

Doughty Street Chambers Children's Rights Group

Annual Children's Rights Lecture

'Pushbacks (and fallbacks) on children's rights'

Thursday 8 June 2023

16:00 – 17:30 BST (online)

Meet the Speaker and Panel



SPEAKER



PROFESSOR ANN SKELTON

Chair of the UN Committee on the Rights of the Child, University of Nottingham

Ann Skelton is a Professor of Law and holds the UNESCO Chair in Education Law at the University of Pretoria, and the Chair on Children's Rights in a Sustainable World at the University of Leiden. She is a Visiting Professor at the University of Strathclyde, and teaches in the Oxford Masters on International Human Rights. She has worked as a children's rights lawyer in South Africa for over 30 years. She established the strategic litigation work at the Centre for Child Law, and appeared as counsel in numerous landmark cases, including 12 in the South African Constitutional Court. Her global influence has been recognised through the Juvenile Justice Without Borders award (2017), the Honourary Worlds' Children's Prize (2012), her involvement as Chairperson of the Advisory Board of the UN Global Study on Children Deprived of their Liberty (2017-2019), and being appointed as a Global Ambassador for the British Society of Criminology. In May 2023, Ann was elected Chair of the UN Committee on the Rights of the Child, having joined that body in 2017.

CHAIR



PROFESSOR AOIFE NOLAN

**Co-Lead Children's Rights Group at Doughty Street Chambers
University of Nottingham**

Aoife Nolan is Professor of International Human Rights Law and Co-Director of the Human Rights Law Centre at the University of Nottingham. She is President of the Council of Europe's European Committee of Social Rights, which she joined in 2017. She has published extensively in the areas of human rights and constitutional law, particularly in relation to economic and social rights and children's rights. Professor Nolan has acted as an expert advisor to a wide range of international and national organisations and bodies working on children's rights issues, including numerous UN Special Procedures, UN treaty bodies, the Council of Europe, the World Bank multiple NHRIs and NGOs. She has held visiting positions at academic institutions in Europe, Africa, the US and Australia. She is an Academic Expert member at Doughty Street Chambers where she co-leads the Children's Rights Group. Since 2020, she has led the Advancing Child Rights Strategic Litigation project, an international research collaboration with a range of academic and advocacy partners based in Europe, Africa and Asia.

PANEL



SHU SHIN LUH

Co-Lead Children's Rights Group at Doughty Street Chambers

Shu Shin practices in all areas of public law. Her practice has a strong human rights, civil liberties, and anti-discrimination focus.

Her expertise covers a broad range of subject matters including community care, mental health and mental capacity, health care, education, housing, welfare benefits, human trafficking, immigration and asylum, and deprivation of liberty both in the context of immigration detention and the Court of Protection. She pursues significant public interest litigation on behalf of individuals and organisations.

Shu Shin aims to act for her clients in a comprehensive way, advising where possible on the full range of legal issues impacting on different aspects of their lives in the context of judicial review, statutory appeals, and actions against public authorities, where relevant. This depth of experience and breadth of legal knowledge and expertise enables her to have a truly creative approach to a case.

Shu Shin is committed to civil legal aid and to supporting individuals to have effective access to legal remedies. She is on the panel of junior counsel for the Equality and Human Rights Commission. She undertakes advisory and consultancy work for non-governmental and intergovernmental organisations and state bodies in the UK and other jurisdictions on legal policy and draft legislation. She acted as the specialist legal advisor to the Joint Committee on Human Rights in its immigration detention inquiry in 2018/2019. She also regularly provides training to governmental departments, local authorities, and public interest groups in the UK and internationally.



ULELE BURNHAM

Co-Lead, Court of Protection and Mental Health Team at Doughty Street Chambers

Ulele Burnham's practice spans the law relating to mental capacity and mental health, equality and human rights law.

Ulele Burnham is the joint leader of the Court of Protection and Mental Health Team. She is a very experienced advocate in proceedings before the Court of Protection and associated and appellate jurisdictions. She is ranked has also significant experience in Equality and Anti-discrimination law.

