



GARDEN COURT CHAMBERS

# Eva Doerr

YEAR OF CALL: 2019



Eva regularly appears before immigration tribunals and the Administrative Court and has particular expertise in retained EU law post-Brexit and refugee law. Eva also accepts instructions in employment and civil cases involving discrimination.

Eva specialises in all areas of public and human rights law, with a focus on immigration, asylum, trafficking, immigration detention, community care (including age assessments) and challenges based on the Equality Act.

Eva is ranked by the Legal 500 2024 as a Tier 1 Rising Star in Administrative Law and Human Rights and Immigration Law. She is also ranked by Chambers and Partners in Immigration Law.

"She has become the star of European immigration law. An absolute fountain of knowledge in this area."

"An extremely organised junior who really fights for her clients."

LEGAL 500, 2024 (ADMINISTRATIVE LAW & HUMAN RIGHTS)

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"Extremely efficient and responsive. Very bright and excellent at thinking outside the box."

CHAMBERS & PARTNERS 2024 (IMMIGRATION)

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"We are overwhelmed with relief at the result. Without Eva's help, guidance and advice, we are sure we would not have had this result. We are now going to get on with our lives at long last. We are extremely grateful for the whole manner in which you guided us through this process – from appeal to result... we fully intend to use your services again."

PUBLIC ACCESS CLIENT, 2023

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"Eva is the go-to junior barrister for matters relating to EU law and the mechanics of the post-Brexit immigration system. Her systematic and forensic analysis when speaking on these issues is impressive."

LEGAL 500 2023 BAR GUIDE

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Eva specialises in all areas of public and human rights law, with a focus on immigration and asylum law and challenges based on the Equality Act.

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If you would like to get in touch with Eva please contact the clerking team:

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## ADMINISTRATIVE & PUBLIC LAW

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Eva is developing a broad public law practice acting for Claimants against public authorities. She has experience and a particular interest in complex Judicial Review challenges involving strategic litigation.

Eva is currently involved in the litigation challenging the UK Government's plans to remove asylum seekers to Rwanda to have their asylum claims processed there.

### **Policy work and systems challenges**

Eva enjoys working on systems challenges to immigration law and policy. She has done work supporting ILPA in making representations to the Home Office advocating for legislative change.

She was also instructed by an international organisation to conduct a high-level risk assessment of secondary legislation aimed at implementing the immigration changes following Brexit, and how this will affect those exempt from immigration control. Her work fed into submissions made to the Government which eventually led to legislative amendments in this area.

### **Notable Cases**

#### ***R (otao AA) v SSHD (Rwanda) [2023] EWCA Civ 745 (on appeal: [2022] EWHC 3230 (Admin) (19 Dec 2022))***

Alongside Sonali Naik KC, Adrian Berry, Mark Symes and Isaac Ricca-Richardson, Eva represented one of the Claimants (AS) in the Divisional Court and Court of Appeal proceedings concerning the UK Government's policy to send asylum seekers to Rwanda for their refugee claims to be processed there rather than in the UK. As part of this litigation, Eva was also involved in the interim relief proceedings which were heard by the Administrative Court and the Court of Appeal on 14 June 2022.

This litigation has been widely reported in both international and national media including by [Sky News](#), [BBC News](#), [CNN](#), [The Guardian](#) and many more.

#### ***R (otao BIM) v South Gloucestershire Council CO/464/2023***

Judicial review claim challenging the Defendant's assessment and conclusion that the Claimant is over 18 years of age. This case involves important public law issues of wider significance including in relation to putative children exhibiting indicators of trafficking during the assessment and being found to be a victim of trafficking. The Administrative Court has granted permission to appeal.

#### ***R (otao RG) v SSHD, R (otao AA) v SSHD etc.***

Eva acts for a number of 'joining family members' of EEA nationals who are protected by the Withdrawal Agreement but have been denied temporary protections, including the right to enter and reside in the UK while their applications and any subsequent appeals are ongoing.

### ***R (otao JGK) v SSHD JR-2022-LON-001559***

Judicial review claim challenging delays in considering an application by an Afghan national for relocation to the UK under the Afghan Relocations and Assistance Policy (APAP) scheme. The case settled following a grant of permission by the Upper Tribunal.

### ***R (otao AA) v SSHD JR/482/2021***

Judicial review claim against refusal of AA's application for family reunion with his brother in the UK under the Dublin III Regulations. Eva was instructed alongside Rebecca Chapman of Garden Court Chambers. This case has been covered by [\*The Independent\*](#).

### ***R (otao AD) v SSHD CO/2688/2021***

This is the first of a number of Judicial Review claims challenging the SSHD's policy not to issue family permits to extended family members of EEA nationals who succeed in their applications or appeal after 30 June 2021. Eva was instructed alongside Emma Daykin at One Pump Court chambers. Both ILPA and Here for Good have been involved in this litigation. This has been covered by [\*Politico\*](#) and [\*The Independent\*](#).

## **IMMIGRATION & EU LAW**

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Eva is a specialist in all areas of immigration law including family, asylum, deportation, detention, nationality and trafficking.

She has expertise in EU free movement law, the impact of Brexit on EEA nationals and their family members, and asylum inadmissibility provisions. Eva regularly delivers training on these topics on behalf of ILPA (her trainer profile can be accessed [here](#)), HJT and solicitors in-house. She has also drafted Practice Notes and case analyses for [Lexis Nexis](#) and Thompson Reuters Practical Law and is [a Free Movement blog author](#).

