

## Emma Collins

Call: 2008



Emma Collins is a highly regarded junior barrister practising in the areas of crime (particularly white-collar crime), international crime, regulatory enforcement, coronial inquests, public inquiries, extradition, and professional discipline.

Emma has been recognised by the professional directories as a leading practitioner in crime and public inquiries and inquests.

## Crime (general, fraud & financial regulation)

Emma prosecutes and defends a wide range of matters, from successfully defending an individual accused of harbouring an escaped convict to securing a conviction for significant tax fraud. She has been led and appeared alone in complex and high-profile matters involving allegations of perverting the course of justice, computer misuse offences, trading standards breaches and money laundering.

She is particularly experienced in advising and representing professionals accused of committing offences in the course of, and outside of, their employment, including police officers, civil servants and consultants.

Emma also advises and represents clients in matters concerning the proceeds of crime, including restraint, confiscation, forfeiture and enforcement proceedings. For example, she successfully applied to the Court of Appeal to reopen an appeal relating to a very old confiscation order, which led to the variation and ultimate discharge of the order (*R v Powell*).

Emma is also an experienced appellate advocate, winning appeals against conviction and sentence in cases involving offences such as perjury, perverting the course of justice and data protection breaches.

Emma approaches all cases with the same commitment and determination to achieve the best result. She is known for her ability to build a strong rapport with her clients and colleagues and is particularly experienced in dealing with vulnerable defendants and witnesses, including young children and people with an autistic spectrum disorder.

## **Notable Crime (general, fraud & financial regulation) cases**

- **Shepherd v Information Commissioner[2019] 4 WLR 50**

Successful appeal against conviction for breaches of the Data Protection Act 1994 on the grounds that the defences under section 55(2) of the Act imposed only an evidential burden of proof on the defendant.”

- **R v Oriakhel [2018] EWCA Crim 2153**

Successful appeal against conviction for perverting the course of justice on the basis of errors in the judge’s summing up to the jury.

- **HMRC v D**

Successfully prosecuted a defendant accused of cheating the public revenue over the course of 7 years.

- **HMRC v B**

Successful prosecution of B for VAT fraud.

- **R v B**

Represented B, accused of unlawfully accessing computer system of Gordon Ramsay Holdings Ltd; Crown offered no evidence.

- **R v V**

Acted for V, a young professional woman of good character accused of money laundering offences. The Crown offered no evidence on the strength of the defence statement drafted on her behalf.

- **R v O**

Junior counsel for a young Australian man accused of grooming and sexual activity with a child whilst visiting UK. Crown offered no evidence following written application to exclude O’s interview. Led by Hugh Davies QC.

- **R v M**

Successful appeal against conviction of police officer father accused of assaulting his child.

- **R v A**

Secured acquittal of defendant accused of kidnap, threats to kill, and assault.

- **R v A**

Successfully defended a police officer father accused of child cruelty on the basis of the physical chastisement of his child.

- **R v Brooks et al (Phone Hacking trial) (Old Bailey)**

Junior counsel for Cheryl Carter, who was acquitted of perverting the course of justice; led by Trevor Burke QC.

- **Proceeds of Crime**

- **R v Daley and others**

(Operation Cotton – land banking fraud) (Southwark Crown Court). Led by Jane Humphries QC in the confiscation proceedings.

- **R v Powell (Court of Appeal)**

Successful application to re-open the appeal, and successful appeal, against a confiscation order following the refusal by CCRC to refer the case.

## Inquests & Inquiries

Emma has considerable experience in public inquiries.

She is currently instructed as a member of the senior counsel team for the London Fire Commissioner for Phase 2 of the Grenfell Tower Inquiry (led by Stephen Walsh KC and Sarah Le Fevre).

She also acted as junior counsel to Q9 in the Anthony Grainger Inquiry, led by Hugh Davies KC. The Chair found that Q9, the GMP officer who fired the fatal shot, did not kill Anthony Grainger unlawfully.

Emma has regularly appeared in inquests for the Metropolitan Police Service as well as other interested persons and is particularly experienced in dealing with sensitive issues and vulnerable witnesses.

### Notable Inquests & Inquiries cases

- **The Grenfell Tower Inquiry**

Junior counsel for the London Fire Commissioner in Phase 2.

- **The Anthony Grainger Inquiry**

Junior counsel for the police officer responsible for the fatal shot. Led by Hugh Davies QC.

## Extradition and mutual legal assistance

Emma appears and advises requested persons and judicial authorities in extradition cases at first instance and on appeal to the High Court.

# International Law

Emma is particularly interested and experienced in international crime and cases with an international element.

