

Emma McIlveen

Year of Call: 2016
Email Address: emma.mcilveen@3pb.co.uk
Telephone: 020 7583 8055

International Services

Emma is an employment barrister who litigates in the common-law courts as well as tribunals. Ten years of practice for employers and employees have taken her from first-instance hearings to the Court of Appeal and the UK Supreme Court, on claims framed in contract, statute and discrimination law. She is equally at home with the contractual questions that drive most DIFC employment disputes (bonus, notice, restrictive covenants, termination and gratuity) and with the employment-rights layer the DIFC Employment Law now adds: discrimination, victimisation and whistleblowing-type protection.

Alongside her advocacy she runs independent workplace investigations and chairs appeal and disciplinary panels for boards, partnerships and employers, and sits on a binding dispute resolution panel deciding contractual code disputes in the energy sector. She is available as sole counsel or as junior to a KC.

What she brings to DIFC and UAE employment work

Employment contract litigation

Pleadings, disclosure, cross-examination and appellate argument in adversarial courts, not only tribunals. Reported Court of Appeal win in 2025 as sole counsel.

Employment rights

Discrimination, equal pay, whistleblowing, unfair dismissal and harassment, for claimants and respondents, including Equality Commission instructions.

Independent investigations

Terms of reference, interviews, evidence and reasoned findings, delivered within a week of the final interview. A private route for sensitive allegations that firms may prefer to DIFC litigation.

Decision-making and arbitration

Six years on a three-member panel issuing binding, reasoned decisions on contractual code disputes. Accredited mediator. CIArb membership in progress.

Selected Cases

- Court of Appeal NI Dec 2025: McGreevy v NFU Mutual Insurance Society Ltd [2025] NICA 66. Sole counsel for the respondent. Appeal on employment status in a discrimination claim dismissed on all five grounds; now the leading Northern Ireland authority. Won below in the Fair Employment Tribunal.
- UK Supreme Court 2018: [2018] UKSC 27. Junior counsel for the Department of Justice, led by John McGleenan QC.
- High Court E&W 2021: Crowter v Secretary of State [2021] EWHC 2536 (Admin). For the claimants, with Jason Coppel QC:

disability-rights challenge under the Human Rights Act.

- Industrial Tribunal 2021: McEldowney v Randox Farming Unfair dismissal won for the claimant, unled against Queen's Counsel.
- High Court NI 2026: In re McClure [2026] NIKB 16 (Belfast City Council call-in procedure; appeal to the Court of Appeal November 2026) and In re Murray (NI Human Rights Commission; sole counsel, leave on all grounds).
- Public inquiry: Junior counsel to the Independent Neurology Inquiry.

Independent Investigations and Appeals

- Bullying allegations between partners at an international professional services firm
- Board-commissioned complaint about the conduct of a senior official in the education sector
- Sexual harassment and bullying allegations within a church organisation
- Independent appeal chair, grievance appeal, Irish League football club

Arbitration and Dispute Resolution

- Capacity Market Dispute Resolution Board: three-member panel deciding binding disputes on the interpretation of the Capacity Market Code for the all-island electricity market
- Construction contract disputes as counsel
- Accredited mediator (Mediation Forum Ireland)
- Chartered Institute of Arbitrators: Member (MCIArb) application in progress, October 2026; Diploma in International Commercial Arbitration planned for 2027 as the route to Fellowship

Teaching and Writing

- Founder and co-convenor, Advanced Employment Law Course, Institute of Professional Legal Studies, Queen's University Belfast (since 2021)
- Author, McIlveen on Employment, a monthly employment law newsletter (since 2020), and Leave to Apply, on public law (since 2026)
- Contributor, 3PB Employment Law Newsletter and 3PB blogs on AI
- Taught the judicial review module at Queen's University Belfast

DIFC Courts

- Meets the five-year advocacy requirement for full rights of audience on the Part II Register of Practitioners; application under way
- Available for a first DIFC appearance, including through the DIFC Courts Pro Bono Programme

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.