

## Emma-Louise Fenelon

Call: 2015



Emma-Louise Fenelon is recommended as a Leading Junior by both Chambers and Partners and the Legal 500. She has a broad practice and is sought after for her experience particularly in sensitive and challenging cases. Emma has expertise in Inquests, Public Inquiries, Clinical Negligence, Child Abuse Compensation, Personal Injury and Human Rights.

Emma acts for a wide range of clients including claimants, bereaved families, NHS Trusts, individual doctors, companies, charities and NGOs. She is a member of the Attorney General's B Panel. In 2024 Emma was named Barrister of the Year at the Women In Law awards.

Emma is committed to pro bono representation and has been instructed on a pro bono basis for the Centre For Women's Justice, AvMA, Advocate and the Environmental Law Foundation. She was previously nominated as Advocate's Young Pro Bono Barrister of the Year. Read her recent interview about her pro bono experience with Advocate [here](#).

Emma is also co-presenter of [Law Pod UK](#).

*"Emma-Louise is exceptionally skilled. She is a fearless advocate who demonstrates incredible strength in court, and has the ability to assimilate information quickly and use it to powerful effect."*

### **Legal 500 2024**

*"She has a great deal of experience in inquests and other inquiries. She was very knowledgeable in terms of coronial law. Her client care skills were very, very empathetic."*

### **Chambers & Partners 2024**

*"She is always on top of the material, and commands the respect of the coroner. She is also able to handle tricky situations and clients with ease."*

### **Legal 500 2023**

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*court, and has the ability to assimilate information quickly and use it to powerful effect.”*

Legal 500 2024

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Chambers & Partners 2024

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Legal 500 2023

## Clinical Negligence

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Emma is instructed in a broad range of clinical negligence work by claimants and defendants. She regularly advises on both liability and quantum, including high-value claims involving complex future loss issues and Fatal Accident Act claims. She has particular experience in claims relating to delayed cancer diagnosis, vascular problems, orthopaedic surgery, diabetes and gastroenterology, and anorexia nervosa. She routinely advises clients in civil claims following inquests.

### Selected Cases

- Led by John Whitting KC in a case resulting in a settlement of just under £20 million for a brain damaged child.
- Secured a settlement against 5 separate Defendants for a man who received inadequate nursing, GP, and surgical treatment for an ulcer in his diabetic foot, resulting in an above-knee amputation.
- Acted for the widow of a man who bled to death at home after receiving inadequate medical treatment and secured a substantial Fatal Accidents Act settlement following RTM.
- Represented the parents of a baby who died shortly after death and secured an early settlement following an inquest
- Represented several NHS Trust Employees following serious allegations made against them by a minor’s parents following a sonogram. During a 6 day hearing the Court gave permission for a range of medical experts to assist in determining the likely cause of minor’s fractures, and ultimately found that no Trust employee had caused or contributed to the injuries sustained. Click [here](#) for further details.
- Led by Philip Havers KC in a complex clinical negligence claim concerning inadequate gastroenterology treatment resulting in severe opiate addiction. A substantial settlement was reached following mediation.

## Inquests

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Emma is regularly instructed on behalf of NHS Trusts, individual doctors and bereaved families in inquests.

She has appeared in numerous contentious Article 2 inquests arising from deaths in custody, and inquests involving mental health settings, community care and domestic violence.

She was previously instructed to assist the Coroner's Legal Team in the Inquests into the Birmingham Pub Bombings (1974). For more information click [here](#).

Emma is committed to pro bono representation and has been instructed on a pro bono basis for the Centre For Women's Justice, AvMA and Advocate on behalf of bereaved families and individual doctors. She is regularly involved in personal injury, clinical negligence and human rights claims arising out of inquests.

