

## David Mold

Called: 2010  
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### Profile

David is a barrister at Five Paper specialising in Business Immigration & Regulatory, Employment and Property law. He is qualified to accept instructions on a direct access basis.

### Description of Practice

#### Property

David accepts instructions in a wide range of property matters both residential and commercial. These include possession claims, construction of leases, forfeiture, enfranchisement, claims for new tenancies, easements, service charges, party wall matters and boundary disputes.

David also deals with cases concerning homelessness under the Housing Act 1996. His work ranges from advising on decision letters and the merits of appeals through to representing clients in court in appeal and judicial review proceedings.

#### Business Immigration and Regulatory

David is instructed on applications made under the PBS and other business routes. He advises businesses in relation to immigration requirements and issues for their workforce.

He also acts in proceedings challenging the imposition of civil penalties for immigration offences.

David practises at all levels of the courts and tribunal system in all aspects of immigration and European law. He has considerable experience of appearing in appeal proceedings.

In addition, he frequently drafts judicial review grounds and appears in court in connection with judicial review hearings.

David provides advice to local authorities and individuals on immigration issues arising in family proceedings.

#### Employment

David acts on behalf of both claimants and respondents and undertakes a full range of

employment disputes with a particular focus on cases involving aspects of immigration law as well as discrimination. He is also instructed in partnership disputes.

## Public Access

David is qualified to accept instructions directly from members of the public pursuant to the Bar's public access scheme.

## Reported Cases

### Supreme Court

*Taiwo & Anor v Olaigbe & Ors* [2016] UKSC 31 (22 June 2016)

Led junior in the Supreme Court concerning whether discrimination on grounds of immigration status amounted to discrimination on grounds of nationality

### Court of Appeal

*R (MK (India)) v Secretary of State for the Home Department*

Appeal against JR decision refusing to grant permission against SSHD's refusal to grant tier 2 application (and maintained on administrative review). Concerned allegations of a fraudulently provided certificate of sponsorship. Case settled day before full hearing.

*SS (India) v Secretary of State for the Home Department*

Acting for the appellant in a case concerning the correct approach to be adopted by the Upper Tribunal remitting appeals to the First-tier Tribunal with directions. Permission was granted on the papers and the appeal was settled shortly before the hearing.

*AG (Pakistan) & Ors v Secretary of State for the Home Department*

Acting for the appellant in a case concerning the jurisdiction of the tribunal and the right of appeal in a student visa appeal as well as the interpretation of paragraph 245ZX(ha) of the Immigration Rules. The appeal was settled after permission to appeal was granted following an oral hearing.

*IA (Nigeria) v Secretary of State for the Home Department* [2016] EWCA Civ 529 (28 January 2016)

Court of Appeal permission hearing concerning a FtT Judge's adverse view of the case by virtue of the applicant's decision not to give evidence

### High Court

*Han, R (on the application of) v Secretary of State for the Home Department* [2014] EWHC 4606 (Admin) (04 November 2014)

Judicial review concerning issues relating to paragraph 245AA of the Immigration Rules and the evidential flexibility policy

### Upper Tribunal (Immigration and Asylum Chamber)

*Ahmad (scope of appeals) Pakistan* [2018] UKUT 84 (IAC)

Appeal concerning the right of appeal against notice of removal decisions, appeals concerning certified decisions under s.94 NIAA 2002 and what constitutes a section 120 NIAA 2002 statement.

## Qualifications

BVC, BPP Law School London

University College London, LLB (honours)

## Professional memberships

South Eastern Circuit

## Appointments

David sits as a legally qualified Chair of the England Boxing disciplinary panel.