

Samantha Knights

T. 020 7404 3447 (Practice Manager, Jason Housden)
E. samanthaknights@matrixlaw.co.uk

matrix
chambers

Registered name on the Bar Standards Board Register: Samantha Jane Knights
VAT Number: 701532677

Year of Call: 1996



Main Areas of Practice

Commercial & Arbitration

Human Rights

Immigration, Asylum & Free Movement

International

Insolvency & Corporate Rescue

Public

Recent Reported Decisions

[NS v SSHD \(C-411/10\)](#) Case concerning Dublin II transfers to Greece and first case before CJEU to consider the meaning of the right to asylum recognised in Art 18 of the EU Charter.

[Zatuliveter v SSHD SC/103/2010](#) Deportation of a Russian national on grounds of national security and first case before SIAC to concern espionage.

[FM v SSHD \[2011\] EWCA Civ 807](#) Unlawful detention of family and concerning provision of malarial prophylaxis.

[R \(Malungu\) v SSHD \[2010\] EWHC 684 \(Admin\)](#) Case concerning a claim for unlawful detention and independent evidence of torture (on appeal to CA).

[QD \(Iraq\) & anor. v SSHD \[2009\] EWCA Civ 620](#) Test case on the interpretation of Art 15c of the Qualification Directive and protection for individuals seeking protection from situations of armed conflict.

[Al-Sirri v SSHD \[2009\] EWCA Civ 222](#) Case involving exclusion from protection under art 1F(c) of the Refugee Convention (on appeal to UKSC).

[AM & Ors v SSHD \[2009\] EWCA Civ 201](#) Case involving breach of procedural obligation under Art 3 ECHR to carry out independent investigation into disturbance at Harmondsworth (on appeal to ECtHR).

[AS \(Pakistan\) v Secretary of State for the Home Department \[2008\] EWCA Civ 1118](#) Deportation of foreign national and proportionality test under Article 8 ECHR.

[Henwood v Barlow Clowes International Ltd & Or \[2008\] EWCA Civ 577](#) Jurisdiction: domicile of choice.

[YL v Birmingham City Council & Ors \[2007\] UKHL 27](#) Definition of 'public authority' under the HRA 1998.

[Ministry of Defence and Support of the Armed Forces of Iran v FAZ Aviation Ltd & Or \[2007\] EWHC 1042 \(Commercial\)](#) Jurisdiction: domicile of company.

[Director of the Serious Fraud Office v A \[2007\] EWCA Crim 1927](#) Proceeds of crime and request for assistance from Iranian Court.

[Kendall v Southwark Borough Council \[2007\] EWHC 2089 \(QB\)](#) Educational negligence claim.

[R \(Hackney London Borough Council\) v Rottenberg \[2007\] EWHC 166 \(Admin\)](#) Prosecution of rabbi in charge of synagogue and Jewish school for noise nuisance, raising issue of Article 9 ECHR.

Commercial & Arbitration

Samantha has acted and advised on a wide range of business disputes including: fraud; search and seizure orders; freezing injunctions ([MODSAF v FAZ Aviation Ltd](#)); all forms of contractual dispute; various aspects of enforcement including liens, bailment and bailiffs; general civil litigation claims ([Flynn v Birmingham Health Authority](#)); spread betting contracts ([IFX Markets Ltd v Yuen](#); [Ahmed v IG Markets Ltd](#)); and jurisdiction challenges. She has acted in a number of arbitrations including most recently an ICC arbitration under Kazakh law.

Human Rights

Samantha's work has encompassed a very broad range of issues relating to human rights including refugee and immigration law; commercial law (in particular freezing injunctions and property rights: [MODSAF v FAZ Aviation Ltd](#)); fair trial and privacy issues in relation to compulsory investigatory powers of public bodies ([Re Entire Warehousing and Distributions Services Ltd](#); [Re The](#)

T. 020 7404 3447 (Practice Manager, Jason Housden)
E. samanthaknights@matrixlaw.co.uk

Arena Corporation Ltd); and freedom of expression (Bar Council of Malaysia v Raja Segaran, Court of Appeal, Malaysia). Through EHRAC she has assisted in numerous applications before the European Court of Human Rights (ECtHR). She has a particular interest and experience in cases involving freedom of religion (R (Hackney London Borough Council) v Rottenberg).

Immigration, Asylum and Free Movement and Extradition

Samantha regularly represents clients before the tribunals and higher courts. Her cases involve all aspects of immigration and asylum law including entry clearance, refugee protection, deportation of foreign nationals. She was instructed in Zatuliveter (deportation of a Russian national before SIAC); in NS v SSHD (Dublin II transfers to Greece before CJEU); Al-Sirri (Article 1F(c) exclusion under the Refugee Convention and on appeal to UKSC); AS (Pakistan) v SSHD (concerning deportation of foreign national prisoners and Article 8 ECHR). She was also involved in the test case on humanitarian protection under Article 15c of the EC Qualification Directive and related cases. She regularly advises UNHCR with respect to issues concerning the domestic application of the Refugee Convention.

International

Samantha has acted in a wide range of cases internationally - including the Russian Federation, the US and in Bermuda. On behalf of the Bar Human Rights Committee, Samantha was involved in the filing of an amicus brief before the US Supreme Court in a case involving trial by military tribunal and issues of habeas corpus (Hamdan v Rumsfeld). She also has expertise in relation to the law on mutual assistance and in particular under the Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005 (SFO v A). Samantha acted in the Thyssen-Bornemisza v Thyssen-Bornemisza litigation in Bermuda (1997 - 2000).

