

## Julius Komorowski



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An 'accomplished junior who is highly sought after for his deep knowledge of civil liberties and human rights law. *"A big brain, he's a deep thinker and also a very good speaker."* *"He's really broken through in the field of civil liberties and human rights, not least because of his wonderful personality."* (Chambers & Partners, 2017)

*"He's extremely bright and very able, a good all-rounder"*. (Chambers & Partners, 2016)

*"He's very earnest, very conscientious and extremely thorough, and he has a real sense of the legal landscape in a case."* (Chambers & Partners, 2015)

### Biography

Julius Komorowski's core strength is in administrative law with distinct experience of the business of the Inner House of the Court of Session.

During his first spell at the Bar (2008-2011), he built up an extensive practice involving regular appearances against the UK Government. He also acted for and against local authorities and appearing against the Scottish Ministers in matters concerning mental health and prisons. In the last year of that spell, he appeared in four Inner House cases that were all reported in Session Cases. In that same year, his submissions in the Outer House were said to be 'carefully presented' (*AI (Pakistan), Pet* [2012] CSOH 7, Lord Kinclaven at para [41]), 'carefully presented and quite sophisticated' (*TW (Eritrea), Pet* [2011] CSOH 88, Lord Brodie at para [18]) and 'clear and careful' (*LE (Turkey), Pet* [2011] Imm AR 245, Lord Emslie at para [4]).

From 2011-2013 he was working as Law Clerk to Lord Gill (as Lord Justice-Clerk and then as Lord President). Julius assisted Lord Gill with his judicial duties by carrying out legal research on cases being heard by him and drafting text for inclusion in judicial Opinions. He also occasionally assisted other judges. In this role Julius was exposed to the full breadth of the work of the Inner House, including commercial law, public procurement and employment law. He gained a particular knowledge of agricultural law and valuation for rating.

Since his return he has appeared regularly in the Court of Session as standing junior counsel to the Advocate General for the UK Government. He has been instructed in matters concerning immigration, social security and tax. He has also acted on behalf of local authorities. He continues to appear often in the Inner House, and has appeared twice in the UK Supreme Court. He has become Editor of Session Cases, is a legal member of the First-tier Tribunal for Scotland and has also been appointed to the Fitness to Practice panel of the Nursing and Midwifery Council.

Julius can accept instructions to appear against the Scottish Ministers, or to appear for or against local authorities. He might be able to accept some instructions to appear against other UK Government departments.

Julius is the presenter of "Pod's law", a podcast on legal subject matters.

Downloads: [Soundcloud](#) / [itunes](#)

## Appointments

Convener of the Additional Support Needs Tribunal (2015 to 2018); Legal member of the First-tier Tribunal for Scotland (Health and Education Chamber) (2018 to date)  
Member of the Fitness to Practice Panel, Nursing and Midwifery Council (2017 to date)  
Equality and Human Rights Commission Panel of Counsel, (2015 to date)  
Standing junior counsel to the Advocate General (2013 to date)  
Reporter, Session Cases (2014 to 2015); Deputy Editor, Session Cases (2015 to 2016); Editor, Session Cases (2016 to date)  
Lead tutor, Human Rights Elective, Diploma in Legal Practice, University of Edinburgh (2016 to date)  
Law Clerk to the Lord President (2012-2013)  
Law Clerk to the Lord Justice Clerk (2011-2012)

## Publications

"The Myths and Reality of *Donoghue v Stevenson*", *Juridical Review*, (2013) p.451.

"The Accountability Deficit: Control of the Lord Advocate in light of the McKie case", *Juridical Review* (2007), p.73.

"Case Comment: *R (Bagdanavicius & anr) v Secretary of State for the Home Department*", *Journal of Immigration, Asylum and Nationality Law* (2006), p.134.

## Recent Articles and Events

Justifying Discrimination

## Recent Cases

*AA v Secretary of State for Business, Enterprise & Industrial Strategy* [2018] CSOH 54 (diligence on the dependence, employment tribunal)  
*Romein v Advocate General for Scotland* [2018] UKSC 6 (nationality law)  
*McCann v State Hospitals Board for Scotland* 2017 SC (UKSC) 121 (mental health)  
*Petroineous Manufacturing Scotland Ltd v Clydeport Operations Ltd* [2017] CSOH 49 (sea ports, naval dockyards)  
*GO v Aberdeen City Council* (housing, EU law)  
*Al-Khatib v Secretary of State for the Home Department* (asylum, EU law)  
*DK v Secretary of State for Work and Pensions* 2017 SC 176 (social security)  
*LM v Criminal Injuries Compensation Authority* [2016] CSOH 156 (criminal injuries compensation)  
*Firstline International Ltd v Traffic Commissioner* [2016] UKUT 291 (AAC) (road haulage licensing)  
*Fresh Catch Ltd v Commissioners for HMRC* [2016] UKFTT 196 (TC) (customs, evasion penalty)  
*Milton Keynes Council v Scottish Ministers* 2015 SLT 843 (social work, ordinary residence)  
*S v Secretary of State for the Home Department* 2015 SLT 651 (immigration, human rights)  
*PW v Secretary of State for the Home Department* 2015 SC 629 (judicial review of the Upper Tribunal)  
*Ethnic Minorities Law Centre v Deol* 24 February 2015 (Employment Appeal Tribunal, unfair dismissal)  
*M, Petitioner* 2014 SLT 851 (judicial review of Upper Tribunal)  
*SK (Namibia), Pet* 2014 SLT 587 (asylum)  
*AI (Pakistan), Pet* [2012] CSOH 7 (immigration, human rights)  
*Scottish Ministers v MHTS (JM)* 2012 SC 225 (mental health)

*TW (Eritrea), Pet* [2011] CSOH 88 (asylum)  
*BM (Malawi), Pet* 2011 SC 726 (immigration, statutory construction)  
*IA (Iran) v SSHD* 2011 SC 625 (asylum)  
*HS (Algeria), Pet* 2011 SC 324 (immigration, UN Convention on the Rights of the Child)  
*LE (Turkey), Pet* [2011] Imm AR 245 (immigration, EU law)  
*CB (Jamaica), Pet* 2011 SC 248 (immigration, human rights)  
*Feeney v HM Advocate* 2010 SCCR 675 (extradition)