

# Manjit S Gill KC

Call: 1982 | Silk: 2000

Ranked as a leading silk in Admin Law and Human Rights.

Legal 500 2023 - Admin Law and Human Rights



Manjit S Gill KC specialises in Business & Property, Employment, Immigration, International and Public Law matters.

## Expertise

### Business & Property

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Manjit Gill KC is a member of the Business and Property Group.

#### Commercial Litigation

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Manjit undertakes general commercial litigation and both commercial and investment arbitration. He has assisted Indian, middle-Eastern and African businesses on matters such as: commercial activities in the UK, the effect of bilateral investment treaties, investor-State disputes, assets recovery, property disputes. He has represented client companies in the catering and hospitality sector as well as in other sectors in commercial judicial reviews, often devising novel arguments as to the human rights of corporations to property and possessions, and often in relation to regulatory regimes.

He has also advised companies on free movement of persons and services and rights of establishment, the large-scale movement of labour across and into Europe, abuse of EC law rights, and the immigration and employment issues relating to the movement of sportsmen and women.

He has also represented high profile individuals in relation to action being taken against them for commercial fraud and related crime, and advised governments on such action, often involving a mix of commercial fraud, extradition and immigration contexts.

He brings to his commercial work a strong human rights and international law approach and is approached specifically because he is able to adopt a multi-disciplinary approach.

#### Birmingham

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He advises on privacy and media issues especially where they raise human rights issues. He has represented middle-Eastern royalty in contempt proceedings and other types of proceedings.

He is approved for direct public access.

### Speeches and Seminars

Manjit Gill KC has spoken regularly at national and international conferences. For example,

- 2014: Chaired conference at Birmingham City University on human rights in Sudan
- 2014: Chaired Conference on judicial review, Public Law Project
- 2013: Speech at International Council of Jurists Conference
- 2012: Special commendation at the England and Wales Bar Conference, London, for pro bono work
- 2011: Speech at Conference on Best Interests of the Child
- 2011: Two speeches at the International Council of Jurists Conference, London, on (1) Social Responsibility of Corporations and Human Rights and (2) Responses in International Law to Terrorism
- 2009: Speaker at the England and Wales Bar Conference, London, on equality and diversity implications of public funding cuts in family law (Also advised Family Law Bar Association on legal challenges to public funding cuts)
- 2008: Speech at the England and Wales Bar Conference on impact of Sharia law and its use in arbitration systems
- 2005: Speech to the Indian Supreme Court Bar Association
- 2004: Speaker at Brussels conference, European Policy Centre, on EU Common Basic Principles on Integration
- 2001: He led a NGO delegation to the UN World Conference Against Racism in Durban which resulted in the successful introduction into the 2001 UN Durban Declaration of a clause to promote cultural diversity.

He has given seminars and training sessions in his various areas of practice, appeared before UN human rights committees, carried out fact finding missions abroad (e.g. to the West Bank to assess the operation of alternative legal systems of communities under occupation) and attended many UN conferences and worked closely with other NGOs on diversity issues. He continues to be involved in various human rights organisations on a pro bono basis. Some minor radio appearances, including an in-depth interview by Julia Neuberger, Parting Gifts, Radio 4, on Religion and Justice.

## Employment

Manjit has extensive experience in employment law and has appeared at all levels from Employment Tribunals to the House of Lords as well as advised on the full range of employment related issues. For example, he appeared in *HSBC Bank v. Madden*, *Post Office v. Foley* [2001] 1 All ER 550 (Court of Appeal), the leading English authority on the test of unreasonableness in dismissal cases and *Sidhu v Aerospace Composite Technology* [2001] ICR 167 (Court of Appeal and HL) which concerned dismissal for acts 'in the course of employment' and discrimination. He has been instructed by government departments, trade unions, law centres, voluntary groups and the Commission for Racial Equality (when it existed). He has also represented the Certification Officer for Trade Unions in relation to trade union merger and has been instructed by the Equality and Human Rights Commission. In one case, he represented a group of about 100 workers in a large scale race discrimination and redundancy case which was successfully settled. He is particularly experienced in equality and discrimination matters. See also the Discrimination cases in his Human Rights Law and Public Law case-lists.

