



# Taimour Lay

YEAR OF CALL: 2011



Taimour practises in immigration, public law, inquests and human rights.

He is public access accredited and welcomes direct enquiries from members of the public seeking advice or representation.

"Taimour's personable style quickly gains the confidence of clients, while his thorough preparation impresses judges."

CLAIR HILDER, DEIGHTON PIERCE GLYNN

"Shows a tremendous commitment to clients who are often the most excluded and marginalised, ensuring they get access to justice."

JACKIE PEIRCE, SOLICITOR

If you would like to get in touch with Taimour please contact the clerking team:

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## IMMIGRATION: ASYLUM AND HUMAN RIGHTS

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Taimour's immigration practice covers the full range of statutory appeals, specialising in asylum and deportation. He is also regularly instructed in judicial reviews in both the High Court and the Upper Tribunal, including urgent challenges to removal, unlawful detention, certifications, NRM trafficking decisions and failures to provide asylum support accommodation.

Taimour is [public access accredited](#) and welcomes direct enquiries from members of the public seeking advice or representation. He successfully assists clients with exclusions, PBS challenges and visit visa refusals.

He was a volunteer on the duty scheme at the Asylum Support Appeals Project and also provides regular pro bono advice to individuals at Haringey Migrant Support Centre, with an emphasis on regularisation of status.

He is a contributing author to Macdonald's Immigration Law and Practice, 11th Edition (2024). Taimour sits part-time as a Deputy Upper Tribunal Judge (Immigration and Asylum Chamber).

### NOTABLE CASES

#### **Upper Tribunal quashed Home Office's refusal to consider an Article 8 human rights claim**

#### ***R (Pasha) v Secretary of State for the Home Department JR-2024-LON-0000744***

Judicial review claim clarifies correct interpretation of Abbas and the circumstances in which an entry clearance application can exceptionally engage Article 8.

#### **AM Zimbabwe applies to destitution claims**

#### ***Ainte (material deprivation, Art 3, AM Zimbabwe) [2021] UKUT 203 (IAC)***

Upper Tribunal guidance on the new Article 3 ECHR breach threshold for socio-economic deprivation.

#### **High Court orders release from immigration detention**

#### ***R (on the application of Osadebay) v Secretary of State for the Home Department [2020] 8 WLUK 80***

Mr Justice Linden granted interim relief and costs to the Claimant.

### **Challenge to Dublin III transfer to Bulgaria**

***R (HSF) v Secretary of State for the Home Department [2019] UKAITUR JR112832014***

Complex Dublin III challenge succeeded on basis of unlawful certification. Led by Mark Symes.

### **Afghan fresh claim judicial review succeeds**

***FS (Afghanistan) v Secretary of State for the Home Department JR/10273/2015***

Settled following permission by Court of Appeal against UT judgment.

### **Successful quashing of age assessment**

***R(Q) v Leicestershire County Council & Anor [2016] EWHC 2087***

Successful judicial review establishing that an Eritrean asylum-seeker was a child upon arrival in the UK.

Claim for unlawful detention also later settled.

### **Challenge to Iraqi migrant's conviction**

***R v YY [2016] EWCA Crim 18***

Recipient of Humanitarian Protection from Iraq prosecuted for document offence. Appeal against conviction heard by Sir Brian Leveson.

### **War Crimes exclusion**

***AA (Rwanda) v Secretary of State for the Home Department [2014] UKAITUR***

Upper Tribunal appeal involving attempted refugee exclusion of Rwandan national accused of war crimes.

Three-day hearing before panel. Junior Counsel to Duran Seddon.

## **IMMIGRATION DETENTION CIVIL CLAIMS**

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Taimour specialises in false imprisonment claims, including the unlawful detention of minors, trafficking victims and vulnerable individuals with mental health issues. He provides comprehensive advice on merits and quantum at all stages.

