



## Barrister profile

# Emma Favata



## Practice

Emma Favata specialises predominantly in civil claims against the police and public authorities, inquests and administrative law. Emma is committed to ensuring that her clients are fearlessly represented and their European Convention rights are vigorously defended. Emma has extensive experience in claims of police brutality, false imprisonment, malicious prosecution, trespass to property, misfeasance in public office and deaths involving public authorities. She has brought a number of claims under the Human Rights Act 1998 and has a growing judicial review practice. Emma has successfully judicially reviewed the Independent Police Complaints Commission and a Chief Constable for the unlawful administering of police cautions.

Emma has represented bereaved families in inquests where the cause of death has ranged from medical negligence to high speed police pursuits and careless driving by police officers. Emma successfully defended Brian Haw's ECHR Article 10 right to freedom of expression in the High Court injunction proceedings brought by Westminster City Council in their first attempt to eject Brian from Parliament Square. Emma has represented clients in both the criminal and civil divisions of the Court of Appeal.

## International Law

Emma has had a long-term interest in international human rights law and civil liberties dating back to 1994 when she completed an LLM in International and European Human Rights Law at London University's School of Oriental and African Studies. In 1998 she obtained a Diplôme d'Etudes Approfondies in Civil Liberties and International Human Rights Law from Université de Nanterre-Paris X.

With Emma's strong academic background in international law and civil liberties and her wide range of skills developed during her career at the Bar she is well placed to advise on a range of complex international legal issues, to conduct extensive analysis and legal research and represent clients at international tribunals.

Emma would welcome the opportunity to assist in international legal disputes on a pro bono basis.

Emma speaks fluent French and competent Spanish.

## Background

Emma Favata has a strong academic background in International and European Human Rights Law with post-graduate qualifications from universities in Britain and France. On completing her second-six pupillage at Garden Court Chambers, where she was trained principally in criminal law, Emma was offered a tenancy at Garden Court. During her first few years of practice Emma developed her civil practice alongside a strong criminal practice. Emma's criminal practice has included junior briefs in drugs trials involving extensive use of surveillance evidence by the prosecution and serious fraud as well as representing defendants accused of crimes ranging from robberies to political protests.

## Reported Cases

### Year of Call

1999

### Email Address

emmafav@gclaw.co.uk

### Telephone

020 7993 7740

### Education

MA (Hons) Philosophy,  
Diploma in Law, LLM,  
Diplome d'Etudes  
Approfondies (Universite de  
Nanterre-Paris X)

### Languages

French (fluent)

### Practice Areas:

Emma Favata is a member of the following Practice Areas:

- Civil Law
- Claims Against The Police & Public Authorities
- Courts Martial
- Inquests
- International Advice and Litigation
- Public & Administrative Law

### Garden Court Chambers

57 - 60 Lincoln's Inn Fields  
London WC2A 3LJ  
Tel 020 7993 7600  
Fax 020 7993 7700



***Dwain Buike v The Chief Constable of West Yorkshire Police*** [2009] EWCA Civ 971 - Junior counsel to Leslie Thomas. Successful appeal of County Court refusal to grant permission to the Claimant to bring proceedings under section 329 of the Criminal Justice Act 2003.

***R (application D) v Sheffield Youth Court*** [2003] EWHC 35 (Admin) - Junior counsel to Stephen Simblet. Judicial review of the Sheffield Youth Court's decision to commit C and D for trial to the Crown Court for charges of robbery and attempted robbery.

***Westminster City Council v Brian Haw*** [2002] EWHC 2073 (QB) - Mr Justice Gray gave a resounding judgement in Mr Haw's favour strengthening the rights to freedom of expression.

## Scholarships

***The Hardwicke Entrance Scholarship 1999*** - Lincoln's Inn

***Sir Thomas More Pre-Pupillage Bursary 1998/9*** - Lincoln's Inn

***Capital Defence Intern Award in 1997*** - Andrew Lee Jones Fund. The award enabled Emma to work as an Intern with the Cook County Public Defender's Murder Task Force in Chicago.