

Georgina Churchhouse

Call: 2017

Barrister

Email:

Email Clerk:

Telephone Clerk:



Georgina Churchhouse practises across the full range of statutory employment, commercial employment, High Court business protection, discrimination, partnership, sports, professional discipline and regulatory disputes, both as sole and junior counsel.

She is ranked as an **Up and Coming employment** junior in **Chambers and Partners**, which describes her in the following terms:

- ***“She is super-bright, she has excellent judgement and she wins cases with incredibly sharp analysis and by managing to spot the points that others miss”***
- ***“She is well read, she is extremely user-friendly and she is thorough in her preparation and in her advice - she is everything that you need in a junior barrister.”***

Georgina enjoys a busy trial, appellate and advisory practice and is deployed in complex, novel and high value litigation at first instance and on appeal either as sole counsel or working collaboratively in a team of counsel. She enjoys repeat instructions from loyal clients at **tier 1 Senior Executive and Respondent employment firms**, working with clients in the **financial services, professional services, media, tech, insurance, NHS, higher education, and charity sectors**.

She offers her clients significant trial and appellate experience relative to her call date and has appeared **unled in complex multi week trials in the ET** against significantly more senior counsel and in **cases pleaded in excess of 7 figures**. She also has a growing appellate practice and has **appeared twice unled in the EAT and twice led in the Court of Appeal, in novel and precedent setting litigation which has shaped employment law**. Owing to her prior experience as a Lecturer and Judicial Assistant at the Court of Appeal, she is also adept at drafting pleadings 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. She prides herself on being **forensic in her preparation, but personable and approachable with her clients**.

Current and Recent Highlights of Georgina’s work include:

- Successfully appearing led in the **Court of Appeal** in *Ibrahim v HCA International Ltd*, examining the application of the public interest test in *Chesterton Global Ltd v Nurmohamed (led by Jeremy Lewis QC) (Whistleblowing)*. Georgina and Jeremy successfully appealed the ET’s decision below.
- Appearing unled in the **EAT** in *Santos Gomes v Higher Level Care Ltd* and later led in the **Court of Appeal (Working time)**. This is the leading case on compensation for breaches of the Working Time Directive. Georgina acted at all stages of proceedings.
- Successfully appearing unled in the **EAT** in *Wilkinson v DVSA* and successfully overturning the ET’s findings in relation

to reductions to the compensatory award for contributory conduct (**Unfair Dismissal**). Georgina acted at all stages of proceedings.

- Drafting an **8-figure** sex and age discrimination and victimisation claim for a Senior Executive working in the financial services sector (**led by Adam Solomon QC and Daniel Tatton-Brown QC**) (**Equality Act claims**).
- Instructed to advise on the merits of seeking injunctive relief in an alleged breach of a non-compete covenant (**led by Jeremy Lewis QC**) (**Commercial Employment Law & Business Protection**).
- Instructed as junior counsel in a group claim against a major airline in respect of alleged breach of express and implied terms of contracts of employment (**led by Mo Sethi QC**) (**High Court, Breach of Contract**).
- Instructed as junior counsel in a sensitive investigation into allegations of antisemitism in a Higher Education Institute (**led by Mo Sethi QC**) (**Investigations**).
- Appearing unled in the Employment Tribunal in a **4-week** disability, race and religious discrimination, failure to make reasonable adjustments, harassment and victimisation trial, acting for the Respondent, a National Charity (ongoing) (**Equality Act claims**).
- Successfully appearing unled in the Employment Tribunal in a **7-day** direct race discrimination and harassment trial, acting for the Respondent brokerage house operating in the financial services sector. The Claimant made a drop hands settlement following Georgina's cross examination. The Tribunal went on to make specific findings that the Claimant had been not been truthful and the matter is proceeding to a costs hearing. (**Equality Act claims**).
- Acting for an Accountant working in the tech sector in a **7-day** direct pregnancy and maternity discrimination, unfavourable treatment on the grounds of pregnancy and maternity, automatic unfair dismissal and ordinary unfair dismissal trial (ongoing) (**Equality Act and MAPLE 1999 Regs claims**).
- Advising a Government Department on the entitlement of transgender men to pregnancy and maternity benefits (**Human Rights Act 1998, EU retained law, Pregnancy and Maternity Benefits, SSCBA 1992**).
- Whilst a Judicial Assistant in the Court of Appeal working on *Chesterton Global Ltd v Nurmohamed* (**Whistleblowing**), *Interim Executive Board of Al Harij School v Chief Inspector of Education, Children's Services and Skills* (**Direct 'mirrored' discrimination**) and *Brogden v Investec Bank Plc* (**Bonus disputes**).

