



GARDEN COURT CHAMBERS

# Grace Brown

YEAR OF CALL: 1995



Grace Brown is Joint Head of Garden Court Chambers.

Grace is a public law practitioner with a particular focus on human rights, immigration and refugee law. She commenced practice in 1995 inspired by the desire to promote the rights of the underprivileged and disadvantaged and quickly established herself as a well-respected and busy human rights and immigration barrister.

Grace is appointed to the Equality and Human Rights Commission's preferred Panel of Counsel.

Grace was awarded the 2021 BSN Lawyer of the Year, in the Chambers category, at the UK Diversity Legal Awards.

"Grace is a passionate, highly knowledgeable and articulate barrister. Dedicated, approachable and very conscientious."

LEGAL 500, 2024 (ADMINISTRATIVE LAW & HUMAN RIGHTS)

"Grace is very knowledgeable on issues regarding Windrush-related judicial reviews."

CHAMBERS UK, 2024

"She will respond extremely quickly and efficiently, with really succinct answers. Her immigration expertise is very reassuring."

CHAMBERS UK, 2024

"Grace is a great person to work with, a magnificent drafter, and has achieved considerable success for [our clients] before the [Tribunal] and higher courts."

PROFESSIONAL CLIENT

"Your [draft pre action protocol] letter is superb, thank you very much for putting so much effort in to it, we really appreciate what you have done."

LAY CLIENT

"Gracious in person, she was with us all the way. Up to date and considered in her submissions, persisting in spite of the odds. Her meticulous attention to detail saved the day when she pointed out a crucial omission by the Home Office, all together in a successful outcome."

PUBLIC ACCESS CLIENT

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

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## IMMIGRATION LAW

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Grace's in-depth areas of expertise include cases involving:

**Family and private life**

**Domestic violence and gender-based claims**

**Deportation**

**Unlawful detention**

**Trafficking**

**International protection claims**

**Age disputes**

**Family reunion**

**Entry clearance**

**Points Based System**

**Construction and interpretation of rules and law**

Grace is a busy practitioner and works for a wide range of clients. She has extensive knowledge and experience in claims, appeals, and judicial review, enabling her to authoritatively advise in a range of case-types and appear in hearings in the Tribunals and Higher Courts. In addition, her written work is widely regarded as being effective in a significant proportion of cases in producing the desired results, be it for example in obtaining permission to appeal, permission to apply for judicial review and/or in managing to persuade the Secretary of State to reverse an adverse decision. Grace is also an experienced Public Access trained and qualified practitioner and regularly takes instructions direct from the public. She is regularly instructed in Windrush cases, Windrush-related cases and also Windrush Compensation Scheme cases. She has detailed and in-depth knowledge of the legal, cultural and other issues that arise in Windrush cases and frequently advises solicitors, community groups and organisations on these issues. She is instructed in a significant number of Windrush cases that are aimed at challenging the apparent and various inequities and failings of both the Windrush Scheme and the Windrush Compensation Scheme.

## NOTABLE CASES

Past notable cases can be viewed below. [Click here to see a list of recent notable cases.](#)

**Howard, R (On the Application Of) v Secretary of State for the Home Department** [2021] EWHC 1023 (Admin) - successful challenge to a number of Home Office decisions, based on the good character requirement, refusing citizenship to a Windrush Migrant who had lived in the UK for 59 years.

**GW (FGM and FGMPOs) Sierra Leone CG** [2021] UKUT 108 (IAC) - first case to bear directly on the issue of the significance to be attached to FGM Protection Orders in immigration proceedings and the first country guidance on FGM and women in Sierra Leone. [Read Grace's Free Movement blog on the case](#) for more details.

**R (on the application of KO Nigeria) v Secretary of State for the Home Department** [2019] 9 WLUK 297 - successful challenge to 15-month immigration detention following conviction and 6-year prison sentence.

