



GARDEN COURT CHAMBERS

Ella Gunn

YEAR OF CALL: 2018, 2012 (AUSTRALIA)



Ella practices in public law and human rights, with a particular focus on asylum and immigration, detention, community care, education, and climate change.

She is experienced in acting both as sole counsel and being led, and has recently been instructed as junior counsel in several urgent and high-profile cases.

Ella's call to the Bar in England and Wales followed her experience working as a commercial solicitor in Australia and obtaining an MSc in Refugee and Forced Migration Studies at the University of Oxford, where she was awarded a Distinction for her thesis.

Ella is a member of the Equality and Human Rights Commission's preferred panel of counsel and is authorised to accept instructions on a public access basis. Please contact our [Public Access team](#) if you would like to instruct Ella directly.

"I have worked with Ella for around a year now. Ella immediately impressed me with her dedication to the client's case and her unrelenting focus on obtaining the best result, regardless of the amount of work involved."

SOLICITOR CLIENT

"She is meticulous, knowledgeable, and wise beyond her years of practice. She has worked on a very complex matter with us and picked up on aspects of the case that we hadn't picked up on. Above all, she has excellent communication skills and is always available when you need her. She is a dream to work with."

SOLICITOR CLIENT

"I have found Ella to be a very efficient and professional counsel. I remain impressed with her work ethic and dedication to work. She is very thorough and great to work with. I also found her very approachable and easy to reach."

SOLICITOR CLIENT

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

contactmyclerks@gclaw.co.uk | +44 (0)20 7993 7600

You can also contact Ella directly:

ellag@gclaw.co.uk

IMMIGRATION: ASYLUM AND HUMAN RIGHTS

Ella is regularly instructed to appear in the First-tier and Upper Tribunals in relation to a range of immigration matters including asylum, deportation, entry clearance, family reunion, deprivation of citizenship, and status under the European Union Settlement Scheme. Some of her most recent and notable cases are listed below:

Fresh Claims

R (AM) v Secretary of State for the Home Department [2024]: judicial review lodged on behalf of an Albanian confirmed victim of trafficking challenging a decision of the SSHD which refused to accept that further submissions amounted to a fresh claim. The SSHD settled the claim shortly after it was issued.

Certification

R (UM) v Secretary of State for the Home Department [2023]: after the Upper Tribunal granted permission on the papers, the SSHD settled the case, agreeing to withdraw its decision to certify an Albanian national's asylum claim.

Asylum processing on the British Indian Ocean Territory ('BIOT')

The King (on the application of AAA and others) v The Commissioner of the British Indian Ocean Territory and The Secretary of State for Foreign, Commonwealth and Development Affairs, Case No: BIOT SC No 2 of 2023: Ella was instructed by Leigh Day as junior counsel to assist a wider counsel team in the drafting of grounds for judicial review in relation to a group of Sri Lankan and Indian Tamil asylum seekers held on BIOT who sought to challenge their refused asylum claims and proposed removal. The case was settled, each of the removal decisions and asylum decisions were withdrawn and the asylum decision-making process is to be revised.

Rwanda scheme

R (NA) v Secretary of State for the Home Department [2022]: [Ella was led by Adrian Berry and Sonali Naik KC](#) for the claimant 'NA', an Iranian asylum seeker. An emergency injunction was secured before the Court of Appeal, late in the evening on 14 June 2022 - the date the UK Government had set for a flight to send asylum seekers to Rwanda.

Delays in asylum decision making

R (AM) v Secretary of State for the Home Department [2022]: following the issuing of a JR, the SSHD agreed to make a decision on an asylum claim which had remained outstanding for over three years and eight months.

IMMIGRATION: PERSONAL AND BUSINESS

Ella accepts instructions related to British citizenship and naturalisation applications, settlement and other visas including visit visas, family-based applications, and those relating to the Points Based System. She also has experience in sponsor licence cases, including assisting with representations against the proposed revocation of such licences.

ADMINISTRATIVE AND PUBLIC LAW

Unlawful Detention

R (Rai and Tamang) v Secretary of State for the Home Department [2023]: led by Ali Bandegani, a claim was brought in relation to two individuals who had been granted Indefinite Leave to Remain ('ILR') following their evacuation from Kabul, where they had been working as security guards for the British Embassy. Both were detained and issued with removal directions. A claim was issued, challenging: any decision to revoke their ILR, any decision to treat their applications for ILR as void, and their ongoing detention under immigration powers. The SSHD conceded these claims, agreeing that both Claimants would be released from detention and receive confirmation of their ILR.

R (FN) v Secretary of State for the Home Department [2023]: acted for a confirmed victim of modern slavery and victim of torture who had remained in immigration detention for over ten months. An urgent application for interim relief was conceded by the SSHD shortly before the hearing.

R (CN) v Secretary of State for the Home Department [2020] 10 WLUK 85: acted in an urgent interim relief application resulting in an order that CN be released from immigration detention within seven days. Interim relief was required as multiple grants of conditional bail by the First-tier Tribunal had not led to release.

Certification

R (UM) v Secretary of State for the Home Department [2023]: after the Upper Tribunal granted permission on the papers, the SSHD settled the case, agreeing to withdraw its decision to certify an Albanian national's asylum claim.