Further details of Georgina's experience can be viewed under the tabs on the right or by downloading her CV at the top of this page.

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

RECOMMENDATIONS

"She is super-bright, she has excellent judgement and she wins cases with incredibly sharp analysis and by managing to spot the points that others miss."

Chambers UK Bar

"She is well read, she is extremely user-friendly and she is thorough in her preparation and in her advice - she is everything that you need in a junior barrister."

Chambers UK Bar

AREAS OF LAW

Statutory Employment & Discrimination Law

Georgina has built a thriving trial, appellate, drafting and advisory employment & discrimination practice and enjoys repeat instructions from loyal clients at tier 1 Claimant, Senior Executive and Respondent employment firms. She acts in novel, complex and high value litigation at first instance and on appeal.

She is an **experienced trial and appellate advocate** and has appeared **unled in over 25 employment & discrimination trials up to 4 weeks in length**, twice unled in the **EAT** and twice led in the **Court of Appeal in precedent setting litigation that has shaped employment law**.

She acts for **Claimants, Senior Executives and Respondents** across a range of sectors, in the full spectrum of **individual, collective, commercial and international employment law** as well as **discrimination law in employment (including Equal Pay disputes), education, goods and services and sports disputes**.

Her work has an increasing focus on **whistleblowing and Equality Act claims, employment status and jurisdictional disputes**, working with clients in the **financial services, professional services, media, tech, insurance, NHS, higher education, charity and civil service sectors**. Her clients strongly benefit from her balanced practice, which is split roughly **50/50 between Claimant/Senior Executive and Respondent work**.

A selection of Georgina's trial, appellate and advisory experience is set out below. For a full breakdown of her experience to date please click the Download CV link at the top left of this page.

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 by Jeremy Lewis QC). 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 Global Ltd 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

Owing to her prior experience as a Law Lecturer and experience working as a Judicial Assistant in the Court of Appeal, Georgina is often instructed as sole counsel to draft grounds of appeal, skeleton arguments and to appear unled in the EAT. Her recent experience includes being:

- Instructed to advise on and draft grounds of appeal across the full spectrum of statutory employment and discrimination law.
- ***Wilkinson v DVSA [2022] EAT 23*** (unled) Georgina appeared for the successful appellant in challenging the ET's findings in respect of reductions to the compensatory award for contributory conduct [**Unfair Dismissal - Contributory Conduct & Polkey reductions**].
- ***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 & TRIBUNAL ADVOCACY

Georgina is regularly instructed as sole counsel in **heavy duty multi week whistleblowing and discrimination trials**, or complex **employment status or jurisdictional disputes**, where she acts for both Respondents and Claimants/Senior Executives. She often appears against significantly more senior counsel and has acted unled in **trials up to 4 weeks in length**. Examples of her current and recent work acting as **sole counsel** include:

- Acting for the Respondent, **a national charity**, in a **16-day** direct race discrimination, direct religious discrimination, harassment, discrimination arising from disability, failure to make reasonable adjustments and victimisation trial (ongoing) [**Equality Act claims - Disability, Race, Religion**].
- Successfully appearing unled in the Employment Tribunal in a **7-day** direct race discrimination and harassment trial, acting for the Respondent brokerage house operating in the financial services sector. The Claimant made a drop hands

settlement following Georgina's cross examination. The Tribunal went on to make specific findings that the Claimant had not been truthful, and the matter is proceeding to a costs hearing. **(Equality Act claims). [Equality Act Claims-Race, Unfair Dismissal-Conduct, Capability, SOSR, Wrongful Dismissal].**

