

Emma Brooksbank

Partner

"Excellent support from the Freeths team, in particular Emma Brooksbank. They have been able to answer all of our queries and provide the best advice in the given situation."

(The Legal 500, 2024)



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Emma specialises in business immigration work and has over fifteen years' experience working with Russell Group universities and national and multi-national businesses. For many businesses navigating the immigration system is one of the only ways to secure the highly skilled, specialist employees they need to grow their business. The immigration system is however complex and ever changing and mistakes can cause delay and additional expense in securing vital recruitment. Emma's expertise will ensure that your business can implement its recruitment strategy on an international basis without immigration ever being an issue that you need to worry about.

Emma works for clients of all sizes in both public and private sectors. She secures visas for clients looking to set up their business in the UK and secures sponsor licences for UK businesses intending to recruit from overseas. Emma will work collaboratively with you to support your business objectives and minimise risk. She has supported clients through Home Office audits and has dealt with multiple immigration compliance matters and can assist your businesses to ensure you have strategies in place to achieve right to work compliance and to protect against the reputational and financial damage.

Emma Brooksbank is listed as a Recommended Lawyer in The Legal 500 (2024 edition). Emma is also recognised as a Leading Individual in Chambers & Partners (2024 edition).

Legal Services

Business Immigration

Emma is a specialist immigration practitioner and holds expertise in all areas of UK immigration law. She acts for multinational and national companies, universities, and public sector organisations.

Emma's work includes advising on sponsor licencing and immigration strategy to enable corporate clients to fill key roles, secure visa clearance for overseas employees, navigate the complexities of the immigration system, transfer workers in the event of acquisition or merger, and provide advice to assist businesses to meet their growth and recruitment plans.

Her business immigration work includes supporting clients through Home Office audits and dealing with multiple immigration compliance matters, undertaking mock audits, preparing and providing compliance policies and training. Emma works collaboratively with clients to support their business objectives and minimise risk.

Emma assists the HR teams of large corporates with changes to UKVI right to work requirements, delivering webinars and tailored training to HR teams, ensuring clients are protected against the reputational and monetary impact of the civil penalty regime.

In addition to helping her corporate clients to navigate the immigration system, Emma acts for individuals on visa matters, such as those who are intending to establish their business interests in the UK, or individuals seeking to move to or settle in the UK.

Selected Cases

- Providing specialist advice to multi-national and national corporations to identify global mobility solutions and implement these.
- Navigating the immigration system to enable clients to look to the overseas market for people with the right skills and experience to fill specialist roles.
- Securing immigration licences and then being appointed to those licences to undertake all required sponsor compliance, certificate of sponsorship and SMS update work.
- Supporting the CEO of an overseas business to secure the required visa clearance to move to the UK to establish a UK entity for the business.
- Assisting in a highly time sensitive, multi-million pound take over which required close liaison with the Home Office to secure a waiver of previous immigration breaches to enable the deal to complete.
- Being retained by several local authorities to provide specialist immigration advice and support to children in their care to secure leave to remain in the UK on human rights grounds.
- Successfully challenging Home Office decisions before the First Tier Tribunal.
- Undertaking mock audits and liaising with the Home Office to avoid repercussions from compliance breaches and supporting clients through Home Office licence audits and sponsor compliance audits.
- Providing right to work advice, completing internal process reviews, to assess right to work compliance, and advising to mitigate against the impact of right to work breaches and liaising with the Home Office on the client's behalf.

- Delivering bespoke workplace training courses for senior management, HR teams and employees.

Sectors

Education

Emma advises senior members of HR teams and International Offices on relevant changes to immigration law. She runs regular one to one advice sessions for staff and advises central and faculty HR specialists on right to work compliance.

Selected Cases

- Securing visa clearance and indefinite leave to remain for numerous strategically important posts.
- Challenging the refusal of a visa for a Cheney Fellowship post by way of judicial review litigation.
- Securing study visas for cohorts of aviation students.

Key clients in this sector:

- University of Leeds
- University of Nottingham
- University of Huddersfield
- University of Liverpool
- Oxford Brookes University
- Massolit Online Education

Food

Selected Cases

- Being retained by Aldi Stores Limited to undertake risk assessments and to provide advice to HR on right to work compliance
- Advising the UK entities of a French food manufacturing company on the routes for securing visa clearance for senior team members, interns and graduate trainees
- Securing an immigration licence for an innovative new company, specialising in seaweed production.

Key clients in this sector:

- Aldi Stores Limited
- Brioche Pasquier U.K. Limited
- FOSS U.K. Limited
- Karsten UK Limited

- Zetar Limited
- Zooplus Limited
- Seagrown Limited

Public Sector Health & Care

Selected Cases

- Securing the reinstatement of an immigration licence for a number of care homes, following Home Office enforcement action, suspension and revocation.
- Advising the largest teaching NHS trust in the UK on the immigration system
- Successfully challenging the refusal by UK Border Force to permit entry of an employee of a client following an unlawful curtailment of leave decision.
- Advising on a multi-million takeover for a care home company and securing a waiver from the Home Office to enable the deal to complete.
- Being retained by multiple care home providers and being appointed to their immigration licence, undertaking day to day management of the licence, and securing visa clearance for all international recruits.

Clients

- Mariposa Care Group Limited
- Only Care Group Limited
- Optimo Care Group Limited
- Colosseum Dental Limited
- Villa Care Limited and Villa Managed Care Limited
- Excelsis Healthcare Recruitment
- Academy Care Limited
- Mentaur Limited

Local Government

Emma acts for multiple local authorities. In most cases she has been instructed as an immigration expert to advise the local authority on matters concerning Looked After Children (those in local authority care) who have an immigration status matter which requires advice and resolution.

Selected Cases

- Securing indefinite leave to remain for three siblings taken into the care of the local authority after being abandoned in the UK by their parents.
- Securing British citizenship for two children with no immigration status who had been taken into local authority care following neglect by a parent.

- Issuing judicial review proceedings to challenge the Home Office's failure to grant status to two brothers in local authority care raising arguments under the European Convention of Human Rights.
- Securing settled status for a cohort of European adults in local authority care who lacked capacity. Liaising with the Court of Protection and the Home Office on their behalf to successfully obtain immigration status following Brexit.
- Applying for leave to remain for a child who had been taken into care following abuse
- Advising on the prospects for a grandmother to secure visa clearance to care for her terminally ill granddaughter.

Clients

- Trafford Council
- Wakefield Metropolitan District Council
- North Lincolnshire Council
- Darlington Borough Council
- Sheffield City Council.