



Emily Lauchlan

A captivating jury advocate with a persuasive and likable style

YEAR OF CALL 2012

Education

Bar Professional Training Course, College of Law – 2012

LLB Hons, The University of Buckingham – 2009

Appointments

Appointed to the CPS Advocate Panel at Level 3

Memberships

The Honourable Society of Lincoln's Inn

The South Eastern Circuit
The Criminal Bar Association

Overview of Practice

Emily has an established practice prosecuting and defending serious crime, primarily involving violence, drugs and sexual offences.

Emily takes a dedicated approach to all of her cases and provides straightforward advice coupled with a subtle, yet fierce tenacity in the courtroom. She has a reputation of being a committed and approachable advocate.

Emily places great emphasis on client care and has a particular interest in representing vulnerable defendants. Before joining the Bar, she worked as an advocate for those with substantial support needs including mental health diagnosis and addictions. Emily is a facilitator of the Vulnerable Witness Training developed by the Bar Council and Inns of Court College of Advocacy since 2017.

Emily is often instructed to defend complex cases involving Youths and completed the Youth Justice Advocacy Training in 2018.

You can instruct Emily directly without the need for a Solicitor. Enquiries can be made via our Clerks.

Cases of Note



- Sexual Offences

R v B (Central Criminal Court, 2023) – Emily Lauchlan acted for the defendant acquitted at the Central Criminal Court who had been accused of 7 counts of making indecent images of children. The police had found over 1,000 images on a number of his devices.

R v W (Worcester Crown Court, 2022) – The defendant was acquitted where the complainant who suffered a mental disorder accused him of a number of sexual offences over a 2 year period while he was acting as her care worker.

R v O (Guildford Crown Court, 2021) – Emily secured a unanimous acquittal for a 30 year old male accused of Rape by a complainant he met in a nightclub. The complainant had been 'live' reporting the alleged Rape to her friend using WhatsApp and making 20 phone calls over an hour period. She immediately attended the Police Station after fleeing the address which was caught on door bell footage.

R v H (Aylesbury Crown Court, 2021) – The defendant was unanimously acquitted when accused by an ex-partner of rape where a recent complaint was made the following day by the complainant to a Counsellor and five friends soon thereafter.

R v B (Inner London Crown Court, 2020) – Instructed in an allegation of an attempted rape where a woman was attacked in the street at 8.00 am walking her dog and the defendant identified using CCTV. Agreed a plea with the Prosecution to the lesser charge of attempted assault by penetration.

R v B (Youth Court, 2020) – Emily was made the assigned advocate for a youth accused of seven sexual offences. The case involved a positive identification from one victim and a legal argument on complex caselaw resolving cross admissibility.

- Weapons/Serious Injury

R v L (Kingston Crown Court, 2023) – Emily represented a 20 year old female diagnosed with Autism Spectrum Disorder who was acquitted of Wounding with intent where the victim had suffered five stab wounds and a punctured lung.

R v K (Northampton Crown Court, 2021) – In a trial where the defendant was absent and no positive case to be put forward, Emily ensured an acquittal on the more serious offence of Causing Death by Dangerous Driving.

R v C & Others (Luton Crown Court, 2018) – Led Junior where the defendant was acquitted of all 5 counts alleging various conspiracies to commit violence, including possession of a firearm, kidnap and GBH. The case involved a number of drill and trap music videos in an attempt to try and show a gang element to the offences.

R v S (Snaresbrook Crown Court, 2018) – Secured an acquittal on all counts where a man was said to have been in possession of a prohibited weapon and sprayed CS gas at two neighbours in a dispute; one complainant required medical treatment and forensic evidence showed CS gas was present on the other complainant's t-shirt.

- Youth and Vulnerable Defendants

R v W (High Wycombe Youth Court, 2022) – Emily was instructed to represent a vulnerable youth accused of sexual assault upon a fellow pupil. This case involved cross-examination of four youths, some of whom were diagnosed with ADHD and Autism.

R v H (Kingston Crown Court, 2018) – Following a trial of the facts where the defendant was deemed unfit to attend trial or instruct Counsel due to suffering from Dementia; the jury found he did not abduct a child aged

5 or assault a child aged 11.

R v S (Camberwell Green Youth Court, 2017) – Vulnerable youth who required an Intermediary, acquitted of all offences alleged after four separate trials. Offences included Robbery, Threatening another with a Bladed Article, Taking a Vehicle without Consent and Theft from a person.

