

# Matthew Howarth

Call to Bar: England & Wales 2016,  
Northern Island 2020



‘Matthew is an intelligent advocate who is good at getting to the core of a legal issue. A clear, concise, persuasive, and approachable barrister.’

- Legal 500, 2024 – IMMIGRATION – RISING STAR

‘Matthew is wise beyond his years, he quickly gets to grips with the issues in a case, and he produces clear, concise, jargon-free written and oral advice which is appreciated by solicitors and clients alike. He has a very good manner with clients and his advocacy is articulate, pointed, and very effective both in his questioning and submissions.’ - Legal 500, 2024

Matthew commenced practice in 2014 with the Banking and Finance litigation team for one of the World’s largest law firms, Baker & McKenzie.

Joining Chambers in 2016, Matthew has sought to develop a practice that encompasses Immigration and Asylum, Nationality Law, Public Law, Regulatory and Criminal matters including People Trafficking and Modern Day Slavery. As a result, he has gained numerous prestigious appointments that make him stand out amongst his peers at the Bar. He has a strong practice on behalf of HMRC, the Government Legal Department but also regularly acts for the individuals concerned when instructed through leading solicitors firms..

Matthew was instructed as a junior counsel in the Independent Inquiry into Child Sex Abuse, and assisted in a Judicial Review for the Victim’s Rights Group ‘Hacked Off’ following the Phone Hacking Scandal. He has vast experience of dealing with complex Judicial Reviews and other High Court applications.

Matthew has a particular interest in Mental Health and is well equipped to deal with vulnerable clients and children.

Matthew Howarth is Direct Access qualified.

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## Practice areas:

Business Crime & Financial Regulation  
Civil Law  
Criminal Law  
Health & Safety  
Housing Law  
Immigration & Asylum Law  
Industrial Disease  
Inquests  
Judicial Review Law  
Licensing  
Local Government  
Regulatory  
Property Law  
Professional Negligence  
Environmental Law  
Legal Professional Privilege

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## Public Law (Immigration and Judicial Review) and Civil Law

Matthew is an expert in Immigration litigation from the First and Upper Tier Tribunals through to Fresh Submission Judicial Review claims. He was recommended in the 2024 edition of Legal 500 for his work in immigration areas and was given the "Rising Star" accolade. He has been instructed in a significant number of interim relief applications before the High Court. Further to this he has had conduct of a Habeas Corpus claim in the High Court and before the Court of Appeal. It is currently pending application before the Supreme Court.

Matthew was counsel for the Secretary of State for the Home Department in the case of EKLK Trucking which has significant ramifications for the international haulage industry when dealing with clandestine entrants. He was also counsel for the Secretary of State for the Home Department in One Tress Estates Ltd which itself has become a leading precedent when dealing with the revocation of sponsorship licences.

As a specialist barrister for the Attorney General, Matthew is routinely instructed in claims for False Imprisonment relating to periods of Unlawful Detention by the Secretary of State. He is instructed in this area of law regularly keeping up to date through publications and case law updates. He has recently dealt with a number of Judicial Review applications and interim relief hearings, and is often sought to advise on Quantum in the County Court and QBD. He has dealt with EEA cases under Dublin III and Non-EEA Hardial Singh claims and is often instructed to offer advice for Government Departments and grounds of appeal in this work. Recently he had conduct of a number false imprisonment claims made during COVID-19 under Article 3 & 5 ECHR and in relation to failure to provide s.95 and s.4 Accommodation.

In addition to providing expert advice in unlawful detention/false imprisonment claims, both for judicial review and civil claims, Matthew has extensive experience in substantive claims for failure to provide asylum support.

## RECENT CASES

### Public Law/Human Rights/ Immigration

**EKLK Trucking SRL -v- SSHD** - Matthew Howarth appeared as sole counsel for the Secretary of State for the Home Department in this case involving clandestine entrants which has a significant impact on the international haulage industry – for those vehicle owners travelling into and out of the United Kingdom.

**One Trees Estates Ltd v SSHD** – Matthew Howarth successfully defended this application for Judicial Review in what is now one of the leading precedents in this area of litigation - where decisions have been made by the SSHD to revoke a sponsorship licence.

**O v SSHD** – Unlawful Detention claim Matthew was instructed to draft summary grounds for defence, extension of time application and to defend the case at oral permission hearing and subsequently full substantive hearing. Matthew was successful with each application prior to the substantive hearing and was able to negotiate a settlement prior to final hearing.

**AA v SSHD** – Panel B instructed case relating to classification of whether or not an individual was a victim of slavery and or trafficking. Matthew drafted grounds in defence and represented the SSHD at Oral Permission Hearing.

**SQS v SSHD** – Matthew advised the SSHD on the lawfulness of claims in and outside of the relevant period relating to the Supreme Court case of Hemmati and whether or not there was a successful step created (as identified in the case of DN (Rwanda) in order to exclude liability following the relevant period

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**JK v SSHD** – case relates to 317 days of unlawful detention transferred to QBD. The Claimant was an Adult at Risk level 3 and an EEA National. Case was resolved.

**K v MOJ** – Matthew successfully defending an application before the High Court for Habeas Corpus. The matter is currently pending application before the Supreme Court, Matthew retains instructions.

**MP v SSHD** – Matthew advised government on the adequacy and delay relating to provision of s.95 support accommodation. Matthew defended the application for Judicial Review at substantive hearing.

**M v SSHD** – a claim for false imprisonment and Data Protection Breach, Matthew was instructed to defend the claim and draft extensive pleadings and negotiate at settlement, advising government on issues relating to quantum of damages.

## Summary of Appointments

Matthew represents the Northern Circuit on the Bar Council Executive.

Matthew was elected as the first ever Northern Chair for the Middle Temple Young Bar Association.

2021 – Serious Fraud Office – Panel C appointment

Crown Prosecution Service – Level 3 General Crime Panel Appointment and Level 2 POCA Panel Appointment

2020 – Attorney General Specialist Panel of Civil Counsel – C Panel

Level 2 Serious Crime Prosecution Panel CPS

Call to the Bar of Northern Ireland Michaelmas Term 2020

2019 – Specialist Regulatory Panel C Prosecution Advocate (Environment Agency and Health & Safety Executive)

2018 - Junior of the Northern Circuit

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