



AYESHA CHRISTIE

MAIN AREAS OF PRACTICE:

Community Care Law
Discrimination and Equality
EU Law
Human Rights
Immigration, Asylum and Free
Movement
Inquests and Inquiries
Media and Information Law
Police Law
Prison Law
Public Law

Called to the Bar 2014

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Elizabeth Bousher, Senior Practice
Manager
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Ayesha practices in public law, immigration and asylum, and international law.

IMMIGRATION, ASYLUM, EU FREE MOVEMENT, DEPORTATION, DETENTION AND TRAFFICKING

Ayesha has extensive experience in immigration and asylum law, having worked in the field for the past 12 years. She regularly represents individuals in appeals in the First Tier and Upper Tribunal and the Court of Appeal, as well as in judicial review proceedings. She has a particular interest in children and vulnerable adults involved in the immigration and asylum process, including victims of trafficking. Ayesha is regularly instructed in judicial reviews connected to the NRM process, challenges to the support entitlements of victims of trafficking, asylum appeals with a trafficking element, Dublin III judicial reviews, and unlawful detention claims.

Ayesha also advises on nationality issues, points-based system claims, and is involved in applications and judicial reviews under the Windrush scheme.

She regularly provides expert opinions on immigration and nationality issues for Local Authorities, proceedings in the Family Courts and Extradition proceedings.

Ayesha regularly delivers talks and training (to legal and non-legal audiences) in all aspects of UK and EU immigration law, international refugee and human rights law, and the protection of victims of trafficking. She is a member of the Immigration Law Practitioners Association.

Before coming to the Bar, Ayesha worked as a Caseworker at Refugee and Migrant Justice, the Senior Immigration Advisor at the Northern Ireland Council for Ethnic Minorities, and interned at the United Nations High Commissioner for Refugees in Ecuador, where she provided legal analysis of complex issues arising in UNHCR's Refugee Status Determinations, and wrote legal reference material for the UNHCR Protection team. She speaks Spanish to an advanced level.

Notable cases

Detention Action v SSHD [2020] EWHC 782 (Admin) – a challenge to the ongoing immigration detention of persons with increased vulnerability to Covid-19, and persons who could not be removed due to Covid-19 flight restrictions

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AL (Albania) v SSHD [2019] EWCA Civ 950 – challenge concerning the correct approach to earlier asylum appeal determinations

K and AM v SSHD [2018] EWHC 2951 (Admin) – successful challenge to the decision to cut subsistence payments for victims of trafficking

AS (Guinea) v SSHD [2018] EWCA Civ 2234 – intervening on behalf of UNHCR, addressing the standard and burden of proof in statelessness cases

Medical Justice and others v Secretary of State for the Home Department [2017] 4 WLR 198 (representing five of the claimants) – successfully argued that the definition of torture in the Home Office’s immigration detention policy was unlawful

PUBLIC LAW AND HUMAN RIGHTS

Ayesha has a wide-ranging public law practice, which spans community care, equality and discrimination, social welfare, environment, prison law, actions against the police, and national security cases.

She is frequently instructed in age dispute cases, including complex cases which involve issues of mental capacity or a trafficking element.

Ayesha’s prison law practice includes judicial reviews challenging the treatment of children detained in Young Offenders Institutions, including challenges to the use of adult restraint techniques on children, and holding children in solitary confinement.

Her national security work involves human rights and equality challenges arising from airport stops under Schedule 7 of the Terrorism Act 2000, the retention of biometric data by the police, the cancellation of passports and the deprivation of British citizenship on national security grounds.

Ayesha is on the Equality and Human Rights Commission Panel of preferred counsel.

Notable cases

Shamima Begum v SIAC & Secretary of State for the Home Department [2020] EWCA Civ 918 – intervening on behalf of Liberty in Shamima Begum’s challenge to the deprivation of her British citizenship

KS v Chief Magistrate – a challenge to the imposition of 14 days additional imprisonment as punishment for a child with Aspergers Syndrome and PTSD who was alleged to have assaulted a prison officer whilst he was resisting an unlawful restraint by prison officers

HK v Metropolitan Police – a challenge against the Metropolitan police for forcing a Muslim woman to remove her hijab to be photographed whilst stopped and detained at an airport under Schedule 7 of the Terrorism Act 2020, resulting in payment of £15,000 in damages

AB v Secretary of State for Justice [2019] EWCA Civ 9 – arguing that the solitary confinement of a child in a young offenders institution breached Articles 3 and 8 ECHR

B and ND v Secretary of State for the Home Department [2018] EWHC 2651 (Admin) – challenge to the cancellation of the claimants’ British passports on grounds of national security

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FA v LB Ealing (2017) 20 CCL Rep 383 (JR/12123/2016) – successfully resisted a dental age assessment in judicial review of a local authority's age assessment

EDUCATION AND AWARDS

Ayesha holds a First Class degree in Philosophy from Bristol University and a Masters with Distinction in Social and Global Justice. She studied the Graduate Diploma in Law at Nottingham Law School, obtaining a Distinction, and was awarded prizes for achieving the highest marks in the year, and for Best Private Law student. She was a semi-finalist in the 2013 European Court of Human Rights moot. Ayesha was awarded the Queen Mother Scholarship from Middle Temple. She won the 2014 Middle Temple Rosamund Smith moot, judged by Lord Dyson MR, and also won the prize for Best Oralist. She was awarded the 2015 Peter Duffy human rights scholarship by the Bar European Group, and a 2016 Pegasus scholarship for a judicial assistant exchange visit to the United States Supreme Court.

Ayesha was a Supreme Court Judicial Assistant to Lord Reed and Lord Carnwath from 2015-2016.

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