Katharine Newton KC

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Overview

Katharine Newton KC is an experienced and highly regarded practitioner who appears regularly in the employment tribunal and the appellate courts including the Court of Appeal and the Supreme Court. Katharine was awarded **Employment Silk of the Year** at the Legal 500 Bar Awards 2025 and has been repeatedly shortlisted for other awards including **Silk of the Year** at the Legal 500 Bar Awards 2024; **Employment Silk of the Year** at the Legal 500 Bar Awards 2023; and **Senior Counsel of the Year** at the International Employment Lawyer Awards 2023 and 2025. Prior to taking silk, Katharine was the Chambers & Partners **Employment Junior of the Year**. Katharine is regularly instructed in high-profile, high-value and complex employment and discrimination claims across a wide range of sectors and her practice over recent years has included some of the most high-profile cases litigated at the Employment Law Bar.

Katharine acts for both employers and employees in every area of employment law, including discrimination of all types, whistleblowing, victimisation, unfair and wrongful dismissal, TUPE, breach of contract, restrictive covenants, wages and trade union industrial disputes. She acts for a broad range of clients covering the whole spectrum, from large corporate clients, banking and financial institutions, media organisations, law firms, royalty, educational institutions, NHS employers, trade unions and local authorities to the full range of Claimants including both individual Claimants and cases involving multi-Claimant test cases. Katharine also has experience in advising on discrimination claims in the “goods and services” sphere. Full details of Katharine’s experience can be found in the “Employment and Discrimination” section of her profile.

Katharine also has extensive experience in conducting high-profile, sensitive and complex investigations, as well as undertaking department and employer-wide reviews of practice and procedure. Katharine’s investigatory reports have been repeatedly praised by judges in subsequent employment tribunal proceedings. Katharine also has experience of advising and presenting cases at internal disciplinary, grievance and appeal hearings, and sitting as a Chair of internal disciplinary, appeal and complaints panels. Full details of Katharine’s experience can be found in the “Investigations” section of her profile.

Katharine has particular expertise in sports-related matters, details of which an be found in the ‘Sports’ section of her profile.

Katharine regularly appears as an advocate in mediations of all types where she has acted for various parties in a wide range of disputes including discrimination, whistleblowing and High Court contractual claims.

Employment & Discrimination

Katharine is recognised by both Chambers & Partners and The Legal 500 as a leading silk in employment law. In the last two years, Katharine has been awarded **Employment Silk of the Year** at the Legal 500 Bar Awards 2025; shortlisted for: **Silk of the Year** at the Legal 500 Bar Awards 2024; **Employment Silk of the Year** at the Legal 500 Bar Awards 2023; and **Senior Counsel of the Year** at the International Employment Lawyer Awards in both 2023 and 2025. Prior to taking silk, Katharine was the Chambers & Partners Employment Junior of the Year in 2018. Katharine is regularly instructed in high-profile, high-value and complex discrimination and whistleblowing claims, including many lasting in excess of 20 days. In a number of cases, the other side have withdrawn their claims and/or conceded their case after Katharine has cross-examined their witnesses. In addition, Katharine has a busy appellate practice and appears in the EAT, Court of Appeal and the Supreme Court on employment law matters, particularly those involving important points of legal

Expertise

- Education & Safeguarding
- Employment & Discrimination
- Health
- Investigations
- Professional Regulatory & Discipline
- Public Law

Recommendations

"Katharine is a brilliant tactician, agile on her feet and very hard-working." The Legal 500 2025

“You trust Katharine with your really big, high-value work.” Chambers & Partners 2025

"Katharine is brilliant and wonderful to work with. She's responsive, extremely hard-working, collegiate, funny and a formidable advocate. I always feel a sense of relief that she's on my side." Chambers & Partners 2024

"An incisive and formidable advocate, who is razor-sharp on her feet and in her legal analysis. Katharine is an excellent strategist." The Legal 500 2024

Key contacts

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principle affecting large sections of the UK workforce such as the Deliveroo "gig economy" test case on employment status.