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- 2009: Speaker at the 2009 Bar Conference on the equality and diversity implications of public funding cuts in family work.
- 2008: Speaker at the 2008 Bar Conference on the growing impact of Sharia law.
- 2005: Speech to the Indian Supreme Court Bar Association.

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- 2004: Speaker at Brussels conference organised by the European Policy Centre on the Common Basic Principles on Integration, as adopted by the EU Justice and Home Affairs Ministers.
- 2001: he led a NGO delegation to the UN World Conference Against Racism in Durban which resulted in the successful introduction into the 2001 UN Durban Declaration of a clause to promote cultural diversity and protect groups whose identities are drawn from multiple factors. He has regularly given seminars and training in his related areas.

In the mid 1990s he was heavily involved in setting up the Discrimination Law Association. He is a member of the Bar Council's Immigration Practitioners Accreditation Board and has previously assisted the Bar Council's Committee dealing with direct access to the Bar.

In the 1980s he was very active in the Society of Black Lawyers and involved in a number of initiatives to counter race discrimination in the legal profession.

He has given seminars and training sessions in his various areas of practice, appeared before UN human rights committees, carried out fact finding missions abroad (e.g. to the West Bank to assess the operation of alternative legal systems of communities under occupation) and attended many UN conferences and worked closely with other NGOs on diversity issues. He continues to be involved in various human rights organisations on a pro bono basis.

Founder and Editor of Immigration and Nationality Law Reports. Contributor to Jackson and Warr's Immigration Law and Practice. Various articles.

Approved for direct public access.

Called to the Northern Ireland Bar to conduct designated cases.

## Immigration, Asylum & Nationality

Manjit Gill KC is one of the foremost immigration practitioners in the UK. He has argued some of the most highly publicized and ground-breaking constitutional, public law, human rights, and international law cases of the last 20 years with regular appearances in the House of Lords and Supreme Court. He is particularly known for many landmark cases in human rights and immigration law, often involving public and private international law and international crime. He has advised on all aspects of immigration including business, family, EU law and human rights related matters in other jurisdictions. He has advised corporations on the large scale movement of labour across different jurisdictions. He has also conducted Court of Justice and European Court of Human Rights cases.

Practice Areas: Public Law, Public and Private International Law, Human Rights, Terrorism, Immigration, Asylum and Nationality, EU law, Extradition and International Crime, Prison law, Privacy and Media, Local Government (Community Care, Education, Housing, Public Procurement, Social Services) and Court of Protection, Commercial, including Arbitration, Discrimination, Employment, Property, Regulatory.

See also his International law and Human Rights CV.

### Speeches and Seminars

Manjit Gill KC has spoken regularly at national and international conferences. For example:

- 2019-2014: Manjit chaired various roundtable discussions involving stakeholders, including NGOs and governmental representatives in children's rights, and presented keynote addresses, sometimes in conjunction with the Strategic Legal Fund and ILPA. He also gave evidence before a select committee on immigration.
- 2014: chaired Sudanese human rights conference Birmingham City University, chaired conference on judicial review Public Law Project London.
- 2013: speech at International Council of Jurists conference.

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- 2012: special commendation for pro bono work at Bar Conference.
- 2011: speech at conference on best interests of the child, two speeches at International Council of Jurists conference on social responsibility of corporations and human rights and responses in international law to terrorism.
- 2009: Speaker at the 2009 Bar Conference on the equality and diversity implications of public funding cuts in family work.
- 2008: Speaker at the 2008 Bar Conference on the growing impact of Sharia law.
- 2005: Speech to the Indian Supreme Court Bar Association.
- 2004: Speaker at Brussels conference organised by the European Policy Centre on the Common Basic Principles on Integration, as adopted by the EU Justice and Home Affairs Ministers.
- 2001: he led a NGO delegation to the UN World Conference Against Racism in Durban which resulted in the successful introduction into the 2001 UN Durban Declaration of a clause to promote cultural diversity and protect groups whose identities are drawn from multiple factors.

