

Victoria Laughton

Call: 1998

Specialist in:

- Personal Immigration
- Business Immigration
- Civil Actions Against Public Authorities
- Modern Slavery & Trafficking Team
- Specialist Family & Immigration Team



Experience

Victoria is a well-established practitioner who specialises in immigration, human rights and public law. She has been described in the directories as “simply superb” with “masterful advocacy”. She acts on behalf of individual claimants, public interest organisations and intervening bodies. She has extensive expertise in civil actions against public bodies, in particular false imprisonment claims against the Home Office, often involving an Equality Act or Modern Slavery element. She has acted in several important cases in this area.

She is recommended by Chambers and Partners in both Immigration and Civil Liberties and Human Rights and the Legal 500 in Immigration .

Victoria is known to enjoy the challenge of complicated legal issues and is regularly sought for advice on matters that are not “run of the mill”. She regularly acts for high-profile individuals, frequently involving cross jurisdictional and/or potential exclusion issues is experienced in complicated business immigration matters in which she often acts at the pre litigation stage in an advisory capacity.

Her public law practice encompasses unlawful detention, trafficking and modern slavery, refusals of family reunion in respect of children or vulnerable adults, challenges to certification decisions and citizenship/nationality refusals.



What the directories say

“She’s really great with clients. She treats them with respect and is empathetic but also focused on getting the right result.”

Chambers & Partners (2026) Immigration (Band 3)

“In court, she is exceptional – very confident with all the relevant facts and law at the tips of her fingers. Within days, she can understand the facts of a case, never missing anything.”

Chambers & Partners (2026) Immigration (Band 3)

“Victoria is extremely experienced and a go-to barrister for tricky cases. She is calm, even with stressful cases. A real star!”

Chambers & Partners (2026) Immigration (Band 3)

“Victoria Laughton is a megastar. If you haven’t instructed her before, do so now. She’s simply brilliant.”

Elena Tsirlina, CDS Mayfair

Past comments from the directories:

“Outstanding at legal drafting and a brilliant advocate.”

“An absolute joy to work with. Incredibly knowledgeable, experienced, organised, reliable, collaborative and client-focused. Her contribution to every case is invaluable.”

“A really safe pair of hands. She’s forward-thinking and creative in her arguments.”

“She combines exceptional ability with speedy work and a practical approach.”

“She’s really level-headed and just wants to do the best she can for the client. She’s always thinking outside the box and is very impressive and persuasive as an advocate.” “A very safe pair of hands, who can do anything – an extremely capable barrister.”

‘Simply superb; excellent drafting, masterful advocacy – she is the complete package.’

“She’s really impressive, dedicated and 100% reliable. Her written work is excellent, and she is always up to date on every aspect of the law. It’s really reassuring to have her on board on cases which are legally complex.”



“She is very very articulate and clear in her written work.”

“An absolute pleasure to work with, she displays excellence on her feet and second-to-none drafting”

“Particularly able with a commitment to her clients that is second to none.”

“an excellent advocate”

“She is simply excellent and a delight to work with. She is always on point, dedicated and never fails to impress.” “She is extremely well respected. A true master of advocacy and persuasion.”

“She is truly excellent. She has a keen eye for detail and will take and run points that other counsel would miss.”

“She combines real ability, determination and passion with great willingness to assist. She is really helpful to the solicitor.”

“consistently fabulous,”

Education

Llb Law with French

Memberships

ILPA

Languages

French

Cases

PS (cessation principles) Zimbabwe [2021] UKUT 283 (IAC)

<https://www.bailii.org/uk/cases/UKUT/IAC/2021/283.html>

The UT considers the correct approach to cessation and Article 3 ECHR in the proposed deportation of a mentally unwell refugee from Zimbabwe.



Safe Passage International v SSHD

This wide-reaching and important judicial review challenged three versions of the SSHD's policy in relation to Take Charge Requests from unaccompanied child asylum seekers in the EU seeking to join their relatives in the UK on the basis that it was incompatible with EU law, and/or unlawful at common law.

It was heard before the Divisional Court which declared that the policy was unlawful in material aspects.

SM (and others) v SSHD [2018] UKUT 00429

Lead case considering the risk of a breach of Article 3 in respect of the return of asylum seekers to Italy under the Dublin Convention. All other cases in the Upper Tribunal were stayed behind this case. The Upper Tribunal in a ground-breaking case and for the first time found a potential breach of Article 3 for vulnerable returnees to Italy.

EH v SSHD [2018] EWHC 2957 (Admin)

Unlawful detention judicial review in respect of an individual with an extremely poor offending history and high risk of harm, but with no realistic prospect of removal. It raised important issues regarding the grace period under Hardial Singh in relation to the time permissible for the SSHD to obtain and/or provide suitable accommodation in the event that detention was unlawful. EH's claim was allowed and he was released from detention.

