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## Aliya Al-Yassin

Aliya practises in all areas of Chambers' work including commercial, employment, public and human rights, data protection, sport, and public international law.

Before coming to the Bar, Aliya was the Judicial Assistant to Lady Arden and Lord Kitchin in the Supreme Court, and UK Focal Point to the European Court of Human Rights' Superior Courts' Network, where she gained exposure to several high-profile cases across her areas of practice. She previously trained as a solicitor at Slaughter and May, and was an associate in the firm's Disputes and Investigations team.

Recent highlights of Aliya's work include assisting with:

- Ongoing proceedings before the European Court of Human Rights on the UK's failure to investigate alleged Russian interference in UK elections.
- An arbitration arising out of Cardiff City FC's failure to pay the transfer fee of Emiliano Sala on time.
- A successful application to the High Court for the first post-Brexit anti-suit injunction enforcing an employee's right to be sued in England.
- Proposed proceedings in relation to the de-banking of certain Russia-connected individuals and businesses.
- A privacy claim involving significant WhatsApp hacking allegations.
- A High Court employee competition claim involving allegations of a team move in the insurance broking sector.

Aliya has an LLB from SOAS, University of London (where she graduated top of the year, and won multiple prizes), and studied for the BCL at the University of Oxford.

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## Specialisms

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### Public and Human Rights

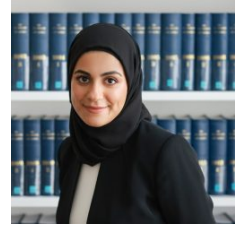
Aliya practises in all areas of public law and human rights, including judicial review proceedings and claims under the Human Rights Act 1998.

Aliya's recent work in this field as a pupil includes:

- *Ben Bradshaw MP and others v United Kingdom* – a challenge before the European Court of Human Rights concerning the UK's failure to investigate alleged Russian interference in UK elections (assisting Christopher Knight).
- A judicial review challenge in the High Court under Article 14 read with A1P1/Article 8 of the ECHR concerning whether charges made by a local authority to disabled people in respect of their care needs discriminate against severely disabled people (assisting Clive Sheldon KC and Zoe Gannon).
- Advice to a university on the construction of its statutes and ordinances in the context of externally-funded research agreements (assisting Nigel Giffin KC).

Aliya also gained considerable exposure to public law and human rights issues as a Judicial Assistant at the Supreme Court, including in:

- *Chandler v The State (No 2)* [2022] UKPC 19 (on the constitutionality of the mandatory death penalty for murder in Trinidad and Tobago).



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### Professional Summary

Called 2023

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### Contact Details

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- *Re the Abortion Services (Safe Access Zones) (Northern Ireland) Bill* [2022] UKSC 32 (on the right to protest and 'safe access zones' in Northern Ireland).
- *PWR v Director of Public Prosecutions* [2022] UKSC 2 (on the scope of the offence in section 13 of the Terrorism Act 2000 and its compatibility with the right to freedom of expression).

While at the Supreme Court, Aliya was also appointed UK Focal Point to the European Court of Human Rights' Superior Courts' Network, in which capacity she provided assistance to the Strasbourg court on matters of English law.

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## Employment

Aliya practises across the full range of commercial and statutory employment law.

Recent highlights of Aliya's work in this field as a pupil include:

- Appearing as sole counsel in a claim involving unfair dismissal, discrimination, and unlawful deduction of wages.
- *Gagliardi v Evolution Capital Management LCC* [2023] EWHC 1608 (Comm) – application to the High Court for the first post-Brexit anti-suit injunction enforcing an employee's right to be sued in England (assisting Daniel Oudkerk KC and Amy Rogers).
- *Lapinski v Triton Investments Advisers LLP and Others* 2206435/2022 (ET) – challenge to the international jurisdiction of the Employment Tribunal in a cross-border discrimination dispute (assisting Daniel Stilitz KC).
- Proceedings threatened by certain entities complaining that a bank's decision to close accounts was discriminatory (assisting Amy Rogers).
- A High Court employee competition claim involving allegations of a team move orchestrated by a senior broker (assisting Amy Rogers).
- An EAT appeal involving whistleblowing (assisting Michael Lee).

While at the Supreme Court, Aliya gained experience of employment law issues, including in, for example, *Harpur Trust v Brazel* [2022] UKSC 21 (on part time and zero hours holiday pay).

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## Commercial

Aliya practises in a broad range of commercial litigation. Aliya also has significant experience in commercial litigation from her time as a solicitor in Slaughter and May's Disputes and Investigations team.

Recent highlights of Aliya's work in this field include:

- *Cardiff City Football Club v English Football League* – arbitration arising out of a failure to pay the transfer fee of Emiliano Sala on time (as a pupil, assisting Ruth Kennedy).
- *Gagliardi v Evolution Capital Management LCC* [2023] EWHC 1608 (Comm) – application to the High Court for the first post-Brexit anti-suit injunction enforcing an employee's right to be sued in England (as a pupil, assisting Daniel Oudkerk KC and Amy Rogers).
- A High Court employee competition claim involving allegations of a team move orchestrated by a senior insurance broker (as a pupil, assisting Amy Rogers).
- *Município de Mariana & Ors v BHP Group plc, BHP Billiton plc and BHP Group Ltd* [2020] EWHC 2930 (recognised as one of The Lawyer's Top 20 Cases for 2020) – acting for the Defendants in a jurisdiction challenge relating to claims brought by over 200,000 claimants arising out of the collapse of the Fundão Dam in Brazil. The claim is considered to be the largest group action ever in English legal history (as a solicitor at Slaughter and May, in a team led by Efsthios Michael).

