOT/SC/No.2/2023](#)). Public law challenge to the BIOT Commissioner’s decisions to reject protection claims made by a group of Tamil asylum seekers stranded on Diego Garcia, challenging the legality of the novel procedure adopted to assess the claims. Acted in a team of counsel led by Ben Jaffey KC, representing eight claimants.
- *R (AAA and others) v SSHD (UNHCR intervening)* [\[2022\] EWHC 3230 \(Admin\)](#). Divisional Court challenge to the SSHD’s policy of removing asylum seekers to Rwanda. Acted for UNHCR as intervener, led by Angus McCullough KC and Laura Dubinsky KC, within a team of junior counsel.
- *PCSU and others v SSHD (UNHCR intervening)* [\[2022\] EWCA Civ 840](#). Court of Appeal judgment on interim relief, regarding the first removals to Rwanda under the government’s policy. Led by Laura Dubinsky KC, within a team of junior counsel.
- *R (T) v SSHD (Judicial review: damages claims)* [\[2021\] UKUT 320](#). Confirming the Upper Tribunal’s procedural powers and discretion in relation to residual damages claims in applications for Judicial Review.
- *JS (Uganda) v SSHD* [\[2019\] EWCA Civ 1670](#), [2020] 1 W.L.R. 43. Regarding the nature and scope of the UK’s obligations to people recognised as refugees on the basis of their relationship with a recognised refugee, rather than a direct risk to them. In particular, regarding the law governing decisions to cease such refugee status. Led by Raza Husain KC alongside Eleanor Mitchell.
- *SSHD v Viscu* [\[2019\] EWCA Civ 1052](#), [2019] 1 W.L.R. 5376. Leading case on whether a Detention and Training Order imposed on a child amounts to ‘imprisonment’ for the purposes of the Citizens Directive and the Immigration (EEA) Regulations 2016. Led by Allan Briddock.
- *AS (Afghanistan) v SSHD* [\[2019\] EWCA Civ 873](#), [2019] 1 W.L.R. 5345. Clarifying the law on ‘internal relocation’ under the Refugee Convention – the Court of Appeal rejecting a narrow approach previously advocated by the Secretary of State. Led by Sonali Naik KC.

- *AS (Afghanistan) v SSHD* [\[2019\] EWCA Civ 208](#), [2019] 1 W.L.R. 3065. Complex procedural dispute about the Upper Tribunal's power to correct mistakes in their decisions, and the proper exercise of discretion in relation to such mistakes. Led by Sonali Naik KC.
- *AS (Safety of Kabul) Afghanistan CG* [\[2018\] UKUT 118 \(IAC\)](#). Country Guidance on the safety and reasonableness of relocation to Kabul, under the Refugee Convention. Led by Sonali Naik KC.
 - *Yussuf (meaning of "liable to deportation")* [\[2018\] UKUT 117 \(IAC\)](#). Regarding 'liability to deportation', in particular as it relates to the Secretary of State's power to revoke Indefinite Leave to Remain held by people who cannot be deported because it would breach the Refugee Convention or ECHR.

Before coming to the Bar, Ben assisted leading solicitors in a top civil liberties firm, involved in the preparation and conduct of inquests arising from deaths in prison or police custody; civil actions for damages against the police and prison service for false imprisonment, assault, negligence, misfeasance, and under the HRA 1998; challenges to decisions of the police and prison service by Judicial Review.

Before coming to legal practice, Ben worked in the NGO sector for several years. He led a programme of work that aimed to enforce and develop the legal obligations on UK-based extraction companies to account for their impacts on people overseas and the environment, alongside campaign work publicising those impacts.

[Privacy notice](#)

Education

Bar Professional Training Course (College of Law), Outstanding
 LLB Law (University of Bristol), First Class
 Harmsworth Scholarship (BPTC), Middle Temple
 Certificate of Honour (BPTC), Middle Temple

Memberships

Administrative Law Bar Association
 Immigration Law Practitioners' Association

CASES

MKH v SSHD

AA/04933/2014

UT appeal under the Refugee Convention and ECHR, regarding adequacy of reasoning in relation to evidence of mental illness, as it relates to the assessment of credibility and all grounds under the Convention and ECHR.

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

MH v SSHD

AA/01442/2015

UT asylum and humanitarian protection appeal on behalf of Afghan national, regarding inter alia age assessment, proper assessment of evidence.

<https://www.bailii.org/uk/cases/UKAITUR/2016/AA014422015.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

MN v SSHD

AA/07836/2015

UT appeal under the Refugee Convention.

