

Emma Waldron

Year of Call: 2011

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Court of Protection

Emma's practice in the fields of Education Law and Personal Injury Law has, in recent years, led her to advise on matters of capacity and issues involving the Court of Protection.

She has a particularly strong interest in:

- Deprivation of Liberty Safeguarding
- Issues surrounding consent to medical treatment
- Lasting Powers of Attorney
- Deputyship.

Having previously worked in the care industry and in special schools, Emma has a unique insight into questions of care and capacity. She recently delivered a talk on the Care Act 2015 and its interplay with the Mental Capacity Act 2005.

She is happy to take instructions from local authorities or individuals.

Recent cases:

- Re MD: acting on behalf of the Official Solicitor in relation to an application to revoke an LPA and appoint a Welfare Deputy
- Re ALS: acting on behalf of the Official Solicitor in respect of challenge to a standard authorisation which deprived P of his liberty
- Re FL: acting on behalf of the Applicant who was seeking to oppose the registration of an LPA which had been purportedly obtained by duress
- Re RB: judicial review proceedings, challenging a local authority's decision that the Applicant was not eligible for care and assistance under the Care Act 2014.

Recommendations

Emma Waldron has a broad practice encompassing a wide range of education matters. She offers expertise in special educational needs and discrimination issues, and is also able to advise on admission and exclusion appeals. She regularly represents universities, schools, academies and local authorities, as well as parents and young persons.

Strengths: "She is a very caring barrister, very approachable and a formidable advocate – firm but fair."

"Emma is the go-to counsel for my team. She provides practical advice, including reputational and commercial considerations."

"Emma is thorough, careful and considerate. She is sensitive to clients, good to work with and responsive to questions."

Chambers UK 2024/Education/London Bar

Strengths: "Emma is extremely calm and able to work on very complex, emotive work. She is incredibly bright and collaborative."

"Emma is a gifted and persuasive advocate who is able to get to the heart of the matter."

"Emma is an extremely kind, caring and compassionate barrister, providing very thorough and detailed counsel."

Chambers UK 2023/Education/London Bar

Strengths: "Very good and knowledgeable about education law." "A very sensible advocate."

Recent work: Successfully acted for the university in *Etowe v Newcastle University*, a case in which the claimant sought damages of approximately £200,000 for misrepresentation, breach of contract and negligence.

Chambers UK 2022/Education/London Bar

Strengths: "Her questioning of witnesses is really good – sensitive and to the point. Her written submissions are also really clear." "She has the ability to calm anxious clients and makes them understand why they are there and what the issues are."

Recent work: Represented Southampton City Council in an appeal against a decision by the First-tier Tribunal to refuse to name a particular specialist provision in a child's education health and care plan.

Chambers UK 2021/Education/London Bar

Emma Waldron notably acted for a childminder in successfully appealing an Ofsted suspension notice

'Emma is a joy to work with. She is incredibly professional. Her knowledge of the law in all things SEND tribunal is second-to-none, and her advice is always very clearly explained and accurate.'

Legal 500 2024/Education/Leading Junior/London Bar

'Emma provides clear, accurate and concise advice in the most difficult cases. Her advocacy is impeccable.'

Legal 500 2023/Education/Leading Junior/London Bar

'Emma is our go-to counsel on contentious education matters; she is very knowledgeable and provides thorough, practical advice.'

Legal 500 2022/Education/Leading Junior/London Bar

'Emma is an excellent advocate, very tenacious and has a high level of mental fortitude. She is passionate about the work she does and instils confidence in clients, even those who are anxious and vulnerable.'

"Emma Waldron successfully acting for Queen Mary, University of London in a discrimination claim."

Legal 500 2021/Education/Leading Individual

'Does a very good job even in difficult circumstances.'

Legal 500 2020/Education/Leading Individual

Academic qualifications

- BPTC (BPP Law School, 2010–2011) – Outstanding
- GDL (BPP Law School, 2009–2010)
- BA (Hons) Politics (St Chad's College, University of Durham)

Scholarships

- Harmsworth and Astbury Scholar, Middle Temple
- Certificate of Honour, Middle Temple
- Ian Graham Award for outstanding contribution to student life, University of Durham

Professional qualifications & appointments

- ADR Group Accredited Mediator

Professional bodies

- Education Law Association (ELAS)
- Member of the Association of Women Barristers
- Personal Injury Bar Association (PIBA)