



Emily Wilsdon

Year of call: 2011

Email: emily.wilsdon@39essex.com

Phone: +44 (0)20 7832 1111

*"Emily is massively bright, bold, and brilliant. She is extremely adaptable and knowledgeable. One to watch."*The Legal 500 2024

*"Emily has a wealth of experience in immigration law. She is razor-sharp and enthusiastically and effortlessly tackles even the most difficult legal issues. Her advice is confident, clear and pragmatic, and clients love her."*The Legal 500 2024

*"Emily is an exceptionally bright barrister who seems to take even the most knotty of instructions in her stride. The speed with which she can unpick tortuous legal problems is highly impressive. A strong, confident barrister – definitely one to watch."*The Legal 500 2023

Emily practices in administrative and public law, regulation, inquiries and inquests, and commercial and construction.

An experienced public lawyer, she acts for claimants (individual and representative bodies), central and local government, regulators and other public bodies across all areas of public law. She regularly appears in a wide range of courts and tribunals, including the High Court and Special Immigration Appeals Commission (SIAC). She is a member of the Attorney General's B Panel, and was a member of the Equality and Human Rights Commission 'B' Panel. She represents the Department of Levelling Up, Housing and Communities in the Grenfell Tower Inquiry, and the Home Office in the Brook House Inquiry. She advises and represents a range of interested parties at inquests, including Article 2 inquests with a jury.

She is recognised by the Legal 500 in the areas of administrative law and human rights, inquests and inquiries, and immigration (including business immigration).

Within commercial and construction disputes she has experience of arbitration, shipping disputes, construction adjudication and banking fraud. She has been admitted as a Member of the Chartered Institute of Arbitrators (MCIArb). She has been instructed as a member of the legal team from 39 Essex Chambers offering legal advice and support to the Foskett Panel.

Areas of expertise

Administrative and Public

-- Civil Liberties and Human Rights

-- Consultation

-- Equalities

-- Immigration and Business Immigration

-- Public International Law

Alternative Dispute Resolution

Commercial

Construction

Inquiries

Inquests

Regulatory and Disciplinary

Administrative and Public

"Emily is massively bright, bold, and brilliant. She is extremely adaptable and knowledgeable. One to watch."
The Legal 500 2024, for administrative law and human rights

Emily has significant experience in a broad range of administrative and public law matters, and acts both for and against public bodies in judicial review proceedings. She also advises and acts in claims against public bodies (including human rights claims, misfeasance in public office, and negligence) and other proceedings with a public law element.

She also acts in a range of national security cases before the High Court, Special Immigration Appeals Commission (SIAC), the Proscribed Organisations Appeals Commission (POAC) and the Investigatory Powers Tribunal (IPT). She has a particular expertise in naturalisation and deprivation cases.

Her work in this area includes consultation, regulation and inspection, discrimination claims, unlawful detention, curfews, trafficking, asylum accommodation, sanctions, healthcare, and education.

Cases of note

- ***Secretary of State for Work And Pensions v Eveleigh & Ors* [2023] EWCA Civ 810** – a landmark decision by the Court of Appeal on the application of the Gunning principles to voluntary consultation. The Court of Appeal allowed the Secretary of State's appeal, finding that the Gunning criteria only apply where a public authority is proposing to make a specific decision which is likely to have a direct (usually adverse) impact on a person or on a defined group of people. The proposal must be at a sufficiently formative stage that the views of those consulted might influence it, but also must have crystallised sufficiently that the public authority knows what the proposed decision might be, and can explain it in enough detail to enable consultees to respond intelligently to the proposed course of action.
Judgment
- ***Z3 v (1) Secretary of State for Home Department (2) Security Service (3) HM Prison and Probation Service (4) Chief Constable of West Yorkshire Police (5) Government Communications Headquarters* [2022] UKIP Trib 4 (02 November 2022) and [2023] UKIPTrib 7 (18 July 2023)** – judgments of the Investigatory Powers Tribunal on its jurisdiction in relation to the interception of telephone calls made by the claimant while at HMP Belmarsh, and on issues of legal privilege.

