

Joshua Dubin

Year of Call: 1997

Email Address: joshua.dubin@3pb.co.uk

Telephone: 01865 793 736



Public and Regulatory

People can find themselves in conflict with public bodies at any time, whether it's their local authority, their professional body or a national regulator. Joshua represents individuals to give them an effective voice in challenging the state, and represents public authorities to ensure that a fair balance is struck between the needs of everyone in society.

Joshua has particular expertise in social housing and age disputes. His experience encompasses homelessness and allocations, through human rights and disability discrimination, to community care and particularly age assessment disputes between unaccompanied asylum-seeking minors and local authorities.

Joshua acts regularly for local authorities, social landlords and tenants in all aspects of social housing law (both private and public). He has advised and advocated in a variety of cases related to local government powers and duties, representing clients across a range of public and regulatory law issues from planning breach injunctions to parking enforcement, including civil penalties for landlords under the Housing Act 2004. His public law practice includes the Administrative and County Courts, and Tribunals. He is familiar with out-of-hours applications to the duty judge. He also has experience of professional disciplinary proceedings.

Joshua was a Part-time External Tutor in Public Law (Judicial Review) on the Bar Vocational Course, BPP (London) in 2006 and 2007.

Recent cases

- R (HBTN) v Sunderland City Council [2019] EWHC 3221 (Admin): Joshua successfully defended the local authority's refusal to disclose a confidential age assessment document on the basis that the claim had become academic.
- 2-day public inquiry into a proposed toll increase for the Bournemouth-Swanage ferry, in which Joshua successfully represented a number of public authorities opposed to the price rise (September 2018)
- R (GE (Eritrea)) v SSHD and Bedford Borough Council [2015] EWHC 1406 (Admin): Joshua enabled his client to prove that the local authority had wrongly assessed her age both as a question of fact and on traditional judicial review grounds.
- R (GE (Eritrea)) v Secretary of State for the Home Department and another [2014] EWCA Civ 1490: a leading authority on the definition of 'former relevant child' in the Children Act 1989, the judgment establishes a local authority's duty to consider its discretionary powers to remedy any unlawfulness arising from its erroneous assessment of a child's age.
- 4-day Upper Tribunal age dispute hearing defending local authority's assessment of an Albanian national – Joshua successfully resisted the Claimant's arguments based on SA (Kuwait) v SSHD [2009] EWCA Civ 1157 that the UT should decide the case on the documents alone but should hear evidence to assess the Claimant's credibility (October 2014).
- R (MW) v Croydon London Borough Council, CO/10832/2011 (Upper Tribunal, 18/01/13): Joshua succeeded in establishing the claimed age of an Afghani child who had been unlawfully age-assessed by the local authority; the Tribunal made particular criticisms of the authority's age assessment process (especially a failure to put adverse matters to the applicant).

Recommendations

Joshua Dubin of 3PB Barristers is a property specialist with a wealth of experience in social housing matters, as well as a wide range of other residential and commercial property disputes. He has significant knowledge of neighbour and boundary issues.

Strengths: "He is excellent to deal with as he always involves the clients to ensure they understand the process and the arguments being raised."

"He has the ability to focus on the bigger picture in cases, is approachable and clear in his advice."

"He is always on hand to offer tactics and is happy to discuss the case."

"His advice is comprehensive and covers every detail."

Chambers UK 2024/Real Estate Litigation/South Eastern Bar

Strengths: "He is a very safe pair of hands, and he has good judgement. He can hold his own against silks."

Chambers UK 2023/Real Estate Litigation/South Eastern Bar

Strengths: "Joshua knows the law inside out and brings his housing experience to the fore in cases." "He is efficient and clients love him."

Recent work: Acted for the residents of a five-block estate in an Upper Tribunal case which considered various issues relating to consultation requirements for the landlord's service charge demands for the replacement of balcony asphalt.

Chambers UK 2022/Real Estate Litigation/South Eastern Bar

Strengths: "Completely on top of the law and facts." "Joshua is very commercial and he has the client's interests foremost."

Recent work: Acted in a long-running neighbour dispute, involving issues of trespassing, nuisance and negligence. Dubin's clients were awarded prohibitory injunctions, damages and costs.

Chambers UK 2021/Real Estate Litigation/South Eastern Bar

'Joshua has excellent communication skills and ensures the solicitor is involved in the process.'

Legal 500 2024/Property and Construction/ South Eastern Circuit/ Leading Junior

Veteran social housing practitioner Joshua Dubin has extensive experience acting for tenants, occupiers, and local authorities.

'Joshua has an enviable knowledge of law and procedure. He has particular strengths in navigating vast amounts of information and distilling clear, robust and practical advice. He is a strong advocate, meticulous and systematic in cross-examination, and formidable in trials.'

Legal 500 2023/Property and Construction/Leading Juniors/South Eastern Circuit

'An intellectually sharp, calm under pressure, and dependable barrister.'

Legal 500 2022/Property and Construction/Leading Juniors/South Eastern Circuit

'A good lawyer: an effective advocate and cross-examiner who is hardworking too.'

Legal 500 2021

'Tenacious and persistent.'

Legal 500 2020

"His advice is precise and succinct."

Legal 500 2019

"Your professionalism, thoroughness, tactics and overall performance during the hearing were top notch and I will not be convinced otherwise than that you were the major factor in our being successful in the dismissal of the claim against us."

Direct Access client

Academic qualifications

- MA Hons, English Literature Corpus Christi College, Cambridge (1991)
- Bar Vocational Course, Inns of Court School of Law in 1997/98.

Professional bodies

- Property Bar Association
- Agricultural Law Association
- Housing Law Practitioners' Association
- Social Housing Law Association
- London Common Law and Commercial Bar Association
- South Eastern Circuit