He was on the Bar Council from 2011 to 2018, and a former member of the Bar Council's Immigration Practitioners Accreditation Board, and initiative on direct access to the Bar. In the 1990s he was heavily involved in setting up the Discrimination Law Association. In the 1980s he was very active in the Society of Black Lawyers and involved in a number of initiatives to counter race discrimination in the legal profession.

He has appeared before UN human rights committees, carried out fact finding missions abroad and attended many UN conferences and worked closely with other NGOs on diversity issues.

Founder and Editor of Immigration and Nationality Law Reports (since 1996). Former contributor to Jackson and Warr's Immigration Law and Practice. He has published various articles. Contributor to Supreme Court Yearbook 2019.

Approved for direct public access.

## Business Immigration

Manjit is one of the leading immigration and human rights Kings' Counsel in the United Kingdom. He has conducted many of the landmark cases in immigration law and appeared regularly in courts at the highest level, often with ground breaking arguments. He is regarded as a leading practitioner by all the main barristers' directories.

He has assisted corporations, embassies, community organisations and individuals on issues relating to the migration of workers, the large scale movement of labour across different jurisdictions, the free movement rights of labour and services and rights of establishment across Europe, and related issues of the use and abuse of EU law rights (e.g. *Low and others v Secretary of State* [2009] 2 CMLR 22, [2009] EWHC 35 (Admin) Chinese chefs).

He also regularly conducts judicial reviews in the High Court for restaurants, hotels and the catering and hospitality sector as well other categories of employers, on migration issues relating to workers.

Manjit did the leading case in the Supreme Court on sponsor licences, *New London College v Secretary of State* [2013] 1 WLR 2358 relating to sponsor licences for educational institutions (the law also applies to employers).

He has conducted several tribunal level cases involving applicants under Tier 1 and Tier 2 and advised many such individuals and employers on strategy including giving advice even before visa applications are made to ensure they are well put together. Names of clients cannot be disclosed for reasons of confidentiality.

Most recently, he has advised members of royal families from the middle-East on various immigration and related business and extradition issues, including one case in which he was one of 3 silks and 5 juniors instructed who worked as a team for a particularly important client. He has also acted in judicial review proceedings for a chain of international hotels in securing the return of its Tier

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2 sponsor licence, which had been revoked, and thereby enabled it to retain its non-EEA staff which it was under threat of losing completely. He also recently obtained an injunction for a different chain of Indian restaurants which had had its sponsor licence revoked for alleged breach of its Intra Company Transfer Sponsor Licence and successfully concluded the judicial review in the High Court. He recently represented the family of an Israeli hedge fund manager in their collective immigration issues. He also represented the generic position of EEA nationals, including workers, in the Miller/Brexit case in the Supreme Court. He has also advised and represented employers faced with penalties for hiring migrants who have no permission to work, under s15 Immigration, Asylum and Nationality Act 2006.

## International

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Manjit practices the following areas:

### International Arbitration & Trade

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Manjit undertakes general commercial litigation and both commercial and investment arbitration. He has assisted Indian, middle-Eastern and African businesses on matters such as: commercial activities in the UK, the effect of bilateral investment treaties, investor-State disputes, assets recovery, property disputes. He has represented client companies in the catering and hospitality sector as well as in other sectors in commercial judicial reviews, often devising novel arguments as to the human rights of corporations to property and possessions, and often in relation to regulatory regimes.

He has also advised companies on free movement of persons and services and rights of establishment, the large-scale movement of labour across and into Europe, abuse of EC law rights, and the immigration and employment issues relating to the movement of sportsmen and women.

He has also represented high profile individuals in relation to action being taken against them for commercial fraud and related crime, and advised governments on such action, often involving a mix of commercial fraud, extradition and immigration contexts.

He brings to his commercial work a strong human rights and international law approach and is approached specifically because he is able to adopt a multi-disciplinary approach.

He advises on privacy and media issues especially where they raise human rights issues. He has represented middle-Eastern royalty in contempt proceedings and other types of proceedings.

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#### Speeches and Seminars

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- 2012: Special commendation at the England and Wales Bar Conference, London, for pro bono work.
- 2011: Speech at Conference on Best Interests of the Child.
- 2011: Two speeches at the International Council of Jurists Conference, London, on (1) Social Responsibility of Corporations and Human Rights and (2) Responses in International Law to Terrorism.
- 2009: Speaker at the England and Wales Bar Conference, London, on equality and diversity implications of public funding

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cuts in family law (Also advised Family Law Bar Association on legal challenges to public funding cuts).

