



## 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

## -- Consultation

---

Emily regularly advises on and acts in cases involving the application of the principles of fair consultation, promises of consultation, and voluntary consultation.

### 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](#)

- ***Binder 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. The issues were whether the secretary of state voluntarily embarked on a consultation with the public to which the common law principles of fair consultation discussed in ***R v Brent London Borough Council ex parte Gunning* (1985) 84 LGR 168** applied; whether there was nevertheless a duty to consult with disabled people and/or disabled people's organisations; whether the decision not to consult was irrational; and whether there had been a breach of the public sector equality duty. Emily is instructed in the appeal to the Court of Appeal.

[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