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The King (on the application of AAA and others) v The Commissioner of the British Indian Ocean Territory and The Secretary of State for Foreign, Commonwealth and Development Affairs, Case No: BIOT SC No 2 of 2023: Ella was instructed by Leigh Day as junior counsel to assist a wider counsel team in the drafting of grounds for judicial review in relation to a group of Sri Lankan and Indian Tamil asylum seekers held on BIOT who challenged their refused asylum claims and proposed removal. The case was settled, each of the removal decisions and asylum decisions were withdrawn and the asylum decision-making process is to be revised.

Age Assessments

R (FD – a minor) v Lincolnshire County Council [2023]: following the issue of a judicial review claim, the local authority conceded the case, accepting the Claimant's asserted age.

Rwanda scheme

R (NA) v Secretary of State for the Home Department [2022]: led by Adrian Berry and Sonali Naik KC for the claimant 'NA', an Iranian asylum seeker. An emergency injunction was secured before the Court of Appeal, late in the evening on 14 June 2022 - the date the UK Government had set for a flight to send asylum seekers to Rwanda.

Delays in asylum decision making

R (AM) v Secretary of State for the Home Department [2022]: following the issuing of a JR claim, the SSHD agreed to make a decision on an asylum claim which had remained outstanding for over three years and eight months.

Trafficking

R (MN and IXU) v Secretary of State for the Home Department [2020] EWCA Civ 1746: Court of Appeal provided guidance as to the approach that should be taken by the Competent Authority when determining whether an individual is a victim of trafficking. Ella was instructed by Herbert Smith Freehills LLP, led by Gemma Loughran and Stephanie Harrison KC, to represent the AIRE Centre who intervened alongside Anti-Slavery International in these appeals.

COMMUNITY CARE LAW

Ella is instructed in challenges to age assessments on behalf of unaccompanied asylum-seeking children and in matters involving the entitlement of children and adults to support under the Immigration and Asylum Act 1999. Most recently, she was instructed in a challenge to an age assessment conducted by Lincolnshire County Council – the Council ultimately conceded the case and accepted the Claimant's asserted age.

EDUCATION LAW

Ella accepts instructions in relation to SEND Tribunal appeals relating to Education, Health and Care Plans, and challenging decisions to permanently exclude children from schools.

ENVIRONMENTAL LAW AND CLIMATE JUSTICE

Ella was instructed in *Agostinho and others v Portugal and 32 other Contracting States*, a case before the European Court of Human Rights brought by six Portuguese youths, alleging breaches of human rights arising

from climate change.

PLANNING LAW

Ella is developing a practice in planning law. For further information on how to instruct Ella in this area please [contact her clerks.](#)

PRO BONO

Ella has a strong commitment to pro bono work. Since 2018, Ella has volunteered to represent individuals pro bono in applications for immigration bail before the First-tier Tribunal instructed by Bail for Immigration Detainees (BID).

BACKGROUND

Ella holds an MSc in Refugee and Forced Migration Studies from the University of Oxford, and a first-class law degree from the University of Technology, Brisbane, Australia. Prior to her call to the Bar, Ella held several legal research roles both within legal practice and academia in the UK and worked as a Judge's Associate and solicitor in Australia.

PUBLICATIONS

Editor, Butterworths Immigration Law Service, LexisNexis UK

Human Rights of Migrants in the 21st Century, **Elsbeth Guild et al eds, 2017 (Co-author of chapter on Family life).**

‘The Role of the Special Advocate as An Alternative to Non-Disclosure: Examining and Looking Beyond the Balancing Act’, *Working Paper, Refugee Studies Centre, University of Oxford, 2016.*

Warendorf v Alo, **Case Comment, Journal of Immigration Asylum and Nationality Law (2016) 30(2), 178.** *Ali and Bibi v Secretary of State for the Home Department*, **Case Comment, Journal of Immigration Asylum and Nationality Law (2016) 30(1), 57.**

TRAINING AND SEMINARS

[Securing release from immigration detention in the age of Covid-19 - 23 & 24 April 2020](#)

AWARDS

First Class Honours, Bachelor of Laws (2011)

Freda Freeman Fellowship, Graduate Women Queensland (2014)

PROFESSIONAL QUALIFICATIONS

Solicitor, Supreme Court of Queensland, Australia (2012)

EDUCATION

Bar Transfer Test, BPP Law School (2018)

MSc Refugee and Forced Migration Studies, University of Oxford (2015)

LLB (First Class Hons), Queensland University of Technology, Australia (2011)

Bachelor of Design Studies (Architecture), University of Queensland, Australia (2006)

PROFESSIONAL MEMBERSHIP

Administrative Law Bar Association (ALBA)

Immigration Law Practitioners' Association (ILPA)

The Planning and Environment Bar Association (PEBA)

Bar Human Rights Committee

LANGUAGES

Spanish (Beginner)

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ellag@gclaw.co.uk



57-60 Lincoln's Inn Fields, London, WC2A 3LJ

Email: info@gclaw.co.uk

Tel: +44 (0)20 7993 7600

DX: 34 Chancery Lane