<https://www.bailii.org/uk/cases/UKAITUR/2016/AA078362015.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

AS v SSHD

DA/00975/2012

UT appeal against deportation engaging the Refugee Convention, ECHR and EEA rights.

<https://www.bailii.org/uk/cases/UKAITUR/2017/DA009752012.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

SSHD v HAA

PA/06575/2016

UT appeal under the Refugee Convention, regarding a Christian convert from Iran.

<https://www.bailii.org/uk/cases/UKAITUR/2017/PA065752016.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

SSHD v FOD and others

IA/22346/2015

UT appeal regarding adequacy of assessment under Article 8 ECHR.

<https://www.bailii.org/uk/cases/UKAITUR/2017/IA223462015.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

SSHD v YR

PA/08314/2016

UT appeal under the Refugee Convention, regarding adequacy of reasons.

<https://www.bailii.org/uk/cases/UKAITUR/2017/PA083142016.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

VZ v SSHD

PA/07402/2017

UT appeal under Article 8 ECHR.

<https://www.bailii.org/uk/cases/UKAITUR/2018/PA074022017.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

Yussuf (meaning of “liable to deportation”)

[2018] UKUT 117 (IAC)

Regarding ‘liability to deportation’, in particular as it relates to the Secretary of State’s power to revoke the Indefinite Leave to Remain of people who cannot be deported on ECHR grounds.

<https://www.bailii.org/uk/cases/UKAITUR/2016/AA078362015.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

AS (Safety of Kabul) Afghanistan CG

[2018] UKUT 118 (IAC)

Country Guidance on the safety and reasonableness of internal relocation to Kabul, under the Refugee Convention.

<https://www.bailii.org/uk/cases/UKUT/IAC/2018/118.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

R (BAG) v SSHD

[2018] EWHC 1721 (Admin)

Application for release of a man with serious physical and mental disabilities from immigration detention into suitable accommodation.

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

R (BAG) v SSHD

[2018] EWHC 2327 (Admin)

Application for release of a man with serious physical and mental disabilities from immigration detention into suitable accommodation.

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

SSHD v SS

HU/01774/2017

UT appeal regarding Article 8 ECHR and section 117B NIAA 2002.

<https://www.bailii.org/uk/cases/UKAITUR/2018/HU017742017.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

SSHD v AM

PA/13493/2017

UT appeal under the Refugee Convention.

<https://www.bailii.org/uk/cases/UKAITUR/2018/PA134932017.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

JS v SSHD

RP/00089/2016, PA/12889/2016

Complex UT appeal regarding cessation of refugee protection; Article 32 Refugee Convention; ECHR.

<https://www.bailii.org/uk/cases/UKAITUR/2018/RP000892016.html>

Related Barristers:

[Benjamin Bundock](#)

SAN v SSHD

PA/06877/2017

UT appeal under the Refugee Convention on behalf of an Iranian national.

<https://www.bailii.org/uk/cases/UKAITUR/2017/PA063862017.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

SSHD v AMG

HU/05367/2017

UT appeal under Article 3 and 8 ECHR on behalf of a person with terminal illness.

<https://www.bailii.org/uk/cases/UKAITUR/2018/HU053672017.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

MHTD v SSHD

PA/05111/2018

UT appeal under the Refugee Convention on behalf of a victim of trafficking.

<https://www.bailii.org/uk/cases/UKAITUR/2019/PA051112018.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

AS (Afghanistan) v SSHD

[2019] EWCA Civ 208

Complex procedural dispute about the Upper Tribunal's power to correct mistakes in their decisions, and the proper exercise of discretion in relation to these mistakes.

<https://www.bailii.org/ew/cases/EWCA/Civ/2019/208.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

SSHD v AS

PA/10613/2018

UT appeal under the Refugee Convention.

<https://www.bailii.org/uk/cases/UKAITUR/2019/PA106132018.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

AS (Afghanistan) v SSHD

[2019] EWCA Civ 873

Clarifying the law on 'internal relocation' under the Refugee Convention – the Court of Appeal rejecting a narrow approach previously advocated by the Secretary of State.

<https://www.bailii.org/ew/cases/EWCA/Civ/2019/873.html>

Area of Law:

Personal Immigration

Related Barristers:

[Benjamin Bundock](#)

SSHD v Viscu

[2019] EWCA Civ 1052

Leading case on whether a Detention and Training Order imposed on a child amounts to 'imprisonment' for the purposes of the Citizens Directive and the Immigration (EEA) Regulations 2016.

<https://www.bailii.org/ew/cases/EWCA/Civ/2019/1052.html>

Area of Law:

Personal Immigration

Related Barristers:

[Allan Briddock](#)

[Benjamin Bundock](#)