



Chris Williams

1988

Qualifications

LLB (Hons)

Areas of Practice

Public Law and Human Rights with an emphasis on Immigration Law, Inquests including judicial review of Coroners verdicts; Judicial Review of decisions by of Magistrates and Youth courts; Civil Actions against the Police and Home Office; Prisoners Rights, Tenant orientated Housing Law, and Mental Health.

Chris has experience in petitioning the European Court of Human Rights and has the appropriate Bar Human Rights accreditation (ALBA 2000)

He takes a keen interest in all aspects of work in the Public Law and Human Rights field from appearing before Tribunals and pursuing judicial reviews in the higher courts and is able to take on cases in the domain of public law outside those listed above. In recent years Chris has successfully represented asylum seekers charged with immigration related offences before the criminal courts.



Notable Cases



R. v. L.B.C. Newham ex parte Gentle [1994] 26 HLR 466: Challenge to the rationality of a housing policy.



Kaja v Secretary of State for the Home Department [1995] Imm AR 1:



Established for the first time before the Immigration Appeal Tribunal that a lower standard of proof applied to asylum appeals, namely, 'a reasonable degree of likelihood'.



R. v. Wignall (Phillip George) [1997] CLY 288: Courts Martial appeal against conviction.



R. v. SSHD ex parte Ahmed & Patel (Coward) [1998] INLR 570: Establishes that unincorporated international conventions which have been ratified are capable of giving rise to a legitimate expectation of compliance with their terms by the state.



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R.v. SSHD ex.parte Adan, Aitsegur, Subaskaran [1999] INLR 362: A third country removal to Germany violated the Refugee Convention due to lack of protection from refoulment in cases of a risk of persecution by non state actors.

MNM v SSHD [2000] INLR 576: Heard within days of commencement of the Human Rights Act, in October 2000, to decide the question of whether immigration cases engaged Article 6 of the ECHR. It was concluded that whilst Strasbourg jurisprudence provided that Article 6 did not apply in immigration cases, nonetheless, common law principles applied to achieve the same result.

Daraz v SSHD [2002] INLR 462: Concerned the question of whether Article 1D of the Refugee Convention was a contingent inclusion clause which automatically entitled stateless Palestinians to Refugee Recognition.

Wycliffe Williamson v CC West Midlands [2003] 167 JP 181:

Inquest into the death of Errol McGowan (junior counsel), Telford Coroners Court (2001): A hanging case where there had been a background of racial harassment of the deceased.

Inquest into death of Guardsman Craig Lashley, Stourport on Severn Coroners Court 2003: An accidental death during a military exercise in Jamaica where the Coroner agreed that Article 2 of the ECHR applied to the inquest and where the jury found that there had been systematic failures which contributed to the death.

R. v. H (At Isleworth Crown Court) September 2005: An acquittal before a jury where the defendant, a refugee, was charged with an offence of being unable to produce a travel document upon arrival in the UK contrary to section 2 of the Asylum and Immigration (Treatment of Claimants) Act 2004. This was one of a very small number of acquittals for this offence. The acquittal was achieved by the defence using live evidence from a country expert a tactic which predominantly criminal practitioners were not considering at the time.

Inquest into the Death of Tom Hurndall April 2006: A case involving the shooting of a peace campaigner in the Gaza Strip by an Israeli soldier. Arguments were advanced concerning the applicability of Article 2 ECHR in the context of death in violation of the Geneva Convention Act 1957.

AK (Palestine) v Secretary of State for the Home Department [2007] Imm AR 81:

Chris appeared as leading counsel before the Court of appeal in a case which raised issues of whether stateless Palestinians prevented from returning to the West Bank and Gaza strip by Israel were entitled to refugee recognition, Article 3 ECHR protection, and rights to reside in the UK founded on Article 8 ECHR and the Convention Relating to the Status of Stateless Persons 1954.

Societies

Immigration Law Practitioners Association.

Legal Action.

Amnesty International.

Inquest Lawyers Group.

Legal Team member of the Kurdish Human Rights Project.

Background

Commenced full time practice at the Bar in 1991 prior to which worked as an Immigration Adviser/Advocate in the voluntary sector for one and a half years. Chris has undertaken a considerable number of pro bono cases in different areas of law during his time at the bar. He was also on the management committee of Hackney Community Law Centre between 1992 and 2001 including holding the post of chair. Chris covered cases on a regular basis for the bar Free Representation Unit (FRU) between 1988 and 1997.