- 2008: Speech at the England and Wales Bar Conference on impact of Sharia law and its use in arbitration systems.
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- 2001: He led a NGO delegation to the UN World Conference Against Racism in Durban which resulted in the successful introduction into the 2001 UN Durban Declaration of a clause to promote cultural diversity.

He has given seminars and training sessions in his various areas of practice, appeared before UN human rights committees, carried out fact finding missions abroad (e.g. to the West Bank to assess the operation of alternative legal systems of communities under occupation) and attended many UN conferences and worked closely with other NGOs on diversity issues. He continues to be involved in various human rights organisations on a pro bono basis. Some minor radio appearances, including an in-depth interview by Julia Neuberger, Parting Gifts, Radio 4, on Religion and Justice.

## International Human Rights

Manjit Singh Gill KC has argued some of the most highly publicized and ground-breaking constitutional, public law, international law and human rights cases with regular appearances each year in the House of Lords and Supreme Court. He has also conducted Court of Justice and Eur Ct of Human Rights cases. His work in the international field has involved:

The law relating to failed states (e.g. Somalia, with repercussions in commercial law), Effects of deprivations of nationality and statelessness (East African Asians and different categories of British nationals), The laws of war, laws of internal armed combat, humanitarian law, conscientious objection (e.g. Krotov's case), International treaty interpretation (numerous cases in the House of Lords), Use of rape as a weapon of war and the protection of women (Hoxha and B), Indefinite detention of terrorists without trial (the Belmarsh case), House arrest, control orders and deprivation of liberty (JJ and others), Torture and ill-treatment treatment by states of suspected terrorists (A v Secretary of State), Effects of foreign marriages, validity of marriages in foreign consulates (including a successful case in the Court of Appeal involving the Ecuadorian Embassy), A state's consular duties to protect nationals abroad (Butt), Extradition (various Supreme Court and High Court cases concerned with children, the mentally ill, and construction of the Extradition Act 2003, he has appeared on national BBC news and on South African TV to provide expert legal comment on the Shrien Dewani extradition to South Africa), Socio-economic rights of migrants in international law, Equality and discrimination issues, Advising on death penalty cases in other jurisdictions, Proscription of suspected terrorist organisations, Corporate social responsibility and international law, EU law.

He has also advised on such issues in commercial and family law contexts (particularly international adoption and child abduction issues) and represented local authorities in international adoption cases. He has also advised Indian businesses in relation to commercial activities in the UK and advised on cross-jurisdictional contractual disputes, the effect of bilateral investment treaties, assets recovery, and commercial property issues. He brings to his commercial and international arbitration work a strong human rights approach and is approached specifically because he is able to adopt a multi-disciplinary approach.

He has represented proscribed organisations, including as a Special Advocate, and has regularly appeared before the Special Immigration Appeals Commission in national security cases including cases challenging the removal under memoranda of understanding of terrorist suspects to regimes where they face torture.

He has brought successful challenges to legislation on the right to marry, to detention of terrorists and to the interpretation of the Extradition Act 2003, amongst many others.

He has conducted many of the landmark cases in immigration law, often involving detailed analysis of public and private international law. He has advised extensively on all aspects of immigration including business, family, and EU law, on the large scale movement of labour across different jurisdictions, and the immigration and employment needs of businesses including the

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movement of sportsmen and women.

He is particularly committed to working for disadvantaged groups. His clients have also included major international corporations, foreign royalty, governmental, non-governmental bodies and campaigning groups.

He advises on privacy and media issues especially where they raise human rights issues.

See also his Public Law CV.

### Speeches and Seminars

Manjit Gill KC has spoken regularly at national and international conferences. For example:

- 2013: Speech at Joint Council for Welfare of Immigrants AGM, Speaker on Human Rights at International Council of Jurists Conference
- 2012: Speech at ILPA Conference: Working with Refugee Children: Best Interests of the Child
- 2011: Speech at ILPA Conference on Best Interests of the Child
- 2009: Speaker at the 2009 Bar Conference on the equality and diversity implications of public funding cuts in family work
- 2008: Speaker at the 2008 Bar Conference on the growing impact of Sharia law
- 2005: Speech to the Indian Supreme Court Bar Association
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In the 1980s he was very active in the Society of Black Lawyers and involved in a number of initiatives to counter race discrimination in the legal profession.

