

IMMIGRATION LAWYER OF THE YEAR

Shivani Jegarajah

We would like to congratulate our UK Immigration Lawyer of the Year, Shivani Jegarajah, who has worked tremendously hard for the rights of the oppressed, who has overcome personal challenges in order to fight for others. Immigration has become a topical issue, with tighter restrictions and increased negative attitudes towards an integrated and connected globe, it has become increasingly challenging for immigration lawyers to stand their ground. Shivani speaks on how she continues to battle for her clients' rights, regardless of how many walls are built around her.

What do you think accounts towards your achievement of Immigration Lawyer of the Year?

The absolute loyalty of my clients.

What was your main motivation for specialising in immigration?

Being a second-generation immigrant and being caught up in the conflict which started in 1993 in Sri Lanka.

Did that motivate you to mentor women from underprivileged backgrounds who are trying to attain call to the Bar?

Yes. Being someone who was born in the UK, British and 15 years of age, I wouldn't have ordinarily thought about what was going on in Sri Lanka and the refugees; but due to my background I saw an environment where suddenly there were curfews and seeing Tamil shops in Sri Lanka being burnt to the ground, people not knowing whether their family were dead or alive. After I was exposed to this, there was a click and I knew I would be someone that was an advocate for the human rights of my community. This politicised me and I became an activist after that for refugees.

The cases you get involved in are quite challenging, would you say that cases with a political issue, similar to what you have just mentioned, especially in the South Asian community, can be quite sensitive; how do you tackle this and reassure your clients and prepare yourself for court for those sensitive cases?

Well I don't see myself as a social worker and I don't see myself as a therapist; when clients instruct a barrister, especially in this political

climate where immigrants and refugees are a political football, immigration laws are becoming even more restrictive, and where it is very hard to operate as an immigration lawyer - particularly if you are an ethnic immigration lawyer - clients want someone who knows their case and is fearless, who understands them and knows the law.

You said you're quite fearless, is there anything you do to prepare yourself to have that stance in court?

Well I think as I was campaigning, even as a young child on political issues, I was used to competing with the public and so I've always been at ease talking to masses of people, on sometimes quite unpopular issues in debates. I think that was something I was born with.

My parents are also fearless; my father was a consultant and when he retired he was the only consultant in the war territory [in Sri Lanka] with my mother and after that they went to Sierra Leone again for medicine, so I have grown up around people who embrace the fact that they are citizens of the world and thus engage with the world; that is the culture I come from and I owe it all to my parents.

How difficult was it for you being from an ethnic minority called to the Bar in the 90s?

It was very difficult when I started out in 1993, as even people in my own community were concerned about potential racism in the court, so they would instruct white barristers. It was really hard for me to get any work at all and for a while nothing happened, but one solicitor took a chance on me; I began to win at a time when it was difficult to, and from that the word spread. People come to me when it is a very difficult case, when it is legally or

factually complicated, or when everything else has gone wrong; when the case has gone through many solicitors and barristers and they are about to be removed, they ask me to review their case one final time.

From your own difficulties, can you offer any advice to aspiring barristers?

I would particularly like to aim my advice to those who don't come from privileged backgrounds, in particular for women who don't come from a professional educated background. If anyone needs any assistance from me, I would be happy to give it; and if you really want it to happen, it will happen.

Do you have any goals for the upcoming year which will help maintain your status as immigration lawyer of the year?

That is a tricky one! I don't look for cases just because I think they will look good for my profile, I am lucky enough to get cases that are quite prominent as I am quite imaginative and creative. I try to use my knowledge of the law to my advantage, mixed in with what I believe is fundamentally right. The key is to keep on going even though it is getting harder to operate as an immigration lawyer; there are so many pressures and the law has become more restrictive, and it is a very demoralising time.

I have also set up my own chambers after 23 years of practice called JUSTITIA (named after the Roman goddess of justice) with my Practice Director, Elaine Cheeseman, which I am sure will be of focus throughout the year. We have already taken on a new tenant, Gary Dolan and two door tenants, Nishan Paramjorthy and Rehana Popal.

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