MM (and others) v SSHD [2017] UKSC 10

This case was a challenge to the minimum income requirements contained within the immigration rules and a challenge to the approach to Article 8 post 9th July 2012 immigration rules. Although the rules were upheld, the court held that they were in breach of the SSHD's s. 55 duty and the guidance unlawfully failed to have regard to the best interests of the child. Victoria was instructed by the OCC and JCWI as joint interveners.

Olayan v SSHD (JR/3426/2018)

This interesting case considered the question of whether the judicial review proceedings amounted to an abuse of process in light of a previous claim for judicial review on a similar, albeit not identical point. The judgment contained detailed consideration of the doctrine of abuse of process in the immigration context. The judge held that the proceedings were not an



abuse and the Respondent's decision was unlawful.

K (a child) v SSHD [2018] C1/2018/2085

An important appeal concerning section 50 (9A) of the British Nationality Act 1981 ("s.50 (9A)") and whether the section is incompatible with Article 14 ECHR, read with Article 18. The Claimant succeeded at first instance but the SSHD obtained permission to appeal. Victoria was instructed by JCWI, who were granted permission to intervene in light of the wide public interest. Written submissions and evidence was submitted and the SSHD conceded the appeal shortly before the hearing.

Coker v Home Office

Currently unreported [2016]

This was a civil claim for false imprisonment, transferred to the QBD once the Claimant had been released from detention. It was held that failures to convey an immigration detainee to mental health assessments which the Defendant considered to be critical to her decision to continue his detention rendered that detention unlawful on Hardial Singh grounds. Damages of £25,000 were awarded in respect of a period of 3 ½ months unlawful detention.

AXD v The Home Office and AXD v The Home Office (No2)

[2016] EWHC 1133 (QB) and [2016] EWHC 1617 (QB)

This was a civil claim for false imprisonment in respect of a Somalian national. It was held in an important decision by Jay J that the Claimant had been unlawfully detained for over 20 months and was awarded £105,000 in damages plus interest.

B and others v The Home Office

[2016] EWHC 1080 (QB)

This was a historic civil claim in respect of a detention of a mother and three children. It was held that the detention was unlawful due to the Defendant's failure to properly apply her policy in relation to the detention of children and that the family were entitled to substantive damages for the period of 94 days. Award of damages confidential.



Abunasir v SSHD

[2015] EWHC 2145 Admin

A JR challenge to a lengthy immigration detention of a foreign national former prisoner. The case considered the impact of deliberate obstruction on the “reasonable period”

Saboun v SSHD IJR

[2015] UKUT 00269 (IAC)

In a judicial review challenge against the SSHD’s refusal to accept a claim as a fresh asylum claim, it was held that the proceedings in the Fast Track had been procedurally unfair and as such it was unlawful for the SSHD to place any reliance on these adverse credibility findings.

N (Uganda) v SSHD

[2014] EWHC 3304 (QB)

Civil claim for false imprisonment and misfeasance in public office. Important considerations of the use of inferences in situations where the Defendant chooses to call no evidence and the threshold for material damage in misfeasance cases.

R (Isman) v SSHD

[2014] EWHC 2226 (Admin)

A JR challenge to a lengthy immigration detention of a foreign national former prisoner. The majority of the detention was prior to Secretary of State making a decision to deport, due to the alleged necessity to obtain additional information prior to making this decision. The primary issues related to the diligence, or lack thereof of the Secretary of State. It was held that the SSHD had failed to act with reasonable diligence and as a result, 11 out of 17 months was held to be unlawful.

MF (Albania) v SSHD

[2014] Imm A.R. 1170

The court gave guidance on the use of expert evidence; in particular the fact that experts must be careful that they do not stray into offering views on the very issues that the Tribunal must determine.



Adams v SSHD [2014]

[2014] EWHC 3506 (Admin)

A JR challenge to the lawfulness of detention of an individual who was severely mentally unwell and an application for interim relief on bail. The substantive JR raises important issues relating to the detention of individuals who are mentally unwell, the decision to detain the Claimant in a prison, whether the detention breached the Equality Act and historic discrimination in nationality issues. The interim relief application considered the relevant test when making an application for bail in these situations.

MJ (Afghanistan)

[2013] Imm A.R. 799

Impact of *Singh v Belgium*(33210/11) upon *Ahmed* [2002] Imm A.R. 318

SK (Republic of Korea)

[2009] UKAIT 0003

Interpretation of transitional provisions under Tier 1.

Nleya v SSHD

[2008] EWHC 2302 (Admin)

Interpretation of “significant delay” when determining whether a refugee should be entitled to limited ?LTR or ILR.

MA (Somalia)

[2007] UKAIT 00079

No power within the procedure rules to prevent an individual from giving oral evidence.

TM (Jamaica) v SSHD

[2007] EWCA Civ 178

Consideration of “serious or compelling family or other considerations” under rule 297.