He has given seminars in his various areas of practice, appeared before UN human rights committees, carried out fact finding missions abroad (e.g. to the West Bank to assess the operation of alternative legal systems of communities under occupation) and attended many UN conferences and worked closely with other NGOs on diversity issues. He continues to be involved in various human rights organisations on a pro bono basis.

Founder and Editor of Immigration and Nationality Law Reports. Various articles.

## Public Law

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Manjit is one of the foremost human rights silks at the Bar. He has argued some of the most highly publicized and ground-breaking constitutional, public law, international law and human rights cases of the last 10 years with regular appearances in the House of Lords and Supreme Court. He has also conducted ECJ and Eur Ct of Human Rights cases.

His expertise in these over-arching areas means that he is briefed in a wide variety of fields where these over-arching skills are necessary, particularly at an appellate level and in cases with an international or a human rights dimension, for example where public and international law issues they affect commercial or family cases.

Practice Areas: Public Law, Public and Private International Law, Human Rights, Terrorism, Immigration, Asylum and Nationality, EU law, Extradition and International Crime, Prison law, Privacy and Media, Local Government (Community Care, Education, Housing, Public

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Procurement, Social Services) and Court of Protection, Commercial, including Arbitration, Discrimination, Employment, Property, Regulatory.

He has brought successful challenges to legislation on the right to marry, to detention of terrorists and to the interpretation of the Extradition Act 2003, amongst many others.

He is particularly well known for having done many of the landmark cases in immigration law, often involving detailed analysis of public and private international law. He has advised extensively on all aspects of immigration including business, family, and EU related immigration issues. He has advised corporations on the large scale movement of labour across different jurisdictions.

Manjit's work for local authorities has involved a wide range, including: environmental law, advising on the closure and supervision of registered homes, social services issues (particularly health related), privacy issues, property, procurement and finance related matters: advising local authorities and social workers on their responsibilities in mental health issues as well as acted for claimants, advising on issues relating to RIPA.

He has longstanding experience of public sector housing law as well as general landlord and tenant. He is engaged on issues which raise human rights considerations in property law cases.

He has also represented local authorities in international adoption cases, advised and represented various health care and other professionals including solicitors on regulatory/disciplinary matters and in discrimination proceedings, advised lawyers' associations on issues of equality and public funding cuts. He is particularly committed to working for disadvantaged groups. However, his clients have also included major international corporations, non-governmental bodies and campaigning groups.

At the moment he is particularly developing his international law work with an emphasis on the human rights aspects of environmental law.

See also his International law and Human Rights CV.

### **Speeches and Seminars**

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- 2011: Presentations to the International Council of Jurists conference on 'Corporate Social Responsibility and Human Rights' and 'Responses in International Law to Terrorism'.
- 2009: Speaker at the 2009 Bar Conference on the equality and diversity implications of public funding cuts in family work.
- 2008: Speaker at the 2008 Bar Conference on the growing impact of Sharia law.
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Founder and Editor of Immigration and Nationality Law Reports. Contributor to Jackson and Warr's Immigration Law and Practice. Various articles.

## Memberships

- Administrative Law Bar Association
- European Bar Association
- Discrimination Law Association

## Appointments

- 2012: Honorary Professor at University of Birmingham. Member of the Bar Council (to date).
- 2011: Chair of the Strategic Legal Fund's Experts' Panel
- 2010: Master of the Bench (Gray's Inn)
- 2000: appointed Queen's Counsel
- 1997: appointed by the Attorney-General under s.6 of the Special Immigration Appeals Commission Act 1997 as one of the very first
- Special Advocates authorised to represent the interests of appellants before the Commission (National Security cases)
- 1992: appointed by the Attorney-General as Junior Counsel to the Crown in Common Law matters

## Languages

- Punjabi
- Urdu

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