

# Bilal Rawat

Call 1995



[clerks@5essex.co.uk](mailto:clerks@5essex.co.uk)



+44 (0)20 7410 2000

**Recognised as a leading junior, Bilal Rawat's practice encompasses public law, prison law, inquests and inquiries, national security, police law and healthcare law.**

Bilal acts for government departments, police forces, local authorities and quasi-public companies. He is often instructed in complex cases where the issues require sensitive handling and have reputational impact.

Recent notable cases include:

- BVI Commission of Inquiry [2021-2022]: leading counsel to the Commission of Inquiry investigating corruption amongst public officials in the British Virgin Islands.
- Inquest into the death of Sudesh Amman [2021]: leading junior for the National Probation Service in the investigation into the Streatham terror attack.
- R3 v SSHD [2020]: SIAC appeal brought against a decision to deprive an individual who had travelled to Syria of his citizenship (instructed as a special advocate).
- Grenfell Tower Inquiry [2018 to present] – as counsel to the inquiry.

Bilal is a member of Attorney General Panel of Special Advocates and the Attorney General's A Panel.

## Expertise

### Public Inquiries

Recognised by the directories as a leading junior in this area, Bilal has over two decades experience in public inquiry work having acted both as counsel to the inquiry and on behalf of core participants. Most recently, Bilal was counsel to the British Virgin Islands Commission of Inquiry undertaken by Sir Gary Hickinbottom. He has continued as junior counsel to the Grenfell Tower Inquiry where he lead a team with primary responsibility for the evidence of survivors of the fire, the bereaved and local residents.

### Notable Public Inquiries cases

BVI Commission of Inquiry [2021-2022]

leading counsel to the Commission of Inquiry investigating corruption amongst public officials in the British Virgin Islands.

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Grenfell Tower Inquiry [2018-present]

Junior counsel to the Inquiry.

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Independent Inquiry into Child Sexual Abuse [2017]

representing a core participant in the Child Migration case study.

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Al Sweady Inquiry [2013]

Public inquiry into allegations of unlawful killing and the ill treatment of Iraqi detainees. Represented a number of 'whistleblowing' soldiers.

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The Bloody Sunday Inquiry: [2000-2010]

Junior counsel to the Inquiry into the events of "Bloody Sunday" in Northern Ireland in 1972

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## Inquests

Long ranked as a leading junior for inquests, Bilal acts for bereaved families, police forces, government bodies and private and public companies. He also accepts instructions on behalf of NHS trusts and private healthcare providers.

Bilal has been instructed in a significant number of complex and sensitive Article 2 inquests arising from deaths in police and prison custody, and the deaths of vulnerable adults and children under local authority care. He now often deals with document-heavy cases where issues of public interest immunity, national security or the failings of state or quasi-state bodies are under investigation. His work in this area overlaps with his experience in non-Article 2 inquests where issues of health and safety and medical malpractice have been raised.

## Notable Inquests cases

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Inquest into the death of Sudesh Amman [2021]

leading junior for the National Probation Service in the investigation into the Streatham terror attack.

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Re. Caroline Flack [2020]

representing the Crown Prosecution Service.

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Re: Lisa Skidmore [2019]

Inquest into the death of LS who was murdered by a convicted criminal on life licence.

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Re: Vikki Thompson [2017]

Inquest into the death of a transgender prisoner held in the male prison estate.

## Personal Injury

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Bilal undertakes personal injury work on behalf of both insurers and governmental bodies. His experience encompasses employer's liability, claims for psychiatric injury, occupier's liability and fatal accident claims. Bilal acted for the defendant in *Razumas v MOJ*, successfully arguing that a non-delegable duty of care was not owed to prisoners who receive negligent medical treatment while in custody.

Bilal brings to this area his considerable experience of both Article 2 and non-Article 2 inquests having appeared in a number of complex investigations which have addressed allegations of the breach of health and safety law, breach of regulatory policy and guidance and of medical malpractice. Bilal also undertakes work in the Court of Protection, particularly in relation to matters concerning capacity, medical treatment and the best interests of the person.

## Notable Personal Injury cases

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*JH v MOJ* [2022]

claim brought by a former prisoner officer alleging development of complex regional pain syndrome following a soft tissue injury at work.

*KR v MOJ* [2020]

claim brought on behalf of a prisoner left with permanent brain injury following a prisoner-on-prisoner assault.