Katharine's experience encompasses a wide range of sectors, but she has particular expertise in acting for:

- **Banking and Financial Services Institutions** where instructions have included acting on behalf of major banks such as Citigroup, JP Morgan, RBS, Barclays Bank Plc, Credit Suisse, UBS, HBOS and Ahli United Bank.
- **Law Firms** accused of discrimination and victimisation.
- **Media and broadcasting organisations** including the BBC, Netflix, Telegraph Publishing Ltd, Guardian Newspapers, Associated Newspapers and Evening Standard Ltd.
- **Museums** including the V&A Museum, Science Museum, Museum of London, Museum in Docklands, and The National Gallery.
- **NHS Trusts** where Katharine has successfully defended numerous NHS Trusts in relation to various lengthy discrimination and whistleblowing claims brought by both current and former employees in all courts including the Court of Appeal.
- **Airlines** including British Airways Plc, Qantas, and American Airlines;
- **Schools and Universities** including many well-known public schools and Russell Group universities.
- **Unions** where Katharine is regularly instructed by various unions on important matters. She successfully acted for the teaching union NASUWT in the Supreme Court; acted on behalf of the IWGB in the Supreme Court appeal concerning Deliveroo riders and in the Foster Carers employment status appeal in the Court of Appeal; was instructed to advise the BMA during the high-profile Junior Doctors' Strike; and acted for Unite the Union in the leading case of *Unite v Nailard* in the Court of Appeal.
- **High profile individuals** including royalty, celebrities and peers as well as Claimants holding both senior and junior roles.

Some examples of Katharine's recent work are as follows:

Discrimination and Whistleblowing

- *Sati v Citibank NA.* Katharine successfully defended Citibank in a claim brought by a former employee for whistleblowing, race and religious discrimination on grounds of his Muslim faith, and unfair dismissal.
- *Guglani v Citibank International Ltd*. Katharine successfully defended Citibank in a complex case of sex discrimination arising out of the dismissal of a relationship manager in the bank's wealth management department.
- Katharine acted for the individually named Respondent in the widely reported sexual harassment case of *Weston v Merrill Lynch & Ors*.
- *Eweida v British Airways Plc.* Katharine acted on behalf of British Airways in this high-profile claim of religious discrimination and victimisation brought by an employee who had previously sued BA, alleging its uniform policy did not allow her to display her Christian cross.
- *Garcha-Singh v British Airways Plc.* Katharine successfully defended British Airways at both ET and EAT [2023] ICR 1458 in a complex disability discrimination claim.
- *Yousefi v HCA International.* Katharine successfully defended HCA International in a claim for whistleblowing brought by its former Chief Executive who had been dismissed for gross misconduct.
- *Abou-Ameira v Great Ormond Street Hospital & Ors.* Katharine successfully defended Great Ormond Street Hospital in a whistleblowing claim brought by one of its Consultants.
- *X v Top Shop (1) and Sir Philip Green.* Katharine acted for the Claimant in a sex discrimination claim brought against Top Shop and Sir Philip Green which settled shortly before trial.
- *Unite the Union v Nailard* [2019] ICR 28. Katharine acted with **Oliver Segal KC** in this leading Court of Appeal case on the legal tests for (a) sexual harassment under the Equality Act 2010 and (b) the liability of employers for the discriminatory acts of third parties.
- *A v Barclays Bank Plc*. Katharine successfully acted for Barclays Bank Plc in a disability discrimination claim involving the interplay between disability discrimination and requests for early retirement.
- *Crompton v Telegraph Publishing Ltd*. Katharine acted on behalf of *The Telegraph* in a claim of direct and indirect age discrimination brought by the assistant arts editor at *The Telegraph*. She was challenging the contractual redundancy scheme as being discriminatory on grounds of age. The claim settled shortly before trial.
- *Bodi v Guardian Media Group.* Katharine acted for *The Guardian* in a claim for religious discrimination arising out of *The Guardian's* decision to block an individual from commenting in its forums. The claim was ultimately withdrawn.
- *Coleman v Telegraph Publishing Ltd*. Katharine acted on behalf of *The Telegraph* in this claim of sex and age discrimination brought by its legal editor.

