

EMILY MITCHELL

Year of call
2015



Emily Mitchell is developing a diverse practice that involves all the main areas of Chambers' expertise.

Emily joined 7BR after successful completion of her pupillage. She was supervised by Richard Baker (Clinical Negligence and Personal Injury), Adrian Langdale (Crime) and Hari Kaur (Child & Family).

Emily studied English Language & Literature at Somerville College, Oxford. She then completed the GDL at BPP Law School, and her BPTC at the University of Law. She was awarded the Harmsworth Exhibition from Middle Temple Inn.

Before studying law and being called to the Bar, Emily worked in advertising at the UK's leading advertising agency. She also worked on the 'Moving Forward' project funded by the Department of Work and Pensions, which comprised part of the Help and Support for Separating Families Initiative. The project was designed to assist families undergoing the stress of separation to access free information, legal advice and mediation and to educate parents as to the impact of separation on their children. During this time Emily simultaneously worked as a paralegal specialising in Child & Family law.

LEGAL EXPERTISE

Family Law

Emily has developed a diverse practice within Family Law. Her particular expertise relates to children matters, both in Private and Public Law Proceedings. She also practices in International Child Abduction.

Emily has experience in conducting cases involving complex allegations of abuse, including physical and sexual abuse, in both Public Law and Private Law proceedings. She is regularly instructed in Fact-Finding

hearings concerning serious injuries to children. Her experience as a clinical negligence practitioner and her familiarity with medical evidence is advantageous in this respect. In Public Law proceedings, she is frequently instructed as trial counsel and has experience representing all parties at Final Hearing. She has acted for vulnerable adults with significant learning difficulties.

In private law proceedings, Emily has experience in cases where matters of domestic violence and sexual abuse are alleged. She has acted for both victims and those alleged as having perpetrated the abuse. She has acted in cases where complex ABE issues and the questioning of children have been raised.

Emily has appeared in cases before the High Court and against Leading Counsel. She has recently acted as a Junior representing a Mother in a complex fact-finding concerning allegations of non-accidental injury arising from a low level fall with conflicting medical evidence.

She has appeared in the following reported cases:

- BC v EF [2016] EWFC 69 (Fam)
- Re A (Children) [2019] EWHC 2334 (Fam)
- A Child (Threshold: Inflicted Injury and Domestic Abuse) [2019] EWHC 3662

Clinical Negligence

Emily has a specific interest in clinical negligence. She is particularly skilled in written work, and advises on all aspects of clinical negligence claims, including: liability, merits, causation, quantum and evidence. Emily drafts pleadings and has experience in drafting complex Particulars of Claim and Schedules of Loss.

Emily spent her first four months of Pupillage focussing on clinical negligence work, supervised by Richard Baker. During this time, she completed complicated advices, both on prospects of success and quantum in high value and complex claims, and drafted Schedules of Loss in various matters including claims brought under the Fatal Accidents Act 1976. She attended and assisted with trials in both the County Court and High Court, and observed numerous Joint Settlement Meetings. Emily has been involved in multiple conferences with leading counsel, experts, solicitors and lay clients.

Civil Fraud

Emily has a varied commercial practice and frequently represents both claimants and defendants in small claims and fast-track matters in the county courts. She has been instructed on multiple matters involving breach of contract, and has experience conducting interim hearings such as applications for interim injunctions, strike out and summary judgment.

Emily accepts instructions to draft pleadings and provide advice regarding merits, quantum and evidence.

Crime & Regulatory

Emily appears in criminal courts on the south-eastern and midland circuits. She frequently appears in both the Magistrates Court and the Crown Court. Her experience in the Magistrates Court involves conducting CPS lists

as well as defending clients charged with driving offences and cases of common assault. She has acted for Probation in prosecuting breach proceedings in the Crown Court. She regularly accepts instructions to defend in the Crown Court, and has experience of all types of interim hearings such as PTPHs, Sentencing hearings, and POCA proceedings. Emily also has experience in appeals to the Crown Court against conviction and sentence.

During pupillage, Emily spent four months focusing on crime supervised by Adrian Langdale. She observed Adrian both prosecute and defend high-profile and often multi-handed cases during this time. She assisted on a variety of serious criminal matters including offences of extreme violence, sexual offences, large-scale drug operations and death by dangerous driving. She drafted advices on evidence and obtaining funding for experts.

Personal Injury

Emily has a growing and diverse practice in Personal Injury work. She accepts instructions to represent both Claimants and Defendants at all stages of proceedings. She has conducted CMCs and interim hearings in complex cases. Emily advises in relation to all aspects of personal injury claims.

During pupillage, Emily spent four months under the supervision of Richard Baker. She drafted advices and pleadings in complicated personal injury matters, including: employer's liability claims, occupier's liability claims, road traffic collision claims and claims arising from fatal accidents. She attended numerous conferences with experts, solicitors and lay clients, which involved the discussion of the entire spectrum of trial issues and trial preparation. She observed and assisted with a High Court trial of a fatal accident claim arising from a road traffic collision.

Emily appears frequently in trials and interim hearings in County Courts, both for Claimants and Defendants.

Court of Protection

Emily accepts instructions in respect of both welfare and property and affairs matters in the Court of Protection. She acts on behalf of protected parties and local authorities.

Emily's incisive nature allows her to get to the heart of an issue quickly, which results in effective solutions for her clients. Her experience in the family court means she is sensitive in dealing with parties with vulnerabilities and difficulties, whilst her personal injury and clinical negligence practice means she is adept at working with complex medical notes.

Education

- Harmsworth Exhibition, Middle Temple

- BPTC (Commendation), University of Law, London
- GDL (Commendation), BPP Law School, London
- Choral Award, Somerville College, Oxford
- BA (Hons) English Language & Literature, Somerville College, Oxford