



GARDEN COURT CHAMBERS

Emma Favata

YEAR OF CALL: 1999



Emma Favata specialises in civil claims against the police and public authorities, inquests and public law. She is committed to ensuring that her clients are fearlessly represented and their European Convention rights are vigorously defended.

Emma was part of the 17-strong Garden Court team who, along with other lawyers for the families of those who died at Hillsborough, were awarded the Legal Aid Lawyer of the Year Award following their role in the Hillsborough Inquests.

Emma represented a bereaved family member of one of the victims in the Keyham Shootings inquest.

"Emma is an exceptional barrister who consistently demonstrates remarkable advocacy skills."

LEGAL 500, 2024 (INQUESTS & INQUIRIES)

"Her legal submissions are unparalleled, showcasing a deep understanding of the law and an ability to effectively present compelling arguments."

LEGAL 500, 2024 (INQUESTS & INQUIRIES)

"She asks the most difficult questions her clients want to ask - she doesn't hold back."

CHAMBERS UK, 2024 (INQUESTS & INQUIRIES)

"Emma was brilliant throughout the whole process and her help and advice with my case was so professional."

CHAMBERS UK, 2023

"A dynamic and fearless advocate, with a down-to-earth approach that clients really appreciate. I can trust Emma to pursue witnesses rigorously at inquests, ensuring that my clients feel as emboldened as possible by the inquest process."

LEGAL 500 2022, LEADING INDIVIDUAL (INQUESTS & PUBLIC INQUIRIES)

If you would like to get in touch with Emma please contact the clerking team:

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CLAIMS AGAINST THE POLICE AND PUBLIC AUTHORITIES

Emma has extensive trial experience in actions against the police involving police brutality, false imprisonment, malicious prosecution, trespass to property and misfeasance in public office. Emma's practice also includes breaches of data protection by public authorities and breaches of the European Convention on Human Rights. Emma has brought successful judicial review proceedings against the IPCC.

NOTABLE CASES

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.

INQUESTS AND INQUIRIES

From July 2013 to April 2016, Emma was junior counsel to Michael Mansfield QC at the Hillsborough Inquests and part of a team of lawyers representing 77 families. Emma and Michael Mansfield QC were specifically instructed to represent the Executive of the Hillsborough Family Support Group and their families, as well as working with the wider client base.

Emma has represented bereaved families in Article 2 Inquests involving deaths in custody, police pursuits and deaths involving NHS Trusts. Emma has brought successful judicial review proceedings arising out of inquests.

Emma represented a bereaved family member of one of the victims in the Keyham Shootings Inquest. See press coverage: [ITV News](#).

Emma is instructed [in the inquest into the death of Rachel Garratt](#), which has received coverage on [ITV News](#).

NOTABLE CASES

Past notable cases can be viewed below. [Click here to see a list of recent notable cases](#).

Connor Blampey Inquest

Connor Blampey died aged 21 after taking the psychoactive substance Spice at HMP Channings Wood on the evening of Sunday January 28, 2018. Emma represented the family, instructed by Clare Richardson at Deighton Pierce Glynn. The inquest was reported in the [local press](#).

[Charlotte Franklin Inquest](#)

Coroner found teenager Charlotte Franklin died due to consequences of Body Dysmorphic Disease and had become 'overwhelmed with the prospect of not being able to be well' before her death, in narrative conclusion. Emma represented the family instructed by INQUEST Lawyers Group members Emily Comer and Erin Watkinson from Broudie Jackson Canter (BJC) Solicitors. [Please see BJC's press release for further information on the case](#).

Hillsborough Inquests

From July 2013 to April 2016 Emma was junior counsel to Michael Mansfield QC at the Hillsborough Inquests and part of a team of lawyers representing 77 families. Emma and Michael Mansfield QC were specifically

instructed to represent the Executive of the Hillsborough Family Support Group and their families, as well as working with the wider client base.

Tainton, R (on the application of) v HM Senior Coroner for Preston and West Lancashire & Anor [2016] 4 WLR 157, [2016] EWHC 1396 (Admin) - Held that where the possibility of a violation of the deceased's ECHR article 2 right to life could not be wholly excluded, the Coroners and Justice Act 2009 s.5(1)(b) and s.5(2) should require the inclusion in the record of inquest of any admitted failings forming part of the circumstances of death, even if the jury could not properly find them causative of the death.

ADMINISTRATIVE AND PUBLIC LAW

Emma has expertise in judicial review and proceedings involving breaches of the Human Rights Act. Emma's practice in public law began by defending 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.

NOTABLE CASES

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.

R (application D) v Sheffield Youth Court [2003] EWHC 35 (Admin) - Junior counsel to Stephen Simblett. 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.

EDUCATION

MA (Hons) Philosophy

Diploma in Law

LLM

Diplome d'Etudes Approfondies (Universite de Nanterre-Paris X)

LANGUAGES

French (fluent)

Spanish (competent)

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