Before coming to the Bar, she worked in the Office of the Prosecutor of the International Criminal Court in The Hague and was involved in the very first case before the Court. She has a specialist understanding of admissibility issues under the Rome Statute, which was the subject of her doctoral thesis and she was part of the team representing the Libyan Government in the first successful admissibility challenge before the Court.

Emma was admitted to the International Criminal Court's List of Assistants to Counsel in 2013.

## Notable International Law cases

- **The Prosecutor v Saif Al-Islam Gaddafi and Abdullah Al-Senussi (ICC-01/11-01/11)**

Part of team representing Libyan Government in its admissibility challenges before the International Criminal Court (at first instance and on appeal). The Libyan Government was successful at first instance and on appeal in the case of Abdullah Al-Senussi – the first time a State has successfully challenged the admissibility of a case.

# Regulatory Enforcement

Emma has considerable experience in representing and advising individuals and enforcing authorities in matters arising out of a variety of regulatory regimes, particularly fire safety, taxi licensing, trading standards, and housing. She has developed a particular expertise in fire safety, regularly advising and representing the London Fire Commissioner in relation to prosecutions for fire safety breaches at a wide range of premises such as hostels, restaurants and care homes.

## Notable Regulatory Enforcement cases

- **London Fire Commissioner v Gold Care (Consultancy) Ltd**

Acted for the London Fire Commissioner in the sentencing of Gold Care, who had pleaded guilty for multiple fire safety breaches following a fatal fire in one of its care homes.

- **London Fire Commissioner v Tubby Ltd & BL**

Acted for the London Fire Commissioner in the successful prosecution of numerous fire safety breaches at a hostel.

- **Luton Borough Council v Mr & Mrs S & Bedfordshire Accommodation Ltd**

Secured the acquittal of the individual and corporate defendants for alleged regulatory breaches in the conduct of their letting agency.

# Professional Discipline

Emma advises and represents a range of professionals facing disciplinary proceedings before various tribunals, particularly police officers and accountants. She has secured very favourable results for individuals in challenging circumstances, including receiving a final written warning for an officer who had committed an offence in the course of his duty. Led by Ben Brandon, she also successfully appealed adverse factual findings made against a police officer in the context of family court proceedings.

She was also involved in an investigation by the then Accountancy and Actuarial Discipline Board (AADB) into the quality of advice given to a pension fund by a large accountancy firm and one of its partners.

## Notable Professional Discipline cases

- **R v W (a child) [2017] 1 FCR 349**

Junior counsel for a police officer subjected to adverse findings when acting as a witness in care proceedings. The Court of Appeal handed down a significant judgment regarding procedural fairness requirements in the context of the article 8 rights of witnesses. The Court of Appeal held that the adverse findings would no longer stand and would be treated as if they had never been made. Led by Ben Brandon.

## Notable Cases

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[\[2019\] 4 WLR 50](#)

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(Old Bailey)

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(Snaresbrook Crown Court)

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(Old Bailey)

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**R v V**

(Mold Crown Court)

Acted for V, a young professional woman of good character accused of money laundering offences. The Crown offered no evidence on the strength of the defence statement drafted on her behalf.

**R v O**

(Isleworth Crown Court)

Junior counsel for a young Australian man accused of grooming and sexual activity with a child whilst visiting UK. Crown offered no evidence following written application to exclude O's interview. Led by Hugh Davies QC.

**R v M**

(Southwark Crown Court)

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(Reading Crown Court)

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(Kingston Crown Court)

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(Southwark Crown Court). Acted for the London Fire Commissioner in the sentencing of Gold Care, who had pleaded guilty for multiple fire safety breaches following a fatal fire in one of its care homes.

**London Fire Commissioner v Tubby Ltd and BL**

(Harrow Crown Court). Acted for the London Fire Commissioner in the successful prosecution of numerous fire safety breaches at a hostel.

**Luton Borough Council v Mr and Mrs S and Bedfordshire Accommodation Ltd**

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**The Grenfell Tower Inquiry**

Second junior counsel for the London Fire Commissioner in Phase 2

**The Anthony Grainger Inquiry**

Junior counsel for the police officer responsible for the fatal shot. Led by Hugh Davies QC

**R v W (a child)**

[2017] 1 FCR 349

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## Directory Recommendations

Emma is ranked in **Legal 500 2023: Inquests & Inquiries**

“Fiercely intelligent, phenomenal work ethic and an excellent team player.” **Legal 500 2023: Inquests & Inquiries**

“Extremely personable and provides excellent, clear legal advice at all times. She is excellent with clients, and works brilliantly with all of the solicitors in their team. Emma is a team player and will do whatever she can to help her clients.”