## **INQUESTS AND INQUIRIES**

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Taimour is a member of the INQUEST Lawyers Group and Garden Court Inquests Team. He represents bereaved families at Coroner's inquests involving state authorities, including prison and immigration detention as well as patients who have died while detained or under the care of mental health services in the

community.

He also brings civil claims arising from breach of duties by the state, including Article 2 ECHR and negligence.

## NOTABLE CASES

### **The scope of local authority duties in the context of a death in the community**

***Parkin, R (On the Application Of) v His Majesty's Assistant Coroner for Inner London (East)***  
**[2024] EWHC 744 (Admin)**

High Court finds “real and immediate risk to life” but concludes Article 2 ECHR was not engaged.

### **Jury find neglect in Daryl Hargrave Inquest**

Jury found that "neglect" had contributed to the death of a 22-year-old prisoner suffering from psychosis at HMP Winchester. Coverage by the [BBC](#) and [The Guardian](#).

### **Inquest exposes Carillion contract failure**

The Ministry of Justice policy gap identified during the inquest into death of Sean Plumstead was taken up by the shadow secretary of state for justice.

### **Met Police subject to criticism in Faisa Ahmed Inquest**

The jury returned a narrative conclusion critical of the police and London Ambulance Service. The Coroner issued three Reports to Prevent Future Deaths. Taimour successfully obtained interim relief from the High Court in 2015 to ensure the inquest was Article 2 ECHR compliant. A civil claim against the Metropolitan Police subsequently succeeded. Extended coverage by [The Guardian](#) and [Sky News](#).

## TRAFFICKING AND MODERN DAY SLAVERY

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Taimour represents victims of trafficking in claims for judicial review of NRM decisions, in appeals within the immigration tribunal and through applications to the Criminal Cases Review Commission (CCRC) and Court of Appeal. He has particular expertise in China, Vietnam and West Africa cases.

## NOTABLE CASES

### **High Court quashed negative Reasonable Grounds decision**

***SM, R (On the Application Of) v The Secretary of State for the Home Department*** [2024]  
**EWHC 1683 (Admin)**

The Defendant failed to rationally acknowledge there was a credible suspicion that the Claimant had been manipulated into a debt for the purpose of future exploitation - in circumstances in which the child had escaped his home country before suffering any further planned harm.

### ***Upper Tribunal allows appeal on basis of disputed trafficking definition***

#### ***JFK v Secretary of State for the Home Department [2018] UKAITUR PA068542016***

Successfully argued that the Convention had been misconstrued.

### ***Court of Appeal considers VoT's historic conviction***

#### ***R v Okedare & Ors [2014] EWCA Crim 228***

Application for appeal against conviction of a victim of trafficking. Heard by special panel of the Court of Appeal.

### ***Crown Court overturns conviction of cannabis farm victim***

#### ***R (TT) at Lincoln Crown Court [2014]***

A successful application to the Criminal Cases Review Commission led to referral to the Crown Court which quashed the conviction at a hearing in 2014

## **INTERNATIONAL HUMAN RIGHTS**

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Taimour's current international work includes trial observation for human rights groups in the Middle East and participation in legal advice projects for refugees in Greece since 2016. He has also recently published investigations of human rights abuses in Equatorial Guinea and Gabon.

Since 2020 he has been on the [Board of 'Declassified UK'](#), an investigative journalism organisation.

## **PRO BONO WORK**

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Taimour was a volunteer on the duty scheme at the Asylum Support Appeals Project and also provides regular pro bono advice to individuals at [Haringey Migrant Support Centre](#), with an emphasis on regularisation of status and EU residence rights. He previously volunteered with the Unity Centre in Glasgow and Bail for Immigration Detainees.

## **BACKGROUND**

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Before coming to the Bar, Taimour spent a decade as a journalist and political analyst. He has worked in the US (2005), Hong Kong (2006), Sri Lanka/Maldives (2006-7), Uganda (2009-10), Democratic Republic of Congo (DRC) (2010-12) and Somalia (2012). He was a correspondent for *Africa Confidential* and *The Africa Report* and has written for *BBC Focus on Africa*, *The Guardian*, *Private Eye* and *Corporate Watch*, among others. He currently sits on the board of [Declassified UK](#).

