

Hilary Winstone

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Overview

Hilary Winstone is a senior barrister with over 25 years of experience, specialising in employment law and personal injury. Her practice is focused on all areas of employment claims, including discrimination, unfair dismissal, redundancy, regulatory and contractual. She also conducts complex workplace investigations, particularly within public sector, healthcare, religious and charitable organisations.

She is regularly instructed in sensitive and high-profile matters involving allegations of bullying, misconduct, and misuse of power. Hilary is known for her strategic insight, empathetic approach, and robust advocacy, making her a trusted choice for both litigation and advisory work.

Hilary frequently acts for large organisations including NHS Trusts, local authorities, police commissioners, the Financial Conduct Authority and large corporate employers as well as national independent businesses and financial institutions. Her ability to navigate complex organisational structures and deliver clear, practical advice makes her highly sought after in cases requiring discretion and thorough analysis.

She also undertakes regulatory and professional disciplinary work, representing both organisations and individuals in proceedings involving professional standards, misconduct, and fitness to practice.

In 2025, Hilary became a fully qualified mediator, specialising in workplace mediation, which has added a new dimension to her practice. Her mediation training has equipped her with highly transferrable skills—particularly in conflict resolution, active listening, and impartial analysis—which she applies effectively in both her role as a barrister and as a mediator.

Her background spans a wide range of legal disciplines, including product liability, personal injury, civil litigation, and inquests, giving her a broad perspective and versatility in handling multifaceted cases. She works closely with clients from the earliest stages of instruction, offering practical guidance and clarity throughout the legal process.

Selected Cases & Investigations

- Acted for a group of Junior Doctors claiming that they had been incorrectly banded following an exercise which uncovered their lack of adequate breaks.
- Acted for the Trust in a disciplinary hearing involving a consultant accused of sexual harassment.
- *S v Airline and PHI Insurer* – High Court action following a failure to pay in accordance with the terms of the insurance – settled following mediation after several years of activity requiring support
- *K v NHS Mental Health FT* – Defended complex claim by MH Nurse for disability discrimination
- *F v L'Oreal* – defended disability discrimination claim by a store manager
- *W v T* – (confidential) defended a claim brought by a senior local authority officer following dismissal for allegations of abuse of power and sexual misconduct
- Workplace Investigation – Local Authority (Confidential) – Appointed as independent counsel to lead a complex investigation into allegations of bullying and misconduct within a senior leadership team. Findings led to significant policy reform.
- *Craddock v Cornwall County Council & Others* – Indirect discrimination and part-time workers regulations claim. Successfully appealed a

Expertise

- Commercial Law
- Education & Safeguarding
- Employment & Discrimination
- Finance
- Health
- Inquests & Public Inquiries
- Insurance
- Investigations
- Personal Injury
- Product Liability
- Public Law
- Retail and Consumer

Recommendations

"Hilary is an excellent barrister with keen eye for detail and abounding experience." Chambers & Partners 2025

"She is excellent and a very experienced barrister." "She helps to ease clients' worries and is very user-friendly." Chambers & Partners 2024

"Hillary 'lives' in the case with the client and is never less than utterly committed to succeeding." Chambers & Partners 2023

"Recommended for discrimination law cases." The Legal 500

Key contacts

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- tribunal decision on behalf of a teacher returning from maternity leave.
- Organisational Investigation – Charity (Confidential) – Led an independent investigation into the alleged misuse of charitable funds. Findings resulted in governance changes and improved financial oversight procedures.
- Organisational Investigation – Religious Organisation (Confidential) – Conducted a sensitive investigation into allegations of misuse of power and collusion within senior leadership. The inquiry addressed claims of bullying and abuse, resulting in structural and cultural reforms.
- *Meadowstone Ltd v Kirk & Hill* – Represented claimants in a wrongful and unfair dismissal case. Successfully defended the appeal and secured settlement before the Court of Appeal.
- Workplace Investigation – NHS Trust (Confidential) – Conducted a multi-phase review into staff wellbeing and stress-related absences. Recommendations adopted into trust-wide safeguarding and HR protocols.
- *Stoneygate 140 Limited v Hammond & Essentials Ltd* – Restrictive covenant dispute in the hairdressing industry. Secured emergency injunction and favourable resolution.

Membership

- Employment Lawyers Association
- Employment Law Bar Association
- European Employment Lawyers Association
- Personal Injury Bar Association
- Industrial Law Society
- Western Circuit

Employment & Discrimination

Hilary specialises in cases involving sex, race and disability discrimination, unfair dismissal, redundancy, the various regulations, including the National Minimum Wage, Working-Time and Part-Time Workers Regulations and TUPE. She has extensive experience in employment-related matters within the local authority structure, dealing with both internal policies and mediation. Hilary has advised a broad spectrum of companies on their ongoing employment policies and been involved in equal opportunities training and education. Hilary is known as a very “hands on” lawyer who likes to work as part of a team, with her solicitor from the earliest possible stage, and as a part of the ongoing service provision.

