



Tom Coghlin QC

Year of Silk/Call: 2018/1998

Call Clerk on 020 7827 4000

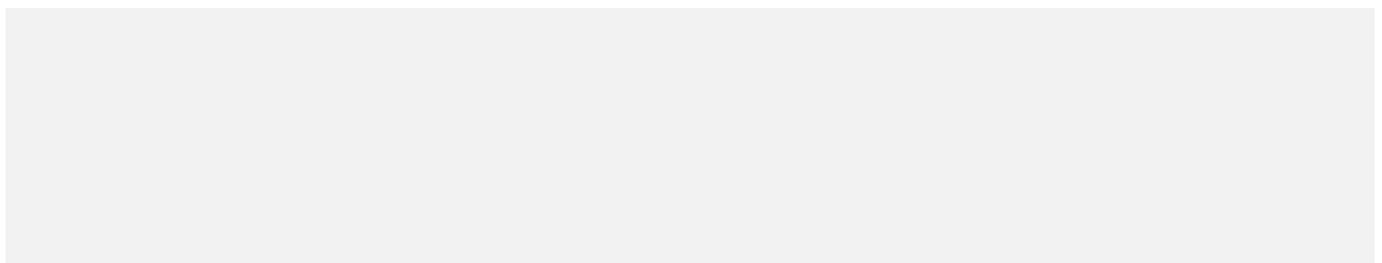
PRACTICE AREAS

Commercial Law | Discrimination & Equality | Employment | Professional Discipline | Public & Administrative Law | Sport & Entertainment

HIGHLIGHTS

"A great tactician who thinks fast on his feet, has a great way with clients, and is very approachable." *"He has a very engaging and disarming manner which enables fruitful negotiations with opponents."* **Chambers & Partners 2020**

"He has a phenomenal brain." **Legal 500 2020**



OVERVIEW

Tom Coghlin QC specialises in employment and discrimination law and a range of related fields, including contractual claims arising from the employment relationship (such as claims to enforce restrictive covenants and obligations of confidentiality), professional negligence claims, and disciplinary, whistleblowing and grievance investigations. He has a wealth of experience in handling sensitive and important matters both at first instance and on appeal.

His current and recent cases includes appeals in the Court of Appeal and the Employment Appeal Tribunal; a variety of common law matters in the High Court and County Court; High Court litigation relating to post-termination obligations on the part of departing employees; and employment cases of all kinds. He acts in complex and high value litigation involving discrimination, whistleblowing, cross-border jurisdictional issues, TUPE, commercial agents, and disputes involving partners and LLP members. He has significant experience in high-profile litigation in international arbitral tribunals.

Tom is experienced in conducting investigations at the highest levels of organisations.

He lectures and trains diverse audiences on employment law and procedure, and has extensive experience in delivering familiarisation training enabling witnesses to perform to their best in court.

Tom sits as a Fee-paid Employment Judge based in the Birmingham region.

Before coming to the Bar, Tom read Law at Worcester College, Oxford (MA 1995, BCL 1996). He has been in practice at Cloisters since undertaking his pupillage in 1997-1998.

AWARDS

Nominated for the Bar Pro Bono Award 2017

REFERENCES

For many years Tom has been rated by the legal directories as a leader in the field of employment law, recognised for his advocacy, his legal skills and his user-friendly approach.

Chambers & Partners 2020: "A great tactician who thinks fast on his feet, has a great way with clients, and is very approachable." "He has a very engaging and disarming manner which enables fruitful negotiations with opponents."

Legal 500 2020: "He has a phenomenal brain."

