

1GC | Family Law

Emily Verity MCI Arb

Year of Call: 2003



Practice Overview

Called in 2003, Emily has a reputation for keen attention to detail, forensic cross-examination and a sensitive approach with vulnerable clients. Experienced in complex child protection cases, Emily represents local authorities, parents or children via their guardians. Emily has been instructed in cases involving radicalisation, sexual abuse, non accidental or inflicted injury, mental health issues, violence, drug and alcohol misuse and foreign elements, in county court and High Court. Emily has also represented parents in private law proceedings, particularly where there are allegations of harm or parental alienation.

Emily has represented parents or intervenors accused of inflicting injury, those with learning difficulty/disability and those who lack capacity, as well as those with addictions and cases with an international element.

Emily has a strong background in criminal law, having practiced this to a high level earlier in her career. She specialised in sexual offences and cases involving children. This practice lends support to her family work given the frequent overlap in issues between the jurisdictions.

Children (Public Law)

Sexual abuse: Emily successfully sought findings of sexual abuse perpetrated against a 5-year-old child by family members, as well as threshold findings against the parent beyond those admitted by them. Heard by HHJ Madeleine Reardon at ELFC.

Radicalisation: Before HHJ Atkinson sitting at the RCJ, Emily represented a London Borough in a High Court radicalisation case, involving three families in care cases running concurrently. The parents pleaded guilty to terrorism offences at Central Criminal Court and served prison sentences. Emily advised on the process and material required to be disclosed from the criminal investigation. A leading silk was instructed for the London Borough of Redbridge in the connected family case, involving relatives residing in another borough. The Local Authority instructed Emily due to her experience of managing / handling huge volume of disclosure (thousands of pages) of highly sensitive material including telephone data. Skill was required in distinguishing criminal offence, threshold facts and prejudicial comments.

Non-Accidental Injury: Emily was instructed to lead Elizabeth Stevens, her former pupil, in a complex case involving findings of inflicted injuries (rib fractures), which required cross-examination of several medical experts on the issue of furosemide weakening of bones and genetics. The father was represented by a preeminent silk. Three children had suffered injuries, one with a constellation of

health difficulties. Skill was required in cross-examining the parents who had cognitive difficulties, were non-English speakers and were illiterate. Emily successfully sought findings that Mother had caused injuries.

In 2020-2021, Emily was instructed to lead John Schmitt representing a father accused of inflicting injuries on his daughter, and raping her mother. The child had sustained 98 injuries between the ages of 2-4. At the fact finding, before Her Honour Judge Reardon, expert evidence included a paediatric haematologist, paediatrician, forensic analyst and doctors from 5 child protection medicals. Two leading silks represented two other parties, Nkumbe Ekaney KC and Sam Momtaz KC of chambers were also involved in the case.

Emily practised criminal law to a high level earlier in her career, specialising in sexual offences and cases involving children. This practise has strengthened her family work given the frequent overlap in issues between the jurisdictions.

In particular, Emily has prosecuted:

- five defendants in a conspiracy to kidnap and rape (Operation Collywobbles) before HHJ Barrie at Isleworth CC.
- a rape where the complainant lacked capacity to consent;
- a campaign of rape by a man of his daughter over 10 years, resulting in the birth of a child. He also sexually abused his niece aged between 9-12;
- a foster carer for rape and sexual abuse of two girls in his care many years before;
- a father for raping his 10-year-old daughter whilst her mother was abroad.

Children (Private Law)

Emily deals with cases involving residence or contact disputes to a high level, including parental alienation and complex intractable cases.

Emily is instructed in international cases and has succeeded in having children returned to their father in Pakistan under a private order from the High Court, following allegations of abduction by their mother to the UK.

As pressure on the court system rises, alternative dispute resolution is becoming an increasingly significant part of Chambers' work. Chambers were at the forefront of the development of arbitration as a binding way of resolving disputes in children cases outside of Court. Emily is qualified as an arbitrator who can undertake arbitrations within the children scheme devised by the Institute of Family Law Arbitrators.

