



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

-- Civil Liberties and Human Rights

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The Legal 500 2024, for administrative law and human rights

Emily acts in a broad range of areas involving civil liberties and human rights. She has a particular expertise in deprivation of liberty, false imprisonment in tort, and unlawful detention. She advises and acts in a range of cases, including those relating to curfews, bail, accommodation, immigration detention and imprisonment.

Cases of note

- ***FA v Secretary of State for the Home Department*** – A claim in judicial review including Article 8 ECHR relating to a three year delay in providing appropriate asylum accommodation to the claimant, who had specific healthcare needs. Emily acted for the claimant and successfully obtained a fresh decision in their favour.
- ***Jalloh v Secretary of State for the Home Department* [2021] AC 262, [2020] UKSC 4**
 - Considered the meaning of imprisonment at common law and whether it should, or should not, be aligned with the concept of deprivation of liberty in article 5 of the European Convention on Human Rights (ECHR). The Supreme Court decided that an unlawful curfew is detention for the purposes of the tort of false imprisonment. Emily was instructed in this case in the High Court, Court of Appeal and Supreme Court, as well as in a range of related cases including ***Lupepe* [2017] EWHC 2690 (Admin)**.
Judgment
- ***Kaitey v Secretary of State for the Home Department* [2020] EWHC Civ 1875**
 - 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

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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