

Emma Stuart-King

Call: 2005

Specialist in:

- Personal Immigration
- Business Immigration
- Civil Law
- Inquests & Public Inquiries Team
- Court of Protection
- Civil Actions Against Public Authorities
- Direct Access
- Modern Slavery & Trafficking Team
- Direct Access Trained



Experience

Emma has a broad practice in public and civil law, with a particular interest in discrimination claims.

She accepts instructions on all aspects of immigration and asylum law; on discrimination claims in the Employment Tribunal, in Judicial Review, and in the County Court; on employment claims in the Employment Tribunal; on Inquests and Inquiries; and in the Court of Protection.

Immigration

Emma specialises in all aspects of asylum and immigration law and has a passionate commitment to protecting and furthering the rights of migrants. Emma has considerable experience representing clients before both the First-Tier and Upper Tribunals in all types of asylum and immigration appeals, including complex cases under the Refugee Convention, article 3 ECHR and humanitarian protection.

She is used to dealing with vulnerable clients and children in cases involving deportation, article 8, domestic violence, family reunion, and spouse/child/dependent relative entry



clearance. She has experience in handling complex technical cases dealing with the points-based system (students and workers), nationality, and EEA cases. She is very familiar with applications for bail.

Discrimination

Emma has a particular interest in discrimination cases and is instructed on claims for Judicial Review, in the County Court, in the Employment Tribunal and in the Immigration Tribunal.

She is familiar both with arguments under the Equality Act 2010 and under article 14 ECHR.

She represents claimants in the Employment Tribunal, both as employees and as office-holders or in quasi-employment roles. In the County Court she brings claims for damages for discrimination that has occurred in the context of the provision of services and of execution of public functions. In the context of immigration issues, Emma is familiar with claims for Judicial Review and with arguments that can be run as part of a Tribunal appeal.

Employment

Emma accepts instructions in claims for unlawful or wrongful dismissal. She has a particular interest in discrimination claims.

Inquests

Emma's compassionate yet process-focussed approach helps families arrive at the outcome of an Inquest with satisfaction that the death of their family member has been thoroughly investigated. Emma has a good forensic attention to detail that highlights and remedies gaps in the evidence before the Coroner.

Her familiarity with arguments under the Human Rights Act 1998 is used with success when arguing that article 2 ECHR is engaged.

Court of Protection

Emma's knowledge of discrimination law gives her a solid understanding of the intersecting disadvantages to which many clients in this area are subjected.

Education

In 2002, Emma completed an LLB in Law at the University of Kent at Canterbury. She



completed the Bar Vocational Course in 2005 with an award of 'Very Competent'.

She has been accredited as a Police Station Representative, and as a Level 2 Asylum and Immigration Caseworker.

Memberships

ILPA

HRLA

Cases

Thompson v Jeagor Farm Lakes

The Claimant was awarded damages of £9192.02 for injury to feelings in a claim for disability discrimination. He was banned from the Defendant's fishing lakes following an emotional outburst attributable to his disability of autism, ADHD and schizophrenia. The Court held that the Defendant had failed to make reasonable enquiries to inform herself as to the nature and presentation of his disability even when presented with medical evidence, and had failed to consider whether any measure short of a permanent ban would be proportionate. The award at the upper limit of the first Vento band reflects the seriousness of the impact on the Claimant who uses fishing as a means to control the effects of his disability.

@EmmaStuartKing instructed by Richard Hinton of @SuffolkLawCen represented the Claimant.