- Acting for the Claimant, a firefighter, in an **8-day** direct disability discrimination, discrimination arising from disability, victimisation, harassment, unfair dismissal and unlawful deduction from wages trial **[Unfair Dismissal, Equality Act claims - Disability, Unauthorised Deductions].**
- Acting for the Respondent **brokerage house** operating in the **financial services sector** in a **7-day** unfair dismissal, direct race discrimination, harassment and wrongful dismissal trial **[Equality Act Claims-Race, Unfair Dismissal-Conduct, Capability, SOSR, Wrongful Dismissal].**
- Acting for an Accountant working in the **tech sector** in a **7-day** direct pregnancy and maternity discrimination, unfavourable treatment on the grounds of pregnancy and maternity, automatic unfair dismissal and ordinary unfair dismissal trial (ongoing **(Equality Act and MAPLE 1999 Regs claims)**).
- Acting for a Claimant working in the **Higher Education sector**, in a **7-day** direct disability discrimination, discrimination arising from disability, failure to make reasonable adjustments, harassment, and unauthorised deduction from wages trial. The deductions amounted to 63% of the Claimant's income over a 2-year period **[Equality Act Claims - Disability, Unauthorised Deductions].**
- Acting for the Respondent, a **Global Insurer** in a **6-day** direct disability discrimination, indirect disability discrimination, harassment, victimisation, and unfair dismissal trial **[Equality Act Claims Disability, Unfair Dismissal - Redundancy].**
- Acting for the Claimant, a Senior Executive working in the **Charity sector** in a **6-day** direct sex discrimination and harassment trial **[Equality Act Claims - Sex].**
- Acting for the Respondent, a Global Marketing agency in the **publishing sector**, in a **6-day** sex discrimination, disability discrimination, harassment and failure to make reasonable adjustments trial **[Equality Act claims - Sex & Disability].**
- Acting for the Claimant, a senior manager working in the **scientific research and tech sector** in a **6-day** automatic unfair dismissal for asserting statutory rights to paternity leave and ordinary unfair dismissal trial **[Automatic Unfair Dismissal-Statutory Paternity Rights, Ordinary Unfair Dismissal].**
- Acting for the Claimant working in the **banking sector** in a **5-day** direct sex discrimination, discrimination by association, victimisation and sexual harassment case **[Equality Act Claims-Sex].**
- Acting for the Respondent working in the media sector in a **4-day** indirect sex discrimination, harassment and unfair dismissal trial **[Equality Act Claims - Sex, Unfair Dismissal - Conduct].**
- Successfully acting for the Claimant working in the care sector in a **4-day** employment status, working time, unauthorised deduction of wages, breach of contract and holiday pay trial. **[Employment Status, Working Time, Breach of Contract, Unauthorised Deductions].**
- Successfully acting for the Respondent operating in the leisure sector in a **3-day** whistleblowing, unfair dismissal and holiday pay trial **[Whistleblowing, Unfair Dismissal-Conduct, Working Time].**
- Successfully acting for the Respondent in a **2-day** preliminary hearing on employee and worker status **[Employment Status].**
- Acting for the Claimant Director and 50% shareholder in the Respondent Company, in a **2-day** preliminary hearing surrounding employee and worker status **[Employment Status].**
- Successfully acting for the Claimant, a peripatetic worker operating in the security services and based in Afghanistan in seeking to establish Jurisdiction in the Employment Tribunal to bring a claim of unfair dismissal **[Jurisdiction].**

DRAFTING & ADVISORY

Georgina is regularly instructed to **draft statements of case and grounds of appeal** in all manner of statutory employment and discrimination disputes, as well as being instructed to advise on the **merits of claims and appeals** at a later stage. Examples of her current and recent work include being:

