

## Tayyiba Bajwa



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### Profile

Tayyiba combines a criminal practice with work in related areas including inquests, crime-related public law, prison law and actions against the police. She also has a busy international practice and has been instructed in proceedings before the ICC, IACHR and WGAD.

Tayyiba has a busy criminal practice representing clients accused of a wide range of criminal offences and appears regularly in the youth, magistrates' and Crown Court. She has also advised on appeals against conviction and sentence and has a particular expertise in challenging the convictions of victims of trafficking in the youth and adult courts.

In addition to her criminal practice, Tayyiba has also been instructed in a number of inquests to represent the families of the deceased. **She was recently instructed as a led junior representing a family of a single mother who took a fatal overdose having encountered systemic issues in the resolution of her benefits claim by the Department of Work and Pensions.**

Tayyiba has also been actively involved in the sphere of public law and been instructed on a number of urgent judicial review claims. She has appeared unled in the High Court and has a particular expertise in crime-related public law.

Alongside her domestic law practice, Tayyiba has a developing international law practice. Having worked at a number of international human rights NGOs, Tayyiba is instructed in relation to an application on behalf of victims in relation to the ICC's investigation into war crimes in Palestine. **Tayyiba was also instructed by Reprieve to act for two Yemeni families, in a challenge to the legality of US targeted killing operations before the Inter-American Commission of Human Rights.**

### ***Previous experience***

Prior to commencing her career at the Bar, Tayyiba qualified as a solicitor at Freshfields Bruckhaus Deringer before moving to work for the human rights NGOs Reprieve and Equal Rights Trust.

### **Education**

Bar Transfer Test (BPP University)

Legal Practice Course (BPP University) – Distinction

LLM in International Law (University of Cambridge) – First

BA in Law with Law in Germany (University of Oxford) – First

### **Related practice areas**

Criminal Law

Business Crime

Extradition

Children's Rights Group

Discrimination

Actions Against the Police and Public Authorities

Administrative & Public Law

Inquests and Public Inquiries

Community Care and Health

Anti-Trafficking

Investigations

International Human Rights Law

International Law

## **Crime**

Tayyiba is an experienced trial advocate. She regularly appears in the Crown Court, Magistrates Court and Youth Court. She has been commended for her careful and sensitive

approach to young and vulnerable defendants.

She regularly advises individuals on appeal against conviction and sentence. She has a particular expertise in advising victims of trafficking on appealing their convictions.

***Examples of recent instructions include:***

***R v JH*** – Harrow Crown Court - junior counsel in a six-handed conspiracy to murder trial.

***R v SA*** – Wood Green Crown Court - currently instructed to represent a defendant indicted on two counts of s.18 GBH and a single count of robbery in relation to a stabbing involving multiple victims. The defendant has been charged on a joint enterprise basis.

***R v SP*** – Wood Green Crown Court – currently instructed to represent a defendant in a four handed conspiracy to cultivate cannabis trial.

***R v C*** – Westminster Magistrates' Court instructed to represent a defendant charged with wilfully refusing to provide their PIN and password seized pursuant to a search under Schedule 7 Terrorism Act. The defendant challenged the legality of the stop on the basis that it was discriminatory; the ruling in this case is currently the subject of a case-stated application in which Tayyiba is junior counsel.

***R v KP*** – Harrow Crown Court instructed to represent a youth in a four handed robbery trial.

***R v AT*** – instructed in the Youth Court to defend a youth charged with a s.20 GBH. This case involved numerous legal applications include an application to exclude a confession, an application to adduce non-bad character evidence and an application to adduce hearsay evidence.

***R v FT*** – instructed to advise on an application to the CCRC following the conviction of a vulnerable victim of trafficking.

## **Inquests and Inquiries**

Tayyiba represents bereaved families in coronial proceedings and has been instructed in high profile cases.

**She was recently instructed as a led junior representing a family of a single mother who took a fatal overdose having encountered systemic issues in the resolution of her benefits claim by the Department of Work and Pensions.**

As a result of her experience dealing with highly vulnerable clients, Tayyiba is particularly well suited to inquests involving particularly vulnerable individuals, and inquests following deaths in prisons and deaths at the hands of police and security guards. Tayyiba also advises on civil claims following inquests and on judicial review of coronial decisions.

Recent examples of instructions include:

- ***The Whyte Review*** (ongoing): instructed by British Gymnastics to assist in a large-scale disclosure exercise.
- ***CG*** (ongoing): representing the family of a visually impaired man who fell onto the tracks of a train platform. The lack of tactile paving on the platform has already been identified as a possible causal factor in his death.
- ***PP*** (ongoing): representing the family of a man who committed suicide in custody shortly after being remanded. Police had been placed on notice of his high suicide risk by his partner. The inquest raises serious questions about risk assessment process within the custodial setting.
- ***BW*** (ongoing): representing the family of a woman who committed suicide shortly after being released from a psychiatric facility.

## Public Law

Tayyiba has a broad public law practice with a particular interest in crime-related public law. She is currently instructed as junior counsel in a case stated before the High Court raising novel questions about discrimination and the use of powers under Schedule 7.

Tayyiba has also been actively involved in the sphere of public law and been instructed on a number of urgent judicial review claims.

## Prison Law

Tayyiba represents prisoners before the Parole Board. She has a particular interest in representing prisoners convicted of terrorism related offences. She is also able to advise more broadly on prison law and on potential prison judicial review claims.

Tayyiba recently represented an individual convicted of membership of a far-right terrorist organisation at their Parole Board hearing. Following that hearing the individual's release on licence was approved.

## Actions against the police

Tayyiba regularly advises on civil claims against the police. She has advised in claims concerning police assault, false imprisonment, and malicious prosecution.

## International and pro bono

Tayyiba has a busy international practice and is currently instructed in the following matters:

- Representing a group of Palestinian victims application on behalf of victims in relation to the ICC's investigation into war crimes in Palestine (2021)
- Instructed by **Reprieve** to act for two Yemeni families, in a challenge to the legality of US targeted killing operations before the Inter-American Commission of Human Rights (2021)
- Instructed by REDRESS in the case of Nazanin Zaghari-Ratcliffe, a British-Iranian national arbitrarily detained in Iran in her application to the **Working Group on Arbitrary Detention** (2021)
- Instructed by Liberty to advise on the compatibility of Serious Violence Reduction Orders with the Human Rights Act 1998.

## Investigations

Tayyiba was instructed on behalf of British Gymnastics in the context of the Whyte Review. She worked alongside a number of members of chambers to assist with a large scale disclosure exercise raising a number of issues relating to data protection. Tayyiba also has experience in investigations from her time at a Magic Circle law firm having been instructed by a major financial institution in the context of the LIBOR and FX investigations.