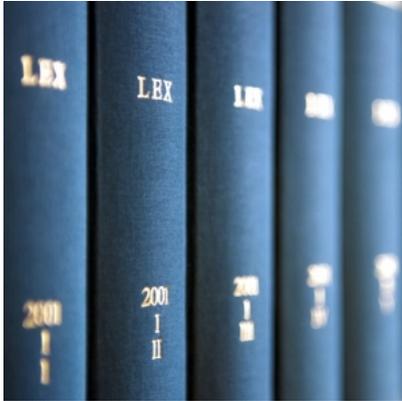




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Areas of Experience

- Human Rights
- Immigration
- Judicial Review
- Nationality and Asylum
- Public Access

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Deborah Revill

Call: 2009

Barrister, Public Access Qualified

Practice Profile

Deborah's work covers all areas of immigration law. She is particularly interested in paragraph 398(c) of the Immigration Rules ('serious harm' and 'persistent offenders'), the proper interpretation of Appendix FM, and the 'reasonableness' test under s117B(6) of the Nationality, Immigration and Asylum Act 2002. She has considerable experience of asylum appeals by Christian converts (in which she is able to draw on her undergraduate theology studies) and Sri Lankan nationals.

Deborah is an accomplished written advocate who is frequently praised by judges for the quality of her skeleton arguments, grounds of appeal, and judicial review grounds. She enjoys identifying and advancing novel points of law and challenging common Home Office practices and assumptions.

Before coming to the Bar, Deborah worked for the Immigration Advisory Service (formerly the UK's largest provider of legal advice on immigration and asylum), and was accredited by the Office of the Immigration Services Commissioner. She then spent a year as the employee of two direct access immigration barristers. She completed pupillage in a predominantly criminal set and, on accepting tenancy there, chose to specialise in immigration law, going on to establish a successful practice in the field almost from scratch. She subsequently expanded and strengthened this practice at Lamb Building before moving to The 36 Group in 2021.

Seminars

Long residence and private life

Deborah Revill and Rajiv Sharma - Procedural Fairness in Immigration Judicial Review

Help and Hindrance: A Review of Third Party Support and Obstacles to Integration in the Immigrati...

Appointments & Memberships

- Immigration Law Practitioners' Association
- Advocate (formerly the Bar Pro Bono Unit)

Notable Cases

R (Abidoye) v SSHD [2020] EWCA Civ 1425: judicial review addressing the application of res judicata to immigration appeals and the applicability of the presumption against retrospective legislation to Part 5A NIAA 2002. Permission to appeal to the Court of Appeal was granted after the Court exercised its exceptional jurisdiction to reopen the appeal. Deborah appeared alone before the Administrative Court and as led junior in the Court of Appeal.

ECO v MW (United States of America) [2016] EWCA Civ 1273: appeal by the ECO concerning the correct approach to overseas criminality in entry clearance applications.

LT (Kosovo) and DC (Jamaica) v SSHD [2016] EWCA Civ 1246: appeal addressing the meaning of 'serious harm' in paragraph 398(c) of the Immigration Rules.

Omenma (Conditional discharge – not a conviction of an offence) [2014] UKUT 00314 (IAC): successful appeal to the Upper Tribunal on the basis that a conditional discharge did not amount to a conviction, so that the Appellant did not make false representations when she stated in her application form that she had no convictions.

BH (Ethiopia) v SSHD: appeal to the Court of Appeal concerning the interaction between s117D(2)(c)(ii) NIAA 2002 and paragraph 398(c) of the Immigration Rules, as well as whether mere possession of a false passport justified an inference that serious harm had been caused. The Respondent conceded the appeal before the hearing, accepting that the Appellant was not a 'foreign criminal' and subsequently granting him leave to remain.

R (WD) v SSHD: judicial review of a decision to grant the Applicant leave to remain under the partner route after a successful appeal, notwithstanding that she had never applied for leave in that capacity. The Court of Appeal granted permission to appeal against the Upper Tribunal's adverse decision, and the case was subsequently settled by consent.

R (VY) v SSHD: judicial review in which it was argued that the Respondent's promise to issue the Applicant a permanent residence card, thereby inducing him to withdraw a statutory appeal, had created a legitimate expectation which she was now unjustifiably seeking to frustrate. Permission was granted on the papers and the Respondent subsequently agreed to issue the document sought.

R (SM) v SSHD: judicial review of a certification decision and immigration detention on the basis that the Claimant had had s3C leave for several years following the Defendant's failure to re-serve notice of decision in a case with restricted right of appeal under the pre-Immigration Act 2014 appeal provisions. The Defendant, having initially described the Claimant's argument as 'bizarre and far-fetched', ultimately conceded that it was correct and withdrew the decision on the eve of the hearing.

R (AZ) v SSHD: judicial review of a refusal to consider exercising discretion in favour of a would-be Tier 2 (General) Migrant who had overstayed her leave. The delay in applying arose because the Respondent had inadvertently misled the Applicant as to her immigration status. Permission was granted at an oral hearing, following which the Respondent withdrew the decision.

DP v SSHD: long-running asylum proceedings (involving three hearings in the First-tier Tribunal and two in the Upper Tribunal) in respect of a vulnerable Sri Lankan national who was wrongly accused of assisting the LTTE. It was ultimately accepted that, notwithstanding his Sinhalese ethnicity, his lack of political activity, and the passage of nearly 10 years, he would be at risk on return.

HE and others v ECO: successful appeal against refusal of EEA family permits to the mother and adult siblings of a self-sufficient EEA national child living in the UK with her father. The Tribunal accepted that the Chen principle and Article 20 of the EU Charter of Fundamental Rights meant the Appellants should be permitted to join the child notwithstanding that their presence was not strictly necessary for her to be able to exercise her Treaty rights.

SB v SSHD: human rights appeal in which the First-tier Tribunal accepted that the combination of lengthy absence from country of origin, responsibilities towards an unwell adult daughter, and the best interests of the Appellant's granddaughter constituted 'insurmountable obstacles' to the continuation of family life outside the UK under paragraph EX.1(b) of Appendix FM. The Respondent's appeal to the Upper Tribunal was unsuccessful.

Education

BA (Hons) Philosophy and Theology - 2:1 (University of Oxford, 2007)

Graduate Diploma in Law - Distinction (BPP Law School, Leeds, 2008)

Bar Vocational Course - Outstanding (BPP Law School, Leeds, 2009)