**Kazim & Anor, R (on the application of) v SSHD** [2018] EWCA Civ 1163 - Tier 1 (Entrepreneur) case, whether funds were 'available' for investment.

**Mohamed, R (on the Application of) v Secretary of State for the Home Department** [2018] EWHC 3547 (Admin) – delays of 13½ years and 4 years in processing and progressing the Claimant's claims for leave to remain in the UK were held to be unlawful.

**R (on the application of Shkelzen Prendi) v Secretary of State for the Home Department** CO/2339/2018 – lead case on whether the provisions in the Regulations excluding appeal rights for EFMs were faithfully transposed into domestic law resulting in appeal rights for EFMs being reintroduced in the Immigration (European Economic Area) (EU Exit) Regulations 2019.

**QUB v SSHD** [2017] EWHC 1494 (Admin) - unlawful detention

**EM (Kosovo) v SSHD** C5/2016/1951 - obtained settlement in Court of Appeal case concerning deportation where the Upper Tribunal hearing had taken place in the client's absence.

**AO (Nigeria) & ors v SSHD** C5/2016/2467 - obtained settlement in Court of Appeal case concerning asylum and long residence children.

**AK (Afghanistan)** C7/2015/3743 - obtained settlement in Court of Appeal case concerning an asylum claim of a minor and article 8 ECHR.

**RT v SSHD** C2/2014/2013 - obtained settlement in Court of Appeal case concerning long residence/overstaying and health (HIV).

**AZ (Asylum-'legacy' cases) Afghanistan** [2013] UKUT 00270 - whether removal was unlawful under paras 8-10 of Schedule 2 to the 1971 Act

**VN (Chicago Convention - s 86(4)) Iran** [2010] UKUT 303 (IAC)

**AR & FW [2009] EWCA Civ 1310 and Rabah & Ors** [2009] EWHC 1044 (Admin) - test case on question of whether a person can be kept on temporary admission in circumstances where it cannot be said there is 'some prospect' of their removal from the UK.

**KJ [2008] EWCA Civ 468** - reasonableness of relocation of Iraqi Christian convert to the KRG.

**Lim [2007] EWCA Civ 773** - questions arising under the Immigration and Asylum Act 1999 s.10 are to be regarded as appealable and reviewable.

**Tosun [2006] EWCA Civ 958** - risk on return to Turkey.

**B [2006] EWCA Civ 954** - effect of delay in processing appeal.

## COMMUNITY CARE LAW

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Grace has developed an impressive practice in community care judicial reviews for which she is well-suited given her extensive experience in public law. She has particular expertise in cases involving the non-provision of services to children who lack secure immigration status in the UK and who need accommodation and support from local authorities. Grace has successfully acted in a number of cases involving destitute children and adults who need urgent access to the Court in order to challenge unlawful decisions and/or processes e.g. following a failure to treat an adult as a 'former relevant child'.

## MENTAL HEALTH LAW

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Grace has expertise in representing patients who are detained pursuant to hospital orders and in advising on appeals and judicial review.

## ENVIRONMENTAL LAW AND CLIMATE JUSTICE

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Grace has a long-standing interest in conservation, ecology and the environment. She appeared in the *M4 Corridor (Relief Road) Around Newport* Inquiry, a scheme with an estimated cost of £1 billion; see [here](#), which resulted in the plans of the Welsh Government to build the road being rejected.

Grace has advised a local action group on 140-dwelling development proposed by the London Borough of Haringey and also advised a local objector on the implications, as a result of traffic increase, pursuant to the proposed construction of a commercial warehouse on the boundary of protected land.

Grace was part of a legal team, led by Michael Mansfield QC, advising and assisting a legal team in Canada supporting the challenge by indigenous people there to the tar sands fracking project. She maintains her interest in this challenge and campaign.

## PROFESSIONAL REGULATION

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Grace advises and has appeared in professional conduct proceedings and regulatory matters, having previously served as a Disciplinary Tribunal member.

