

# 12

King's Bench Walk

## Georgina Churchhouse

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### AREAS OF EXPERTISE

Employment & Discrimination, Human Rights, Industrial Disease, International & Travel, Insurance, Personal Injury

Georgina specialises in employment, discrimination, commercial employment law & business protection, data protection, professional discipline, personal injury (employers' liability, stress at work, harassment, modern slavery) private international law and group claim litigation, acting for both Claimants and Respondents or Defendants across a range of sectors at all levels of court and tribunal. She has a particular interest and expertise in the interplay between her core specialisms with European and human rights law and was recently awarded a Phoenicia Scholarship by the Bar European Group. She has considerable appellate experience, having twice appeared led in the Court of Appeal as well as unled in the EAT.

Georgina enjoys tackling complex and novel litigation at first instance and on appeal either as sole counsel or working collaboratively in a team of counsel. She has appeared before the Court of Appeal (led), Employment Appeal Tribunal (unled), Employment Tribunal and County Court in appeals, multi-day trials, remedies hearings, interim applications and preliminary hearings. Her employment cases have set leading precedent and have been reported in the IRLR, CMLR, All Eng LR, ICLR and WLR as well as featuring in Michael Rubenstein's top employment cases to watch in their respective year. Owing to her prior experience as a Lecturer and Judicial Assistant at the Court of Appeal, she is equally at home drafting pleadings, schedules and advices involving complex points of law.

Having spent time in a solicitor's office Georgina understands the need for prompt, commercial and client friendly advice and enjoys fostering a close working relationship with instructing solicitors in order to achieve the best results for every client. As such she is keen to be involved in litigation from an early stage where clients can benefit from specialist advice on pleadings and litigation strategy to significant commercial gain.

Prior to joining Chambers Georgina was a Judicial Assistant in the Court of Appeal to Lord Justice Moore-Bick (Vice President) and Lord Justice Irwin where she gained experience in a wide range of employment, civil, commercial, public and international law disputes. She also lectured employment & discrimination law at the University of Surrey and tutored constitutional & administrative law and tort law at King's College London and Queen Mary University of London. Additionally, she gained extensive advocacy and advisory experience in employment law as an Employment

Caseworker at a Law Centre where she independently ran her own caseload of employment tribunal claims and as a Free Representation Unit volunteer. She has completed a stage at the European Court of Human Rights and was also part of the Cambridge Pro Bono Project Team which advised the Inter-American Court of Human Rights on an Advisory Opinion.

Outside of Chambers Georgina enjoys surfing, tennis, skiing, cycling, guitar, photography and mixology. She also has a love of live music, festivals and travel.

## **Employment & Discrimination**

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Georgina specialises in the full spectrum of individual, collective, commercial and international employment law as well as discrimination law in employment, education, goods and services. She appears at all levels of court and tribunal at first instance and on appeal and acts for both Claimants and Respondents across a range of sectors.

Owing to her prior background as a FRU Volunteer, Employment Caseworker, Lecturer in employment & discrimination law and Judicial Assistant in the Court of Appeal, Georgina has employment and discrimination experience beyond her call date. As such she is fast developing a busy trial, appellate and paperwork practice and recently appeared in her second case in the Court of Appeal.

Georgina has a particular interest in employment status, working time, whistleblowing, discrimination and commercial employment cases. She also has a particular enthusiasm for utilising European and human rights law to advance her client's case and was recently awarded a Phoenicia Scholarship by the Bar European Group. Her employment instructions often intersect with data protection and personal injury issues and she is well placed to put her experience in personal injury to effect when dealing with disability discrimination claims, stress at work and harassment claims, modern slavery claims and claims for non-material damage under the GDPR and distress under the DPA 2018.

Examples of Georgina's current and recent employment and discrimination work include:

### **APPELLATE WORK**

#### **Court of Appeal**

Georgina has experience appearing as junior counsel and drafting grounds of appeal, skeleton arguments and costs protection applications in appeals.

\* ***Ibrahim v HCA International Ltd [2019] EWCA Civ 2007*** (led). Appeal clarifying the operation of the subjective limb of the public interest test in *Chesterton v Nurmohamed* [**Whistleblowing**].

\* ***Gomes v Higher Level Care Ltd [2018] EWCA Civ 418*** (led). This is the leading case on compensation for breaches of the Working Time Directive and was one of Michael Rubenstein's top employment cases to watch owing to the case's significant implications for the protection of workers' rights. Georgina acted at all stages of proceedings [**Working Time**].

\* ***Chesterton v Nurmohamed [2017] EWCA Civ 979*** (as a judicial assistant). Whistleblowing appeal concerning the public interest test under s43A ERA 1996 [**Whistleblowing**].

