

Landmark Chambers

Barrister CV

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Carine Patry KC

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Carine Patry KC is a public and administrative law specialist.



Expertise

Public and Administrative, Planning

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Practice Summary

In addition to her specialism in public and administrative law, Carine also has a wide-ranging planning and environmental law practice.

Prior to commencing practice she worked at the New York State Defenders Association (New York Office) and also completed a stage at the European Court of Human Rights. Carine was appointed to the Attorney General's A Panel of Junior Counsel to the Crown and she continues to act for the government in significant cases.

Carine is a CEDR-accredited mediator.

Carine is an IPSEA (Independent Panel for Special Educational Advice) adviser and representative.

Carine is fluent in French.

Public and Administrative

Carine has strong public law and judicial review experience, and has particular expertise in asylum and immigration, education, care standards, and human rights. Her particular areas of interest have meant that unlike many public lawyers, she has extensive experience of cross-examination, including cross-examination of experts. She was junior counsel to the Leveson Inquiry into Press Standards (2011-2). For further information click on the link on the right. She is ranked by the *Legal 500* as a leading junior for Administrative and Public Law: "A public and administrative law specialist with allied strengths in planning and environment matters."

Carine's reported cases in this field include:

- **AQ (Somalia) v SSHD** [2011] EWCA Civ 695 (Court of Appeal): successful appeal relating to section 72 presumptions.
- **HSE v Wolverhampton City Council** [2010] EWCA (Court of Appeal): the ability of local authorities to take into account financial considerations when considering whether to revoke planning permissions.
- **HR (Portugal) v SSHD** [2009] EWCA Civ 371 (Court of Appeal): time spent in prison does not count as 'residence' for the purposes of the 'Citizenship' Directive 2004/28.
- **Saber v SSHD** [2009] EWHC (Admin): the SSHD is entitled to refuse to treat representations as a 'fresh claim' in circumstances where the evidence provided is limited, even if the case put forward could be believed on appeal.
- **Orlando Polanco v SSHD** [2009] EWHC (Admin) 826: the continued detention (33 months) of an overstayer who had committed criminal offences was not justified in all the circumstances.
- **Fladgate Fielder v Westminster City Council** [2009] EWHC Admin: local authority entitled to accept a substantial financial contribution to its affordable housing fund from a developer where it was not practicable for the development to include an amount of residential floorspace equivalent to the increase in commercial space.
- **JN (Cameroon) v SSHD** [2009] EWCA Civ 241 (Court of Appeal): immigration judge was entitled to conclude that certificates purportedly issued by the Cameroon government authorities and produced to support an asylum seekers' claim, could not be relied upon.

Apart from the High Court and the Court of Appeal, she also regularly appears in the First Tier Tribunal (on health, care standards, education, social security and mental health issues) and the Upper Tribunal. Carine regularly undertakes care standards cases, and recently completed a complex 4-week hearing relating to the suitability of a person to work with vulnerable adults, dealing with many witnesses (professional and otherwise).

Planning

Carine regularly represents clients at inquiries on all aspects of planning law. She also regularly represents both government and a range of other clients in planning challenges in the Courts.

Carine acted for the HSE at a called-in inquiry into the redevelopment of the Oval Cricket Ground which ran from October to December 2008. The Oval inquiry was the first one of its kind to be heard almost entirely in private, by virtue of a direction made under section 321 of the Town and Country Planning Act on national security grounds. She also recently acted for the HSE at another large inquiry into redevelopment of the Ram Brewery site in Wandsworth. On that occasion, the HSE successfully persuaded the Inspectors to recommend the refusal of permission on health and safety grounds. Planning permission was subsequently refused by the Secretary of State.

She also has strong High Court experience, and acts on behalf of PINS, local authorities, developers, objectors and other interested parties. Carine also regularly undertakes planning advisory work.

Carine was named as one of the most highly rated planning barristers under the age of 35 by Planning Magazine and in 2008 was named the top planning barrister under the age of 35. In 2009, she moved up into the list of top planning juniors.

Qualifications

- University of Glasgow (First Class, LLB Honours)
- Emmanuel College, Cambridge (First Class, LLM)

Recommendations

"A practical, client-friendly silk, who has a wide breadth of knowledge."

Administrative Law and Human Rights, Legal 500, 2024

"Knowledgeable, committed and highly applauded by clients."

Legal 500

Cases and inquiries

26 06 18	Barratt West London (Housing Development)
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26 06 18	'Ghost Ships' judicial review begins - Friends of the Earth v Environment Agency
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08 06 18	Callery v Gray (2001)
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08 06 18	R (on the application of D) v Worcester District Council (2001)
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07 06 18	R (on the application of D) v Maidstone (2002)
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04 06 18	R (Health & Safety Executive) v Wolverhampton City Council and Victoria Hall Limited [2009] EWHC 2688 (Admin)
31 05 18	The Health & Safety Executive v Wolverhampton City Council & Anor [2010] EWCA Civ 892
30 05 18	Supreme Court give judgment in planning revocation compensation case
29 05 18	Rai v Entry Clearance Officer (New Delhi) [2017] EWCA Civ 320
25 05 18	R (on the application of L (Morocco)) v Secretary of State for the Home Department [2016] EWHC 2177 (Admin)
25 05 18	Ibrahimi v Secretary of State for the Home Department [2016] EWHC 2049 (Admin)
24 05 18	R (on the application of the claimant) v Secretary of State for the Home Department [2017] EWHC 639 (Admin)