- Drafting an **8-figure** sex discrimination claim for a Senior Executive working in the financial services sector **(led by Adam Solomon QC and Daniel-Tatton Brown QC) (Equality Act claims)**.
- Instructed to advise a Trade Union on the rights of its members during the COVID-19 crisis **[Constructive Unfair Dismissal, Health & Safety Whistleblowing, Detriment, Unlawful Deductions, Interim Relief].**

- Instructed to advise a Government Department on the entitlement of transgender men to pregnancy and maternity benefits [**Human Rights Act 1998, EU retained law, SSCBA 1992**].

Commercial Employment Law & Business Protection

Georgina acts for both Senior Executives and Employers in the full range of commercial employment and business protection matters, including **bonus and other contractual disputes, restrictive covenant disputes, team moves and disputes concerning breach of directors' duties, fiduciary duties, duties of confidence, database rights and injunctions**. She welcomes instructions as either sole counsel or led by more senior counsel.

Whilst a Judicial Assistant in the Court of Appeal she worked on ***Brogden v Investec Bank Plc* [2016] EWCA Civ 1031**, an appeal concerning the interpretation of contractual bonus provisions.

Examples of her recent instructions include: -

- Instructed to advise on the merits of seeking injunctive relief in an alleged breach of a non-compete covenant (**led by Jeremy Lewis QC**) [**Employee Competition & Business Protection**].
- Instructed as junior counsel in a group claim against a major airline in respect of alleged breach of express and implied terms of contracts of employment (**led by Mo Sethi QC**) [**High Court, Breach of Contract**].
- Drafting a Defence in an alleged unlawful means conspiracy, breach of restrictive covenants, breach of confidence and passing off claim. [**Employee Competition & Business 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**].
- Advising an employee in the tech sector on the effect of proposed post termination restrictions [**Employee Competition & Business Protection**].

Sports

Georgina accepts instructions in **employment, discrimination, anti-doping, athlete selection and eligibility, contractual and disciplinary disputes, both in the civil courts and tribunals and also in arbitral forums**. She is a member of the **Sports Resolutions Pro Bono Panel** and sits in the Executive Committee of the **Discrimination Law Association**.

Given her experience and specialism in employment and discrimination law, Georgina is particularly well placed to assist clients operating in the sports sector with employment and discrimination disputes. Her expertise in these areas is recognised by **Chambers and Partners Bar 2022**, where she is ranked as an **'Up & Coming' employment junior**. Details of Georgina's trial, appellate and advisory practice in this area can be viewed under the Statutory Employment tab above.

Current and recent instructions include:-

- Instructed in a 2-day preliminary hearing in respect of employee and worker status, acting for the Claimant tennis coach [**Employment Status**]
- Prior to joining the Bar Georgina assisted an employee of an International & Premier League Footballer in an employment dispute, where she successfully obtained full quantum at the pre-action stage of proceedings in a breach of contract claim [**Breach of contract, unlawful deductions**].

Partnership & LLP

As an adjunct to her commercial employment & business protection and employment & discrimination practice, Georgina accepts instructions in Partnership & LLP disputes, and welcomes instructions to undertake drafting, advisory and research work or to act as a junior as part of a litigation team in large scale litigation.

Investigations

Current and recent instructions include:-

- Instructed as junior counsel in a sensitive investigation into allegations of antisemitism in a Higher Education Institute

(led by Mo Sethi QC)

- Instructed as sole counsel to investigate allegations of paternity discrimination in a communications technology company

Professional Discipline & Regulatory

Georgina welcomes instructions from employees, employers and regulators in professional discipline and regulatory matters. Her employment instructions often intersect with regulatory disputes in the **NHS and financial services** sector.

Examples of Georgina's recent work include:

- Drafting written submissions for use in a disciplinary hearing for an FX trader employed by a Global Bank accused of professional misconduct in the financial services sector. **[Financial Services, Financial Conduct Authority]**.
- Drafting written submissions for use in an appeal hearing for an FX trader employed by a Global Bank accused of professional misconduct in the financial services sector. **[Financial Services, Financial Conduct Authority]**.