R v P (Stratford Youth Court, 2016) – 17 year old charged with a joint enterprise knife-point Robbery, acquitted after a trial involving three witnesses and complex legal argument.

– **Violent Offences**

R v M (Uxbridge Magistrates' Court, 2021) – When privately instructed, the defendant was acquitted raising self-defence where he had filmed his actions on his mobile phone showing his ex-wife being held by her throat and later fall to the floor.

R v JL (Snaresbrook, 2020) – On accepting submissions made by Emily Lauchlan, HHJ Pounder ruled that Res Gestae evidence captured on Body Worn Video should be excluded as unfair on the defence to not cross-examine in a domestic violence case. This led to two other independent witnesses' evidence being excluded and the case dropped.

R v C (Basildon Crown Court, 2019) – Secured acquittals in two separate trials for a defendant accused of controlling or coercive behaviour and various acts of violence towards his partner over a 2 year period.

R v S and Another (Kingston Crown Court, 2017) – Successfully represented a defendant accused of ABH where the jury found he acted in self-defence.

R v S (Kingston Crown Court, 2016) – Secured the acquittal of a man alleged to have committed a series of violent attacks upon his partner over several years,

including Threats to kill.

- Sentences

R v C (Kingston Crown Court, 2022) – The defendant was sentenced to 46 months' imprisonment for 3 offences relating to supply of Class A, two of which were committed on bail pending trial. The Judge accepted submissions that the defendant was vulnerable and began selling drugs under duress. The Crown had suggested the appropriate starting point would be 8½ years' imprisonment for the first offence alone.

R v B (High Wycombe Magistrates Court, 2022) – Following submissions, the magistrates' reduced the amount of penalty points to ensure the defendant avoiding totting up and an automatic disqualification from driving for six months when Emily was privately instructed through direct access.

R v S (Winchester Crown Court, 2021) – Emily successfully made submissions for a conditional discharge to be imposed where a defendant diagnosed with Asperger's syndrome was originally charged with Affray, Threatening another with a bladed article and assault offences. A plea was negotiated with the Prosecution to a Public Order Act offence.

R v F (Kingston Crown Court, 2020) – A suspended sentence order was imposed in a case of Possession with intent to supply Class A and B drugs, dangerous driving and possession of a bladed article. There was a delay in charging the defendant, who Emily previously represented on other similar offences at a similar time in 2018.

MCA v Daniel Wakefield (Southwark Crown Court, 2020) – Emily Lauchlan represented the captain of a London Party Boat's vessel who fell asleep at the wheel, causing over £1.5m damage when he collided with the Met Police's Pontoon. The defendant received a fine.

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R v M (Inner London Crown Court, 2019) – A suspended sentence order was imposed for a number of robberies, somewhere the victims were stabbed. The defendant had not engaged with his previous youth sentence for almost two years.

– [Appellate](#)

S v R [2022] EWCA Crim 602 – Emily appeared on behalf of the Crown when the appellant appealed against HHJ Ainley's ruling she pay a confiscation order in the sum of £404,179 where £41,440 of housing benefit had been claimed fraudulently. Although charged as a single date offence of providing a fraudulent rental agreement as evidence of entitlement, this was deemed to be subject to the lifestyle assumptions as a continuous offence.

[Transcript](#)

R v J [2016] EWCA Crim 1826 – Emily appeared with leave from the Single Judge on request of the defendant in his appeal against sentence where different Counsel was instructed at the earlier hearings.

– [Prosecution](#)

R v A (Harrow Crown Court, 2023) – Led by David Harounoff, Emily acted for the prosecution resulting in convictions of a Mother, Father and Brother for offences of perverting the course of justice where their Son/Brother fled the jurisdiction when wanted for an attempted murder of an 11 year old girl on her way home from school.

R v O and Others (Southwark Crown Court, 2021) – Led by Mark Seymour, Emily prosecuted seven defendants involved in a violent disorder at a popular nightclub in Soho which led to a stabbing of one of the defendants.

R v G (Southwark Crown Court, 2021) - Emily prosecuted an allegation of stalking over a two month period. The defendant was found guilty and sentenced to 9 months' imprisonment and ordered to pay £4,800 in costs and compensation.

[View media report](#)

R v M (Aylesbury Crown Court, 2019 - 2020) - Successfully prosecuted a five-count indictment of violent offences to members of the public and emergency workers where the defendant suggested he did not commit the acts but was being controlled through his mind by another. Emily has since been instructed in another trial involving the same defendant for similar offences.
