



Emily Wilsdon

Year of call: 2011

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*"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

-- Equalities

Emily regularly advises and appears in cases which raise equalities issues, including the public sector equality duty. She has experience of systemic challenges to the lawfulness of policies and practices. She was appointed to the Equality and Human Rights Commission's B Panel between 2019 and 2023, and advised the Commission in relation to the Covid Inquiry.

Cases of note

- ***DMA & others v Secretary of State for the Home Department* [2020] EWHC 3416 (Admin)** - 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. It considered the nature of monitoring that ought to take place, the contractual arrangements in place for the provision of accommodation and the distinction between monitoring performance under the contract and discharge of the non-delegable duty.

The court found that the home secretary was in breach of her duties under section 4(2) of the 1999 Act and section 6 of the Human Rights Act 1998 in failing to provide accommodation to the claimants within a reasonable period of time and in failing properly to monitor the provision of accommodation.

The court also found that operating a system which for cases with specific needs was unlikely to provide appropriate accommodation within the period set by guidance placed severely disabled people at an unfair disadvantage, and that the home secretary was in breach of the public sector equality duty in section 149 of the Equality Act 2010 in failing to monitor the provision of section 4(2) accommodation to individuals who had a disability.

[Judgment](#)

Recommendations

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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)

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