

Emma Handley

Call 2019

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Emma Handley regularly appears for the prosecution and defence in jury trials in the Crown Court, Magistrates' Court and Youth Court in cases involving serious violence, sexual offences, firearms, drugs, dishonesty offences, road traffic and domestic violence.

Emma has experience conducting Ground Rules Hearings and Section 28 cross examinations with young and/or vulnerable witnesses in cases involving serious sexual offences (rape/sexual assault) and violence (section 18).

Emma has experience dealing with complex legal arguments including abuse of process; applications to dismiss and submissions of no case to answer. Emma also has substantial experience dealing with financial crime and the associated POCA proceedings.

Emma is frequently instructed to represent offenders facing Parole Board hearings for a range of serious offences including murder, sexual offences, violence and dishonesty offences. Emma has experience dealing with offenders on IPP and recall sentences.

Emma represents claimants in Civil Actions Against the Police alleging false imprisonment, wrongful arrest, trespass to person and property. Emma's involvement in the case starts from the pre-action stage through to conducting the trials on the multi-Track.

Expertise

Criminal Law

Emma regularly appears for the prosecution and defence in jury trials in the Crown Court, Magistrates' Court and Youth Court in cases involving serious violence, sexual offences, firearms, drugs, dishonesty offences, road traffic and domestic violence. Emma has experience conducting Ground Rules Hearings and Section 28 cross examinations with young and/or vulnerable witnesses in cases involving serious sexual offences (rape/sexual assault) and violence (section 18). Emma has experience dealing with complex legal arguments including abuse of process; applications to dismiss and submissions of no case to answer. Emma also has substantial experience dealing with financial crime and the associated POCA proceedings.

Since 2021, Emma has been instructed by the Serious Fraud Office as disclosure counsel in the prosecution of individuals accused of carrying out a fraudulent scheme to divert money from a legal financing fund for their own benefit, the trial resulted in the successful prosecution of a solicitor, who has since received a sentence of 14 years. Following the completion of the disclosure stage, the SFO has continued to instruct Emma on further cases. Emma is currently involved in the investigation of an international firm allegedly involved in bribery and fraud. Emma has also been instructed by the CPS Specialist Fraud Division and HMRC as independent counsel to review and advise on legal professional privilege.

Notable Criminal Law cases

R v T [Lincoln Crown Court; 2023]

Led defence junior in a seven-week Ponzi scheme multi-million-pound fraud. Emma worked closely with the Prosecution junior to edit agreed statements and interview summaries. Emma conducted witness handling of experts tasked with exploring whether the scheme and the Defendant's conduct amounted to a breach of the Financial Services and Markets Act 2000 (FSMA). Emma assisted with legal submissions resulting in a successful submission of no case to answer for two counts, including the FSMA charge.

R v S [York Crown Court; 2023]

Emma successfully prosecuted a Defendant charged with a sustained theft of over £70,000 from a family business. Emma collaborated with the OIC to condense hundreds of pages of bank statements to produce accessible jury materials highlighting the various methods of theft and how the funds had been diverted from multiple bank accounts. Following this, the Defendant pleaded guilty and was sentenced to immediate custody.

R v G [Leeds Crown Court; 2023]

Emma defended a Defendant charged with robbery, criminal damage, battery, blackmail, aggravated burglary, burglary, and possession of an offensive weapon (machete). Emma successfully persuaded the court to draw back from imposing a finding of dangerousness by focusing on the Defendant's age, the isolated and unprecedented nature of the offending and the work that could be done with the Defendant during a determinate sentence

R v T [Hull Crown Court; 2022]

Emma defended a Defendant charged with robbery, two counts of possession of a bladed article in a public place, multiple thefts, and assault with intent to resist arrest. Emma successfully argued against the imposition of an extended determinate sentence. A sentence of 4 years 10 months was passed reflecting the totality of the offences charged

R v H [Sheffield Crown Court; 2021]

Emma prosecuted an attempted robbery at Sheffield Crown Court. The case involved issues with identification and DNA evidence. During the trial Emma successfully opposed a submission of no case to answer. Following a unanimous guilty verdict, the Defendant was deemed dangerous, and an extended sentence of 8 years imposed.

R v W & M [Leeds Youth Court; 2021]

Emma successfully prosecuted two youths charged with robbery of a vulnerable Complainant. During the multi-day trial Emma was required to address issues such as joint enterprise, duress, and Modern Slavery.

R v B [Leeds Crown Court; 2021]

Emma prosecuted a section 20 GBH and racially aggravated public order trial. The jury trial involved the use of a dog as a weapon.

R v H [Bradford Crown Court; 2021]

Emma secured a suspended sentence for a Defendant charged with Dangerous Driving in Bradford, during the commission of the offence the Defendant hit a police officer. Emma relied on the Defendant's lack of previous convictions, young age and reliance on the guidelines to persuade the Judge to step back from an immediate custodial sentence.

Parole Board

Emma is frequently instructed to represent offenders facing Parole Board hearings for a range of serious offences including murder, sexual offences, violence and dishonesty offences. Emma has experience dealing with offenders on IPP and recall sentences.

Actions Against The Police

Emma represents claimants in Civil Actions Against the Police alleging false imprisonment, wrongful arrest, trespass to person and property. Emma's involvement in the case starts from the pre-action stage through to conducting the trials on the multi-Track. Emma is experienced at dealing with the pre-trial hearings including applications for disclosure; CCMCs and pre-trial reviews. Recent settlements include a case involving a Claimant arrested for domestic abuse related offences, the police conceded following the service of Emma's pleadings that the arrest was unlawful.

In 2022, Emma successfully secured positive results for Claimants in two cases against South Yorkshire Police following multi-day jury trials. During the trials, Emma had to deal with various legal arguments, cross-examine officers about the Codes of Practice and legal guidance and present persuasive closing speeches. In the first trial, Emma secured a rare finding from the jury that the Claimant was falsely imprisoned due to the officer's failure to inform the Claimant he was under arrest at the scene. In the second trial, following detailed written submissions, the Judge found it was not necessary to arrest the Claimant who at the time was a vulnerable youth. In 2023, after a multi-day trial, Emma persuaded a jury that the arrest of the Claimant by the MET Police was unlawful on both limbs of R v Hayes.

Significant Cases Include

Emma assisted Simon Myerson QC in a multi-million-pound civil claim against two major banks. The case involved detailed legal submissions addressing the Limitation Act 1980, specifically the date of concealment and knowledge.

Education

- BPTC (Very Competent), BPP University – Manchester (2018-2019)
- LLM Law – Legal Practice (Barrister) (Barristers) (Distinction), BPP University – Manchester (2018-2019)
- LLB Law (Hons) (First Class), University of York (2015-2018)

Memberships

- Amicus ALJ – Death penalty charity
- Gray's Inn

Appointments

- Grade 2 Specialist Fraud Panel Prosecutor
- Grade 2 General Crime Prosecutor