



Practice

Nicola Rogers is hailed by sources as "the leading junior European law practitioner." A recognised expert in the field, "she has at her fingertips chapter and verse on the European law element of any case." Rogers advises on all instances where immigration and European law collide, and has cemented her standing in the market through a wealth of ECJ appearances. A lawyer with "unquestionably excellent knowledge," she combines this with "impressive service levels" to make her one of the most sought-after juniors around.

Chambers & Partners 2009

Nicola Rogers' prolific activity at the ECJ on asylum and immigration law issues and their interaction with the EU has markedly raised her profile among observers. A European specialist - "her knowledge is extraordinary" - she advises on those areas where immigration intersects with EU issues. She works on a good proportion of human rights-related counsel, including the rights of British citizen children whose parents are not British or are from an EU accession country. Lawyers agree that "the British government always gives a conservative interpretation to European directives and she is the leading thinker to ensure that the other side gets a push." Interviewees were unanimous in their portrayal of her as "a lateral-thinking, innovative advocate with great clarity of thought. Chambers & Partners 2008

Nicola Rogers is rated as a 'leading junior EU law practitioner' **Legal 500, 2008**

Practice

Nicola is available to give advice on any aspect of immigration law. Her particular expertise is in EU free movement law, EC Association Agreements and human rights law. She is a very experienced practitioner having appeared in every level of court from the Asylum and Immigration Tribunal to the European Court of Justice and the European Court of Human Rights and is able to provide both practical and legal advice. She also advises on housing and social security law where an EU law issue arises.

She has an extremely fast turn around time on paperwork and her straightforward style is well appreciated by lay and professional clients alike.

Training

Nicola is a highly experienced trainer, her courses on EU law are extremely popular and she has trained for over 10 years to a wide variety of audiences including the AIT. As well as presenting Garden Court Seminars Nicola is also able to offer in-house training tailor made to suit a firms' needs. Tailor made training offers the opportunity for solicitors and trainees to ensure that their knowledge is appropriate to their specific client base and they are fully apprised of current EU law and UK practice as well as providing an more informal forum to discuss specific queries and problems.

Career

Barrister in private practice (1998-2000; 2002-present)
Assistant Director AIRE Centre (Advice on Individual Rights in Europe)
(2000-2002).

Year of Call

1997

Email Address

nicolar@gclaw.co.uk

Telephone

020 7993 7841

Practice Areas:

Nicola Rogers is a member of the following Practice Areas:
- Immigration
- Public & Administrative Law

Garden Court Chambers

57 - 60 Lincoln's Inn Fields
London WC2A 3LJ
Tel 020 7993 7600
Fax 020 7993 7700



Legal consultant HM Inspector of Prisons (2002-2003).
Consultant UNHCR Strasbourg (1998).

Publications

Author "Practitioners' Guide to the EC-Turkey Association Agreement" (2000, Martinus Nijhoff).

Contributor "Handbook on European Enlargement" (2002).

Co-author "Free Movement of Person in the Enlarged European Union" (Dec 2004, Sweet & Maxwell).

"EU Asylum and Immigration Law" (co-edited with Steve Peers) (Brill Publications, September 2006)

Frequent contributor to various legal journals on EU and ECHR issues.

Notable cases

AL (SERBIA) v SECRETARY OF STATE FOR THE HOME DEPARTMENT : [2008] UKHL 42, (2008) 1 WLR 1434 : (2008) 4 All ER 1127 : (2008) HRLR 41 : (2008) UKHRR 917 : Times, July 2, 2008. This is a human rights case on discrimination. It was the first case taken to the House of Lords arguing discrimination under the European Convention on Human Rights in an immigration context. It concerned the one off concession for families that excluded unaccompanied minor children. Client was an unaccompanied minor who had lost his family in the Kosovan conflict.

HARROW LONDON BOROUGH COUNCIL v (1) IBRAHIM (2) SECRETARY OF STATE FOR THE HOME DEPARTMENT (2008) [2008] EWCA Civ 386. (2009) HLR 2. Court of Appeal. Case has been referred to the ECJ and will be decided by the ECJ in 2009. This is a case on the interrelationship between EU immigration law and housing law and raises a novel issue of EU law, hence the reference by the Court of Appeal to the European Court of Justice. The case concerns the right to access education (and therefore the right to reside in the UK) for children of EU nationals who were formerly workers in the UK. The outcome could affect a large number of children whose EU national parent has either lost their job or left the UK where the children have started education in the UK and wish to complete it here.

(1) KG (SRI LANKA) (2) AK (SRI LANKA) v SECRETARY OF STATE FOR THE HOME DEPARTMENT (2008) [2008] EWCA Civ 13, Times, February 7, 2008. Court of Appeal. Case is an EU immigration case which concerned the rights of residence for extended family members of EU nationals. The case is currently subject of complaint to the European Commission. The case potentially affects thousands of relatives of EU nationals who wish to reside in the UK with the EU national.

N v SSHD, - constructive removal of British citizen child, CA, [2006] EWCA Civ 414

R (on the application of (1) OZTURK (2) PAYIR (3) AKYUZ v THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (2006) [2006] EWCA Civ 541 - has been referred to the European Court of Justice by the Court of Appeal, pending



Barrister profile

Nicola Rogers



before ECJ

R (on the application of Ozturk & Akyuz) v SSHD[2005] EWHC 1433 (Admin);

R (on the application of G) v SECRETARY OF STATE FOR THE HOME DEPARTMENT (2005) [2005] EWCA Civ 546.