\* ***Interim Executive Board of Al Harij School v Chief Inspector of Education, Children's Services and Skills [2017] EWCA Civ 1787*** (as a judicial assistant). Discrimination appeal concerning the concept of direct mirrored sex discrimination and segregation in schools [**Discrimination**].

\* ***Brogden v Investec Bank Plc [2016] EWCA Civ 1031*** (as a judicial assistant). Breach of contract appeal concerning bankers' bonuses [**Commercial, Breach of Contract**].

## Employment Appeal Tribunal

Georgina has experience acting as sole counsel drafting grounds of appeal and skeleton arguments and appearing unled in the EAT.

\* ***Gomes v Higher Level Care [2016] IRLR 678*** (unled). This is the leading case on compensation for breaches of the Working Time Directive and was one of Michael Rubenstein's top employment cases to watch owing to the case's significant implications for the protection of workers' rights **[Working Time]**.

## TRIALS

Georgina regularly appears in multi-day trials for both Claimants and Respondents. Examples of her current and recent work include being:

\* Instructed by the Claimant working in the banking sector in a 5-day direct sex discrimination, discrimination by association, victimisation and sexual harassment case (matter settled on favourable terms shortly before trial) **[Discrimination]**.

\* Instructed by the Respondent, a national retailer, in a 4-day race discrimination, harassment, victimisation and holiday pay case (ongoing) **[Discrimination, Holiday Pay, Unlawful Deductions]**.

\* Instructed by the Claimant working in the care sector in a 4-day employment status, working time, unlawful deduction of wages, breach of contract and holiday pay case. Georgina obtained a 5-figure judgment for the Claimant **[Employment Status, Working Time, Breach of Contract, Unlawful Deductions]**.

\* Instructed by the Claimant working in the civil service in a 3-day unfair dismissal claim following dismissal on gross misconduct grounds (ongoing) **[Unfair Dismissal]**.

\* Instructed by the Claimant working in the tech sector in a 2-day constructive unfair dismissal and wrongful dismissal claim. Georgina obtained a five figure Judgment for the Claimant **[Unfair Dismissal, Wrongful Dismissal]**.

\* Instructed by the Respondent, a care provider in a holiday pay dispute (ongoing) **[Holiday Pay]**.

\* Instructed by the Claimant working in the civil service in a destructive occupational stress claim (ongoing) **[Stress at Work]**.

## PRELIMINARY HEARINGS

\* Appearing at numerous preliminary hearings on various matters, including strike out, disclosure applications and case management hearings.

## DRAFTING

Georgina's drafting experience includes;

\* Drafting Particulars of Claim and Response, Schedules of Loss, requests and responses for further and better

particulars and disclosure applications in the full range of statutory employment claims.

- \* Drafting a Defence for an employer, an NHS Trust, in a Data Protection, Misuse of Private Information & Breach of Confidence Matter [**Data Protection**].
- \* Drafting a Letter Before Action and Deed of Undertaking for an employer, in the recruitment sector, in a data theft case [**Employee Competition & Business Protection**].
- \* Drafting Grounds of Appeal and skeleton arguments in appeals to the EAT and Court of Appeal [**Appellate**].

## **ADVISORY**

Georgina welcomes instructions to advise on all manner of employment disputes. Having acted as a Judicial Assistant at the Court of Appeal producing opinions on appeals for Lord Justices on a daily basis and having herself drafted grounds of appeal and skeleton arguments in matters before both the Court of Appeal and EAT, she is also well placed to advise on potential grounds of appeal.

Examples of Georgina's advisory experience include;

- \* Parties confidential: successfully obtained full quantum at the pre-action stage of proceedings in a breach of contract claim against an International & Premier League Footballer [**Breach of Contract**].
- \* Parties confidential: advised a Claimant in the retail sector in a complex disability discrimination, harassment, victimisation, failure to make reasonable adjustments and unfair dismissal claim [**Discrimination, Unfair Dismissal**].
- \* Parties confidential: advised a Claimant in the IT sector on a complex perceived disability discrimination claim [**Discrimination**].
- \* Parties confidential: advised peripatetic worker on a complex territorial jurisdiction case [**Jurisdiction, International Employment Law**].
- \* Parties confidential: advised a Claimant in the hospitality sector on an unfair dismissal and unlawful deduction of wages claim [**Unfair Dismissal**].
- \* Parties confidential: advised a Claimant in the cleaning industry on an unlawful deduction of wages and breach of contract claim [**Breach of Contract**].
- \* Parties confidential: advised a Claimant in the security sector on the effect of a TUPE transfer [**TUPE**].
- \* Parties confidential: advised an employee in the tech sector on the effect of proposed post termination restrictions [**Employee Competition & Business Protection**].