



## Jennifer Blair

### Immigration, Asylum and Nationality

Year of Call: 2013

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From an instructing solicitor: Jennifer “has always shown absolute dedication to providing the highest quality advocacy advice and representations and has always been willing to go the extra mile”.

From an NGO Chief Executive: “I have never met a legal advisor as dedicated, committed, passionate and professional as Jennifer”.

Jennifer is a public law lawyer who specialises in advice and representation in all areas of immigration, asylum, nationality, deportation and human rights law. She undertakes advocacy in both publicly and privately funded cases. She deals with the full range of asylum work, as well as entry clearance, in-country immigration cases, unlawful detention claims, judicial review and Exceptional Case Funding challenges. She has experience in applying international human rights standards to immigration and asylum cases and a special interest in cases involving discrimination or equality and diversity issues.

Jennifer regularly represents children, care leavers and young adults, including in cases where an application for special measures is needed for vulnerable witnesses or the appointment of a Litigation Friend is called for. With a background working on migrant human rights and child welfare issues in the equalities team of a large London local authority, Jennifer is able to bring a wealth of experience to cases concerning the welfare and best interests of children, including age dispute cases.

Jennifer has experience working with clients with complex mental health difficulties, including in detention, and is adept at advising on/using expert evidence about conditions on return for clients with additional vulnerabilities, particularly where cases involve domestic abuse or human trafficking.

Jennifer regularly advises on women's rights cases and has particular experience working with the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Due to a past practice in criminal law, Jennifer has a practical understanding of the criminal justice, sentencing and probation systems which assists in deportation cases and bail applications. Jennifer has also worked on family cases where a child's immigration status is relevant – including care, non-molestation, adoption and declaration of parentage cases – so she can provide advice on immigration for family proceedings.

Jennifer has previously delivered training nationally for the No Recourse to Public Funds Network and the Women's Resource Centre. She has worked as an MP's caseworker and she is a founder of the Big Voice London youth legal charity. She has volunteered for a number of organisations in the United Kingdom and for the Legal Resources Centre in South Africa and she is prepared to take on pro bono work in appropriate cases.

Jennifer is currently working closely with the charity Migrants Organise as their outreach adviser and modern slavery lead. She co-founded their Migrants Mental Capacity Advocacy Project. She was previously Co-Head of Legal Protection at the Helen Bamber Foundation, where she co-delivered training to the Home Office on assessing medical evidence and helped oversee their medico-legal reports service. She was co-convenor of the Home Office asylum stakeholder Equalities sub-group. Her evidence as a specialist witness was accepted in a case on unlawful Home Office accommodation in Napier barracks (NB v SSHD [2021] EWHC 1489 (Admin)).

### **Education and Awards**

Jennifer has a Masters Degree in International Human Rights Law where she focused on international children's rights, institutional sexism in detention and social justice in post-apartheid South Africa, she received a full scholarship from Birkbeck Law School. Jennifer received a distinction for the BPTC at City University, where she was awarded the City University Sibel Dedezade Pro Bono Award and an Alumni Award, she also received a Middle Temple Scholarship and exhibition. Her first degree was in Classics at the University of Cambridge.

Jennifer was shortlisted for the Legal Aid Newcomer category in the Legal Aid Lawyer of the Year awards 2017.

## **Publications**

- Jennifer is currently working as legal expert for Lexis Nexis, where she has written detailed practical guidance on human rights and family immigration.
- 'Applying for Immigration Bail: a guide for lawyers', 2019, co-author, Free Movement
- 'Mental capacity and litigation friends in asylum and human rights appeals', 2021, Migrants Organise
- 'Bridging a Protection Gap, Disability and the Refugee Convention', 2021, co-author, Helen Bamber Foundation
- 'Can the UK develop accommodation centres in a trauma-informed way?', 2022, Forced Migration Review FMR 69, co-author
- 'Like a prison: the negative impact of barracks accommodation on the health of people seeking protection', 2022, co-author, Helen Bamber Foundation

- 'Reflections on the Ukraine Scheme in Scotland: Feedback from clients of Ukraine Advice Scotland', 2022, co-author, JustRight Scotland

## Notable Cases

### **AO (Nigeria) [2023]**

A child was hospitalised on a visit visa and Jennifer helped the family obtain leave to remain on medical human rights grounds, because the child was too unwell to travel. Then successfully supported an urgent visit visa application to be made to allow a family bone marrow donor to enter the UK.

### **RAA (Uganda) [2021]**

Acted as proposed litigation friend for an unrepresented woman with severe mental illness, whose asylum claim had been pending for years. Obtained a medical letter, organised a professionals meeting with the Home Office decision-maker and the lady was granted discretionary Indefinite Leave to Remain (no leave previously).

### **Mahmud (s.85 NIAA 2002 – 'New matters') [2017] UKUT 488 (IAC)**

Upper Tribunal hearing before the then Vice President of the Upper Tribunal on the meaning of 'new matters' when assessing the right of appeal.

### **R (Apata) v SSHD [2016] EWCA Civ 802**

Court of Appeal hearing before LJJ Moore-Bick, Burnett and Sales. Challenge to assessment of actual and/or imputed sexual identity of lesbian internationally recognised activist from Nigeria. Appeal dismissed as material should have been submitted as a fresh claim. Court of Appeal in this unusual case granted a stay on removal pending submission of fresh claim to the Respondent. (Led by S. Chelvan and appeared alongside Jessica Smeaton)

### **SM (Afghanistan) v SSHD [2015]**

Upper Tribunal appeal before UTJ McGeachy for an Afghan care leaver who arrived in the United Kingdom as a young teenager and established a private life. Jennifer represented the client in the First-tier, drafted Grounds for permission to appeal, represented the client at the error of law hearing and finally at the re-hearing, after advising on instructing a country expert and obtaining detailed evidence from the local authority. Client won in the Upper Tribunal on all grounds and the Upper Tribunal Judge took into account the public interest in finding a durable solution in cases concerning a previously separated asylum-seeking child.

### **IM (Nigeria) [2013]**

Worked on an urgent, high profile removal judicial review, which involved new country evidence on the influence of Boko Haram, complex medical evidence and complex legal drafting on fundamental rights, dignity and food and fluid refusal in detention.

## Memberships

Immigration Law Practitioners' Association  
Association of Lawyers for Animal Welfare  
Haldane Society of Socialist Lawyers