



Raza Halim

YEAR OF CALL: 2009



Raza Halim specialises in public law, with an emphasis on refugee law and human rights. He specialises in judicial review and appellate work in the fields of unlawful detention, international protection and national security matters in SIAC.

"Raza Halim is an excellent strategist, very experienced in public law matters and likes a challenge. He is responsive and easy to work with and his drafting is excellent."

LEGAL 500, 2021 (IMMIGRATION)

"A rising star who has been involved in a number of cutting edge immigration cases."

LEGAL 500, 2019

"An excellent junior who is hard-working and involved in several key

immigration and public law cases."

CHAMBERS UK, 2020

"Whenever I work with Raza I always have absolute confidence that the client has the best possible chance of success. He is able to very quickly master new cases; he immaculately presents the case and always works from the heart."

CHAMBERS UK, 2020

"Delivers a senior product when it comes to drafting – time and time again."

LEGAL 500, 2020

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

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NOTABLE CASES

Hemmati & Ors v Secretary of State for the Home Department [2019] UKSC 56

Led by Michael Fordham QC. Supreme Court held that Home Secretary had failed to institute into domestic law and apply the high level of protection provided by EU law against the detention of asylum seekers. That meant that the appellants and any asylum seeker who had been detained pending their removal to Member States between 2014 – 2017, were entitled to damages for the tort of false imprisonment. Press coverage: [The Guardian](#) and [Independent](#).

Idahosa v R [2019] EWCA Crim 1953

Successful appeal against conviction for a refugee using false documents in order to escape persecution. The Appellant served 15 months in prison owing to the defective legal advice of his lawyers. Court of Appeal provided guidance on the statutory interpretation of being in “transit”.

MR (Pakistan) & Anor v Secretary of State for Justice & Ors [2019] EWHC 3567

Led by Hugh Southey QC. Judicial review of the scheme governing the detention of immigration detainees

held in the prison estate where the Prison Rules fail to provide equivalent protection or mechanisms to discover and release detainees who are victims of torture, compared to the rules governing immigration detention centres. That lacuna is also a breach of Article 14 ECHR and Equality Act 2010.

Foley v Secretary of State for Justice & Anor [2019] EWHC 488

Challenge to the decision by the Secretary of State to retain Claimant in custody pursuant to an indeterminate sentence of imprisonment for public protection, depriving him of removal from prison through the "Tariff-Expired Removal Scheme" ("TERS").

Gasztony v Secretary of State for the Home Department & NHS England [2019] EWHC 2879

Unlawful detention of a person suffering from autistic spectrum disorder in breach of the Home Secretary's published policy, Article 8 ECHR, and at common law, where, but for delays attributable to the Secretary of State, the Claimant could have been released, instead his mental health decomposed in detention. The Court held that the Secretary of State had a "special duty" to vulnerable persons in detention to ensure that there is no unnecessary delay in locating and securing appropriate accommodation/treatment in the community.

ZN Afghanistan v Secretary of State for the Home Department [2018] EWCA Civ 1059

Led by Stephen Knafler QC. Court of Appeal held that it was relevant to take into consideration the fact that a party was funded by legal aid, when determining the award of costs. The Court held that effective access to justice was of profound concern to the courts, especially in the field of public law, which concerned the legality of the executive's actions and so related in a direct way to the rule of law.

Adegun v Secretary of State for the Home Department [2019] EWHC 22

The detention of a seriously mentally ill man, suffering inter alia psychotic bipolar disorder, previously been sectioned under the Mental Health Act, was unlawful. The Home Secretary failed to discharge her duty of care by failing to dispense critical anti-psychotic medication to him, worsening his condition.

Hussein & Ors v Secretary of State for the Home Department & G4S (Liberty intervening) [2018] EWHC 213

Led by Stephanie Harrison QC. The Secretary of State had interfered with and indirectly discriminated against the rights of Muslim asylum seekers and migrants, protected under Articles 9 and 14 ECHR. The conditions in the detention centre compromised their ability to observe their faith through prayer. Press coverage: [BBC](#), [The Guardian](#), [The Independent](#).

AM (Afghanistan) v & Lord Chancellor & Anor [2017] EWCA Civ 1123

Led by Stephanie Harrison QC. Guideline case as to the principles to be applied in the determination of

asylum claims made by vulnerable, incapacitated and/or young persons. The Court of Appeal also ruled that tribunals have the power to appoint a litigation friend. See [Lexis Nexis Briefing Note](#).

Corbiere Ltd & Ors v Secretary Of State For Justice & Secretary of State for the Home Department [2017] EWHC 3364

Challenge brought by a hedge fund against decisions to refuse to recall the interested party to prison from licence and refuse to halt his deportation, where it was alleged that the interested party, a 'quantitative analyst' had stolen and reverse engineered 55 secret algorithmic trading strategies worth at least £31 million and that his deportation would open the firm to "serious harm". Press coverage: [The Guardian](#), [Bloomberg](#).