**Legal 500 2022: Inquests & Inquiries**

“She is always a couple of pages ahead of the prosecution.” **The Legal 500 2019: Crime**

“A reliable and very talented junior.” **The Legal 500 2017: Crime**

## Memberships

- Amnesty International
- Bar Human Rights Committee
- Criminal Bar Association
- Young Fraud Lawyers Association
- Women in Criminal Law (founding member)

## Education / Professional Qualifications

- Doctor of Philosophy in Law (Oxon)
- Masters of Philosophy in Law (Oxon)
- BCL (Oxon)
- Bachelor of Laws (First Class Hons) (University of Sydney, Australia)
- Bachelor of Arts (Politics and French) (First Class Hons) (University of Sydney, Australia)
- Bar Vocational Course (College of Law, London)
- Kennedy Scholarship (Lincoln's Inn)
- Hardwicke Entrance Scholarship (Lincoln's Inn)
- Levitt Scholarship for pupillage (Lincoln's Inn)

## Appointments

- CPS Specialist Panels Fraud List, Level 3

## Other Information

- Member of the Criminal Bar Association
- Member of the Young Fraud Lawyers Association
- Member of the Bar Human Rights Committee
- Member of Amnesty International
- Founding member of Women in Criminal Law
- CPS Specialist Panels 2018-22 Fraud List, Level 3.

### Languages:

- French



# Accreditations



# Privacy Statement

I, Emma Collins, am a data controller and can be contacted at 3 Raymond Buildings, Gray's Inn, London WC1R 5BH or by telephone on 020 7400 6400 or by email at [emma.collins@3rblaw.com](mailto:emma.collins@3rblaw.com). My Data Protection Policy can be found below.

All personal data that I process is for the purposes of providing legal services, conducting conflict-checks, marketing, defending potential complaints, legal proceedings or fee disputes, keeping anti-money laundering records, training other barristers and pupils and when providing work-shadowing opportunities, and/or exercising a right to a lien. The types of data I process vary upon the nature of the legal matter in relation to which I am engaged to advise, but can include names, contact details, biographic details and 'special category personal data' (such as details of racial or ethnic origin, political opinions, religious or philosophical beliefs, health, sex life and criminal convictions and proceedings).

Depending upon the circumstances of the case, the legal bases upon which I process personal data are (i) the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract, (ii) the processing is necessary to comply with legal obligations to which I am subject, or (iii) the processing is necessary for the legitimate interests set out above, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subjects which require protection of personal data, in particular where the data subject is a child. When I rely on (iii) legitimate interests, my 'Legitimate Interests Assessment' can be found [here](#). When I process data which has not been obtained directly from the data subject (e.g. personal data contained in evidential materials), it will have been supplied to me as part of my instructions in circumstances covered by legal professional privilege.

Depending upon the circumstances of the case, I may share the personal data with:

1. my Chambers, which supplies professional and administrative support to my practice;
2. Courts and other tribunals to whom documents are presented;
3. my lay and professional clients;
4. potential witnesses, in particular experts, and friends or family of the data subject;
5. solicitors, barristers, pupils, mini pupils and other legal representatives;
6. ombudsmen and regulatory authorities;
7. current, past or prospective employers;
8. education and examining bodies;

9. business associates, professional advisers and trade bodies.

I retain personal data for no longer than 7 years after the case has come to an end or as otherwise required by law.

I do not intend to transfer data to any country which is not either within the European Union, 'white listed' by the EU or otherwise permitted by EU law (e.g. to the USA under the provisions of the 'Privacy Shield').

Under the GDPR, data subjects whose personal data I process have the right to request from me access to, and rectification or erasure of, their personal data, the right to the restriction of processing concerning them, the right to object to processing as well as the right to data portability. Data subjects also have the right to lodge a complaint with the Information Commissioner's Office (ico.org.uk).

In cases where there is a contract between me and the data subject, the provision of personal data is a contractual requirement and the data subject is obliged to provide the personal data in order that I can supply legal services. A failure to provide such data may mean that I will not be able to provide the legal services.

Rev 1.1 – 01.06.2018

[Data Protection Policy](#)

[Legitimate Interests Assessment](#)

## Direct Access

Emma Collins is qualified to accept instructions direct from clients under the Bar Council's [Public Access](#) Scheme. This means that members of the public who seek specialist advice can come direct to her. In addition, she welcomes instructions from solicitors, in-house law departments, qualified foreign lawyers, and clients licensed by the Bar Council to give instructions direct to barristers under the Bar Council's [Licensed Access](#) Scheme.

For further information please contact our [Clerks](#).