Insolvency and Corporate Rescue

Samantha has acted and advised on all aspects of insolvency and rescue proceedings including high-profile and complex bankruptcies (Re Peter Henwood; Malcolm Ross; Re Fouad Jaffar), matrimonial property rights in bankruptcy (Re Brian Harvey; Re Lorraine Share), in relation to insolvency aspects of insurance including schemes of arrangement (Re Transcon Insurance Ltd) and insurance litigation (Re HIH Casualty and General Insurance Co Ltd; Re Bradstock Group Plc). She has particular expertise in insolvency and human rights.

Public

Samantha has a broad public law practice including education and prison law. She is currently acting in a case concerning the detention of female juvenile offenders in Jersey in adult prison (pending before the ECtHR). She was instructed in Kammash, one of the cases relating to the treatment of Iraqis by the British military in Iraq following from the Al-Skeini litigation. She acted on behalf of interveners in the House of Lords decision in YL v Birmingham City Council. She is instructed in AM & Ors (on appeal to ECtHR) on the investigatory obligation under Article 3 ECHR relating to the disturbance at Harmondsworth. She has advised local authorities on admissions policies for schools, and appeared in one of the relatively few educational negligence trials (Kendall v Southwark Borough Council).

Additional Professional Experience

Bar Human Rights Committee of England and Wales - Samantha was an active member of the executive committee from 2002-2010 with particular focus on Afghanistan, Russian Federation, and other CIS countries.

European Human Rights Advocacy Centre - Steering Committee - EHRAC assists individuals, lawyers and NGOs within the Russian Federation in taking cases to the ECtHR. As a member of the committee she is involved in developing strategic litigation and working with lawyers at Memorial, the largest civil liberties NGO in the Russian Federation.

Publications, Talks and Seminars

Books

- 'Freedom of Religion, Minorities and the Law' (OUP, 2007)
- 'Halsbury's Laws vol 3(2): Bankruptcy and Insolvency' (Butterworths 2002) (Contributor)
- 'Civil Law and the Human Rights Act' (Sweet & Maxwell 2001) (Author of Chapter 14 'Companies and Financial Services' and Chapter 15 'Insolvency')

T. 020 7404 3447 (Practice Manager, Jason Housden)
E. samanthaknights@matrixlaw.co.uk

Articles

- Kendall v Southwark: Lessons in educational negligence (2007) 11(2) Education, Public Law and the Individual 17
- Noise Nuisance under EPA 1990 and Article 9 ECHR (2007) 15(3) Environmental Liability 150
- 'Religious Symbols in Schools: Freedom of Religion, Minorities and Education (2005) EHRLR 499

Recent Talks and Seminars

- EHRAC seminar on practice of ECHR law, Tbilisi, Georgia (2011)
- BHRC Workshop on rule of law, Kabul, Afghanistan (2008)
- Religious Discrimination and the ECHR, Slavic Centre for Law and Justice/EHRAC, Suzdal, Russia (2007)
- 'ECHR Law and Practice' EHRAC Training, Pyatagorsk, Russia (2006)

Scholarships & Awards

The Lawyer Hot 100, 2008

Bar Pro Bono Award, Bar Pro Bono Unit 2002 (nominated by Islington Law Centre)

Pegasus Scholarship, Inner Temple 1999

Major Scholarship, Lincoln's Inn 1996

Shelford Scholarship, Lincoln's Inn 1995

City University Scholarship 1994

Hardwicke Scholarship, Lincoln's Inn 1994

What the Directories say

Chambers & Partners 2012 recommends Samantha Knights in Civil Liberties and Immigration; "her outstanding preparation and concise manner mean that she commands respect in the court at an early juncture in proceedings." It is also noted that "there is nothing she would not do for her clients - she really goes the extra mile."

Legal 500 2011 recommends Samantha as a leading junior in Civil Liberties and Human Rights ("hugely impressive") and Immigration ("great attention to detail and tremendous tenacity").

Chambers & Partners 2011 ranks Samantha in Civil Liberties and Immigration, describing her as "incredibly committed."

Legal 500 2010 recommends Samantha as a leading junior in Civil Liberties and Human Rights and Immigration.

Chamber & Partners 2010 recommends Samantha as a leading junior in Immigration and Civil Liberties; "readiness for the fight", "fine written work and astute advocacy." Legal 500 2009 also recommends Samantha as a leading junior in Civil Liberties and Human Rights and Immigration and Nationality.

Languages

French (working knowledge)

German, Russian (basic)

Education

Visiting Researcher, Islamic Legal Studies Program, Harvard Law School 2004-05

LLM (Human Rights), London School of Economics 2004

Diploma in Law, City University 1994

BA Hons (Modern History), Oxford University 1993

Professional Career & Memberships

Joined Matrix Chambers, June 2005

Called to the Bar 1996 (Lincoln's Inn)

Tenant, 3/4 South Square, Gray's Inn 1997 - 2005

Administrative Law Bar Association

Bar Human Rights Committee of England and Wales (Executive Committee)

British Russian Law Association

Immigration Law Practitioners Association