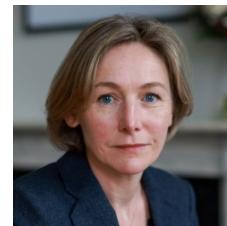


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## Cecilia Ivimy

Cecilia is an experienced public law advocate with particular expertise in judicial review and human rights law. She has represented clients at all levels and in multiple complex appeals in the domestic courts, and frequently represented the United Kingdom before the European Court of Human Rights. She is a ranked junior in Public and Administrative Law and Civil Liberties.

Cecilia is a member of the Attorney General's A Panel. She is a CEDR accredited mediator.



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### Professional Summary

Called 1995

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## Specialisms

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### Public

Cecilia has appeared in public law litigation at all levels in the domestic courts and has particular experience in complex appeals. She acts for central and local government, regulators, ombudsmen and other public bodies, as well as private clients. She is ranked as a leading junior in administrative and public law.

Cecilia's recent public law cases include judicial review challenges to:

- Government policy on recovery of benefits overpayments; acting for the Secretary of State for Work and Pensions
- The Prime Minister's decision that the Home Secretary did not breach the Ministerial Code; acting for the Prime Minister
- Decision to terminate an academy trust funding agreement; acting for the Secretary of State for Education
- Lawfulness of approach to authorisation of use of medicines in the NHS to treat COVID-19; acting for the Secretary of State for Health
- The Office for National Statistics approach to the question "what is your sex" on the 2021 Census; acting for the ONS
- Quarantine restrictions for travellers arriving in the UK brought by commercial airlines; acting for the Secretary of State for Health
- Public sector "Exit Payment" regulations and their effect on the Local Government Pension Scheme; acting for the claimants including a public sector union

In the first part of her career (she was non-practising between 2010 and 2020) Cecilia appeared in multiple leading public law appeals, including eight appeals before the House of Lords. Subjects included:

- the application of the Human Rights Act to private care homes;
- deaths and detention of civilians in Iraq and Afghanistan;
- legality of UK implementation of UN sanctions regimes;
- investigation of deaths of patients in secure hospitals;
- lawfulness of control orders against suspected terrorists.

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### Public International Law

Cecilia has experience on the inter-relationship between international and domestic human rights law, including in relation to the ECHR, the ICCPR, the Geneva Conventions and international humanitarian law and resolutions of the UN Security Council. She has represented the United Kingdom in multiple

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### Contact Details

+44 (0)20 7632 8500

**Clerk** Michael Smith

**Clerk** Thomas Belcher

**Clerk** Jake Foote

[Contact Clerks](#)

cases before the ECtHR.

She has advised and represented the UK Government in relation to issues arising out of military action in Iraq and Afghanistan and in relation to terrorism, including control orders and sanctions regimes.

Recent advice includes advice on domestic and international law implications of restricting public bodies' powers to act in relation to boycotts, divestment and sanction policies and practices.

Cecilia co-authored the 2018 report of an inquiry by an All Party Parliamentary Group into the legality and practice of the UK Government's use of lethal drone and its co-operation with other states' use of lethal drones.

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## Human Rights

Cecilia has extensive experience in human rights law and is ranked as a leading junior in civil liberties. She has advised and represented clients on human rights law in a wide range of contexts including: social and adult care, welfare benefits, education, pensions, sanctions, proceeds of crime, prisons and secure hospitals, and military action abroad. She has represented the United Kingdom in multiple appeals before the European Court of Human Rights.

Recent cases include human rights challenges to:

- Government policy on enforcement of child maintenance; acting for the Secretary of State for Work and Pensions
- Lawfulness of approach to authorisation of use of medicines in the NHS to treat COVID-19; acting for the Secretary of State for Health
- Compatibility with Article 8 and 14 of Government guidance on care home visiting; acting for the Secretary of State for Health
- Compliance with Article 8 in the context of "Maxwellisation" and an independent review ; acting for the Cabinet Office
- Alleged breach of Article 8 and 3 arising out of failure to provide adult social care; acting for the local authority
- Quarantine restrictions for travellers arriving in the UK brought by commercial airlines; acting for the Secretaries of State for Health and Transport
- A1P1 compatibility of public sector "Exit Payment" regulations and their effect on the Local Government Pension Scheme; acting for the claimants including a public sector union

In the first part of her career (Cecilia did not practice between 2010 and 2020) Cecilia appeared in multiple leading public law/human rights appeals, including eight before the House of Lords and two before the Grand Chamber of the European Court of Human Rights. Subjects included:

- the application of the HRA to private care homes;
- the extension of the HRA and ECHR to deaths and detention of civilians in Iraq and Afghanistan;
- legality of detention of civilians in Iraq and Afghanistan;
- legality of UK implementation of UN sanctions regimes;
- duty under Article 2 to investigate deaths of patients in secure hospitals;
- compatibility of control orders against suspected terrorists with Articles 5 and 8; and
- compatibility of disclosure of spent convictions with Article 8.