- *Cook v United Utilities Plc.* Katharine successfully defended the Respondent in this complex and long running whistleblowing, disability discrimination and unfair dismissal claim.
- *Rendall v The Commissioner of Police of the Metropolis*. Katharine successfully acted on behalf of the Claimant counter-terrorism officer in his claims for disability discrimination against the Met Police. The Claimant had suffered PTSD as a result of his experiences as a soldier in Northern Ireland.
- *Jay v Chief Constable of Essex Police.* Katharine acted for the Claimant Police sergeant in her claim for indirect sex discrimination. The claim settled after Katharine had cross-examined the Respondent's key witnesses.
- *Fidler v Allianz Cornhill Engineering*. Katharine successfully represented the Respondent at the ET and EAT in a 20-day claim for disability discrimination and constructive dismissal brought by a dyslexic employee. Katharine also obtained an indemnity costs order worth in excess of £100,000 against the Claimant at the conclusion of the trial.
- *Mirikwe v Wilson & Co Solicitors & Ors.* Katharine successfully defended the Respondent law firm and three named partners in this complex case of direct race discrimination brought by one of its trainee solicitors. Katharine also obtained an indemnity costs order against the Claimant at the conclusion of the trial.

Employee Status and other Contractual Claims

- *Deliveroo gig-economy test case on worker status* [2024] IRLR 148; [2024] ICR 189. Katharine appeared with **John Hendy KC and Madeline Stanley** in the Supreme Court in this high-profile test case on the employment status and rights of delivery riders.
- Katharine is currently acting on behalf of 20,000 FREENOW private hire drivers in a test case on worker status. Trial listed for 2027.
- *Hartley & Ors v King Edward VI College* [2017] ICR 774. Katharine, led by **Oliver Segal KC**, was successful in this Supreme Court test case concerning the correct deduction from pay for participation in strike action.
- *National Union of Professional Foster Carers v Certification Office* [2021] ICR 1397. Katharine successfully appeared with **John Hendy KC** in the Court of Appeal, on behalf of the IWGB union, who intervened in this test case on the Article 11 rights of foster carers.
- *Baker & Ors v The Post Office.* Katharine acted on behalf of 120 postmasters a test case against the Post Office to determine whether they were workers.
- *Aforworki-Gabriel v (1) Citibank (2) Hudson York Farrell.* Katharine successfully represented Citibank, the end user, in defeating a post-Dacas implied contract agency worker claim.
- *Hashemi v University College Hospitals Trust* Katharine acted for UCLH in this High Court breach of contract claim brought by a consultant. The claim ultimately settled.
- *Nexus v Anderson & Ors* [2018] EWCA Civ 2084. Katharine, led by **John Hendy KC**, successfully acted on behalf of the Claimants in this Court of Appeal test case on the jurisdiction of ETs to construe contracts of employment in determining unauthorised deduction from wages claims. The case also involved the construction of a collective agreement.
- *Atchoe v Camden PCT*. Katharine successfully acted on behalf of Camden PCT in the ET, EAT and Court of Appeal in this case concerning the applicability of the wages provisions of the ERA and the question of whether or not overtime is a contractual right.
- *Ekeocha & Ors v Dartford & Gravesend NHS Trust*. Katharine acted on behalf of the NHS Trust in this test case regarding junior doctors' pay banding.

Equal Pay

- *Browne, Stanton & Ors v Associated Newspapers.*Katharine acted on behalf of Associated Newspapers in respect of equal pay claims brought by a number of 'casual' journalists who worked at the *Mail on Sunday.*
- *Weeds v University of Essex.*Katharine acted for the University of Essex in this claim for equal pay arising out of market supplement payments made to lecturers at the university.
- *NHS Equal Pay litigation.*Katharine acted on behalf of various NHS Trusts in the long running equal pay litigation which arose as a result of the Agenda for Change banding exercise.
- Katharine has also been instructed in numerous "individual" equal pay claims across the full range of sectors.

Industrial Action and Collective Issues

- *Deliveroo test case* [2024] ICR 189. Katharine appeared with **John Hendy KC** in the Supreme Court in this important test case on the Article 11 rights of Deliveroo riders.
- *Hartley & Ors v King Edward VI College* [2017] ICR 774.Katharine successfully appeared, with **Oliver Segal KC**, instructed on behalf of

NASUWT, in the Supreme Court test case concerning the correct deduction from pay for participation in strike action.

