Kyah Mufti

Call: 2016

E	clerks@dekachambers.com
T	+44(0)20 7832 0500

Kyah Mufti is an experienced common-law barrister, who specialises in children's law and the court of protection.

Across her practice, Kyah routinely engages with complex medical and scientific evidence, vulnerable persons (with and without capacity to conduct litigation), and the law relating to the deprivation of liberty of both children and adults.

Building on her academic background in human rights and international law, Kyah has a particular focus on children's law cases with cross-border features, and she has a growing international children's law practice. Her experience includes care proceedings involving placement of children abroad, forced marriage protection orders, child abduction (including proceedings involving wardship, injunctions, and the inherent jurisdiction), private law relocation of children, cases with questions of jurisdiction and emergency applications for protective measures to prevent children being removed from the jurisdiction. Kyah has an interest in cross-border assisted reproduction and issues of parental responsibility for LGBT+ parents across borders.

In addition to her specialist areas of work, Kyah maintains a common-law practice acting in inquests, crime, and police matters, particularly those involving medical/scientific evidence. Her experience with these differing tribunals and juries (crown court and coroner's court) makes her a versatile and skilled advocate, who can knowledgeably approach cases where there are concurrent family/criminal/coronial investigations or proceedings.

Prior to coming to the Bar, Kyah worked with young and vulnerable persons across roles in the charity sector. She spent two years managing a youth programme in Young Offender Institutions and prisons in London, and she set up a pan-London LGBT+ youth programme for a large national charity.

Kyah is able to speak conversational Urdu.

Outside of court, Kyah is committed to anti-racist work, broadening access to the Bar, and Global Majority LGBT+ visibility. Kyah is the South Eastern Circuit's representative on the Bar Council's Race Working Group.

Areas of Expertise

Deka Chambers
5 Norwich Street
London
EC4A 1DR

T: +44 (0)20 7832 0500
E: clerks@dekachambers.com
DX: LDE 439

Family

Kyah is an experienced junior family practitioner acting in both private and public law proceedings, including fact-findings and contested final hearings. She is regularly instructed in cases dealing with allegations of physical and psychological violence, sexual abuse, neglect and parental substance misuse issues.

Kyah has also acted in cases involving vulnerable children who are victims of child sexual exploitation and grooming, and related applications for recovery orders or for the deprivation of a child's liberty in relation to secure accommodation to safeguard them.

Kyah is regularly instructed on behalf of local authorities, parents, and children's guardians. As someone who also practices in criminal law, Kyah benefits from having a broader perspective in circumstances where there is a concurrent criminal investigation or prosecution alongside family proceedings. She has frequently been instructed to deal with applications for disclosure from family proceedings into criminal investigations.

Kyah particularly enjoys cases which involve other jurisdictions and complex cultural considerations, and she is keen to further develop her interest in international family law.

Notable Family cases

LB v A [2021]

Kyah acted for the Local Authority throughout these care proceedings which involved adjourning the first final hearing on the third day due to unexpected admissions made in evidence by a parent under cross-examination.

B v H [2021]

Kyah acted for the Respondent Father in private proceedings arising from cross-applications to allow and to prohibit the Father to relocate with the parties' child. The Father was granted permission to relocate.

A v A [2020]

Kyah acted for the Respondent Wife in an appeal brought by the Appellant Husband against a consent order made at the conclusion of financial remedy proceedings the previous year. The appeal was dismissed.

C v C [2020]

Kyah acted for the Respondent in a non-molestation order application in which her client had a diagnosis of multiple personality disorder and the medical view on whether the Respondent could properly understand the nature and existence of the order at all times was ambiguous.

LB v S [2019]

Deka Chambers
5 Norwich Street
London
EC4A 1DR

T: +44 (0)20 7832 0500
E: clerks@dekachambers.com
DX: LDE 439

Kyah acted for a Mother in this final hearing with a Child Arrangements Order being made to her client

LB v A [2019]

Kyah acted for a Father with acute cognitive difficulties who was represented by the Official Solicitor. He required an intermediary at court, and regular breaks, in order to follow the interim care order hearing, which included evidence and findings of fact.

TH v JG [2018]

Kyah appeared in a final hearing in the High Court representing one of two parents in a dispute regarding their child's medical treatment.

Court of Protection

Kyah's previous career working with vulnerable persons, youths, and persons in custody, has naturally drawn her to Court of Protection work. She is a member of Chambers' Court of Protection team and has been instructed in a number of s21A MCA 2005 applications and DOL applications. Kyah is keen to grow her Court of Protection practice and is therefore open to instructions both within, and outside of, London.

Notable Court of Protection cases

Re: SM [2021]

Kyah represented a Local Authority in this case considering the capacity of P in relation to contact, and whether the court could aprove the restrictions sought by the supported accomodation in which P lives.

Re: GL [2019]

Kyah represented the Rule 1.2 representative and litigation friend for GL in this DOLS application by a County Council.

LBN v H [2018]

Kyah acted for the Applicant in this DOL application with respect to a child at risk of child sexual exploitation and grooming.

SM v LBE [2018]

Deka Chambers
5 Norwich Street
London
EC4A 1DR

T: +44 (0)20 7832 0500
E: clerks@dekachambers.com
DX: LDE 439

Kyah acted for the Respondent in this s21 MCA application by an Applicant with varying capacity from day to day.

Crime

Kyah is a CPS Grade 2 prosecutor, who regularly both prosecutes and defends in the Crown Court.

Kyah also undertakes work for authorities in cash forfeiture and POCA proceedings.

Kyah has a broader interest in international criminal law, following the international law component of her MSc Human Rights.

Notable Crime cases

R v H (Woolwich Crown Court) [2020]

Kyah acted as disclosure junior in the successful prosecution of twenty conspirators within an Organised Criminal Network which engaged in the supply of significant quantities of class A and B controlled drugs.

R v Ad and Others (Westminster Magistrates Court) [2020]

R v Ad and Others (Westminster Magistrates Court) [2020]: Kyah represented one of three defendants who were prosecuted in the fourth ever case brought by OFSTED for the offence of conducting an unregistered school. The case was heard before the Chief Magistrate and received media attention.
Kyah represented the Trustee of the charity under which the institution operated, successfully distinguishing her client's role and conduct from that of the other defendants.

R v YR (Guildford Crown Court) [2019]

Kyah successfully defended her client, who was acquitted of Burglary (non dwelling) and Blackmail.

R v CA (Magistrates' Court) [2019]

Kyah's client was acquitted of two counts of Assault PC and one charge of Obstruct PC.

R v M (Magistrates' Court) [2018]

Kyah successfully prosecuted a defendant charged with Racially Aggravated Harassment.

R v W (Magistrates' Court) [2018]

Deka Chambers
5 Norwich Street
London
EC4A 1DR

T: +44 (0)20 7832 0500
E: clerks@dekachambers.com
DX: LDE 439

Kyah successfully prosecuted a defendant charged with assault in a domestic context.

Inquests & Inquiries

Education

- BA Hons Philosophy and Politics, The University of York
- MSc Human Rights, The London School of Economics and Political Science
- Graduate Diploma in Law, BPP
- BPTC, The University of Law

Memberships

- Bar Human Rights Committee
- Criminal Bar Association
- International Bar Association
- Bar Lesbian and Gay Group

Deka Chambers
5 Norwich Street
London
EC4A 1DR

T: +44 (0)20 7832 0500
E: clerks@dekachambers.com
DX: LDE 439