

12

King's Bench Walk

Emily Read

Call: 2007
read@12kbw.co.uk



AREAS OF EXPERTISE

Personal Injury, Clinical Negligence, Insurance, Costs, Public Authority Liability, Fraud, Inquests, Credit Hire, Product Liability, Health & Safety, Employment & Discrimination, Property, International & Travel, Sport, Other

Emily focuses on civil litigation involving damage to people and to property as well as proprietary interests, insurance, recovery and costs.

Emily has a diverse professional and legal background; her first degree was an MA in Economics. Emily worked for a property developer, then one of the leading global insurance and risk legal specialists doing professional negligence work involving property investment fraud as well as working for one of the largest global insurance companies, also dealing with professional risks at a senior level.

During her second six Emily did a mix of criminal and civil work, prosecuting and defending at both magistrates and crown court level and this provided her with not only the knowledge to deal with criminal aspects of the law, but also an excellent ability to quickly read and digest large quantities of paperwork with an eye for relevant detail, something she is regularly praised for by clients and Judges.

Personal Injury

Emily has considerable experience in high value personal injury claims, including:

Employer's liability

Public liability

Occupiers

Animal's, particularly horses

Highway's, rights of way, common land and other public spaces

Road traffic accidents

Emily has been instructed in thousands of personal injury claims over the 12 years she has practiced in this area, proving advice, drafting pleadings and attending all nature of hearings, trials and appeals. Given the frequency with

which Emily is instructed in personal injury claims, her knowledge of the Civil Procedure Rules as well as the law in this area is impeccable.

Clinical Negligence

Emily regularly undertakes clinical and dental negligence work and has many years of experience in the field, she is happy to be instructed in clinical and dental negligence cases.

With years of experience in dealing with serious and long-lasting cases of brain damage, stress, depression, PTSD, including clients with dependency issues, suicidal ideation and serious disability, Emily is very well placed to deal with vulnerable parties both for Claimant's and Defendants.

Insurance

Emily worked in and with the insurance industry for several years before becoming a barrister and is therefore commercially and legally astute in this area and is happy to be instructed and regularly is in cases involving insurance contracts, the MIB, Third Party Rights Against Insurers, insurers statutory liability, the FSCS, causes of action by and against insurance companies and other contentious insurance matters.

Costs

Emily deals with costs as part of her daily court and tribunal work but she also appears in the Senior Courts Costs Office acting in multi day detailed assessments and is happy to be instructed in costs disputes of all sizes and in varying forums.

Public Authority Liability

Emily frequently acts in claims for and against public authorities and large public services providers and utility/street works cases and is well versed in the regulatory and statutory regimes that are particular to these parties. As such she is happy to accept instruction in cases involving public and statutory providers.

Fraud and dishonesty

Emily is frequently instructed to advise, plead for and represent parties in cases involving fraud and dishonesty in the criminal, civil and tribunal context and has successfully obtained and deflected many findings of fraud and dishonesty in the County Court as well as the Employment Tribunal. Her robust cross examination, where appropriate, is something Judges, clients and other parties often complement her on.

Inquests

Emily attends inquests all over the Country, this is part of her personal injury and clinical negligence work.

Credit Hire

Emily has lectured on Credit Hire at the annual PIBA conference for barristers in Oxford and regularly deals with credit hire disputes both at first instance and on appeal as a longstanding part of her RTA practice. Emily is very knowledgeable and up to date in this hotly contested area of law.

Product Liability

Within her personal injury, insurance and general civil practice, particularly in property related matters, Emily is regularly involved in product liability disputes involving anything from medical implants and kitchen appliances to sewerage tanks and is happy to act and advise in the same.

Health & Safety

Health and Safety is an area which Emily advises on and deals with as part of her personal injury and employment practices and is happy to accept instructions in health and safety matters.