Court of Protection

Emily accepts instructions in all aspects of Court of Protection work. She can represent family members uncontested deputyship applications and advise and draft grounds for Mental Capacity Act cases. Emily has frequently dealt with Deprivation of Liberty cases concerning children. Due to her multi-disciplinary background, Emily is able to use her knowledge from both family, criminal and personal injury law when Court of Protection cases straddle these areas. Emily is highly experienced in representing and advising vulnerable clients and their families, which lends itself to the Court of Protection work.

Notable Cases

London Borough of Hammersmith and Fulham v G & Ors [2024] EWHC 2200 (Fam) -

5 members of chambers; Sam Momtaz KC, Laura Briggs KC, Louise MacLynn KC, Mark Rawcliffe and Emily Verity were involved in this important case regarding expert evidence in cases involving the death of a child and where there is a parallel police investigation.

This was a fact-finding hearing in care proceedings relating to the siblings of a young child who tragically died in the family home. The care proceedings ran alongside a criminal investigation into the child's death. Histopathological examination of the child's rib cage as part of the post-mortem process revealed fractures including what were said to be micro-fractures that had been caused non-accidentally.

During the course of the proceedings, Keehan J granted permission for the parents to instruct a second histopathologist. Unusually, this expert was based in the USA in light of the shortage of experts in this jurisdiction in this highly specialised field.

In his judgment, Keehan J made a number of important observations as to the process of identifying and aging fractures on a histopathological basis. He rejected the evidence from a leading expert in this field, preferring that of the second expert instructed within the proceedings. The judgment also contains guidance as to good practice when experts are instructed by the police as part of a criminal investigation but also as part 25 experts in family proceedings. The children were reunited with their parents by agreement at the conclusion of the hearing.

Birmingham City Council v Mother v Ors [2023] EWHC 905 - The Local Authority made an application for s31 orders in relation to 4 children, triggered by allegations made by their daughter aged 12/13 of sexual abuse by her two brothers, and of ill treatment by her parents. Those allegations were not found proved. However the Court found that she suffered emotional harm in the care of her parents flowing from her exposure to toxic, corrosive, and harmful material in the digital world, and that she was beyond the control of her parents.

YM (Care Proceedings) (Clarification of Reasons) [2024] EWCA Civ 71 - Emily represented the intervenor ZZ at first instance who was exonerated

Birmingham City Council v Mother & Ors [2022] EWHC 2506 - A case management decision by Lieven J regarding whether the complainant child and those facing allegations within the family should give evidence at a Fact Finding hearing, and the intervenor status of others.

A Local Authority v EL & Ors [2022] EWHC 3592 - Deprivation of liberty decision on novel facts – a 17 year old disabled child in need, not subject to a care order or otherwise looked after. Under law, neither her parents nor the local authority could consent to the restrictions and therefore authorisation by the Court through its inherent jurisdiction was required.

What the Directories Say

"Emily is an exceptional and persuasive advocate." Tier 5 - Legal 500, 2025

"Emily is a skilful and impressive advocate who is particularly adept at dealing with vulnerable witnesses." Tier 3 - Crime - Legal 500, 2023

"An outstanding advocate who combines intellect with diplomacy." Tier 3 - Crime - Legal 500, 2022

"An outstanding advocate combining rare qualities of intellect and diplomacy. The modest attractive style is founded on real confidence." Tier 3 - Crime - Legal 500, 2021

"She is always on top of all the facts and works well with prosecuting authorities." Legal 500, 2017

Education

Bar Vocational Course Inns of Court School of Law

CPE City University, London

BSc (Hons) Biological Sciences with Japanese, the University of Edinburgh

Appointments

MCI Arb 2022

2010 - 2020

CPS Prosecutor Grade 4 (most senior before KC) since 2018

Gray's Inn advocacy trainer since 2018

Rape and Sexual Offences List of prosecutors 2013

Pupil Supervisor 2011

Junior of South Eastern Circuit 2010

Prior to 2010:

Elected South Eastern Circuit executive committee

Elected Young Fraud Lawyers Association committee

Attorney General's List of Prosecuting Counsel

Gray's Inn Student Affairs Committee Member

Awards

Honourable Society of Gray's Inn Prince of Wales Scholar

Memberships & Associations

Member of the Chartered Institute of Arbitrators

FLBA

ALC

South Eastern Circuit