

# Tutku Bektas

Call: 2018



Tutku Bektas is a member of the Public Law Group, having completed her pupillage under the supervision of Philip Rule KC and Richard Alomo in 2024.

Tutku is building a public law practice in the areas of Court of Protection, education law, prison law, inquests and inquiries and community care. During her second-six, Tutku appeared before Parole Board panels, the First-tier Tribunal in special educational needs and disability, Coroner's courts as well as hearings before the Court of Protection. She has also prepared written advice and drafted submissions for judicial review challenges before the Administrative Court.

Tutku is a member of the Attorney-General's Junior Junior Scheme.

Before joining No5 Chambers, Tutku had an international legal practice with a particular expertise in public international law, international human rights law and international investment and commercial arbitration. Between September 2022 to August 2023, Tutku was a judicial assistant to Judge Dalveer Bhandari at the International Court of Justice in the Hague. She also contributed to the work of the United Nations International Law Commission, the United Nations Office of Legal Affairs and the NUS Centre for International Law in various capacities.

Prior to this, Tutku worked as an associate and trainee at the international arbitration departments of leading law firms in Paris, where she served as counsel, advisor and shadow arbitral secretary in numerous investment treaty and commercial arbitrations in mining, banking, construction, and pharmaceutical industries.

Over the past eight years, Tutku has developed a busy pro bono practice in international human rights law. She has worked on applications to the European Court of Human Rights and the United Nations Human Rights Committee, primarily focusing on issues related to the prolonged pre-trial detention of journalists and human rights defenders. She has collaborated with leading NGOs and campaigns around the world, including Human Rights Watch, Media Defence, Z2K, ECCHR, Advocates for Human Rights, Campaign to Bring Yahya Jammeh and his Accomplices to Justice and the UK Panel of Legal Experts on Media Freedom

## Expertise

### Birmingham

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### London

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### Bristol

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## Public Law

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### Education law:

Tutku represents both appellants and respondents in Special Educational Needs (SEN) appeals before First-tier Tribunal (Special Educational Needs and Disability). Tutku is regularly instructed on appeals concerning disputes surrounding Sections B, F and I of the Educational, Health and Care Needs Plans (EHCPs) as well as appeals arising from the Local Authority's refusal to assess a young person's EHC needs.

### Prison law:

Tutku regularly advises and represents prisoners during oral hearings held by the Parole Board in a range of matters, and her recent experiences include providing representations during:

- Initial Recall Reviews on behalf of Extended Determinate Sentence (EDS) and Standard Determinate Sentence (SDS) prisoners
- Release reviews on behalf of determinate or extended sentence prisoners applying for early release
- Post-Tariff Further Review after tariff expiry on behalf of a life sentence prisoner

Tutku is instructed to provide legal advice and prepare written submissions on behalf of prisoners seeking to challenge by way of judicial review the decisions of the Secretary of State for Justice. Her recent judicial review work includes:

- Challenging the Secretary of State for Justice's refusal to follow the Parole Board's recommendations for prisoners' transfer to open conditions
- Challenging the Escape Risk Classification (ERC) review decisions maintaining high escape risk status
- Challenging the Secretary of State for Justice's failure to comply with her duties to protect the prisoner's right to privacy, confidentiality and legal privilege in correspondence and communications with their legal representatives and the courts
- Advising on the legality of licence conditions imposed on prisoners post-release

As a member of No5 Chambers Prison Law Team, Tutku is willing to organise and deliver legal training in prison law to solicitors and caseworkers working in prison law.

### Inquests:

- Representing and supporting family members or other Interested Persons in multi-day inquests, including Article 2 and jury inquests.

### Community care and asylum support:

- Tutku received training in bringing judicial review challenges against decisions made by local authorities and the Secretary of State for the Home Department addressing issues related to age assessment decisions and failures to provide adequate accommodation and support for asylum seekers

## Education

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During her pupillage, Tutku has acquired experience and training in representing families and local authorities in Special Education Needs (SEN) appeal hearing.

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## Community Care

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Tutku is also interested in undertaking judicial review challenges against decisions made by local authorities and the Secretary of State for the Home Department addressing issues related to age assessment decisions and failures to provide adequate accommodation and support for asylum seekers.

