

# Marina Wheeler QC

Call: 1987 QC: 2016



Marina Wheeler QC has recently returned to Chambers following the publication of her family memoir, *The Lost Homestead*. She resumes practice in public and administrative law and family cases with a cross-border or national security angle. She will also prioritise mediation and investigations, especially in the workplace, building on years she spent litigating employment disputes.

Before starting work at the Bar, Marina obtained a Master's Degree in EC law from Brussels University and practised there, specialising in competition, trade and environment law. As a junior appointed to the Attorney General's 'B', then 'A' Panel, she undertook large volumes of work for Central Government Departments and Agencies, including the Ministry of Defence, Ministry of Justice and Home Office, predominantly involving prisons, mental health, armed conflict, and radicalisation, as well as employment work. Her local government work has involved child protection and adult social care, usually with a privacy or human rights element. She has also frequently worked for the NHS in employment disputes and the reconfiguration of hospital services, involving the adequacy of consultation, alleged breaches of legitimate expectation and the Public Sector Equality Duty.

Marina is an accredited mediator and previously taught mediation and alternative dispute resolution at Regents University, London, on a part-time basis.

## Selected Cases:

- **Re C (A Child) (no 2) (Application for Public Interest Immunity) [2017] EWHC 692 (Fam):** Disclosure in care proceedings where the child's father had been denied passport on national security grounds; alternative means to protect child.
- **Brighton & Hove City Council v VM & Others [2016] (unreported):** Determination of the habitual residence of a Russian child and appropriate jurisdiction to consider long-term care, applying Brussels II and Hague Convention.
- **Serdar Mohammed and Ors v Secretary of State for Defence [2015] EWCA Civ 843:** challenge to UK

Armed Forces' right to detain Afghan nationals suspected of participation in armed conflict.

- **Belhadj and Ors v Security Services and Ors** [2015] UK IPTrib 13 132-H, [2014] UKIPTrib 13 132-9H: challenge to the legality of the regime for the interception, use, retention etc of legally privileged communications.
- **NXB v Crown Prosecution Service** [2015] EWHC 631 (QB) claim under the Human Rights Act by victim of sexual abuse following withdrawal of the alleged abuser's prosecution.
- **R (Enfield London Borough Council) v Barnet Clinical Commissioning Group and Ors** [2013] EWHC 3496 (Admin) allegations of inadequate consultation, procedural unfairness and breach of Public Sector Equality duty in context of closure of Chase Farm Hospital Accident & Emergency Department.
- **R (Ealing London Borough of Ealing) v NHS England** [2013] EWHC 3255 challenge on multiple public law grounds to the reconfiguration of hospital services in 8 London boroughs.

## Appointments

---

- Former Member of Bar Council Equality and Diversity Committee
- Former Member of Bar Disciplinary Committee
- Ambassador for Desmond Tutu Foundation, UK (2015)
- Advisory Board member of Common Law Centre, Renmin University, Beijing (2017)
- Executive Board member of Great Britain China Centre (GBCC) (2019)
- Attorney General's Panels of Counsel, first 'B' then 'A' Panel (2004 – 2016)

## Education

---

- University of Cambridge (BA)
- Licence Spéciale en Droit Européen, ULB (Brussels)

## Memberships

---

- ALBA
- Bar European Group
- FLBA
- HRLA

## Publications

---

- 'India & the Rule of Law: in 2021, is India still a Liberal democracy?' UK Human Rights Blog Webinar, 2021
- Summer 2020, "First Do No Harm: The Cumberlege Review", QMLR, Iss. 6 pp. 6-8
- "When the Courts closed their doors: remote hearings, should they stay with us?", 2020
- "Puberty Blocking – can a child consent?", UK Human Rights Blog, 2020
- "Cavalier with the Constitution", UK Human Rights Blog, 2016
- "Straining out a gnat and swallowing a camel: the Convention, the Charter and Mrs May", UK Human Rights Blog, 2016
- "Counter-terrorism overseas: Adebolajo report makes uncomfortable reading for MI6", UK Human Rights

Blog, 2016.

- Law Pod UK Ep. 8 & on Radicalisation, Ep. 75 on Prevent Duty Guidance and Ep. 128 on the Cumberlege Review
- Regular contributor to the UK Human Rights Blog
- Contributor to the 1COR Quarterly Medical Law Review (QMLR)