Prior to joining the Bar, Eva worked for over four years, on a wide range of immigration and public law matters at Laura Devine Immigration Solicitors and as an assistant to Mark Symes.

### **Notable Cases**

### ***R (otao AA) v SSHD (Rwanda) [2023] EWCA Civ 745 (on appeal: [2022] EWHC 3230 (Admin) (19 Dec 2022))***

Alongside Sonali Naik KC, Adrian Berry, Mark Symes and Isaac Ricca-Richardson, Eva represented one of the Claimants (AS) in the Divisional Court and Court of Appeal proceedings concerning the UK Government's policy to send asylum seekers to Rwanda for their refugee claims to be processed there rather than in the UK.

As part of this litigation, Eva was also involved in the interim relief proceedings which were heard by the Administrative Court and the Court of Appeal on 14 June 2022.

This litigation has been widely reported in both international and national media including by [Sky News](#), [BBC News](#), [CNN](#), [The Guardian](#) and many more.

***Singh v SSHD* [2022] EWCA Civ 1054; [2022] 7 WLUK 328**

Eva was instructed alongside Gordon Lee in this matter before the Court of Appeal. The Appellant, an extended family member of an EEA national, appealed the SSHD's refusal to issue him with a residence card under the Immigration (European Economic Area) Regulations 2016. The case turned on the First-tier Tribunal's approach to the financial support the sponsor (the EEA national) had provided towards the Appellant's education. The case provided important guidance in relation to the question of dependency under EU law and the Withdrawal Agreement.

***R (otao JGK) v SSHD* JR-2022-LON-001559**

Judicial review claim challenging delays in considering an application by an Afghan national for relocation to the UK under the Afghan Relocations and Assistance Policy (APAP) scheme. The case settled following a grant of permission by the Upper Tribunal.

***ED (Albania) v SSHD* UI-2021-001322**

Eva successfully represented an Albanian male victim of trafficking before the Upper Tribunal (Immigration and Asylum Chamber) against a decision by the First-tier Tribunal to dismiss his protection and human rights claim.

***R (otao AA) v SSHD* JR/482/2021**

Judicial review claim against refusal of AA's application for family reunion with his brother in the UK under the Dublin III Regulations. Eva was instructed alongside Rebecca Chapman of Garden Court Chambers. This case has been covered by [The Independent](#).

### ***R (otao AD) v SSHD CO/2688/2021***

This is the first of a number of Judicial Review claims challenging the SSHD's policy not to issue family permits to extended family members of EEA nationals who succeed in their applications or appeal after 30 June 2021. Eva was instructed alongside Emma Daykin at One Pump Court chambers. Both ILPA and Here for Good have been involved in this litigation. This has been covered by [Politico](#) and [The Independent](#).

Eva was instructed by an international organisation to conduct a high-level risk assessment of secondary legislation aimed at implementing the immigration changes following Brexit, and how this will affect those exempt from immigration control. Her work fed into submissions made to the Government which eventually led to legislative amendments in this area.

## **COMMUNITY CARE LAW**

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Eva maintains a broad community care practice with a focus on challenges to the provision of asylum support and accommodation, and age disputes.

### **Notable Cases**

### ***R (otao BIM) v South Gloucestershire Council CO/464/2023***

Judicial review claim challenging the defendant's assessment and conclusion that the claimant is over 18 years of age. This case involves important public law issues of wider significance including in relation to putative children exhibiting indicators of trafficking during the assessment and being found to be a victim of trafficking. The Administrative Court has granted permission to appeal.

## **EQUALITY AND EMPLOYMENT LAW**

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Eva has a strong interest in employment law, particularly discrimination challenges under the Equality Act 2010. She has worked alongside Nicola Braganza KC in complex litigation on indirect discrimination on grounds of race and age before the Employment Tribunal in [Essop v UKBA](#). This followed the landmark Supreme Court case of [Essop & Ors v Home Office \[2017\] UKSC 27](#).

Eva also assisted Nicola with a high-profile sexual orientation direct discrimination and victimisation claim against the Ministry of Justice, *Plaistow v SSJ*. She accepts instructions to represent individuals before the Employment Tribunal.

## BACKGROUND

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Prior to coming to the Bar, Eva worked in international disaster relief and development mainly in South Asia and the Middle East. She also spent time for a small grassroots collective in Northern India where she supported caseworkers in representing individuals at panchayat hearings (local assemblies where disputes between individuals are settled).

## AWARDS

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Middle Temple, Jules Thorn Scholarship

University of Law, BPTC Prize for Excellent Results – Immigration and Asylum

German Academic Exchange Service (DAAD), Scholarship

## PRO BONO

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Building on her past experience and her refugee law knowledge in the context of the global movement of people, she is a trustee of [Refugee Legal Support](#) which runs projects and pro bono legal clinics in Athens, Calais and the UK. She is currently part of the RLS casework sub-committee.

## EDUCATION

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MA International Conflict Studies, Kings College London (2014)

BA Politics, Freie Universitaet Berlin (2013)

BPTC and GDL, University of Law (2019)

## PROFESSIONAL MEMBERSHIP

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Administrative Law Bar Association (ALBA)

Discrimination Law Association (DLA)

Immigration Law Practitioners' Association (ILPA)

## LANGUAGES

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German

If you would like to get in touch with Eva please contact the clerking team:

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