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## Emma Price

Call: 2007

Emma specialises in inquests and inquiries, public law, human rights and civil liberties and personal injury. She was appointed to the Attorney General's C Panel of Counsel in 2014 and was elevated to the B Panel in September 2018.

Emma's inquest practice focusses on article 2 inquests into deaths in detention and custody, as well as military deaths, including cases involving fatal self-harm. Emma also specialises in inquests into deaths in the context of the provision of health and social care.

Notable high profile examples of Emma's inquest and inquiry work include the Baha Mousa Public Inquiry, the fresh inquests into the deaths of Cheryl James and Sean Benton at Deepcut Barracks and the Infected Blood Inquiry, in which Emma is currently instructed on behalf of the Department of Health and Social Care.

Emma's public law practice focusses on judicial review and human rights claims across a range of areas, including prisons, asylum, immigration, health and social care and education.

Emma undertakes advisory, written and court work in personal injury matters.

For more information email [clerks@5essexcourt.co.uk](mailto:clerks@5essexcourt.co.uk)

## Inquests

Emma is regularly instructed in complex article 2 inquests on behalf of a range of clients, including the Prison service, the Ministry of Defence, NHS Trusts, providers of health and care services and local authorities.

Emma has particular expertise in:

- Inquests involving deaths in detention and custody, following both fatal acts of self-harm and restraint;
- Inquests exploring alleged failings in the provision of mental and physical health care, including those investigating deaths occurring during detention under the Mental Health Act;
- Inquests exploring alleged failings in the provision of social care; and
- Inquests into military deaths.

Notable inquests include:

The fresh inquest into the death of Sean Benton at Deepcut Barracks in 1995. Instructed on behalf of the Ministry of Defence as Junior Counsel to Nicholas Moss. Issues explored in the fresh inquest included alleged bullying and physical abuse by fellow trainees and Sean's superiors, the instructions given to trainees on armed guard duty and welfare provision for trainees.

The fresh inquest into the death of Cheryl James at Deepcut Barracks in 1995. Instructed on behalf of the Ministry

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of Defence and two individual soldiers as Junior Counsel to Nicholas Moss. The fresh inquest heard evidence from over 100 witnesses and explored third party involvement in the death as well as allegations of sexual harassment, abuse and bullying at Deepcut.

The Inquest into the death of Joseph Phuong, who died whilst detained under the Mental Health Act, following mental health treatment in the community and a period of police custody and restraint. Instructed on behalf of the London Borough of Richmond.

The Inquest into the death of Edwin O'Donnell, who had a history of self-harm and violence and died following an act of fatal self-harm in prison. Instructed on behalf of the Ministry of Justice.

The Inquest into the death of Jack Portland, who died whilst he was on s. 17 Mental Health Act leave from hospital, following a period of detention in prison. Instructed on behalf of the Ministry of Justice.

The Inquest into the death of Luke Johnson, who died following his release from prison of heroin toxicity. Instructed on behalf of the Ministry of Justice.

The Inquest into the death of Olawale Adelusi, who died in hospital following an act of fatal self-harm in prison. Instructed on behalf of the Ministry of Justice.

The Inquest into the death of Andrew Ashman. Instructed on behalf of the Marine Accident Investigation Branch in this inquest into the death of a crew member sailing in the Clipper "Round the World Race".

## Public Inquiries

Emma is experienced in statutory public inquiries, with particular knowledge of complex, historic and high profile public inquiries involving significant criticism of the State.

Emma was instructed on the Baha Mousa Public Inquiry, on the Inquiry's team. This major statutory public inquiry concerned the death of an Iraqi civilian whilst detained by British soldiers in Iraq and the mistreatment of others. The use of conditioning techniques by British soldiers was explored, including the use of hooding and stress positions, as was tactical questioning and interrogation policy. The Inquiry made 73 recommendations to the Ministry of Defence.

Emma is currently instructed on the Infected Blood Inquiry on behalf of the Department of Health and Social Care (one of three junior counsel being led by Eleanor Grey QC). The Inquiry is examining the circumstances in which men, women and children treated by the NHS in the United Kingdom were given infected blood and infected blood products, in particular since 1970, via blood products and blood transfusions.

## Public / Administrative

Emma's public law practice focusses on judicial review and human rights claims across a range of areas, including prisons, asylum, immigration, health and social care and education.

Emma acts for a range of government departments, public bodies and functional public authorities as well as for local authorities.

Notable cases include:

R (Scarfe & ors) v (1) Governor of HMP Woodhill (2) Secretary of State for Justice [2017] EWHC 1194 (Admin).

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Instructed on behalf of the Secretary of State for Justice and the Governor of HMP Woodhill (led by James Strachan QC). Challenge alleging systemic breach of article 2 in the context of suicide and self-harm prevention in prison, dismissed by the Divisional Court.

R (A and B) v (1) Secretary of State for Education (2) Central Bedfordshire Council Local Education Authority (3) Chief Constable of Bedfordshire Police (4) Secretary of State for the Home Department. Instructed on behalf of the LEA in this challenge to the lawfulness of the guidance issued in respect of the “Prevent duty”, conferred on specified authorities by section 26 of the Counter-Terrorism and Security Act 2015, which included claims of breach of the claimants’ article 8, 9, 10 and 14 rights.

R (Luke Griffin) v Secretary of State for the Home Department. Instructed on behalf of the Secretary of State in this challenge to the Secretary of State’s decision to depart from a recommendation made by the Parole Board as to the claimant’s categorisation as a prisoner.

R (Muhammad Jawar Abbasi) v Secretary of State for the Home Department. Instructed on behalf of the Secretary of State in this challenge to the decision to classify “print and send” immigration applications as applications made by post, as opposed to applications made online, for the purposes of paragraphs 34 of the Immigration Rules.

R (Sherika Sharon Taylor & Abigail Owusu-Akyeaw) v Secretary of State for the Home Department. Instructed on behalf of the Secretary of State for the Home Department in this challenge to the Secretary of State’s retrospective application of the Immigration Rules that came into force on 9 July 2012 to the Claimants’ immigration applications.