

## Agata Patyna



Call: 2014

Email: [a.patyna@doughtystreet.co.uk](mailto:a.patyna@doughtystreet.co.uk)

### Profile

Agata works across the fields of asylum, immigration, public law and children's rights. She has a particular specialism in refugee and trafficking claims.

Agata regularly appears in appeals and judicial review hearings before the First-Tier Tribunal and Upper Tribunal (Immigration and Asylum Chamber) and the High Court in asylum and human rights, deportation, entry clearance cases and challenges to age assessments. She advises on merits of fresh immigration and asylum claims, claims certified as clearly unfounded, challenges to trafficking assessments and unlawful detention claims. She is particularly well-placed to provide advice and representation on behalf of vulnerable clients including victims of trafficking for sexual exploitation and forced labour, victims of torture and unaccompanied asylum seeking children.

Agata has particular expertise in immigration matters involving EEA nationals and their family members, especially in the context of misuse of rights and decisions taken on grounds of public policy and security. She recently represented the Appellant in **Baigazieva v Secretary of State for the Home Department** [2018] EWCA Civ 1088, the key Court of Appeal authority regarding rights of residence of former spouses of EEA nationals after divorce. She is a fluent Polish speaker and regularly assists Polish-speaking clients.

Agata accepts instructions on a Direct Public Access basis in all areas of her work.

Prior to coming to the Bar, Agata worked as volunteer caseworker for a number of charities in the immigration and asylum field, including Bail for Immigration Detainees (BID) and the New Citizens Legal Service. She continues to accept pro bono instructions on behalf of BID.

## **What others say**

*“My client was very nervous during her First – tier Tribunal appeal but Agata’s professionalism and her obvious knowledge put the client at ease straight away. Agata has an understanding of the clients’ needs and they found this experience highly satisfying. I have no hesitation in instructing Agata again.” - From an immigration solicitor.*

*“We want to thank you very much for the conference yesterday. It is with special thanks for your wonderful professional service and constructive advice given that indeed turned our meeting into a very productive one.” - From a direct access client.*

## **Education**

Bar Vocational Training Course (Outstanding), BPP University

Graduate Diploma in Law (Distinction), BPP University

MSc, Global Migration (Distinction), University College London

BA (Hons,) Archaeology and Anthropology (First Class, top result in the year), Keble College, University of Oxford

## **Languages**

Polish

## **Related practice areas**

Immigration

Community Care and Health

Children's Rights Group

## Immigration Asylum and Personal

Agata's practice primarily focuses on asylum and refugee law, and she often represents vulnerable individuals including victims of torture and trafficking. She provides representation and advice in respect of appeals in the Immigration and Asylum Chamber (First-tier and Upper Tribunals) in immigration judicial review claims and appeals to the Court of Appeal. She has extensive experience in refugee claims from Turkey, Afghanistan (especially claims by unaccompanied asylum seeking children), Sri Lanka, Albania and Iran, including claims on the basis of sexual orientation and religious conversion.

Agata has a particular interest and expertise in EU free movement law, including complex claims involving misuse of rights, breakdown of a marital relationship and claims by vulnerable EU nationals in detention. She is well-regarded for her ability to engage with clients whose cases involve difficult credibility challenges, especially in the context of sham marriage allegations.

Agata has considerable experience in emergency work, including out of hours applications for a stay on removal and urgent interim relief in the context of unlawful detention. She often acts in cases involving complex mental health issues. With a background in family law, she is well-placed to assist clients with cases spanning both immigration and family law issues.

Agata regularly provides lectures and training on asylum and EU free movement law.

## Immigration Business and Commercial

Agata accepts instructions in the area of business immigration, including Tier 1 and 2 applications. She has assisted sponsors in respect of compliance issues and challenges to decisions to refuse or revoke sponsor licences. She has acted for businesses in appeals against civil penalty notices for employing individuals with no right to work in the UK.

## Administrative and Public Law

Agata specialises in public and administrative law especially cases with an immigration or asylum element, and community care. She has particular experience in representing asylum-seeking children in age dispute claims against local authorities and children and vulnerable adults in challenges to termination of support. She regularly acts on behalf of victims of

trafficking.

In the fields of asylum, human rights and EU free movement law, she is regularly instructed in fresh claims, challenges to clearly unfounded certificates and claims involving extended family members of EU nationals, as well as complex claims involving nationality and statelessness, and challenges to unlawful detention.

## Children's Rights

Agata has considerable experience in representing children and parents in cases at the intersection of immigration and family law. She is well-placed to assist clients in matters which require an assessment of a child's best interests. She has acted in public law cases involving allegations of child neglect, parental alienation and radicalisation. She has a strong interest in FGM and forced marriage proceedings.