- *Foster Carers test case* [2019] IRLR 860. Katharine appeared with **John Hendy KC**, on behalf of the IWGB union who intervened in this test case on the Article 11 rights of foster carers.
- *Post Office test case*. Katharine acted on behalf of 120 postmasters in this test case on worker status against the Post Office.
- *Re BMA Junior Doctors' Strike.* Katharine advised the BMA on pay and contractual issues arising out of the high-profile strike action taken by junior doctors in response to the imposition of the new contract by the Secretary of State, Jeremy Hunt.
- *(1) Taylor (2) Unite the Union v Birmingham City Council* [2017] EWHC 2576. Katharine, with **Oliver Segal KC**, obtained an urgent High Court injunction to stop more than 100 refuse workers being made redundant in a case arising out of the long-running bin strike in Birmingham.
- *Re Govia strike.* Katharine advised the RMT in relation to deductions from pay made by Govia as a result of strike action undertaken by conductors.
- *Re Prison Officers' Association (POA).* Katharine was junior counsel, led by **John Hendy KC**, on behalf of the POA in successfully defeating a contempt of court application brought against the union by the Home Office.
- Katharine has also obtained interim relief in several cases on behalf of trade union activists.

TUPE

- *Duff & Taylor v (1) Endeavour Insurance Services Ltd (2) CGNMB* Katharine successfully acted for Endeavour Insurance Services in the first ever claim to test whether the TUPE service provision change provisions apply to binding authority brokerage business in the context of the Lloyds insurance brokerage market.
- *Hill & Ors v Evening Standard Ltd & Ors.* Katharine acted on behalf of the Evening Standard in a TUPE claim brought by over 100 newspaper sellers arising out of the decision to make the Evening Standard a free newspaper.
- *Skittrall & Ors v (1) University College London (2) Camden PCT and (3) University of East London.* Katharine acted for Camden PCT in both the ET and EAT in this complex TUPE claim which arose out of the decision to transfer a BSc Hons degree in podiatry from UCL to UEL.
- *GMB v Southern Cross*. Katharine acted for the GMB on behalf of thousands of workers affected by the collapse of the Southern Cross care homes and the transfers which subsequently took place.

Professional Memberships

- Employment Law Bar Association (Katharine is a past elected member and Treasurer of the ELBA Committee)
- Employment Lawyers Association (Katharine is a past elected member of the ELA Management Committee)
- Industrial Law Society

Investigations

Katharine is regularly appointed to conduct highly sensitive, confidential and complex investigations and workplace culture reviews. Katharine recently conducted the high-profile investigation into allegations of racism at Essex County Cricket Club. She has extensive experience in conducting both disciplinary and grievance investigations involving a wide range of issues including allegations of whistleblowing, discrimination, bullying and harassment, victimisation, dishonesty, health and safety, and other forms of serious misconduct regarding both senior and junior individuals. Katharine is also experienced in undertaking department-wide reviews of practice and procedure as well as advising managers and other HR professionals who are conducting their own procedures 'in house'. Her investigations have been praised by numerous Judges in employment tribunal proceedings.

Recent examples of Katharine's work in this area include:

- Conducting the high-profile investigation into allegations of racism at Essex County Cricket Club;
- Conducting the high-profile investigation into allegations of race discrimination and bullying against the manager of the England women's football team;
- Conducting numerous investigations into allegations of discrimination and whistleblowing in law firms, barristers' chambers and banking and financial institutions;
- Conducting investigations into allegations of antisemitism;
- Conducting an investigation into allegations of sex discrimination in relation to bonus payments at a well-known investment bank;

- Conducting workplace culture reviews in a variety of organisations;
- Acting for a well-known public school in conducting an investigation into allegations of discrimination and bullying and harassment, brought by multiple employees against five senior members of staff;
- Acting for a private equity group in investigating allegations of whistleblowing, race and sex discrimination and sexual assault against its chief executive;
- Acting for a non-departmental public body in conducting a grievance investigation at appeal stage brought by a lawyer against numerous senior employees. Katharine attended the employment tribunal as a witness in the proceedings which followed and her report was highly praised by the judge;
- Acting for one of the country's leading business schools in investigating the identity of the author of a "poison pen letter" which had been sent to a senior member of the organisation;
- Acting for a university in undertaking a department-wide review of the practices and procedures of its HR department, with particular focus on how it deals with complaints involving equality issues. Katharine's report has been relied on by the university in a number of subsequent proceedings and has received praise from the judges hearing the case.

