



Barrister profile

Frances Webber



Practice

Frances was called to the Bar in 1978; first six months' pupillage with Michael Mansfield at Cloisters; joined current chambers at Garden Court (then at Farrars Building) in 1979. For the first ten years, Frances worked in crime, family, housing, employment and increasingly, immigration, which was then a young discipline.

Immigration law, including asylum and human rights, has been at the heart of Frances' practice for more than 20 years. Frances provides advice and advocacy in all aspects of immigration and refugee law, from a strong human rights-based perspective. Her immigration practice features all aspects of asylum and human rights law. She was junior counsel in *Shah and Islam*, a defining case on the refugee definition and gender persecution, and in the Joint Council for Welfare of Immigrants case, which held unlawful the withdrawal of benefits from refugees in 1996. She was counsel in *Adimi* (1999), which established that asylum-seekers could not lawfully be charged with criminal offences in respect of their arrival in the country. More recently she was counsel in *Januzi* (2006), an important House of Lords case on refugees' ability to live elsewhere in their home country, and in *Fornah* (2006), another important House of Lords case on gender violence and refugee status.

Her immigration practice covers the full range of immigration law, mainly judicial review and statutory appeals, from first instance through to Court of Appeal and beyond, as well as much advisory work, which includes authoritative advice on children's immigration and nationality status for children's guardians, local authorities and others in children's cases. She currently works on a number of national security deportation cases, and also retains a small immigration-related criminal practice.

Other fields of public law in which Frances acts include review of control orders under the Prevention of Terrorism Act. She has also judicially reviewed coroners' inquests and magistrates' court decisions, and was involved in the Pinochet series of extradition cases, where she was junior counsel for Amnesty International.

Frances is strongly committed to improving access to expertise in the field, and participates in the Chambers advice line to solicitors, law centres and other legal service providers such as CABs, under a contract with the Legal Services Commission.

Publications

Legal publications have included textbooks, articles and papers on law and practice. Frances co-edited Macdonald's *Immigration Law and Practice* (5th edition, 2001, 6th edition 2005) and Halsbury's *British Nationality, Immigration and Asylum* (4th edition, 2002 reissue). Other books and pamphlets include: *Immigration, nationality and asylum under the Human Rights Act 1998* (contributor, 1999); *Border wars and asylum crimes* (pamphlet, 2006); *Asylum: from deterrence to criminalisation* (pamphlet, 2006); *Crimes of Arrival* (pamphlet, 1996); *J'accuse* (pamphlet, 1995); *Inside Racist Europe* (co-author, 1994). She has written numerous articles for journals including *Socialist Lawyer*, *Statewatch* and *Race & Class*.

Year of Call

1978

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Education

BSc (Hons) Sociology and Psychology

Languages

Spanish and French.

Practice Areas:

Frances Webber is a member of the following Practice Areas:
- Immigration
- Public & Administrative Law

Garden Court Chambers

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Societies

Immigration Law Practitioners' Association (ILPA), Legal Action Group (LAG), Haldane Society, Institute of Race Relations, Statewatch, CAMPACC, Justice for Colombia.

Other activities

Frances provides regular training in her areas of expertise. She has participated in training for the Immigration Law Practitioners' Association (ILPA), the Legal Action Group (LAG), the Immigration Advisory Service (IAS), Liberty and JUSTICE, and for LSC contract-holders.

Frances has given seminars on international refugee law to students at Oxford and LSE, and has participated in many national and international conferences on aspects of domestic and European immigration and asylum law and practice, and in seminars and talks to students and to refugee support groups in Britain and Europe. In May 2006 she participated in a human rights delegation to Colombia.

In 1994, Frances performed the role of prosecuting counsel in the Basso tribunal on the right to asylum in Europe, in Berlin.

Notable Cases

Fornah v Secretary of State for the Home Department (HL, 2006): female genital mutilation and refugee status

Januzi v Secretary of State for the Home Department (HL, 2006) (junior): internal relocation and refugee status

R v Embaye (CA, 2005): scope of Article 31 of the Refugee Convention

Shirazi v Secretary of State for the Home Department [2004] 2 All ER 602: religious persecution

ZL and VL v Secretary Of State for the Home Department [2003] 1 All ER (non suspensive appeals under 2002 Act);

R (Ala) v Secretary of State for the Home Department [2003] EWHC Admin (jurisdiction of appellate authority on human rights appeal);

R (Mahmood) v Secretary of State for the Home Department [2001] 1 WLR, CA (family life and intensity of review in human rights cases);

R v SSHD ex p Popatia [2000] Imm AR (notice and time in deportation cases);

R v Uxbridge MC ex p Adimi [1999] WLR, INLR (Article 31 of Refugee Convention);

R v Secretary of State for the Home Department ex p Shah [1999] WLR (HL)



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(junior) (gender persecution and Refugee Convention);

R v Bartle ex p Augusto Pinochet Ugarte [1999] WLR (HL) (junior) (state immunity and torture);

R v Secretary of State for the Home Department ex p Quijano [1997] Imm AR (CA) (scope of social group in refugee law);

R v SSSS ex p JCWI [1996] WLR (CA) (junior) (vires of regulation removing benefits from asylum seekers).