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## Inquests and Inquiries

Cecilia is experienced in judicial review challenges related to inquests and inquiries, including in relation to deaths and near-deaths in a range of contexts including military action, prisons and secure hospitals.

Cecilia also has experience in relation to non-statutory inquiries and reviews commissioned by Government.

Recent experience includes:

- Instructed on a detailed review into procurement of armoured vehicles by the Ministry of Defence

- Advising on procedure in relation to a review commissioned by the Prime Minister into supply chain finance; acting for the Cabinet Office

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## Information

Cecilia represents central government, local government and other public bodies in sensitive and complex FOIA and EIR appeals. Recent appeals concern:

- Disclosure of ministerial submissions on reform of judicial review law; acting for the Ministry of Justice
- Disclosure of Cabinet Office papers and principles relating to the convention of collective responsibility of Ministers of the Crown; acting for the Cabinet Office
- Disclosure of information relating to pay and contracting out of public sector services; acting for the Ministry of Justice
- Disclosure of environmental information relating to a railway development; acting for the local authority
- Application of section 14 FOIA (vexatious requests) in relation to serial requests and harassment of local authority officers; acting for the local authority
- Disclosure of information concerning the release of a high-profile prisoner; acting for the Ministry of Justice

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## Health and Community Care

Cecilia's public law practice extends to health and community care matters. She has advised and represented local authorities in relation to adult community care services, continuing NHS care, and care home funding, and central government on wider health related public law issues. She has expertise in health and community care cases involving allegations of breaches of the Human Rights Act.

Cecilia's recent and current cases and advisory work include:

- Lawfulness of approach to authorisation of use of medicines in the NHS to treat COVID-19; acting for the Secretary of State for Health
- Lawfulness of government guidance on care home visiting; acting for the Secretary of State for Health
- Judicial review of duty of local authority to provide adult social care where ; acting for the local authority

Judicial review/mediation dispute concerning review of social care needs and direct payments; acting for the local authority

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## Cases

### Recent Cases

#### **Perrys Motor Sales/Perrys Group Ltd v Information Commissioner & HM Treasury**

First-tier Tribunal (General Regulatory Chamber) | [2024] UKFTT 62 (GRC) | 26 Jan 2024

Discussions between HM Treasury and the FCA concerning legal and policy response to Covid-related business insurance interruption claims exempt from disclosure; acting for HM Treasury

#### **R. (on the application of Ingold) v Secretary of State for Work and Pensions**

King's Bench Division (Administrative Court) | [2023] EWHC 3207 (Admin) | 15 Dec 2023

Child maintenance service operation and policies not contrary to ECHR Article 8, 14 or A1P1; acting for the Secretary of State for Work and Pensions

#### **R. (on the application of ClientEarth) v Financial Conduct Authority**

King's Bench Division (Administrative Court) | [2023] EWHC 3301 (Admin) | 13 Dec 2023

FCA's approval of prospectus of an oil and gas company not unlawful having regard to disclosures of climate-related risks; claim not within the Aarhus Convention; acting for the FCA

#### **Sloan v Information Commissioner**

First-tier Tribunal (General Regulatory Chamber) | [2023] UKFTT 342 (GRC) | 30 Mar 2023  
Information about Cabinet Committee meetings exempt from disclosure having regard to need to maintain ministerial collective responsibility; acting for the Cabinet Office

**R. (on the application of K) v Secretary of State for Work and Pensions**

King's Bench Division (Administrative Court) | [2023] EWHC 233 (Admin) | 7 Feb 2023  
DWP waiver policy with respect to benefit overpayments lawful; individual decision not to waive unlawful; acting for Secretary of State for Work and Pensions

**South Gloucestershire DC v Information Commissioner**

First-tier Tribunal (General Regulatory Chamber) | [2022] UKFTT 445 (GRC) | 2 Dec 2022  
Information related to new station development project exempt from disclosure under the EIR; acting for South Gloucestershire DC

**Public Law Project v Information Commissioner and Ministry of Justice**

First-tier Tribunal (General Regulatory Chamber) | [2022] 3 WLUK 568 | 25 Mar 2022  
Submissions from 13 Secretaries of State on reform of judicial review law exempt from disclosure, having regard to principles of collective responsibility; acting for the Ministry of Justice

**R. (on the application of FDA) v Prime Minister**

Divisional Court | [2021] EWHC 3279 (Admin) | 6 Dec 2021  
Prime Minister's decision that bullying by the Home Secretary had not breached the Ministerial Code was lawful; acting for the Prime Minister.