Hilary has undertaken a number of emergency injunctions (including drafting the relevant documents) on behalf of clients to enforce or defend breaches of restrictive covenants or non-solicitation clauses.

Notable Appeal Cases

- *St. Christopher’s Fellowship v Barbara Walters-Ennis* Eq LR 82;
- *London Borough of Sutton v Kester*, an appeal where she successfully argued that the tribunal had substituted its own decision for that of the employer;
- *Meadowstone Ltd v Kirk & Hill*. EAT, Hilary successfully represented the Claimants, two directors of the company, who were declared wrongfully and unfairly dismissed in a robust tribunal decision in Nottingham. The company appealed to the EAT and Hilary (accompanied by Rohan Pirani) successfully defended. The company threatened to go to the Court of Appeal, where Hilary was instructed on a joint basis by both Respondents, but the case eventually settled;
- *Craddock v Cornwall County Council & Others*, an indirect discrimination/part time workers regulations claim brought by a teacher returning from maternity leave who was refused part time working. The majority of the Truro tribunal rejected the claim (against vociferous minority support for the Claimant) but the case was won on appeal in the EAT;
- *Stoneygate 140 Limited v Hammond & Essentials Ltd* – restrictive covenant, hairdressing dispute involving an initial injunction.

Memberships

- Employment Lawyers Association
- Employment Law Bar Association
- European Employment Lawyers Association
- Industrial Law Society

Personal Injury

Hilary is instructed in EL and PL claims mainly on behalf of defendants. She has extensive experience in industrial injury claims, with a particular interest in NIHL. Hilary has successfully run arguments on the “de minimus” theory and the

factual evidence of noise at work. Hilary was also successful in defending a claim for unilateral hearing loss said to result from unidirectional noise pollution.

Hilary was appointed as counsel by over 100 Defendants to manage multiple claims of NIHL, known as the "Isaac Abrahams" cases, in which there were difficulties with dates of service and medical reports. She was successful in defending the claims, with the majority dismissed. The claims continued over the course of a year, and was vigorously contested by the Claimant's solicitor. Hilary appeared against a silk at the final hearing, obtaining wasted costs orders against the partners personally. Hilary's attention to detail assisted in highlighting the gaps in evidence provided by Claimants who had attempted to gain financially from claims that are either exaggerated or fraudulent.

Memberships

- Personal Injury Bar Association

Product Liability

Hilary specialises in product liability, regularly representing Defendants in the Magistrates' Court for breach of Part I of the Consumer Protection Act 1987, as well as advising, drafting defences and representing clients in civil actions. She has also lectured in legal developments.

Notable Cases

- *PMS International Group plc v North East Lincolnshire Council & Ors*, a High Court appeal by way of case stated on the interpretation of "toy" in the Toys (Safety) Regulations 1995 and Directive 88/378/EEC;
- *John Walter Hammond (Derbyshire TSD) and Douwe Egberts Ltd & Sainsburys Ltd*: whether a package design could have misled a customer to believe that ready-mix cappuccino could in fact be pure ground coffee (representing the Defendants, we got costs);
- *Theresa Dryer v Paramount Hotel Group and others*: represented the third Defendant, the first importer, in a case involving a broken restaurant chair.

Membership

- Product Liability Lawyers' Association

Inquests & Public Inquiries

Hilary represents interested parties in inquests into deaths before Her Majesty's Coroner and at pre-inquest briefing hearings. She has experience of both straight forward inquests into, for example, road traffic deaths, as well as more complex cases, such as those involving medical negligence.

General Civil Litigation

Hilary's background in journalism and ongoing involvement with the music industry places her in a unique position of understanding and empathy with regard to both of those professions and industries. She has handled a number of claims involving breach of contract and various disputes in those areas.

Examples

- *Rankhour v Besiksi* — claim launched with an injunction to prevent copyright theft, theft of computer records and Misuse of Database Regulations breaches;
- *Baxter v Vincent* — letters revealing personal details of 'Carry on' characters published in a Scottish newspaper;
- *Victory Tulip v Ragdoll Productions (UK) Limited* — contractual dispute between the creator of Rosie and Jim and Brum and the production company;
- *Fleet St Flair Ltd v Easyjet* — Dispute over in-house magazine;
- *Davies v Riff Raff Records & Riff Raff Music* — Dispute over ownership of masters;
- *Britton v Gruber Productions Limited* — dispute between the writer and producers of a film project.

Professional Recommendations



"Hilary is always willing to step in to help."

Chambers & Partners 2025

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"Hilary is helpful and experienced."

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"Her work is of a very high standard, and she is very thorough."

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Chambers & Partners 2024