Employment & Discrimination

Emily has particular experience in the following areas of employment and discrimination law:

- Dismissal
- Equal opportunities and discrimination
- Whistleblowing
- TUPE
- Contracts
- Directors and shareholders
- Maternity/Paternity leave
- Part time workers
- Holiday pay claims
- Remedies
- Procedure
- Appeals

Emily has experience in Employment Tribunals up and down the Country and in Scotland as well as the EAT and the Court of Appeal. Examples of cases of recent note include:

- Successful appeal and finding of liability upon remission to the original Tribunal in a reasonable adjustments claim.
- A series of holiday claims involving group litigants.
- TUPE disputes involving public works providers and service provision changes.
- A successful finding of harassment, direct discrimination, discriminatory dismissal, unfair dismissal and failure to make reasonable adjustments on behalf of a claimant suffering from severe depression previously a Senior Executive with a global multi million-pound Company. 23 days of Tribunal heard over 10 months attracting a six figure award. All aspects of the case fully contested.
- Successfully defending a public health provider against a claim of multi-faceted discrimination, unfair dismissal, breach of contract, whistleblowing and human rights complaints, at first instance and at review with a number of procedural applications to the EAT and Court of Appeal during the proceedings. A case where the Claimant suffered from mental health and disabilities and which litigated for over three years.
- Acting for a male claimant in a sexual harassment claim involving a public figure and attracting extensive media attention. A case involving restrictive reporting provisions at the Tribunal and invasive press attention.
- Successfully defending several Respondents in different cases against allegations of whistleblowing and unfair dismissal, including several findings of bad faith and/or dishonesty against the Claimants.
- Successfully obtaining extensions of time in Equality Act claims.
- Successfully representing a claimant suffering from severe depressive illness and alcohol addiction in a claim against her public health provider former employer.
- A number of recent cases and advisory work involving directors and shareholders.

Emily continues to represent both claimants and respondents in complex cases and to advise in all areas of employment law. Emily has represented and advised a number of parties in cases involving severe depression and other psychiatric illnesses and has considerable experience representing claimants and respondents in such cases; she is recognised for her sensitive, yet pragmatic approach. She also has considerable experience in cases where parties or witnesses require reasonable adjustments within proceedings to accommodate a range of physical and psychological disabilities.

Emily has represented and advised a number of small and very large public and private sector institutions, including

financial services providers, health authorities, local authorities, hotel and restaurant chains, industrial service providers, factories and logistics firms in all areas of employment law and litigation.

Property & Land

Emily worked for a property developer and in-house for a firm of solicitors dealing with property related claims, in particular professional indemnity claims against property professionals, including fraud allegations. Emily continues to accept instructions in public liability, professional negligence, construction and property insurance cases including policy coverage, boundary disputes, neighbour disputes, harassment, nuisance, negligence causing damage to property, trespass and Rylands v Fletcher. Many of the cases undertaken over the past 4 years involve fire/explosive material, oil, asbestos contamination, sewerage related nuisance, disputes over easements and other neighbourly discord.

Emily also advises on contractual and statutory disputes relating to construction works and for or against utilities providers.

As a registered legal aid provider Emily has also acted in other property related disputes, obtaining High Court injunctive relief, acting in disputes as to equitable interests in homes and housing cases.

International & Travel

This is an area of law that Emily has some familiarity with and is currently developing.

Other

Emily has acted in mediations in both civil and employment cases and intends to qualify as a mediator.

Emily has undertaken a number of cases involving insolvency and bankruptcy law as well as restoring companies to the register and is happy to be instructed in cases involving these issues.

Emily's experience in criminal work and being instructed by the CPS means that Emily can and does undertake work involving criminal aspects and represents clients in criminal proceedings relating to Health & Safety, animals and driving.

Emily speaks fluent French and Italian and is happy to act in cases involving European and international convention and law, including commercial matters.

Emily's hobbies include horses, water sports, skiing, art and above all her children.

Qualifications

Brevet Français Option Bilingue

International Baccalaureate- Bilingual diploma (English and French)

MA (Economics), Downing College, Cambridge

GDL, BPP London

BVC, Inns of Court School of Law

Appointments & Memberships

The Honourable Society of Middle Temple

12

King's Bench Walk

PIBA

ELA

BILA (British Italian Lawyers Association)

Emily is a registered legal aid provider