



Emma Harman

Year of Call: 2003

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Overview

Emma is an experienced fearless advocate with a meticulous attention to detail and preparation both in and out of court.

She is a robust advocate who always takes a pragmatic approach. She has a strong reputation for not only her aptitude but also her empathetic approach with clients.

Emma represents clients in cases at all levels of the Family Court including the High Court and Court of Appeal.

Recommendations

Respected for her advocacy in public and private family law cases. She represents relatives, guardians and local authorities in connection with a vast array of subjects including abuse, violence, injury and abduction. Further to her work on children matters she works to resolve financial remedy cases.

"An extremely able junior with a keen eye for the detail of the case." "Very thorough and a superb advocate."

Chambers UK 2019/Family – Matrimonial – Western (Bar)

'She has particular expertise in working with clients who have learning difficulties.'

Legal 500 2018/19 – Family and children law – Leading juniors

"Emma knew every fine detail, case notes and it was evident that she had spent time, emailing for more information and questioning to make sure our evidence was as sound as it could be. Within her cross examination she was clever in her questioning, building and layering the picture to help us evidence our case. Emma was engaging, professional and a pleasure to work with. She is very much liked by all the Social Workers here and now we have used her for us we will be using her again."

Amy Bartram, Borough of Poole, 2019

" One of my Social Workers said 'how can any parent lose if they have Emma Harman.'

Amy Bartram, Borough of Poole, 2019

'She has the makings of a future silk.'

Legal 500 2017 – Family and children law – Leading juniors

"Emma was fantastic and so on the ball, and in my opinion took control of the opposition barrister and the outcome of the matter. I would recommend her to anyone without hesitation."

Client, 2014

Academic qualifications

- BVC Inns of Court School of Law
- LLB (Hons) Brunel University
- Jules Thorn Scholar

Professional bodies

- Family Law Bar Association
- Member of the Western Circuit

Direct Access

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

Family

Emma's areas of expertise include:

Public Law

Emma receives instructions from local authorities, parents, grandparents and guardians in a variety of cases many involving complex issues such as non-accidental injury, child fatality, sexual abuse, significant mental health issues, cognitive / capacity issues and personality disorders. Emma has appeared against leading counsel as well as having recently been led by leading counsel in an infant death case.

Private Law

Emma is briefed on all aspects of private law proceedings, many of which have included domestic abuse, sexual abuse, intractable contact disputes, parental alienation, implacable hostility, r16.4 guardians, internal and international relocation and also child abduction.

Emma quickly gets to the heart of the issues in such cases with a view to achieving the best possible outcome for her clients in a timely manner, whilst at the same time striving for an outcome that will work for the entire family and avoid the need for future litigation.

Court of Protection

Emma has experience in a wide range of Court of Protection matters including:

- Deprivation of liberty
- Contact
- Welfare
- Medical treatment

- LPAs and EPAs
- Property and financial affairs
- Statutory wills.

Within DOLs applications, Emma represents Local Authorities, CCGs and the Official Solicitor. Emma has a particular interest in the cross-over between family proceedings and the deprivation of liberty of young persons.

Surrogacy

Emma has experience in assisted reproduction matters involving parental order applications as well as other alternatives including adoption and child arrangement orders, many of which involve international surrogacy arrangements.

Examples of recent cases:

Re FM (A Child) [2016] EWCA Civ 189

Represented a mother who appealed against a special guardianship order made in favour of the mother's sister. The case involved a variety of issues including allegations of significant mental health problems, drugs, and extremely complicated family dynamics. The Court of Appeal granted permission to the mother to appeal, however in its reserved judgement dismissed the appeal. In the Court of Appeal Judgment, Baker J commented: "The argument in support of the mother's appeal has been presented by Miss Harman and the court is grateful to her for her thoughtful and well-constructed submissions".

Unreported cases:

Re: R 2017

Representing a mother in complex care proceedings in which multi-generational, inter-familial and inter-sibling sexual abuse is alleged. Ongoing proceedings.

Re O, Z & K [2017]

Led by Darren Howe QC, representing an uncle who had originally been in the pool of possible perpetrators in relation to over 42 various injuries to a 3 month old baby, which were said to have been sustained on at least four different occasions. The injuries included a catastrophic brain injury that led to the infant's death. The father was found by the Family Court to have caused the injuries by the Family Court and then later convicted in the Crown Court of murder.

Re: E and H [2017]

Representation of a father in longstanding care proceedings involving head and leg fractures to a child. The case involved leading counsel and a unique challenge by one party of an intervenor's capacity to conduct legal proceedings.

Re: W [2016]

Representation of a mother in which she was the subject of allegations of the attempted drowning of her child.

Re: A & J [2016]

Represented a mother in care proceedings including a finding of fact hearing in which the mother was in the pool of possible perpetrators in relation to a significant brain injury and retinal haemorrhaging of a 4 month old baby, or failure to protect in the alternative. Successfully exonerated the mother from any findings.

Re: I [2016]

Represented a maternal grandmother who sought the care of her daughter's 4 children. The mother had been murdered by the father of 2 of the children. The case lasted almost 2 years, however concluded with all 4 children being placed with the maternal grandmother under an SGO.

Re W [2015]

Represented a mother in an application for an interim care order with a plan for immediate removal of the child from the mother's care. Successfully defeated the application in its entirety despite opposition from the local authority, guardian, and adverse evidence from an adult psychiatrist and child psychologist.

Re: C 2014

Successfully represented a father against allegations of rape and threats to kill.

Re: G 2014

Represented a mother in private law proceedings in which the child had made numerous sexual abuse disclosures against the father. Successfully proved the allegations and achieved a no contact order and s.91(14) bar.

Publications

3PB Family Barrister Emma Harman explains the lessons that can be learned from A Local Authority v G (Parent with Learning Disability) [2017] EWFC B94.

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