She is ranked as a Band 2 expert Court of Protection practitioner by both Chambers and Partners and Legal 500. She is described as "*standout counsel in the Court of Protection... trusted by practitioners and judges alike*". Of her written advocacy, commentators say that her "*drafting skills are excellent*" and that her "*written work is incredible*".



CAROLYNE WILLOW

Director at Article 39

Carolyn Willow is a social worker and Founder Director of Article 39, a charity which fights for the rights of children in institutional settings. She started her career in child protection in the 1980s, and then moved into children's rights roles amid widespread revelations of abuse in the children's care system. Between 2000 and 2012, she was head of the Children's Rights Alliance for England, where she led the charity's fight for transparency in restraint techniques in child prisons and successfully pressed for new legislation and statutory guidance around listening to children.

Carolyn has worked closely with children's rights bodies at the United Nations and the Council of Europe, and written extensively on children's rights. Poet and musician Benjamin Zephaniah, who was incarcerated as a child, said of her publication 'Children Behind Bars. Why the Abuse of Child Imprisonment Must End': "This book tells our truth". Carolyn won the Social Worker of the Year (Championing Social Work Values) Gold Award in 2017, and the Sheila McKechnie Foundation Outstanding Leadership Award in 2020.



JOEL MORDI

Founder, Mordi Ibe Foundation (MIF) / Young Leader, Safe Passage International

Joel Mordi (He/Him/They/Them) is founder, member and volunteer of his own non-profit organisation Mordi Ibe Foundation (MIF). MIF was founded by Joel Mordi in 2015 and is Nigeria's only charity catering for young LGBT+ students and vulnerable people to keep them in school, including young girls experiencing "period poverty". In 2019, MIF organised Nigeria's first ever month-long "all-inclusive" Pride protests across 15 locations in Abuja and Lagos. In 2020, Joel sought sanctuary in the UK and is now a prominent LGBT+ and refugee rights activist in the UK. Joel works with Safe Passage International as a Young Leader, campaigning for the rights of refugees, with a focus on children and young people.

Joel is 2022's LGBT+ undergraduate of the year award winner by Clifford Chance and Target Jobs, and he won the Sheila McKechnie Foundation (SMK)'s "Amplifying Voices Award" with the Safe Passage Young Leaders. Joel has just been part of a documentary with the Guardian on LGBT+ and refugee digital exclusion/poverty and another documentary with Breaking Barriers on the untold difficulties refugees face in Britain, including the issue of sexual exploitation. Joel spoke at the 2022 Conservative and Labour conferences on topics including rising LGBT+ homelessness, banning conversion therapy, and Trans issues.

OUR CHILDREN'S RIGHTS GROUP

Welcome to the Doughty Street Chambers Children's Rights Group, which brings together barristers from across all practice teams. The Children's Rights Group members have acted in many of the leading cases on children's rights in the UK, regional and international courts. Reflecting this, the Children's Rights Group has a particular focus on innovative legal advocacy, both in the courtroom and beyond, aimed at securing the rights set out in the UN Convention on the Rights of the Child.

Doughty Street Chambers offers extensive expertise across numerous child rights-related areas and has wide-ranging experience in bringing ground-breaking litigation for and concerning children in public law, extradition, immigration, mental health, community care, prison law, trafficking, education, criminal justice, clinical negligence and inquests. Many of our members specialise in complex and developing areas concerning the rights of children, including unaccompanied minors' rights, female genital cutting (FGC) and children, abortion rights for vulnerable teenagers, the education rights of children in custody, inclusive education for disabled children, children's effective participation in criminal trials, and the rights of LGBTQI children.

Beyond the domestic context, our barristers have played key roles in important cases before regional and international courts, including the European Court of Human Rights, the Court of Justice of the European Union, and the International Criminal Court. They also advise and engage with international and regional human rights entities, including UN treaty bodies and UN Special Procedures. They also work with intergovernmental organisations with a human rights mandate, as well as national human rights institutions. Many of our members are involved in training on children's rights issues for different stakeholders, as well as advising on law and policy reform in the field of children's rights. Others are actively involved in academic writing, making major contributions to child rights scholarship, both in the UK and elsewhere.