[First judgment](#) and [second judgment](#)

- ***Singh v Secretary of State for the Home Department* [2022] SN/93/2020** - A review of a refusal of a naturalisation application, because of the applicant's involvement in a proscribed organisation.
[Judgment](#)
- ***EOG and KTT v Secretary of State for the Home Department* [2022] EWCA Civ 307** - Linked appeals heard over three days, concerning aspects of policy about the grant of leave to remain to victims of trafficking, and the interpretation of the Council of Europe Convention on Action against Trafficking in Human Beings.
[Judgment](#)
- ***Binder and others v Secretary of State for Work and Pensions* [2022] EWHC 105 (Admin)** - Considered whether the Secretary of State failed to consult lawfully, via the 'UK Disability Survey', before publishing a National Disability Strategy.
[Judgment](#)
- ***Jalloh v Secretary of State for the Home Department* [2021] AC 262, [2020] UKSC** - The Supreme Court decided that an unlawful curfew is detention for the purposes of the tort of false imprisonment;
[Judgment](#)
- ***Kaitey v Secretary of State for the Home Department* [2020] EWHC 1861 (Admin)** - Considered whether the Secretary of State has the power to place a person on bail under paragraph 1(2) of Schedule 10 to the Immigration Act 2016 in circumstances where it would be unlawful to detain them; involved core principles of statutory interpretation.
[Judgment](#)
- ***DMA & others v Secretary of State for the Home Department* [2020] EWHC 3416 (Admin), [2021] 1 WLR 2374** - A systemic challenge which concerned the secretary of state's discharge of the duty under section 4(2) of the Immigration and Asylum Act 1999 to provide accommodation and subsistence support to eligible destitute refused asylum seekers with disabilities.
[Judgment](#)
- ***Arumugan & Others v Secretary of State for the Home Department* [2020] PC/04/2019** - An appeal against the refusal to remove the Liberation Tigers of Tamil Eelam (Tamil Tigers) from the list of organisations proscribed under the Terrorism Act 2000.
[Judgment](#)

Recommendations

Emily is listed by the Legal 500 in administrative law and human rights, inquests and inquiries, and immigration (including business immigration).

- "Emily has a wealth of experience in immigration law. She is razor-sharp and enthusiastically and effortlessly tackles even the most difficult legal issues. Her advice is confident, clear and pragmatic, and clients love her." The Legal 500 2024
- "*Emily is massively bright, bold, and brilliant. She is extremely adaptable and knowledgeable. One to watch.*" The Legal 500 2024
- "*Emily is an exceptionally bright barrister who seems to take even the most knotty of instructions in her stride. The speed with which she can unpick tortuous legal problems is highly impressive. A strong, confident barrister – definitely one to watch.*" Legal 500 2023

Memberships

- Administrative Law Bar Association (ALBA)
- COMBAR
- International Chamber of Commerce, Young Arbitration & ADR Forum (ICC YAF)

Qualifications

Education

- 2010 – 2011, Kaplan Law School, Bar Professional Training Course
- 2009 – 2010, New York University School of Law, LLM
- 2006 – 2009, Downing College, Cambridge University, MA Law

Scholarships and Prizes

- Inner Temple Pegasus Scholarship (2015)
- Middle Temple Inn of Court Queen Mother Scholarship (2010)
- Pomona-Downing Scholarship (2005)

London

81 Chancery Lane,
London
WC2A 1DD
Tel: +44 (0)20 7832 1111
DX: London/Chancery Lane 298
Fax: +44 (0)20 7353 3978

MANCHESTER

82 King Street,
Manchester
M2 4WQ
Tel: +44 (0)16 1870 0333
Fax: +44 (0)20 7353 3978

SINGAPORE

Maxwell Chambers,
28 Maxwell Road,
WC2A 1DD
04-03 & 04-04, Maxwell Chamber
Suites
Singapore 069120
Tel: +65 6320 9272

KUALA LUMPUR

#02-9, Bangunan Sulaiman
Jalan Sultan Hishamuddin,
50000 Kuala Lumpur,
Malaysia
Tel: +60 32 271 1085

BARRISTERS • ARBITRATORS • MEDIATORS

clerks@39essex.com • DX: 298 London/Chancery Lane • 39essex.com