YA v Secretary of State for the Home Department [2017] EWHC 2135

The Secretary of State unlawfully detained a victim of torture. The Secretary of State was also censured by the Court for repeatedly breaching orders to release. Press coverage: [The Guardian](#).

HK (Iraq) & Ors v Secretary of State for the Home Department [2017] EWCA Civ 1871

Test case challenge to the removal of asylum seekers to Bulgaria under the 'Dublin III Regulation' in violation of Article 3 ECHR and Article 4 EU Charter of Fundamental Rights, because of the parlous state of reception conditions in that country for asylum seekers.

Wasif v Secretary of State for the Home Department [2016] EWCA Civ 82

Led by Michael Fordham QC. Guideline case as to the correct approach to certification of judicial review cases as "totally without merit".

M2 v Secretary of State for the Home Department SC/124/2014

Led by Hugh Southey QC. National security case in SIAC concerning deprivation of British Citizenship. In particular the case raises the issue of whether the application of EU law was material to the disclosure exercise.

ZG & SA v Secretary of State for the Home Department SN/23-24/2015

Review in SIAC of the Secretary of State's decision to refuse to naturalise on good character grounds for reasons of national security, focusing upon an applicant's right to prior consultation and pre-decision disclosure.

Jamar Brown v Secretary of State for the Home Department [2015] UKSC 8

Led by Stephen Knafler QC. The Supreme Court held that the Secretary of State had acted unlawfully in designating Jamaica a 'safe' country in view of the risk of persecution faced by persons dependent upon their sexual orientation.

JM & Ors v Secretary of State for the Home Department & Anor [2015] EWHC 2331

Led by Stephanie Harrison QC. Successful challenge to the operation of the Detained Fast Track system, leading to its suspension by the Minister for Immigration, after a decade of operation. Reported by the [BBC](#), [The Guardian](#) and [The Times](#).

AI v Secretary of State for the Home Department [2015] EWHC 244

Led by Raza Husain QC. Challenge to third country removals to France under the Dublin III Regulations in cases subjected to a detained fast track process in that country. Judgment conceded to be vitiated by material errors of law by Secretary of State on appeal.

IKM v Secretary of State for the Home Department [2015] EWHC 3031

Judicial review of decisions to unlawfully detain and remove victim of rape and torture on 'third country' grounds. Reported by the [BBC](#), [The Independent](#) and [The Huffington Post](#).

AA (Sudan) v Secretary of State for the Home Department & Anor [2014] EWHC 2118

Successful claim for unlawful detention. The Secretary of State's lack of resources did not provide a satisfactory answer to her failure to review the Claimant's detention.

Martin Ndomba Mulumba v First Tier Tribunal (Asylum Support) & Anor

Led by Stephen Knafler QC. Successful challenge to the widespread practice of the Asylum Support Tribunal and Secretary of State for the Home Department refusing to grant accommodation and financial support to otherwise destitute and homeless failed asylum seekers with outstanding Article 8 ECHR claims. [See Court's declaration here](#).

Hiri v Secretary of State for the Home Department [2014] EWHC 254

Successful judicial review of the Secretary of State's decision to refuse naturalisation on grounds of 'good character' of a member of the British Army for a speeding offence. The Court provided guidance as to how the Secretary of State must approach assessments of good character. Reported by the BBC, [The Guardian](#), and [The Daily Mail](#).

LM & Ors v Secretary of State for the Home Department [2014] EWHC 2015

Challenge to the lawfulness of Statement of Changes HC 820 on the grounds of its capriciousness offending principles of legal certainty and in turn the rule of law where it retrospectively made additional requirements of child applicants and their parents seeking leave to remain on grounds of private and family life.

R v Jaddi [2012] EWCA Crim 2565

A successful appeal against conviction before Hughes LJ Vice President of the Criminal Division (as he then

was) concerning the availability of the s.31 defence in respect of an Iranian asylum seeker convicted of false document offences.

PRO BONO WORK

Raza advises NGOs and charities on bringing strategic challenges to unlawful policies and represents detainees for Bail for Immigration Detainees.

PUBLICATIONS

Raza is a contributing author to *Macdonald's Immigration Law & Practice, 9th Edition*, the authoritative practitioner text in the jurisdiction.

AWARDS

In June 2016 Raza was profiled as [Lawyer of the Week](#) in *The Times*, having acted in judicial review proceedings to obtain the release of a 16-year-old Syrian child refugee who had been detained for a month with adults by the Home Office.

EDUCATION

- MA (Oxon.)
- MSc
- Princess Royal Scholar

LANGUAGES

- Bengali

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