Why is Doughty Street the UK's leading child rights chambers?

Our **public law, housing and community care** teams have been involved in major cases concerning carers' rights, challenges to elements of welfare 'reform' such as the benefit cap, as well as challenges to failure to provide support under sections 17 and 20 of the Children Act 1989. We have brought ground-breaking challenges concerning the rights of children in the criminal justice system and of children in and leaving custody.

We regularly act on behalf of children in matters involving **criminal law, prison law and actions against the police**, including difficult cases concerning prison suicide, the use of restraint in Young Offender Institutions, and the use of police powers in relation to children within the criminal justice system. Members of our criminal team are experienced in representing children and young people at trial and at the appellate level. They have especial expertise in cases which involve intermediaries and complexities surrounding mental health and learning disability. Many of our criminal practitioners have led public law challenges relating to youth criminal justice, including the use of youth conditional cautions and youth court procedure.

Our **Court of Protection and mental health** teams frequently represent 16 and 17 year olds as well as their parents in the Court of Protection.

Members of Doughty Street regularly represent children and young people in **education** cases, including matters involving special educational needs, disability rights, discrimination, and challenging exclusions from school.

Our members assist **migrant and refugee children** and have been involved in challenges to age assessments of accompanied asylum-seeking children carried out by local authorities, as well as challenges involving asylum support to destitute families. Our barristers have appeared in key cases involving refugee children separated from their families across Europe. Members of our **immigration** team regularly represent accompanied asylum-seeking children in claims for international protection as well as children facing the deportation of a parent from the UK. Our **extradition** barristers have appeared on behalf of children in challenges to a parent's proposed extradition from the UK. We have extensive expertise in assisting **trafficked children** in different legal contexts, including when they are defendants in criminal proceedings, where immigration and asylum issues arise, in public law challenges concerning unlawful decision-making or failures to provide support, and in unlawful detention, false imprisonment and civil claims against public authorities and traffickers.

Our **clinical negligence** team have experience of challenging negligence on the part of healthcare staff during pregnancy and delivery. Chambers members have appeared in **inquests** involving the deaths of children and young people supported by local authorities, in custody or mental health settings, have worked to provide sensitive representation for families of disabled children who have died.

Our members have been involved in actions seeking redress for historic **child sex abuse**. Several of our members are involved in the Independent Child Sex Abuse Inquiry both as Counsel to the Inquiry team and on behalf of participants. We bring claims to hold institutions and public bodies to account on behalf of survivors of child sex abuse, and bring challenges concerning the failure to remove children from abusive homes.

We offer expertise in cases where **family law intersects with children's rights**, including with regard to forced marriage, as well as public law proceedings on allegations of radicalisation and child neglect.

Reflecting our experience in using international law instruments, including the UN Convention on the Rights of the Child (UNCRC) in a range of different legal contexts, members of Chambers have contributed to the **promotion and defence of children's rights globally**. This has included, work on behalf of Nigerian children accused of witchcraft, child soldiers, and children with disabilities. Members have also brought actions before a range of UN and regional complaints bodies.