*KF v MOD* [2020]

claim brought by former member of armed forces left permanently incapacitated following a minor injury.

*Razumas v MOJ* [2018] EWHC 215 (QB)

whether the Ministry of Justice owed a non-delegable duty of care or was vicariously liable for negligent medical treatment provide to a prisoner.

## Public and Administrative

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Bilal has extensive experience of challenges to the decisions of public bodies particularly in the areas of immigration and asylum, community care, safeguarding children and vulnerable adults, mental health and prison law. He has been instructed on behalf of claimants, governmental bodies and interested parties and appears before the Upper Tribunal, the High Court and the Court of Appeal in judicial review proceedings and substantive appeals. Bilal's work in this area overlaps with his expertise in dealing with claims brought for damages for false imprisonment, unlawful detention and breach of privacy.

As a special advocate, Bilal has acted in immigration proceedings involving issues of national security. Bilal has also been instructed as the special advocate in care proceedings where issues of non-disclosure and the consequent impact on a party's Article 6 ECHR rights have arisen (including the High Court proceedings in *BCC v FZ & Ors* [2012]).

## Notable Public and Administrative cases

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*R3 v SSHD* [2020]

SIAC appeal brought against a decision to deprive an individual who had travelled to Syria of his citizenship (instructed as a special advocate).

*XYL v Secretary of State for the Home Department* [2017] EWHC 773 (Admin)

The detention of a potential victim of trafficking pending the determination of an asylum claim.

H v Secretary of State for the Home Department [2017] EWCA Civ 41; [2017] 2WLR 1437

The use of the Royal Prerogative to cancel the passports of British nationals (instructed as a special advocate).

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MST and Others (national service – risk categories) Eritrea CG [2016] UKUT 00443 (IAC)

country guidance in relation to those fleeing national service in Eritrea. Leading junior for the Secretary of State.

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MOJ & Ors (Return to Mogadishu) Somalia CG [2014] UKUT 00442 (IAC)

country guidance concerning the general risk of return to Mogadishu. Leading junior for the Secretary of State.

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XCC v (1) AA, (2) BB, (3) CC & (4) DD (by her litigation friend, the Official Solicitor) [2012] EWHC 2183 (COP); [2013] 2 All ER 988

The interface between the inherent jurisdiction and the Court’s jurisdiction under the Mental Capacity Act 2005. Advocate to the Court.

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Naseer & Ors v SSHD [2010]

Special advocate for three appellants (including the only successful appellant) in the “Operation Pathway” case.

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## Healthcare

With a PhD in neurophysiology, Bilal was a research scientist working in the biomedical sciences prior to establishing a career at the Bar.

Bilal has experience of representing both bereaved families and healthcare providers in inquests where allegations of medical negligence arise. He has dealt with the civil claims that can flow from such investigations.

Bilal also advises on both liability and quantum in relation to claims of clinical negligence. Having acted for the successful defendant in the High Court case of Razumas v MOJ, Bilal had dealt with a number of high value claims concerning allegations of negligent medical treatment in a custodial setting. He has an interest in the public law aspects of healthcare provision including issues around the sharing of patient data.

Bilal has represented healthcare professionals in proceedings brought by their regulatory body.

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## Notable Healthcare cases

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Razumas v MOJ [2018] EWHC 215 (QB)

whether the Ministry of Justice owed a non-delegable duty of care or was vicariously liable for negligent medical treatment provide to a prisoner.

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B v MOD [2018]

high-value claim brought by a former member of the armed forces alleging a negligent failure to diagnose post-traumatic stress disorder with permanent consequences.

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Re PR and BSS

Representing the families of two cancer in-patients who died following a medication error. Gross failings on the part of the treating NHS Trust were identified.

## Education & Qualifications

- 1995 – Called to the Bar by Middle Temple
- 1995 – Bar Vocational Course, ICSL
- 1994 – University of Westminster, Diploma in Law
- 1992 – University of Bristol, PhD in Physiology
- 1987 – University of Leeds, Bsc (Hons) in Physiology

## Appointments

- 2009 – Appointed to Attorney General's Special Advocate Panel
- 2010 – Appointed to Attorney General's B Panel
- 2015 – Appointed to Attorney General's A Panel
- 2022 – Re-appointed to Attorney General's A Panel

## Awards & Scholarships

