

Sanaz Saifolahi

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Sanaz is ranked as a leading junior within Legal 500 (Band 3) and is an established practitioner within immigration, asylum, human rights and public law. Her passion for this area of law began when she undertook an internship at the United Nations High Commissioner for Refugees (UNHCR) in 1999, working on the Kosovo repatriation programme.

Sanaz is also ranked as a leading junior within Chambers & Partners 2021 edition (Band 4) as a renowned immigration advocate with considerable experience in the rights of EU nationals and their families.

Sanaz is well regarded for her meticulous case preparation, effective advocacy and her empathetic, personable nature. Fully committed to legally aided clients, Sanaz is also instructed by private clients, businesses, OISC organisations and charities. She is qualified to undertake direct access work.

Sanaz was recognised in the '*Junior Pro Bono Barrister of the Year*' category at the Advocate *Pro Bono* awards 2019 and was awarded a High Commendation for her work.

In addition, Goldsmith Chambers received a commendation for 'Outstanding Achievement' at the LexisNexis 2020 Legal Awards in the Case of the Year category for *Banger* (see below) in which Sanaz represented Ms Banger, with Anthony Metzger QC.

Sanaz has recently been shortlisted in the 'Barrister/Advocate of the Year' category at the Women in Law Awards 2020.

As a mentor for law students through the University of Warwick Bar Society, Sanaz recognises that it is important to provide guidance to those hoping to enter the profession and in particular, those from underrepresented groups.

She is also available to deliver training and seminars for professional clients, businesses (including HR) and charities on all aspects of immigration law.

Farsi (conversational).

Location

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Immigration

Notable Cases

- *Z v Secretary of State for the Home Department* [2020] – Deportation decision of an EEA National and linked family members following multiple prison sentences. Pending appeal.
- *The Queen on the application of D v Secretary of State for the Home Department* [2020] – Permission granted on a judicial review. It was argued that a domestic violence application was a human rights application and on this basis, the applicant ought to have a right of appeal to the First Tier Tribunal.
- *The Queen on the application of P v SSHD* [2019] – Sanaz was led by Anthony Metzger QC in this significant judicial review where it was argued that the EEA Regulations were unlawful in failing to recognise the extended family members of an EEA national's spouse. A second challenge was raised challenging the removal of appeal rights for extended family members following *Banger*. The SSHD conceded the written application on the basis that she would amend the Regulations, which was done – see changes in regulations [here](#).
- *Z v Secretary of State for the Home Department* [2019] – This was an appeal against the refusal to grant a permanent residence card. Complex and novel written and oral arguments were advanced addressing retained rights and retention of worker status during periods of non-employment and legal arguments regarding the definition of “worker” drawing upon extensive EU case law following which the appeal was allowed.
- *GM v Secretary of State for the Home Department* [2019] – Sanaz acted in a complex human rights appeal representing a significantly vulnerable client who suffered from various mental health conditions. She advanced nuanced submissions under Articles 3 and 8 of the ECHR. Permission to appeal to the Upper Tribunal has been granted.
- *Banger (EEA: EFM – Right of Appeal)* [2019] UKUT 00194(IAC)
- *Secretary of State for the Home Department v Banger* C-89/17 – Judgment of the Court of Justice of the European Union which has resulted in an amendment to The (European Economic Area) Regulations 2016. These amendments have reinstated appeal rights for extended family members and have extended the application of Regulation 9 to include extended family members.
- *Banger (Unmarried Partner of British National : South Africa)* [2017] UKUT 125 (IAC) (30 March 2017) –

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Led by Anthony Metzer QC. Reference to the Court of Justice of the European Union. Issues: whether the rationale in *Surinder Singh* applies to the unmarried partner of a British National. Furthermore, whether the removal of extended family members' appeal rights is contrary to primary EU law.

- *LS (Article 45 TFEU - derivative rights)* [2018] UKUT 00426 (IAC) – LS was the primary carer of a British Citizen child. It was successfully argued that Article 45 of the TFEU applied and that on this basis LS ought to be able to remain in the UK.
- *YHS v SSHD* (2019) – 10 year lawful residence appeal. The Tribunal accepted the submissions made on behalf of the appellant that the gaps in lawful residence and the period of time spent outside the UK when the appellant was a minor did not interrupt lawful residence to exclude the appellant from the relevant rule.
- *GJ v SSHD* (2018) – appeal allowed on Article 8 grounds on the basis of emotional dependency on settled family members of an adult with severe physical health concerns who was and had been in the UK unlawfully.
- *MB v SSHD* (2017) – successfully argued that it would be disproportionate for the appellant to return to Mongolia to continue to conduct litigation in relation to her minor child, who had been abducted to Singapore by the father of the child who had been made a ward of Court in the UK.
- *DS v SSHD* (2016) – dependent relative appeal allowed on Article 8 grounds in country. It was found to be disproportionate to expect the appellant to leave the UK in order to make an application under the relevant immigration rule out of country.

PUBLICATIONS AND SEMINARS

- *Fivehundredmagazine* contributor – “*Covid-19 and exam chaos: How chambers can help the next generation*”.
- Butterworths Immigration Law Supplement (Regular contributor to the European Division).
- “*Brexit and business immigration*” LexisNexis.
- Sanaz was *interviewed* by Lexis Nexis about the Judgment in *Banger*.

Appointments

Assessor for the Law Society ‘Immigration Law Advanced’ Accreditation Scheme

Memberships

Immigration Law Practitioners Association

Awards

Finalist – *Women in Law Awards 2020* – Barrister of the Year

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