



Emma McIlveen

Year of Call: 2016

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Public and Administrative Law

Emma McIlveen has a strong and established public law practice and is instructed for both applicants and respondents in judicial review proceedings. She has particular expertise in education, special educational needs and healthcare decision-making, and in cases involving disabled or otherwise vulnerable individuals.

She is frequently instructed in challenges concerning unlawful delay, procedural impropriety and failures by public authorities to comply with statutory duties, and has extensive experience in urgent and limitation-sensitive judicial review proceedings, including applications for interim and emergency relief.

Recent instructions include acting in emergency proceedings concerning the operation of statutory call-in procedures across local councils, with wider implications for local government decision-making, as well as high-profile challenges arising from policing and security operations, including the judicial review of Operation Denton. She has also been instructed in a challenge to the Executive's failure to deliver Northern Ireland's Racial Equality Strategy. These cases engage fundamental constitutional issues including freedom of expression, proportionality, policing powers, executive accountability and access to justice.

Emma has a particular interest and expertise in constitutional and administrative law and is valued for her ability to advance principled and robust arguments in politically or socially sensitive cases. She serves on the committee of the Public Law Bar Association.

She also has a particular interest in mental capacity issues and is committed to supporting neurodivergent and vulnerable clients. Emma has completed the IPLS Vulnerable Witnesses course and has experience working alongside Registered Intermediaries. Her experience includes acting as junior counsel to the Independent Neurology Inquiry.

Recommendations

"Excellent discrimination barrister. Hard working, skilful and a great person to instruct." **Instructing solicitor**

"Very driven and successful in everything she does, yet she has a very personable nature and gets on well with clients in every walk of life." **Instructing solicitor**

Academic qualifications

- LLB Law with Politics, 1st Class, Queens University Belfast (Ranked 1st in Class)
- Bar Course, Distinction, IPLS, Belfast (Ranked 1st in Class)

Scholarships

- Kennedy Scholar, Harvard University
- JPB Maxwell Scholarship

Professional qualifications & appointments

- Government Legal Service Civil Counsel Panel (B Panel)
- Coroners Service Counsel Panel (C Panel)
- Vulnerable Witnesses course, Institute of Professional Legal Studies (IPLS)
- Accredited Mediator, Mediation Forum Ireland
- Affiliate member of The Society of Trust and Estate Practitioners (STEP)
- Future Leaders Connect, University of Cambridge, funded by British Council
- Advanced Diploma in Applied Employment Law, Republic of Ireland, Honourable Society of King's Inns

Professional bodies

- Vice Chair, Employment Lawyers Group NI
- Member, Public Bar Association Committee
- Legal Chairman, Special Educational Needs and Disability Tribunal, Northern Ireland
- Member, Independent Appeals Panel for Labour Relations Agency, Northern Ireland
- Legal Member, National Serious Case Panel for The Football Association, GB
- Member, Anti-Discrimination Panel for Premier League, English Football League
- Treasurer, Northern Ireland Medico Legal Society
- Secretary, Immigration Bar Association

Direct Access

Emma McIlveen is qualified to accept instructions directly from members of the public and professional clients under the Direct Public Access scheme.