



Sibghat Kadri QC

Year of Call: 1969

Year of Silk: 1989

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Overview

Sibghatullah (Sibghat) Kadri QC is one of the foremost criminal and immigration barristers in the UK and Pakistan. He joined 3PB in March 2019. He combines a public law practice in the UK as well as in Karachi, Pakistan. He has conducted many high profile cases, regularly appearing both in the High Court and the Court of Appeal and on several occasions appeared in the House of Lords (now the Supreme Court). He regularly advises in judicial reviews and on public law issues, immigrants' rights and challenging the powers of authorities to deport immigrants. He will sometimes act pro bono in deserving cases.

Sibghat successfully conducted his very first case at the Old Bailey whilst still a pupil. His practice has largely been community based and have involved appearing in Crown Courts, Family Courts and Immigration Tribunals all over England. His family law caseload has frequently involved the recognition of foreign, particularly Muslim, marriages and divorce.

Sibghat has over the years been fighting for equal rights and justice for minority communities and has over many decades challenged discriminatory policies and comments made both in the community at large and the legal profession.

Soon after his call to the Bar he founded the Society of Afro-Asian and Caribbean Lawyers, now known as the Society of Black Lawyers and was its first Chairman. In the early 1980's the Bar Council recognised the Society's efforts to combat racism and a working party was established which led to the formation of a permanent Race Relations Committee on which he served. Sibghat's achievements has seen him listed in the Inner Temple Library as one of the influential members of the Black and Asian communities to be called to the Bar.

Recommendations

"Whether opposing Martial Law in Pakistan or fighting racism at the bar, Sibghat Kadri has spent a lifetime battle against injustices"

Law Society Gazette

“Sibghat Kadri QC was a leading authority on immigration and race relations well before there were books and case law in these areas of law”

Black Lawyers Directory (BLD)

Professional qualifications & appointments

Bencher of the Inner Temple : since 1997

Member of the Race Relations Committee of the Bar : 1983-85 and 1988-89

Society of Asian Lawyers UK : Lifetime Achievement Award

Member of the Pakistani Bar

Expertise

Administration and Public Law

Sibghat Kadri QC has an exceptional caseload and expertise in immigration and family law disputes with public authorities. The very first immigration case he conducted was a challenge to the powers of the UK Secretary of State to remove illegal immigrants under the Immigration Act 1971, namely *Azam* [1973] 2 All ER and [1974] AC18. This early case of his was swiftly followed by another well-known case, *Phansopkar* [1976], which has been the subject of much academic discussion. He also conducted the very first case before the Special Immigration Appeal Commission.

His family and immigration law practices overlap because cases often involve recognition of foreign marriages and divorce. Sibghat has conducted several cases involving Muslim sharia law, particularly the recognition of foreign Muslim marriage and *talaq* (divorce). Many of these cases have had a direct impact on immigration law. One such case was *Ghulam Fatima* [1985] QB 190, [1986] AC 527 in which Sabghat appeared in the House of Lords.

Reported cases

- *Supawan v Secretary of State for the Home Department* [2017] EWHC 2918 (Admin)
- *AA (Nigeria) v Secretary of State for Home Department* [2015] EWCA Civ 1249, [1216] Imm AR 496
- *B&Anor, R (on the application of) v Secretary of State Home for the Home Department & Anor* [2014] EWCA Civ 854
- *Ahmed v Secretary of State for the Home Department* [2014] EWCA Civ 988, [2015] 1 WLR 593
- *Bibi&Ors, R (on the application of) v Secretary of State for the Home Department* [2014] EWHC 3685
- *AN (Afghanistan) & Ors v Secretary of State for the Home Department* [2013] EWCA Civ 1189
- *Mohamed v Secretary of State for the Home Department* [2012] EWCA Civ 331
- *Secretary of State for the Home Department v Rehman* [2001] UKHL 47

Sibghat Kadri QC's earlier immigration cases include:

- *Ex parte Azam* [1974] AC 18
- *Ex parte Moghal* [1974], QB 313
- *Ex parte Phansopkar* [1976] QB 606
- *Ex parte Khan v SOS* [1977] 1WLR 1466
- *Ex parte Iqbal* [1978] 143 JP 248
- *Ex parte Mahmood* [1981] QB 58
- *Ex parte Khwaja* [1984] AC 74
- *Ghulam Yasin* [1996] Imm AR 62
- *R v SOS and Lord Chancellor Ex parte Rehman* [1999] EWCA Civ 1613.

In the case of *Ex parte Khan & others* [1995] 2 All ER, Sibghat successfully challenged the power of the Secretary of State (SOS) to detain an asylum seeker pending deportation. The Court of Appeal however allowed the appeal by the SOS in this instance.

Another leading case was *Patel, Ahmed, Hussain and others* [1998] EWHC Admin 45, INR 57. in which Sibghat led Mr Arthur Blake in respect of six appellants in the Court of Appeal. This was the first case which held that a treaty which was not part of domestic law had a greater effect in relation to the exercise of discretion under the prerogative than it does in the case of statutory discretion.

Public law cases

Sibghat has regularly appeared in public law cases for members of the public against local authorities, including acting in the reported cases of:

- Akumah v Hackney Borough Council [2005] UKHL 17
- Satu v Hackney Borough Council [2002] All ER 86
- Oyeyi-Efflong & Anor v R (on the application of) The Bridge NDC Seven Sisters Partnership [2007] EWHC 606

In 2015 Sibghat conducted a long case in the Chancery Division involving a dispute between the trustees and congregation of a mosque in the Midlands, namely:

- Rehman & Anor v Ali & Ors [2015] EWHC 4056 (CH)

Crime

Sibghat Kadri QC strong crime practice covers the entire spectrum of criminal law such as murder, drug trafficking, robbery, rape and sexual offences, affray and other public order offences.

He has successfully defended in the cases known as the Bradford Twelve (Asian youths making petrol bombs for the defence of their community), Newham Eight (Asian youths fighting in self defence), Bristol Riot and several Brixton riot cases involving black youths fighting the police.