## PRO BONO WORK

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Grace is a Trustee of the [Haringey Migrants Support Centre](#) where, from 2013, she started providing pro bono immigration advice and pro bono representation to services users. She is also a trustee of the [Voice of Domestic Workers](#).

Grace has provided legal advice at Windrush Legal Clinics and has advised, pro bono, on a large number of Windrush and Windrush-related cases. These include cases involving family members of Windrush migrants and also claims and potential claims for compensation. A significant amount of her caseload remains Windrush-related and pro bono. For over 1 year, Grace acted pro bono in three linked cases in which she formed and developed unique legal arguments based on the flaws and limitations of the Windrush Scheme.

Grace is a mentor on the [Inner Temple Mentoring Scheme](#) and a [Pegasus Scholar Host](#) and has, since 2001, mentored and hosted many students studying for the Bar and hosted junior barristers.

She is a volunteer supervisor for the immigration law clinic at Exeter University.

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## PUBLICATIONS

Contributor to the Tenth Edition of *Macdonald's Immigration Law & Practice* (published 2021), the leading practitioner text in immigration law.

General editor of Butterworths *Immigration Law Service*.

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## TRAINING AND SEMINARS

Grace has delivered many in-house seminars to professional clients on areas covering the best interests of the child, deportation, EEA migration, disputed age and ETS fraud/deception cases. She regularly trains on Fair Recruitment.

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## AWARDS

BSN Lawyer of the Year (Chambers), UK Diversity Legal Awards 2021

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## APPEARANCES

Grace appeared on The Limehouse Podcast on 8 May 2018. She was interviewed by William Porteous about Windrush Scandal. [You can listen on SoundCloud](#). On 22 June 2018, Grace was a panel member and speaker, which panel included the Director of the Runnymede Trust, at the *Race and Migration: Expanding Windrush Scholar-Activism* conference, held at the British Library and, on 17 July 2018, was a panel member at a Parliamentary event attended by David Lammy MP and Janet Daby MP launching the Widen Windrush campaign. Grace was actively involved in the campaign from its inception and remains involved today. A news report of the event can be found [here](#).

In February 2019 Grace was part of an esteemed panel, on Immigration Law in a Hostile Environment, hosted by the Inner Temple and chaired by the Hon Mr Justice Peter Lane. The subject matter of Grace's talk focussed on the impact and effects of changing law on long-term settled migrants and their families.

In 2020, Grace was an invited speaker/panel member at the following events: [Widen Windrush Campaign](#), Oxford (25 January 2020), *Widen Windrush Awareness* talk, Southbank university (25 February 2020), *Windrush Update* event, hosted by the TUC (London, East and South East) Race Relations Committee (10 March 2020), *Securing Justice for Victims of the Windrush Scandal: Have Lessons Been Learned*, organised and hosted by the Haldane Society (21 May 2020) and, alongside Patrick Vernon OBE, *Windrush Next? In Memory of Paulette Wilson: Online Conference* hosted by the Black Cultural Archives (23 September 2020).

Grace has been an invited speaker/panel member at the following events: *Diverse Voices* organised and hosted by Kings College London BAME in the City (27 January 2021), *Immigration Seminar* organised and hosted by the Jamaican High Commission in London (28 January 2021), *British In All But Legal Status*, organised by Windrush Defenders Legal and hosted by the Ethiopian World Federation Incorporated Manchester (09 May 2021) and *Race, Class and Social Mobility* Webinar organised and hosted by the Immigration Law Practitioners Association (06 July 2021).

A central theme and focus of Grace's contributions have been the rights of Windrush migrants and the challenges in securing those rights not only for the Windrush migrants themselves, but also their family members. In October 2022, Grace spoke as a panellist at *The Windrush Compensation Scheme – is justice finally being served?* organised and hosted by King's College London.

## EDUCATION

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**BA (Hons)**

**BVC (Inns of Court School of Law)**

## PROFESSIONAL MEMBERSHIP

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**Immigration Law Practitioners Association**

**Family Law Bar Association**

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