**Ministry of Justice v Information Commissioner**

First-tier Tribunal (General Regulatory Chamber) | [2021] 3 WLUK 568 | 7 July 2021  
Information held by Chief Executive of HM Prison & Probation Service about release arrangements for high-profile prisoner exempt from disclosure; acting for the Ministry of Justice

**R. (on the application of Fair Play for Women Ltd) v UK Statistics Authority**

Queen's Bench Division (Administrative Court) | [2021] EWHC 940 (Admin) | 9 Mar 2021  
Interim injunction; lawfulness of guidance on question "what is your sex?" in the 2021 census; acting the UK Statistics Authority

**R (on the application of British Airways & ors) v Secretary of State for Health**

Divisional Court | July 2020 | (settled at hearing)  
Lawfulness of Covid-19 travel restrictions; acting for the Secretary of State for Health

**Main Cases before Career Break**

**Al-Jedda v United Kingdom (27021/08)**

European Court of Human Rights (Grand Chamber) | (2011) 53 EHRR 23 | 7 Jul 2011  
Compatibility with ECHR Article 5 of internment of citizen in Iraq pursuant to UNSC Resolution; acting for United Kingdom

**Al-Skeini v United Kingdom (55721/07)**

European Court of Human Rights (Grand Chamber) | (2011) 53 EHRR 18 | 7 Jul 2011  
Extra-territorial application of ECHR Article 2 and 3 to killing of Iraqi nationals in Iraq by UK forces; acting for United Kingdom

**Mousa v Secretary of State for Defence**

Divisional Court | [2010] EWHC 1823 (Admin) | 16 Jul 2010  
Whether state under duty to conduct public inquiry into alleged mistreatment of Iraqi citizens in Iraq by British military; acting for Secretary of State for Defence

**Chief Constable of Humberside v Information Commissioner**

Court of Appeal (Civil Division) | [2009] EWCA Civ 1079 | 19 Oct 2009  
Data protection and ECHR rights did not require police to delete old convictions from the Police National Computer; acting for intervener, Secretary of State for Justice

**R. (on the application of Willcox) v Secretary of State for Justice**

Divisional Court | [2009] EWHC 1483 (Admin) | 1 Jul 2009

ECHR rights did not require release of prisoner transferred from Thai prison; acting for Secretary of State for Justice

#### **A v United Kingdom (3455/05)**

European Court of Human Rights (Grand Chamber) | (2009) 49 EHRR 29 | 19 February 2009  
Compatibility of closed material procedure in Special Immigration Appeals Commission with ECHR Article 6; acting for United Kingdom

#### **Secretary of State for the Home Department v F**

House of Lords | [2009] UKHL 28 | 10 Jun 2009  
Compatibility with ECHR Article 6 of closed procedures in anti-terrorism control order proceedings; acting for Secretary of State for Home Department

#### **Savage v South Essex Partnership NHS Foundation Trust**

House of Lords | [2008] UKHL 74 | 10 Dec 2008  
Obligations under Article 2 ECHR owed to detained mental health patients; acting for intervener  
Secretary of State for Health

#### **R. (on the application of JL) v Secretary of State for the Home Department**

House of Lords | [2008] UKHL 68 | 26 Nov 2008  
Obligation to investigate suicide of prisoner in custody under Article 2 ECHR; Acting for Secretary of State for Home Department

#### **R. (on the application of M) v HM Treasury**

House of Lords | [2008] UKHL 26 | 30 Apr 2008  
Lawfulness of UK implementation of UN sanctions regime; acting for HM Treasury

#### **Secretary of State for the Home Department v JJ, E & MB**

House of Lords | [2007] UKHL 45, 46, 47 | 31 Oct 2007  
Whether anti-terrorism control order regimes comply with ECHR Articles 5 and 6; acting for Secretary of State for Home Department

#### **L v Birmingham City Council**

House of Lords | [2007] UKHL 27 | 20 Jun 2007  
Whether privately owned care home exercising public functions for the purpose of the HRA; acting for intervener, Secretary of State for Constitutional Affairs

#### **R. (on the application of Al-Skeini) v Secretary of State for Defence**

House of Lords | [2007] UKHL 26 | 13 Jun 2007  
Whether the HRA and ECHR applied extra-territorially to killing of Iraqi nationals in Iraq by UK forces; acting for Secretary of State for Defence

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## **Recommendations**

*"She is an excellent barrister; she grasps complex matters quickly and provides timely advice. Clients trust her judgement."* – **Chambers & Partners 2023**

*"A knowledgeable practitioner who comes up with novel arguments in a very tactical way."* – **Chambers & Partners 2023**

*"Cecilia Ivimy is a sought-after barrister with wide-ranging experience acting in public law challenges on behalf of central government, local authorities and public sector unions. She has extensive experience in judicial review and regulatory proceedings."* – **Chambers and Partners 2023**

*"She is very responsive, her drafting is incredible and her advocacy is very strong. She can also identify issues others might miss and narrow cases down to what's really important."* – **Chambers & Partners 2022**

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## **Education**

Cecilia has a first class degree from Oxford University and a distinction in the diploma in law from City University.

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## Other

Cecilia is an an accredited CEDR mediator. Cecilia also has experience as a mediation advocate in a range of contexts including community care and employment.

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