## Prison & Police Law

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Throughout her pupillage, Tutku was involved in conducting judicial review challenges against decisions made by the Secretary of State, Prison and Probation Service, Parole Board and prison governors in a diverse range of matters related release, recall and re-categorisation decisions. She also followed matters pursuing (i) Human Rights Act claims against the police, particularly in cases involving delayed or ineffective police investigations and (ii) civil actions against the police.

## Court of Protection

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Tutku is building a growing Court of Protection practice, having been instructed frequently by Ps(on behalf of their litigation friend), local authorities and ICBs in applications under Sections 16 and 21(A) of the Mental Capacity Act 2005. She has experience in:

- Drafting statement of facts and grounds to initiate proceedings on behalf of P
- Providing advice on capacity evidence and legal tests for particular decisions in dispute, for example, decisions regarding care, residence, use internet and social media, managing property and financial affairs and carry out litigation
- Representing parties in contested hearings featuring interim authorisation of deprivation of liberty, ongoing searches for suitable accommodation, involving section 49 reports and independent expert assessments, featuring the interplay between the Mental Capacity Act 2005 and the Mental Health Act 1983

Tutku has also delivered legal trainings sessions on the Mental Capacity Act and Deprivation of Liberty Safeguards for children's social care and adult social care teams in local authorities.

## International

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Tutku practices the following areas:

### International Human Rights

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Before joining No5 Chambers, Tutku was actively involved in drafting applications and amicus briefs, conducting legal research and preparing reports in relation to human rights complaints before the European Court of Human Rights and the UN Human Rights Committee. Her primary focus has been on issues relating to freedom of expression (Article 10 ECHR and Article 18 ICCPR), right to liberty and security (Article 5 ECHR), and right to a fair trial (Article 5 ECHR).

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Tutku has collaborated with prominent human rights NGOs and campaigns in London, New York, Paris and Berlin, including the Human Rights Watch, Media Defence, European Center for Constitutional and Human Rights (ECCHR) and Advocates for Human Rights. She is happy to accept instructions on a pro bono basis, leveraging her background and knowledge to advance human rights causes.

## Civil Liberties & Human Rights

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During her pupillage, Tutku has worked on claims under the Human Rights Act 1998 and the Equality Act 2010. She is well-prepared to accept instructions in a broad spectrum of civil liberties and human rights cases.

She is happy to accept instructions on a pro bono basis, leveraging her background and knowledge to advance human rights causes.

## Domestic & International Arbitration

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Prior to joining the Bar, Tutku worked as an associate and trainee at the international arbitration departments of leading law firms in Paris, where she served as counsel, advisor and shadow arbitral secretary in numerous investment treaty and commercial arbitrations in mining, banking, construction, and pharmaceutical industries. She can provide legal advice, research and drafting assistance in relation to commercial and investment arbitrations under a wide range of arbitral rules.

## Higher Education

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Tutku accepts instructions to represent past and current students in respect of higher education matters from solicitors. She is Direct Access qualified and can assist students without the requirement of a solicitor in some cases.. She can provide legal advice, draft submissions and provide legal representation in relation to:

- Breaches of internal regulations, policy, or contract
- Complaints concerning mitigating, extenuating or exceptional circumstances
- Discrimination and breaches of the Equality Act 2010, e.g. failures to provide reasonable adjustments
- Complaints involving procedural unfairness or irregularity
- Complaints to the Office of the Independent Adjudicator for Higher Education (OIA)
- Academic appeals
- Academic or non-academic misconduct
- Fitness to practise or fitness to study decisions
- Judicial review proceedings before the Administrative Court challenging decisions of Higher Education Providers on grounds of illegality, irrationality, or procedural unfairness
- Civil claims involving breach of contract or negligence against Higher Education Providers

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## Accreditations

- Public Interest Prize, NYU Convocation Prize
- Jessup Advocacy Award, NYU Convocation Prize
- Transitional Justice Scholarship, NYU
- Astbury Scholarship, Middle Temple
- Ahmet Ertegun Memorial Scholarship, University of Oxford

## Memberships

- Court of Protection Bar Association (CPBA)
- Court of Protection Practitioners Association (CoPPA)
- Constitutional and Administrative Law Bar Association (ALBA)
- International Law Association, British Branch
- American Society of International Law

## Appointments

- Attorney and Counsellor at the New York Bar (2021)
- Attorney-General's Junior Junior Scheme

## Qualifications

- LL.M. in International Legal Studies, New York University Law School
- Bar Professional Training Course, BPP
- B.A. in Jurisprudence, University of Oxford (Exeter College)

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