MEET OUR CHILDREN'S RIGHTS GROUP

Co-leaders of the Children's Rights Group



Shu Shin Luh
Co-Leader, Children's Rights Group

Call: 2006



Professor Aoife Nolan
Co-Leader, Children's Rights Group

Silks



Helena Kennedy KC
Call: 1972, Silk: 1991



Edward Fitzgerald KC
Call: 1978, Silk: 1995



Nicholas Bowen KC
Call: 1984, Silk: 1995



Martin Westgate KC
Call: 1985, Silk: 2010



Stephen Cragg KC
Call: 1996, Silk: 2013



Aswini Weeraratne KC
Call: 1991, Silk: 2015



Caoilfhionn Gallagher KC
Call: 2001, Silk: 2017



Ben Cooper KC
Call: 1999, Silk: 2020



Emma Goodall KC
Call: 1996, Silk: 2021



Maya Sikand KC
Call: 1997, Silk: 2021



Jamie Burton KC
Call: 1999, Silk: 2021



Adam Straw KC
Call: 2004, Silk: 2021



Liam Walker KC
Call: 2001, Silk: 2022



Laura Dubinsky KC
Call: 2002, Silk: 2022



Fiona Murphy KC
Call: 2013, Solicitor: 1993



Garry Green KC
Call: 1999, Silk: 2023

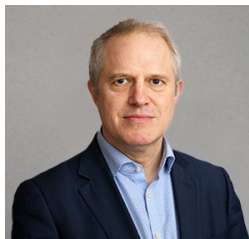
Juniors



Sophy Miles
Call: 1991, Solicitor: 1989



Zia Nabi
Call: 1991



Simon Cox
Call: 1992



Dominic Preston
Call: 1995



Krishnendu Mukerjee
Call: 1996



Oliver Lewis
Call: 2000



Phil Haywood
Call: 2001



Angela Patrick
Call: 2003



Amelia Nice
Call: 2006



Megan Hirst
Call: 2015 (2006 - Supreme Court of Queensland, Australia)



Louise Price
Call: 2006



Leonie Hirst
Call: 2006



Shu Shin Luh
Call: 2006



Mary Westcott
Call: 2007



Michelle Knorr
Call: 2008



Catherine Meredith
Call: 2008



Zimran Samuel MBE
Call: 2008



Sarah Steinhardt
Call: 2008



Rowena Moffatt
Call: 2009



Marisa Cohen
Call: 2010



Maryam Mir
Call: 2010



Samuel Jacobs
Call: 2011



Kate O'Raghallaigh
Call: 2011



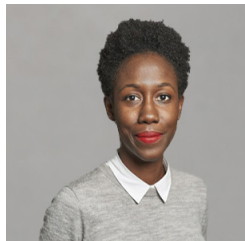
Tim Cooke-Hurle
Call: 2012



Hayley Douglas
Call: 2012



Antonia Benfield
Call: 2013



Jelia Sane
Call: 2013



Agata Patyna
Call: 2014



Daniella Waddoup
Call: 2014



Zoe Harper
Call: 2015



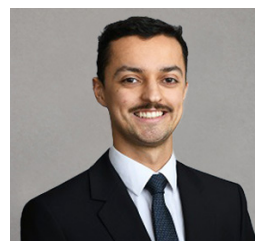
Mary-Rachel McCabe
Call: 2015



Gemma Daly
Call: 2017



Margherita Cornaglia
Call: 2017



Donnchadh Greene
Call: 2018



Alice Irving
Call: 2018



Tayyiba Bajwa
Call: 2019



Caragh Nimmo
Call: 2020 (2016 - Solicitor,
Scotland)



Sarah Dobbie
Call: 2020 (2017 -
Australia)

Academic Experts and Associate Tenants



Dr. Anne Gallagher



Prince Zeid Ra'ad Al Hussein



Professor Aoife Nolan
Co-Leader, Children's
Rights Group



Theo Huckle KC
Call: 1985, Silk: 2011



Geraldine Van Bueren KC
Call: 1979, Silk: 2013



Susie Alegre
Call: 1997



Katherine O'Byrne
Call: 2013



Alison Pickup
Call: 2007



Nani Jansen Reventlow
Call: 2007



Martha Spurrier
Call: 2010

Contact us

To discuss the work of our barristers, or for more information about Doughty Street, please contact:



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"The clerks are exceptional and always quick to respond to queries, offering good availability and flexibility. Always reliable and very commercially aware, meaning they are more than happy to negotiate a fee that meets the client's needs and budget." - Legal 500

"The clerking is really good; they go the extra mile to get things sorted. They're some of the friendliest clerks and can't do enough for you." - Chambers & Partners