He also worked for environmental justice group Platform for two years, investigating corruption in the oil and gas industries. He is a member of the Labour Party and the Haldane Society of Socialist Lawyers.

## PUBLICATIONS

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[Macdonald's Immigration Law and Practice](#), contributing author, Chapter 15 'Enforcement and the hostile environment', 10th Edition (September 2021)

["AM Zimbabwe test now applies to destitution"](#), Free Movement, 16 August 2021

["UK Border rules are harsher for Africans"](#), The Africa Report, 22 July 2021

["The EU-Turkey refugee deal: a Greek myth"](#), Free Movement, June 2019

["Bread and Circasses: What Spartak Nalchik says about one of Russia's minorities"](#), The Blizzard, July 2018

["Ahead of the game: Uncovering a massacre in Gabon"](#), Delayed Gratification, Issue 26, February 2017

["Gabon, politics and Afcon 2017"](#), Royal African Society, February 2017

"Lost in transit - Football and trafficking", When Saturday Comes, February 2016

[Fresh claims for asylum - a DIY guide](#), Free Movement, 8 January 2016

["Are £1-an-hour jobs legal?"](#) Corporate Watch, 22 April 2015

["Human rights and the Africa Cup of Nations"](#), Royal African Society, 9 February 2015

["Why Scotland's independence would be good for migrants"](#) Garden Court Blog, 27 August 2014

["Somalia: safe for returns?"](#) Free Movement blog (with Ronan Toal) 15 October 2013

"Challenging immigration decisions and enforcement: Analysis: The Crime and Courts Act 2013" (with Michelle Brewer), July 2013, Lexis Nexis

["Syria's legal fight amid the gunfire"](#) February 2013, Socialist Lawyer, No. 63

["Limits of the law: Review of Borderline Justice by Frances Webber"](#), Feb 2013, Socialist Lawyer, No 63

"Egypt: Defending the Revolution" July 2012, Socialist Lawyer 61

"Employment Law Isn't Working: A discussion with David Renton", June 2012, New Left Project

"The Optimism Industry: how private equity rips off Africa", May 2012, BBC Focus on Africa

["Death on the lake: British oil company's role in Congo killings exposed"](#), May 2012, Corporate Watch

"Shabaab's Waiting Game", 30 March 2012, Africa Confidential, Vol 53 No 7

["On the African Union offensive: the frontline against Shabaab"](#), April 2012, The Africa Report, No 39

["Simon Mann: A gun for hire, with conditions"](#), April 2012, The Africa Report No 39

"Revealed: How the World Bank fails on racial discrimination", October 2011, The Africa Report, No 41

["Get out of town: Ledbury residents resist Tesco development"](#), 6 September 2011, Corporate Watch

["Lake of Oil: Congo's contracts escalate conflict, pollution and poverty"](#), May 2010, Platform London. Also translated into French. Published and distributed in Democratic Republic of Congo by CENCO and the UN as "*Pétrole au Lac Albert: révélation des contrats congolais contestés*"

["Cursed Contracts: Uganda's oil agreements put profit before people"](#), Feb 2010, Platform London.

["Uganda's contracts give little cause for optimism"](#), 17 Feb 2010; The Guardian

## **EDUCATION**

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**BA Modern history and politics (Oxford)**

**GDL and BPTC (City University) Major Scholarship (Inner Temple)**

## **PROFESSIONAL MEMBERSHIP**

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**Immigration Law Practitioners' Association (ILPA)**

**Haldane Society of Socialist Lawyers**

**Young Legal Aid Lawyers (YLAL)**

**National Union of Journalists (NUJ)**

**Anti-Trafficking Legal Project (ATLeP)**

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