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## Private International Law

Aliya practises in private international law. She has a particular interest in cases with an international element.

Recent highlights of Aliya's work in this field include:

- *Gagliardi v Evolution Capital Management LCC* [2023] EWHC 1608 (Comm) – application to the

High Court for the first post-Brexit anti-suit injunction enforcing an employee's right to be sued in England (as a pupil, assisting Daniel Oudkerk KC and Amy Rogers).

- *Lapinski v Triton Investments Advisers LLP and Others* 2206435/2022 (ET) – challenge to the international jurisdiction of the Employment Tribunal in a cross-border discrimination dispute (as a pupil, assisting Daniel Stilitz KC).
- *Município de Mariana & Ors v BHP Group plc, BHP Billiton plc and BHP Group Ltd* [2020] EWHC 2930 (recognised as one of The Lawyer's Top 20 Cases for 2020) – acting for the Defendants in a jurisdiction challenge relating to claims brought by over 200,000 claimants arising out of the collapse of the Fundão Dam in Brazil. The claim has been described as the largest group action ever in English legal history (as a solicitor at Slaughter and May, in a team led by Efstathios Michael).

As a Judicial Assistant at the Supreme Court, Aliya gained exposure to cases raising private international law issues, including in:

- *The Soldiers, Sailors, Airmen and Families Association – Forces Help and another v Allgemeines Krankenhaus Viersen GmbH* [2022] UKSC 29 (on the overriding effect of the Civil Liability (Contribution) Act 1978).
- *Cairo (Nile Plaza) v Brownlie* [2021] UKSC 45 (on the application of the presumption of similarity concerning foreign law and the proper scope of the tort gateway for service out of the jurisdiction).

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## Information and Data Protection

Aliya practises in all areas of information and data protection law, including claims under the UK GDPR / Data Protection Act 2018 and appeals under the Freedom of Information Act 2000.

Her recent experience includes:

- *FKJ v RVT* [2023] EWHC 3 (KB) – privacy claim involving significant WhatsApp hacking allegations and counterclaims for malicious prosecution (as a pupil, assisting Christopher Knight).
- *Cabinet Office v Information Commissioner and Tommy Sheppard MP* (UA-2021-000017-GIRF) – Upper Tribunal appeal concerning a request for polling information on attitudes to the Union (as a pupil, assisting Raphael Hogarth).
- *Montague v Information Commissioner and Secretary of State for International Trade* (appeal to Court of Appeal pending) – appeal concerning the aggregation of public interest factors in non-disclosure of information (as a pupil, assisting Christopher Knight).
- Defending a claim for compensation under the Data Protection Act 2018 (as a pupil, assisting Christopher Knight).
- *Hurbain v Belgium* (application no. 57292/16) (European Court of Human Rights) – the right to be forgotten in the context of digital press archives (as a Judicial Assistant and UK Focal Point to the European Court of Human Rights' Superior Courts' Network).

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## Procurement and Subsidy Control

Aliya accepts instructions from economic operators and authorities in cases involving the application of the procurement and subsidy rules.

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## Sport

Aliya accepts instructions in all areas of sports law. She recently assisted Ruth Kennedy in an arbitration arising from Cardiff City FC's failure to pay the transfer fee of Emiliano Sala on time.

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## Public International Law

Aliya accepts instructions in all areas of Public International Law. Aliya volunteers for a UK-headquartered NGO which has consultative status with the United Nation's Department of Economic and Social Affairs, and frequently represents that NGO at the UN Human Rights Council in Geneva.

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## Education and Awards

### Education

BCL, St John's College, University of Oxford

LLB, SOAS, University of London (top of year)

### **Prizes and Scholarships**

Sir John and Lady Sophie Laws Scholarship, Bar European Group (2023)

Daniel Slifkin Scholarship, St John's College, Oxford (2020)

Hart Prize for Best Final Year Performance, SOAS (2017)

School of Law Undergraduate Prize for Best Intermediate Years Performance, SOAS (2016)

School of Law Scholarship, SOAS (2016)

School of Law Undergraduate Prize for Best First Year Performance, SOAS (2015)

Five subject prizes (including in Public Law), SOAS (2014-2017)

Oxford University Press Law Prize, SOAS (2015)

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## **Other**

### **Professional experience**

In the 2021-2022 legal year, Aliya was a Judicial Assistant to the Justices of the Supreme Court. During that year, she was appointed UK Focal Point to the European Court of Human Rights' Superior Courts' Network, in which capacity she also provided assistance to the Strasbourg court on matters of English law.

Aliya previously trained as a solicitor at Slaughter and May and worked as an associate in the firm's Disputes and Investigations team.

### **Pro bono**

Aliya successfully completed Advocate's Pupil Pledge during pupillage.

Aliya is a Trustee of a foodbank based in the London Borough of Brent. She also volunteers for an NGO which has consultative status with the United Nation's Department of Economic and Social Affairs, and frequently represents that NGO at the UN Human Rights Council in Geneva.

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