



Practice

Smita's practice combines all aspects of children law and an ongoing commitment to human rights.

Smita's practice is premised upon:

- The highest level of client care; whether lay or professional
- Rigorous preparation in fact and law
- Commitment to publicly funded work

She has developed a particular skill in public and private law Children Act 1989 and ancillary matters such as domestic violence.

Public Law

Smita regularly acts for guardians, parents and local authorities. She has an expertise and experience in:

- Complex and conflicting expert and medical evidence
- Adoption, placement and old freeing applications
- Acting for teenage parents and child clients
- Clients with complex needs such as mental health and disabilities
- Confidentiality and disclosure points
- Where there are concurrent criminal proceedings

Private Law

Smita represents both parents and children in private law. She regularly appears in cases which include:

- All s.8 Children Act 1989 matters
- Appointment of rule 9.5 guardians
- Enforcement procedures, whether involving High Court Tipstaff or s.33/34 of Family Law Act 1986
- Use of expert and medical evidence
- Applications including a foreign element in residence or contact
- The role of local authorities in private law proceedings
- Allegations of abuse and harm

Domestic Violence

Smita continues to carry out all Part IV Family Law Act 1996 cases and to represent survivors and perpetrators of domestic violence.

International Advisory and Consultancy

Alongside her domestic practice Smita maintains an active practice in international human rights and humanitarian law. Her particular areas of interest are ESC Rights, child rights and women's rights, particularly in times of conflict. Her international advisory and consultancy work includes:

- Ongoing advisory work with Peace Brigades International on Colombia.
- Membership of the UK CEDAW Working Group.
- From December 2006 February 2007 placement for the Bar Human Rights Committee in Ramallah, Occupied Palestinian Territory. Smita worked with the local bar association to build the capacity of local lawyers to utilise United Nations Human Rights mechanisms.

Year of Call

2002

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Telephone

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Education

LLB (Hons), MA
Understanding and
Securing Human Rights
(London) LLM International
and Comparative Law
(Columbia, New York)

Practice Areas:

Smita Shah is a member of
the following Practice
Areas:
- Family
- International Advice and
Litigation

Garden Court Chambers

57 - 60 Lincoln's Inn Fields
London WC2A 3LJ
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- A fact-finding mission for Justice for Colombia in May 2006, contributing to the delegation report. Her contribution focused particularly on the situation faced by women during the conflict.
- A former member of the Legal Team at the Kurdish Human Rights Project, actively undertaking litigation to the European Court of Human Rights.

Publications and Research

Smita continues to act as a trainer for Solicitors International Human Rights Group and delivers their annual training on UN Human Rights Mechanisms. The next training is due to take place on 17 October 2011.

She has been a Visiting Fellow at the Lauterpacht Centre for International Law, Cambridge University since April 2011 and carried out research on 'Children before Military Tribunals'.

She has spoken at a number of international conferences and delivered the following papers:

- Presented a paper 'The problems of children are social problems: ill-treatment, alternative care and the UK' at Protective Environment- Active Participation, International Child Rights Conference, Bethlehem, OPT for DCI - Palestine Section on 10 November 2010
- Presented a paper on 'Accountability for Gendered Violence in Transitional Justice' at a conference at Bristol University on 15th September 2004

Smita was a Visiting Lecturer to the University of North London from March 2002 and then later London Metropolitan University from September 2003 until August 2006. She taught Refugees and Human Rights and an innovative seminar entitled the Legal Regulation of Conflict to postgraduate students.

She was appointed as a Teaching Assistant to the Human Rights Law Clinic while studying at Columbia Law School, New York from 2002-2003, she supervised litigation to the Inter-American Commission of Human Rights on behalf of detainees in Guantanamo Bay, Cuba.

Professional Memberships

Family Law Bar Association (FLBA), The Children's Rights Alliance for England (CRAE), Association of Lawyers for Children (ALC)

President of Inner Temple Student Association 2001 to 2002

Education Team, Inner Temple Junior Bar Association 2003-2005

Background

Smita had previously worked for Amnesty International in their section offices in New Zealand, Thailand and with affiliated activists in Malaysia during the notorious Anwar Ibrahim trial. Upon her return to the UK she worked with the Middle East Team at the Amnesty International, International Secretariat.



Barrister profile

Smita Shah



(Profile Updated 2011)