EU & Human Rights Law

Georgina has a particular interest and expertise in EU & human rights law and enjoys applying EU and human rights law to her core areas of practice to find novel remedies for her clients. Her employment cases have been reported in the Common Market Law Review and she was recently awarded the Phoenicia Scholarship by the Bar European Group.

She has a strong grasp of human rights law having taken specialist options in civil liberties and international human rights in her LLM at Cambridge University and having undertaken a stage at the ECtHR. Before coming to the Bar, she was Visiting Lecturer in public law at King's College London and Teaching Fellow in public administrative law at Queen Mary University. As a Judicial Assistant in the Court of Appeal she also wrote opinions on a number of appeals involving points of EU law and human rights law.

As such Georgina is well placed to act in cases requiring an understanding of European and human rights law.

She has recently advised or acted in the following cases in her areas of practice:

- Instructed to advise a Government Department on the entitlement of transgender men to pregnancy and maternity benefits (sole counsel) **[Human Rights Act 1998, EU retained law, Pregnancy and Maternity Benefits, SSCBA 1992]**.
- *Gomes v Higher Level Care Ltd* [2018] EWCA Civ 418 (led) and *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. Georgina acted at all stages of proceedings **[Working Time, Principles of Effectiveness and Equivalence]**.

Before Littleton

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, 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.

Reported Cases

Court of Appeal

***Ibrahim v HCA International Ltd* [2019] EWCA Civ 2007 (led) [Whistleblowing].**

***Gomes v Higher Level Care Ltd* [2018] EWCA Civ 418 (led) [Working Time].**

Employment Appeal Tribunal

Wilkinson v DVSA [2022] EAT 23 (unled) [**Unfair Dismissal - Contributory Conduct & Polkey reductions**].

Gomes v Higher Level Care [2016] IRLR 678 (unled) [**Working Time**].

Publications & Talks

Talks

- Whistleblowing in 2022. Where are we now? (ELA with Jeremy Lewis QC)
- Defending a whistleblowing claim (with Martin Fodder)
- Recent Developments in Statutory Employment Law and Tortious Employment Protections for Partners and LLP members (Littleton Partnership Law Seminar with David Reade QC, Jonathan Cohen QC and James Bickford-Smith)
- Implied Terms in Employment Contracts (with David Reade QC and Joel Wallace)
- Whistleblowing: recent cases and learning points (with Daniel Tatton-Brown QC)
- Litigating Discriminatory Redundancies (ELA)
- Mock Employment Tribunal
- Jhuti & Beyond: knowledge in unfair dismissal, whistleblowing dismissal and detriment claims
- COVID-19 & Employment Law: furlough and redundancy
- DSAR update
- Costs in the Employment Tribunal

Publications

- Mandatory Retirement Ages, discretion and section 123(3)(a) Equality Act 2010: *Parr v MSR Partners LLP* (Lexology).
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Appointments and Memberships

Appointments

Attorney General's Junior Panel of Counsel

Former Judicial Assistant to Lord Justice Moore-Bick and Lord Justice Irwin

Former Visiting Lecturer in Public Law at King's College London

Former Visiting Lecturer in Employment & Discrimination Law at Surrey University

Former Teaching Fellow in Public Administrative Law and Tort Law at Queen Mary University of London

Memberships

DLA

ELBA

ELA (Junior Members Committee)

ILS

ARDL

BEG

Advocate

Free Representation Unit

Education, Scholarships and Prizes

Education

LLB (Hons) (UCL)

LLM (Jesus College, University of Cambridge) specialising in employment, equality, civil liberties & international human rights law

BPTC (City University) options in employment law and professional negligence

Prizes & Scholarships

Faculty of Laws Research Prize (UCL)

Eastham, Thomas More and Hardwicke Scholar (Lincoln's Inn)

Phoenicia Scholar (Bar European Group)
