



Barrister

OLIVIA BEACH

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Call: 2022



Specialist in

Housing & Community Care  
Prison Law  
Public Law  
Civil Law  
Civil Actions Against Public Authorities  
Inquests & Public Inquiries Team

## Experience

Olivia practises in all areas of public and human rights law, including housing, community care, immigration and prison and parole board matters.

She has been praised by instructing solicitors for her “clarity of advice, great attention to details, thorough case preparation and for her ability to work effectively, particularly when it comes to our most sensitive and complex public law challenges”.

### Public Law and Human Rights

Olivia is regularly instructed in judicial review matters across a broad range of areas including migrant rights, modern slavery, homelessness, prison and parole board matters, and community care law. She has particular experience in urgent applications for interim relief and urgent judicial review challenges. Olivia has appeared both led and unled in the High Court and has worked across all stages of judicial review proceedings. Olivia has experience in advising on procedural issues, in particular on the issue of costs and drafting written submissions on costs.

Some recent examples of notable cases Olivia has been instructed in are R (McPhee) v Secretary of State for Justice [2024] EWHC 1247 (Admin), R (McKilligan) v Parole Board [2024] EWHC 336 (Admin) and R (NS) Secretary of State for the Home Department [2023] EWHC 2675 (Admin).

### Housing

Olivia regularly represents tenants in possession proceedings and in claims brought against private landlords and social housing providers. She has experience representing individuals in disrepair claims, committal proceedings, and injunction applications.

### Inquiries and Inquests

Olivia is instructed in the Andrew Malkinson Inquiry, acting for the Inquiry, chaired by Her Honour Judge Sarah Munro KC.

She is keen to develop her practice to encompass inquest work given her background and experience in criminal matters.

### Prior to the Bar

Prior to coming to the Bar, Olivia worked as a community care and public law paralegal at Lawstop, working on over 40 judicial reviews for claimants largely concerned with the Immigration and Asylum Act 1999 and the Care Act 2014. Olivia also runs her own voluntary organisation, PLOD Foundation, which provides assistance to the homeless, refugees, asylum seekers and bereaved children. She has previously volunteered with organisations including The Intervene Project and AMICUS ALJ.

## Education

Master of Laws (LLM), University of Law

Bar Practice Course, University of Law  
Graduate Diploma in Law, BPP University  
Bsc (Hons) Politics with Economics, University of Bath

## Memberships

Administrative Bar Association  
Human Rights Lawyers Association  
Immigration Law Practitioners Association  
Housing Law Practitioners Association  
Young Legal Aid Lawyers  
Bar Human Rights Committee  
AMICUS ALJ

## CASES

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### R (Davidson) v Cambridge City Council

[2023] EWHC 1022 (KB)

Olivia succeeded in securing interim relief and permission to apply for judicial review in this case concerning a vulnerable homeless client with complex mental and physical health needs. It was successfully argued that the interim accommodation he had been provided was unsuitable and that the Defendant was under an on-going duty to review suitability.

HHJ Walden-Smith found that even though interim accommodation is subject to a lower suitability standard than longer-term housing, the local authority must not ignore the individual circumstances of the homeless applicant that could make a particular placement unsuitable. As such, interim relief and permission were granted, requiring the Defendant to provide alternative suitable interim accommodation within 24 hours.

Olivia was instructed by Hannah Bellew at Lawstop.

<https://caselaw.nationalarchives.gov.uk/ewhc/admin/2023/2675>

Area of Law:

Housing & Community Care, Homelessness & Allocations, Judicial Review, Public Law

Related Barristers:

[Olivia Beach](#)

### R (McPhee) v Secretary of State for Justice

[2024] EWHC 1247 (Admin)

Olivia successfully represented the Claimant in this challenge to the Secretary of State for Justice's decision to reject the recommendation of the Parole Board to transfer the Claimant to open conditions.

It was found that the Defendant's decision did not provide good reason for rejecting the recommendation of the Parole Board. This was particularly in relation to further work to be undertaken by the Claimant. Notably, as the Claimant is subject to an IPP sentence and is significantly over-tariff, it was found that "*the importance of engaging properly with the manner in which further progress is both to be achieved and to be demonstrated is all the greater where, as here, the prisoner is significantly post-tariff*".

As a result of the judgment, the Defendant's decision has been quashed and remitted back to the Defendant for reconsideration.

Olivia was instructed by Scott Laing at Bhatia Best Solicitors.

<https://caselaw.nationalarchives.gov.uk/ewhc/admin/2024/1247>

Area of Law:

Prison Law, Judicial Review

Related Barristers:

[Olivia Beach](#)

## R (McKilligan) v Parole Board for England and Wales

[2024] EWHC 336 (Admin)

Olivia successfully represented the Claimant in this challenge to the Parole Board's decision to refuse an oral hearing.

The Parole Board's decision was found to be unreasonable and irrational and was therefore quashed, and an oral hearing directed. There are some interesting points in the judgment regarding the Claimant's stagnation within the system and the need for a proper review of risk, failure to properly apply *Osborn*, and an unlawful dossier underpinning the decision as per the case of *Bailey and Morris*.

Olivia was instructed by Scott Laing at Bhatia Best Solicitors

<https://caselaw.nationalarchives.gov.uk/ewhc/admin/2024/336>

Area of Law:

Prison Law, Judicial Review

Related Barristers:

[Olivia Beach](#)

## R (NS) v Secretary of State for the Home Department

[2023] EWHC 2675 (Admin)

Olivia, led by Chris Buttler KC, successfully represented a vulnerable asylum seeker who had been moved to inadequate accommodation a considerable distance from his support network.

In the judgment, Mr Justice Saini found that two separate decisions made by the SSHD to move the Claimant to accommodation away his support network were unlawful, stating "the decisions in this case were plainly reached by way of an unlawful process" at [39].

There were also important remarks made in the judgment about the SSHD's failure to provide any evidence during the course of proceedings, as well as well-deserved recognition for the work done by

the Claimant's support worker and counsellor.  
Olivia was instructed by Frank Bowmaker and Derek Bernardi at Lawstop.

<https://caselaw.nationalarchives.gov.uk/ewhc/admin/2023/2675>

Area of Law:

Judicial Review, Public Law, Immigration

Related Barristers:

[Olivia Beach](#)

## R (Parul) v Secretary of State for the Home Department

[2022] EWHC 2143 (Admin)

Olivia acted for the Claimant, challenging the SSHD's unreasonable delay in relocating the Claimant to adequate accommodation.

The Claimant was provided with accommodation under Section 4(2) Immigration and Asylum Act 1999. She suffered from multiple chronic and complex medical conditions. The SSHD had accepted she needed to be relocated, but there had been a delay of 146 days at the date of the hearing in moving the Claimant.

The delay by the SSHD was found to be unlawful and had led to an imminent breach of Article 3. Important findings were also made regarding the evidence the Court would expect to see from the SSHD to support a defence in cases similar to this and the cases of R (Princess Bell) v London Borough of Lambeth [2022] EWHC 2008 (Admin) and R (Elkundi) v Birmingham City Council and ors [2022] 3 WLR 71, setting out the principles governing the grant of a mandatory order for breach of Section 193 main housing duty were applied when considering a mandatory order in the context of the SSHD failing to provide suitable accommodation in breach of her Section 4(2) duty.

Olivia was instructed by Priscilla Adu-Boahen at Lawstop.

<https://caselaw.nationalarchives.gov.uk/ewhc/admin/2022/2143>

Area of Law:

Judicial Review, Public Law, Immigration

Related Barristers:

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