## Selected Cases

- **Inquest into the death of DS:** Represented the family of Daniella Santo, who had been a victim of coercive and controlling behaviour by her partner. Persuaded the Coroner to instruct an expert in policing domestic violence and coercive and controlling behaviour. The jury returned an unlawful killing conclusion that included 11 criticisms of Lincolnshire Police that had caused or contributed to her death.
- **Inquest into the death of RT:** Represented the family of Regan Tierney, who was murdered by her former partner. The jury returned a conclusion of unlawful killing, criticising Greater Manchester Police for failing to take steps that would possibly have prevented her death.
- **Inquest into the death of HY:** Represented the Ministry of Defence in an inquest concerning a fatal police shooting. The jury concluded that Mr Yahya had been lawfully killed.
- **Inquest into the death of CS:** Represented the family of a man who died in HMP Lowdham Grange. The jury returned a neglect finding, and the Coroner referred 17 medically qualified witnesses to their professional body.
- **Inquest into the death of NH:** Instructed on behalf of the Family, successfully persuaded the Coroner to resume an inquest considering the murder of a woman by her partner shortly after she ceased to be a child in Local Authority care.
- **Inquest into the death of BL:** Represented 21 NHS Trust employees involved in the care of a woman who died in a psychiatric unit.
- **Inquest into the death of MD:** Represented the family at an inquest highlighting differences in antenatal care for large babies due to geography.
- **Inquest into the death of CC:** Represented the family of a young woman who died as a result of an overdose of DHP, a toxic diet pill.
- **Inquest into the death of MN:** Represented 11 employees of a psychiatric intensive care unit at an Article 2 inquest into the death of a 14 year old girl.
- **Inquest into the death of AH:** Represented an individual doctor at a 5 week inquest into the care of a young woman who died from anorexia nervosa.
- **Inquest into the death of ZY:** Represented two GPs at an Article 2 inquest concerning the suicide of pregnant woman.
- **Inquest into the death of Prince Fosu:** Represented a GP in a month long inquest into the death of a man at Harmondsworth Immigration Removal Centre.
- **Inquest into the death of YS:** Represented a local authority in an inquest concerning mental health and community care.
- **Inquest into the death of WT:** Represented the family in an inquest concerning the death of a man following A&E discharge.

- **Inquest into the death of RS:** Represented the NHS Healthcare provider at Chelmsford Prison in an Article 2 inquest into the death of a man who committed suicide in prison.
- **Inquest into the death of DB:** Represented The Forward Trust, a charity providing substance misuse services, at an inquest into the death of a man at HMP Lewes.
- **Inquest into the death of AM:** Represented the family in an inquest into the death of a man who was found unconscious in the bath at a psychiatric hospital.
- **Inquest into the death of AA:** Represented Essex Partnership University NHS Trust at an Article 2 jury inquest into the death of a man who committed suicide in prison.
- **Inquest into the death of PA:** Represented Pennine NHS Foundation Trust in an inquest into the death of a man who committed suicide at a London underground station.
- **Inquest into the death of Baby O:** Represented a Paediatric Registrar during an inquest into the death of a baby at St. Mary's Hospital on the Isle of Wight.
- **Inquest into the death of MB:** Appeared for the NHS Trust at Bedford Prison in an Article 2 jury inquest into the death of a man who committed suicide in prison.
- **Inquest into the death of TS:** Acted for the NHS Healthcare provider at Chelmsford Prison in an Article 2 jury inquest into the death of a man who died from a drug overdose in prison.
- **Inquest into the death of MB:** Appeared for the NHS Trust in an inquest into the death of a woman who died following a missed hip fracture diagnosis.
- **Inquest into the death of HC:** Appeared for the NHS Trust in an inquest concerning the death of a man with a cardiac condition.

## Personal Injury and Child Abuse Compensation Law

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Emma has a busy practice in personal injury, and particular expertise in child abuse claims on behalf of claimants against local authorities, schools and individuals. She has experience before the Criminal Injuries Compensation Appeals panel.

Emma was instructed by Slater & Gordon as Junior Counsel acting for the main group of Core Participants in the Independent Inquiry into Child Sexual Abuse concerning abuse in residential schools. She also has experience on the modules examining historic child abuse in the Roman Catholic Church (Ampleforth, Downside and Ealing Abbeys), and the Anglican Church.

Emma was seconded to the abuse department of Bolt Burdon Kemp Solicitors for three months in 2018, where she worked primarily on claims relating to the Lambeth Children's Homes Redress Scheme and has advised a number of individuals concerning their Individual Redress Payments arising from that scheme.

### Selected Cases

- Represented several victims of the **Beirut Port Explosion**, securing a judgment awarding them £850,000 in damages, led by Neil Hart KC. See [here](#) for further details.
- Successfully resisted an application to set aside a judgment for damages, acting on behalf of a survivor of child sex abuse. Click [here](#) for further details.
- Recently succeeded in damages claim for a survivor of child abuse. Click [here](#) for further details.
- For further information on Emma's involvement in IICSA click [here](#) and [here](#).

- Previously instructed by HMRC on an ongoing-basis to advise on personal injury claims arising out of accidents involving employees across the Government Estate.

