



## Alex Offer

MA (Cantab)

1993-1996 Robinson College, Cambridge  
(Double first, elected to Senior Scholarship)  
1996 Harmsworth Scholarship, Middle Temple  
1997 Harmsworth Scholarship, Middle Temple

1998 Called Middle Temple

2002 Young Barrister of the Year, Yorkshire Lawyer Awards

2008 Listed by *The Times* as one of the "Future Stars of the Bar 2008"  
2011 Equality & Human Rights Commission Panel of Preferred Counsel

Direct Public Access qualified.

Member Housing Law Practitioners Association

### **Areas of Practice:**

#### **Housing/Landlord & Tenant**

Highly experienced practitioner with extensive experience, including homelessness appeals, housing allocation claims, disrepair, possession, ASBOs, HMOs, injunctions, demotion orders, carbon monoxide poisoning and right to buy applications. In landlord and tenant deals with boundary disputes, easements, estoppel, forfeiture etc. Acts for both tenants and landlords.

#### **Judicial Review & Human Rights**

Expert on the ECHR and the Human Rights Act 1998 having appeared in a number of the leading cases. Has appeared before the European Court in Strasbourg. Frequent cases in the Administrative Court relating to housing and Gypsies & Travellers, e.g. challenging planning decisions, second appeals in homelessness cases etc.

#### **Cases of Importance**

*Connors v United Kingdom*, (2005) 40 EHRR 9; [2004] HLR 52. Counsel for the applicant. Full hearing before the European Court. Issues - security of tenure on local authority gypsy sites, whether exclusion from statutory protection could be justified on policy grounds, whether judicial review is an adequate remedy. The Court unanimously found a violation of Article 8 ECHR.

*Kay & Others v Lambeth London Borough Council; Price & Others v Leeds City Council* [2006] UKHL 10, [2006] 2 AC 465; [2006] 2 WLR 570. Counsel for the appellants in the Leeds case. One of five recent House of Lords/Supreme Court decisions on the reach and effect of Article 8 ECHR as a defence to possession claims.

*Doherty & Others v Birmingham City Council* [2008] UKHL 57 3 WLR 635. Counsel for the appellant. Another of the recent House of Lords/Supreme Court decisions on Article 8. The first case to consider Article 8 ECHR after the judgment in *Kay & Price*. The House of Lords further modified the law as laid down in *Kay & Price* and *Harrow LBC v Qazi* and considered the impact of *McCann v United Kingdom*. Possession may now be resisted on judicial review grounds in the county court.

*Dunn & another v Bradford MDC; Marston & another v Leeds City Council* [2002] EWCA Civ 1137; Times, September 5, 2002. Counsel for the Marstons. This is the leading case on the definition of "execution" in section 85(2) of the Housing Act 1985. *McGlinchey v United Kingdom*, 29th April 2003, Application no. 50390/99. Successful application to the European Court following the death of the applicant in prison while suffering from the effects of heroin withdrawal. This case extends the reach of Article 3 ECHR.

*McGlinchey v United Kingdom*, 29.4.03, application no. 50390/99. Successful application to the ECHR for a violation of Article 3 following the death of the applicant in prison while suffering from the effects of heroin withdrawal.

*R (on the application of McCarthy & others) v Basildon DC* [2009] EWCA Civ 13. Counsel for the residents of the "Dale Farm" Gypsy & Traveller site in Basildon. Definition of "need" in planning law and the requirement for local authorities to consider their obligations to the homeless. Mr Offer is currently pursuing appellate challenges to suitability findings in respect of homelessness applications made by a number of the "Dale Farm" residents.

#### **Other Experience:**

- Chairman, Management Committee, Harehills & Chapeltown Law Centre 1999 – 2004.
- Contributing Editor, *Cohabitation Law & Practice*, Sweet & Maxwell, 2011 Edition.