



GARDEN COURT CHAMBERS

# Rebecca Chapman

YEAR OF CALL: 1990



Rebecca practises in all aspects of immigration and asylum law. She has particular expertise in cases involving vulnerable women and children, LGBTI+ individuals, family reunion and article 8 cases and deportation. She represents clients at all levels from the First-tier Tribunal to the Grand Chamber of the ECtHR.

"One of most experienced leading barristers in immigration. She brings authority and knowledge to everything."

CHAMBERS UK, 2023

"A go-to barrister you can put any case in front of and she will do a good job on it. She is a leader in the field who is sympathetic but practical, and is very effective."

CHAMBERS UK, 2021 (IMMIGRATION, BAND 1)

"Rebecca is a true leader in the field."

LEGAL 500, 2022 (IMMIGRATION)

"Rebecca's legal knowledge is outstanding – whether it be a complex EEA deportation appeal or an intricate application for interim relief in a judicial review she knows the exact argument to run and gets results."

LEGAL 500, 2021 (IMMIGRATION)

"Her legal knowledge is phenomenal... A strong advocate who has a great rapport with clients."

CHAMBERS UK, 2021 (IMMIGRATION, BAND 1)

"She has the combination of being passionately committed to the client as well as organised and focused. Clients know she's 100% on their side, and she delivers."

CHAMBERS UK, 2020

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

[immigrationclerks@gclaw.co.uk](mailto:immigrationclerks@gclaw.co.uk) | +44 (0)20 7993 7600

You can also contact Rebecca directly:

+44 (0)20 7993 7745

## IMMIGRATION: ASYLUM AND HUMAN RIGHTS

Rebecca has three decades of experience representing clients with asylum claims, with a particular focus on unaccompanied minors and those facing persecution on account of their gender or sexual orientation. She also has substantial experience in article 8 claims based on family life, and article 3 claims based on health and medical conditions. She co-authored "[A Practical Guide to Health & Medical cases in Immigration Law](#)", published in 2021. Rebecca was appointed a Deputy Judge of the Upper Tribunal (IAC) in 2015.

## NOTABLE CASES

***R (ota) AM v SSHD [2022] EWHC 2591 Admin [14.10.22]***

Lieven J held that the absence of any provision within the Immigration rules for victims of transnational marriage abandonment unlawfully discriminated against them.

***R (ota) Fowler and Coleman SC/CIV/05/20; SC/CIV/06/20 [26.5.21]***

The Supreme Court of the Falkland Islands quashed the decision of the Principal Immigration Officer, upheld by the Governor in council, to revoke the work permits of the Applicants and deport them on the grounds of procedural unfairness.

***R (ota) Gayle v SSHD [2017] EWHC 3385 (Admin)***

Wall J held that the SSHD had failed to take account of material considerations when refusing the Claimant ILR and granting DL, in particular the medical evidence as to the impact on her mental health.

***GS India & others [2015] EWCA Civ 40, acting for BA (Ghana)***

The Court of Appeal maintained the article 3 threshold established in N(HL) and ECtHR. Following judgment of the ECtHR in Paposhvili v Belgium the SSHD reconsidered the cases.

***SS Malaysia (2013) EWCA Civ 888***

Whether the circumcision of a male child engaged Articles 3 and 8 of ECHR.

***OO (Algeria) (2013) UKUT 63 (AIC) and [2016] CG UKUT 00065 (IAC)***

Country guidance decision regarding the risk of persecution to gay Algerians.

***MM (Zimbabwe) v Sec State Home Dept (2012) EWCA Civ 279***

Whether Article 8 engaged and, if so, the test was to be applied in respect of a deportation appeal where the appellant suffered from severe mental health issues.

***IA (Turkey) (2010) EWCA Civ 625 (distinguishing TB (Jamaica))***

Unlawfulness earlier in the decision meaning that history may, in principle, sometimes taint a subsequent immigration decision but an earlier immigration decision by the Secretary of State of the Home Department (SSHD), which might have been appealed to the Tribunal, but which has not been appealed, or not been appealed in time, must subsequently be treated by all parties as lawful.

***R (ota) Ahmed (2009) EWHC 2676 Admin***

Judge Ouseley ordered the SSHD to return the claimant to the UK from Iraq following a finding that his Article 8 rights had been breached.

***R (ota) Abdullah (2009) EWHC Admin 1771***

Whether the unmarried third country national partner of an European Economic Area (EEA) national has an in-country right of appeal.

***R (ota) Malik (2008) EWHC Admin 888***

Judicial review of the decision to remove a third country national to Greece under the provisions of the Dublin Convention.

***AC (Turkey) (2004) UKIAT 00122***

Whether the Article 8 rights of the mother, who was facing deportation, were shared by her daughter.

***AA (Somalia) (2002) UKIAT 05720***

Geledi are a sub-clan of the Benadiri minority clan and are thus at risk of persecution.

***R (on the application of) B v an Adjudicator (2002) EWHC 1469***

Medical evidence has to be considered by an adjudicator when assessing the credibility of an asylum applicant.

## **ADMINISTRATIVE AND PUBLIC LAW**

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Rebecca practises in all aspects of administrative and public law.

## **BACKGROUND**

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Before joining Garden Court Chambers in 2013, Rebecca practised at Tooks Chambers for 17 years. Prior to this, Rebecca worked for the Refugee Legal Centre (latterly Refugee and Migrant Justice) for four years.

Rebecca has acted as an external examiner for the Human Rights LLM at the University of York.

Rebecca is a trustee of [Refugee Legal Support](#).

She lives in London with her partner and son.

## **PUBLICATIONS**

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[A Practical Guide to Health & Medical cases in Immigration Law \(2021\)](#)

## TRAINING AND SEMINARS

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Rebecca regularly provides training for for the Immigration Law Practitioners' Association (ILPA) and has also conducted training sessions for Maternity Action, the Joint Council for the Welfare of Immigrations (JCWI), Amnesty International and FORWARD UK.

Rebecca regularly trains and speaks at conferences and seminars concerned with the rights of refugee and migrant women, particularly on domestic violence and trafficking, both to lawyers and community groups and organisations.

## WHAT OTHERS SAY

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"She is extremely knowledgeable on all aspects of immigration law. She has always been excellent and her appointment as a judge has given her another edge as she's now even better at knowing how a tribunal is going to react to an argument."

Chambers UK, 2020

"She has the combination of being passionately committed to the client as well as organised and focused. Clients know she's 100% on their side, and she delivers."

Chambers UK, 2020

"Brings to her practice sharp intellect, high-class written work and steely determination."

Legal 500, 2020

"A delight to work with." "Willing to pursue complex arguments with vigour."

Chambers UK, 2019

"She is an extremely persuasive advocate and entirely comfortable in the Court of Appeal."

Legal 500, 2019

"She is passionate, intelligent and reliable. She is able to respond quickly in an emergency, think flexibly and insightfully, and see each case afresh."

Chambers UK, 2018

"She is very compassionate and strong on children or family cases." "An absolutely fantastic advocate."

Chambers UK, 2017

She is at the cutting edge of immigration and asylum law."

Legal 500, 2017

## EDUCATION

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**BA (Hons) Sociology (York), Diploma in Law (London)**

## PROFESSIONAL MEMBERSHIP

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**Immigration Law Practitioners Association (ILPA)**

**The Constitutional and Administrative Law Bar Association (ALBA)**

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57-60 Lincoln's Inn Fields, London, WC2A 3LJ

Email: [info@gclaw.co.uk](mailto:info@gclaw.co.uk)

Tel: +44 (0)20 7993 7600

DX: 34 Chancery Lane