## Public Inquiries

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Emma has a broad public inquiry practice, and has experience acting for a range of Institutional Core Participants as well as Victims and Survivors. She is currently instructed as Junior Counsel, led by Jeremy Hyam KC by the Group of Welsh Health Bodies in the [UK Covid-19 Inquiry](#).

Emma was previously instructed by Richard Scorer and Kim Harrison at Slater & Gordon as Junior Counsel acting for the main group of victims and survivors in the [Independent Inquiry into Child Sexual Abuse](#) concerning abuse in residential schools. Listen to Richard and Emma discuss IICSA on [episode 116](#) of Law Pod UK. Emma also has experience on the modules examining historic child abuse in the Roman Catholic Church (Ampleforth, Downside and Ealing Abbeys), and the Anglican Church.

## Selected Cases

- **UK Covid-19 Inquiry:** Instructed as Junior Counsel by the Group of Welsh Health Bodies.
- **Infected Blood Inquiry:** Instructed by the Government Legal Department as Junior Counsel representing the Department of Health and Social Care.
- **Independent Inquiry into Child Sexual Abuse:** Previously instructed by Slater & Gordon to represent a large number of victims and survivors in three modules of this major inquiry. For further information on Emma's involvement in IICSA click [here](#) and [here](#).
- **Undercover Policing Inquiry:** Instructed for a key Core Participant and led by Peter Skelton KC in the civil litigation arising out of that Inquiry.
- Emma has undertaken significant disclosure and legal professional privilege reviews in relation to other investigations.

## Human Rights

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Emma is developing a varied practice in public law and human rights. She is currently instructed in a number of Human Rights Act civil actions on behalf of the families of victims of fatal domestic violence. Emma was Vice-Chair of the Human Rights Lawyers Association from 2017 – 2020.

Before coming to the bar, Emma spent two years at the AIRE Centre, a NGO where she advised and represented individuals in matters of EU and ECHR law. This included establishing a monthly legal clinic for Roma migrants in Luton and representing individuals before the First-tier Tribunal (Social Entitlement Chamber). Emma also spent two years as a Parliamentary Aide to Lord Lester of Herne Hill QC, in particular assisting his work as a member of the Joint Committee on Human Rights, and in human rights analysis of draft legislation.

Emma gained further human rights experience as a legal trainee at the European Court of Human Rights,

Strasbourg (UK Division), as an intern on the case involving Radovan Karadzic at the International Criminal Tribunal for the Former Yugoslavia in the Hague and working for the Innocence Project while studying at Washington and Lee University, Virginia.

## Environmental Law

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Emma is looking to develop her practice in environmental law.

Recently, Emma has been instructed in the ground breaking climate change case of *Duarte Agostinho & 5 Others v Portugal & 32 Others*, led by Tim Otty KC and acted for several victims of the Beirut Port Explosion. She and Darragh Coffey successfully represented the Yorkshire Wildlife Trust, instructed by the Environmental Law Foundation, at a 12 day Planning Inquiry concerning Askham Bog in York.

She was jointly nominated for Advocate's Young Pro Bono Barrister of the Year Award 2020 for her role in saving Askham Bog.

## Appointments

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- Attorney General's B Panel of Civil Counsel (2023 – present)
- Bar Standards Board Independent Decision Making Body (2021 – 2024)
- Attorney General's C Panel of Civil Counsel (2020 – 2023)
- Vice-Chair Human Rights Lawyers Association (2017 – 2020)

## Awards

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- Barrister of the Year – Inspirational Women in Law Awards 2024
- South Eastern Circuit Advanced Trial Advocacy Scholarship, Florida
- Lady Templeman Award, Middle Temple
- Jules Thorn Scholarship & Blackstone Exhibition Award, Middle Temple
- Satter Human Rights Fellowship, Harvard Law School
- JFK Award for post-graduate study, National University of Ireland
- Julian Prize for 2nd place overall in degree results, Trinity College Dublin
- Scholar, Trinity College Dublin
- Entrance Exhibition Award, Trinity College Dublin

## Education

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- BPTC, BPP London
- LLM, Harvard Law School
- LLB, Trinity College Dublin

## Memberships

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- HRLA
- PNBA
- ALBA
- BHRC
- PIBA

## Publications

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- Co-presenter of Law Pod UK
- Contributor to the 1COR Quarterly Medical Law Review (QMLR)
- Special focus: Baby at the Bar – Counsel Magazine, November Issue 2024