Katharine also has experience of advising and presenting cases at internal disciplinary, grievance and appeal hearings as well as sitting as Chair of the Panel in a variety of internal hearings.

Sports

Katharine has extensive experience across a wide range of sports-related work. She has conducted several complex investigations on behalf of sporting organisations including the high-profile investigations into race discrimination at Essex County Cricket Club and allegations of bullying and discrimination against the former Women's England Football Team Manager. In addition, Katharine has undertaken advisory work and litigation in matters concerning football, rugby, athletics and swimming.

Notable Cases

Selection of reported cases

- *Deliveroo 'gig economy' worker status test case.* [2024] IRLR 148; [2024] ICR 189, Supreme Court
- *Garcha-Singh v British Airways Plc* [2023] ICR 1458, EAT
- *Foster Carers worker status test case* [2021] ICR 1397, CA
- *Unite the Union v Nailard* [2019] ICR 28, CA
- *Nexus v Anderson & Ors* [2018] EWCA Civ 2084, CA
- *Hartley & Ors v King Edward VI College* [2017] ICR 774, Supreme Court
- *(1) Taylor (2) Unite the Union v Birmingham City Council* [2017] EWHC 2576, QB
- *Mirikwe v Wilson & Co Solicitors* [2011] UKEAT/0025/11
- *UPS Ltd v Sammakia* [2009] UKEAT/01999/09
- *Hay v Ministry of Defence* [2008] IRLR 928
- *Bidwell v Havering Primary Care Trust* [2008] All ER (D) 297
- *TGWU v Brauer Coley* [2007] IRLR 207
- *Atchoe v Camden Primary Care Trust* [2007] All ER (D) 145
- *Patel v Great Ormond Street Hospital NHS Trust* [2007] All ER (D) 263
- *Baynton v South West Trains* [2005] ICR 1730
- *Allianz Cornhill Engineering v Fidler* [2005] All ER (D) 177
- *Skittrall & Ors v (1) UCL (2) Camden PCT (3) UEL* [2005] All ER (D) 205
- *Davis & Or v Eton Air Ltd* [2004] All ER (D) 355
- *McIntosh & Or v Victoria & Albert Museum* [2003] All ER (D) 359
- *South West Trains v McDonnell* [2003] All ER (D) 64

Professional Recommendations

Legal500 LEADING SILK UNITED KINGDOM 2027

2027 Chambers Top Ranked UK Bar

Katharine Newton KC

“Katharine is a brilliant tactician, agile on her feet and very hard-working.”

The Legal 500 2025

“You trust Katharine with your really big, high-value work.”

Chambers & Partners 2025

“Katharine has worked on lots of different investigations. Her style is down to earth and unstuffy.”

Chambers & Partners 2024

“She is a fiercely robust advocate who takes no prisoners. She is utterly approachable and always willing to go the extra mile.”

Chambers & Partners 2024

“Katharine is brilliant and wonderful to work with. She’s responsive, extremely hard-working, collegiate, funny and a formidable advocate. I always feel a sense of relief that she’s on my side.”

Chambers & Partners 2024

“Katharine is able to get to grips with complex cases quickly and can distil the key issues. She is great in tribunal and a very persuasive advocate.”

Chambers & Partners 2024

“An incisive and formidable advocate, who is razor-sharp on her feet and in her legal analysis. Katharine is an excellent strategist.”

The Legal 500 2024

Katharine is listed in both *Chambers & Partners* and *The Legal 500* where she is praised for her advocacy skills and is described as “in huge demand due to her impressive reputation for being tough in the tribunal courts and excellent with clients” “hard-working and always prepared to go the extra mile for her clients” “clever, practical and diligent with a lively charm”.