

Catherine Urquhart

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Introduction

Catherine is a former journalist who switched to law and is now an established civil practitioner, with a particular focus on employment law.

She has wide experience of hearings in Employment Tribunals and County Courts across England and Wales, and she has also represented clients in the High Court and before panels such as the Criminal Injuries Compensation Authority and the National Midwifery Council.

Catherine is qualified to accept instructions from members of the public on a Direct Access basis.

In her former life, Catherine spent nearly 20 years as a journalist, the last ten as travel editor of The Times. She finds the skills she learned on newspapers – such as interviewing and listening to people, arguing with the editor, and getting to grips with large amounts of information in a short time – translate well to her work as a barrister. Clients tell her that they value her wide experience of life and the workplace. She has a calm manner with nervous witnesses and understands that litigating to the bitter end is not always the answer – but if the fight is unavoidable, she is a strong advocate on her clients' behalf.

Outside work, Catherine is a keen swimmer, in open water where possible, and most summers can be found swimming slowly around some of the smaller Greek islands. She is an enthusiastic amateur photographer, and has started learning German.



Employment Law

Catherine appears for both claimants and respondents in the Employment Tribunal and Employment Appeal Tribunal, with clients including local authorities, schools and universities, hotels, private individuals, companies of all sizes, and charities. She undertakes all types of employment work, from advising on the merits of a claim to drafting documents, from attending preliminary hearings through to multi-day final hearings at tribunals around the country – and, since the coronavirus pandemic, by video link.

In particular, she has experience of ‘ordinary’ and automatically unfair dismissal; constructive dismissal; redundancy; whistleblowing; dismissal on the grounds of trade union membership or activities; discrimination based on sex, race, pregnancy and maternity, religion and belief, age, and disability, including hearings to determine disability status; disputes over employment status; interim relief; strike out applications; and applications for costs. She regularly acts for clients in judicial mediations and is experienced in drafting and advising on settlement agreements, and drafting particulars of claim, grounds of response and grounds of appeal.

Catherine feels strongly that there is little support for litigants bringing employment claims who do not have funding (such as through insurance or their trade union). Employment tribunals can be confusing places and employment law can be complex. So for the past three years, Catherine has regularly volunteered at the Employment Tribunal Litigant in Person Support Scheme (ELIPS) at Central London Employment Tribunal, which assists litigants who cannot afford representation.

Catherine also regularly writes articles, and presents seminars in-house at solicitors’ firms, on aspects of employment law. Recent topics include: a guide to bringing and defending interim relief claims; getting the best evidence from your witness; how to deal with covert recordings; managing long-term sickness absence; and an update on discrimination on the basis of religion or philosophical belief.

Her recent employment work includes:

- *Gavli and Ali v LHR Airports Ltd (UKEAT/0012/21/BA)*, which held that if a claimant seeks an uplift for failure to follow the ACAS Code of Practice on Disciplinary and Grievance Procedures, but fails to specify which part of the Code has been breached, the employment tribunal judge should still consider whether there has been a breach and whether an uplift should be awarded.
- *Unnamed v Governing Body of the Bishop of Llandaff Church in Wales High School*. The case involved allegations of sexual misconduct which were peripheral to the issues that the Tribunal had to determine, so this unfair dismissal hearing began with a complex ‘Rule 50’ application for a restricted reporting order.
- *H v B Ltd*. Catherine successfully defended the Respondent school from claims that it had dismissed a teacher because of his trade union membership or activities.
- *T v Travelodge Hotels Limited*. Catherine regularly represents Travelodge. A significant feature of this

constructive unfair dismissal claim was the Claimant's reliance on covert recordings, and the arguments about whether they should be allowed into evidence.

- **L v London Underground Limited.** A sickness absence dismissal claim in which Catherine successfully defended the Respondent and recovered all its costs.
- **W v Print Inc & Design Ltd & Anor.** Catherine successfully defended a claim brought on the basis of discrimination on the grounds that the claimant was pregnant.
- **S v C Ltd.** Catherine appeared for the Claimant in this seven-day trial at Southampton Employment Tribunal in which she succeeded on claims of discrimination and harassment on the grounds of sex and disability. The Respondent's application for a reconsideration was also defeated.
- **C v AMS Ltd, Leeds ET.** A five-day hearing in which Catherine defended the Respondent, a legal services provider, from claims of race and disability discrimination. There was extensive consideration of reasonable adjustments concerning the Respondent's sick leave policy.
- **F v Industrial Dwellings Society 1885.** Catherine acted successfully for the Respondent, a social housing provider, at this four-day hearing at Watford Employment Tribunal, defending claims of unfair dismissal and race discrimination.
- **P v Radox Health Checks Ltd.** Catherine defeated leading counsel to win this six-day constructive dismissal claim.
- **K v Moulsham High School Academy Trust.** Catherine successfully defended a school from numerous whistleblowing claims in a nine-day hearing brought by a former teacher.
- **O v Travelodge Hotels Limited:** Another Travelodge case for Catherine and a hard-fought, nine-day race discrimination claim with numerous issues and witnesses ended in victory for her client.

Business Law

Catherine has wide experience of a range of commercial disputes in the County Court, the High Court and the Commercial Court. Typical work includes general commercial disputes, sale of goods and services claims, consumer credit issues and insolvency matters.

She has represented both claimants and defendants in numerous disputes over such matters as poor-quality building work or a failure to pay professional fees. For many years she has represented a nationwide conservatory company in contractual disputes in the County Court.

She has experience of committal proceedings for contempt of court arising out of findings of fundamental dishonesty, and failure to attend court.

She has extensive experience of civil litigation in general, and is happy to advise in writing and represent clients at court in matters such as summary judgment, default judgment, strike out, allocation to track, disclosure issues, Part 18 questions and answers, and witness evidence. She is familiar with costs issues and regularly attends Costs and Case Management Hearings.

Her only foray into criminal work is that she has for several years defended a major utility company in magistrates' courts around the country regarding offences under the New Roads and Street Works Act 1991.

Recent work includes:

- *Grant Thornton UK LLP v E*: Catherine acted for the claimant in a successful claim for recovery of professional fees.
- *P v UKIP*: she acted for the claimant in a breach of contract matter against a political party.
- *FG Solicitors Ltd v E and Z*: Catherine successfully applied for default judgment against E and summary judgment against Z over a failure to pay solicitors' fees.
- *Re: GSI Group Holdings*: she represented the claimant in Cross-Border Merger Regulations proceedings in the Chancery Division of the High Court.
- *S & Anor v Aviva Insurance Ltd & Anor*: a three-day hearing to determine fundamental dishonesty arising out of a factually unusual road traffic accident in which two different groups of claimants alleged that they were in the relevant vehicle at the same time.

Comments from clients

"I want to write to you specifically to let you know what a marvellous job the barrister, Cath Urquhart, did. She was simply amazing. She is details-oriented, she knew my case inside out, she was highly analytical and she did not miss any point. She was courteous during cross questioning and remained utterly professional at all times... I cannot recommend her more highly." – Claimant represented by Catherine in a lengthy constructive unfair dismissal hearing.

"Please allow me to express my sincere appreciation of the excellent way in which you conducted my recent case. Your initial advice was constructive and throughout you were willing to discuss and explore points with me. Your cross-examination and advocacy in Court were clear and effective. I am most grateful for the preparation and effort you put in on my behalf and that you were able to achieve such a satisfactory outcome." – Claimant represented by Catherine in a trial of a breach of contract matter.

"You rock, baby!" – feedback from nightclub-owner client after Catherine successfully defended his business in a lengthy unfair dismissal claim.