Some comments from previous editions of the legal directories:

- "Very client-friendly and an amazingly hard worker. He has a razor-sharp brain and he is engaging and charming in court." Chambers and Partners 2019
- "Impressive and versatile." Chambers and Partners 2019
- "A fearless advocate with a clear focus on the details." Legal 500 2019
- "Always very well prepared, leaving no stone unturned ... A quick-thinking and tenacious advocate, who can distil complex legal issues." Who's Who Legal 2019
- "A standout barrister who is equally excellent when acting for employers or employees." Chambers and Partners 2018
- "Great strategic skills. Incredibly knowledgeable." Chambers and Partners 2018
- "Approachable, responsive and flexible." Legal 500 2018
- "A masterful and fearless advocate with an unparalleled eye for detail." Legal 500 2017
- "He displays excellent technical knowledge and his cross-examination skills are impressive." Chambers and Partners 2017
- "He works incredibly hard, is very incisive about how he thinks and he has a fantastic way about working with clients." Chambers and Partners 2017
- "An amazing advocate and brilliant tactician." Legal 500 2016
- "A multi-talented barrister who impresses with his ability to handle the most complex and significant employment disputes." Chambers and Partners 2015

APPOINTMENTS AND MEMBERSHIPS

Fee-paid Employment Judge (Birmingham region)

Director, Bar Mutual Indemnity Fund

Employment Law Bar Association

Employment Lawyers Association

Discrimination Law Association

Industrial Law Society

Professional Negligence Bar Association

QUALIFICATIONS

MA (Oxon)

BCL

HIGHLIGHT CASES

- *Brooks v Nottingham University Hospitals NHS Trust* (2016-19): Successful defence of £5m whistleblowing claim brought by a consultant surgeon against an NHS Trust; the claimant was ordered to pay the respondent's costs in full, a decision upheld by the EAT.
- *Noblemunn v H* (2018-19): Acted for a barrister in a claim brought against her for race discrimination by a judicial office holder. The claim was held to have been vexatious and the claimant was ordered to pay H's costs in full.

- *Ojiambo v Commonwealth Secretariat* (2018-19): Acted for the former Deputy Secretary-General of the Commonwealth challenging the non-renewal of her contract. The non-renewal was held to be unlawful and in breach of contract and she was awarded substantial compensation and costs.
- *Venuprasad v Commonwealth Secretariat* (2018-19): Acted for a senior Commonwealth official who had been accused of leaking confidential information to the Press. The Secretariat was held to have acted unlawfully in various respects. The applicant was awarded substantial compensation and costs, and the Commonwealth Secretariat's appeal was substantially rejected, again with costs.
- *Efobi v Royal Mail Group Ltd* [2019] ICR 750 [2019] IRLR 352 (CA): A leading case in which the EAT and Court of Appeal considered the burden of proof in discrimination claims, particularly where key decision-makers are not called to give evidence.
- *Oni v Unison* [2018] ICR 1111 [2018] IRLR 806: An appeal concerning whether contractual claims can be brought against non-employer respondents (here, a trade union) in tribunals.
- *Fox v British Airways* (2012-18) [2013] ICR 1257 (CA and EAT): Claim by the estate of a deceased employee for life cover which was lost when he was unlawfully dismissed.
- *C v S* (2014): Secured a strike out of an exceptionally complex £10m race/whistleblowing claim brought against an NHS Trust.
- *Sivanandan v LB Hackney* [2013] ICR 671 (CA): Leading case concerning the apportionment of awards in discrimination cases.
- *Community Law Clinic Solicitors v Methuen* [2012] Eq. L.R. 880 (CA): Age discrimination case concerning the interplay between age, experience and pay and the tribunal's powers of strike-out.
- *Hine Marketing Partnership v Talbot and others*: A case concerning time limits in the EAT where one page of the documentation required for the valid submission of an appeal was supplied late.

- Jackson v Cambridgeshire County Council and Others: Successful appeal against a wasted costs order against a solicitor.
- Sheffield Forgemasters v Fox; Telindus v Brading [2009] ICR 333: An appeal concerning the effect of receipt of incapacity benefit on the ability to claim compensation for loss of earnings in discrimination and unfair dismissal claims.
- The Chagos Islanders' Group Litigation (QBD, CA and European Court of Human Rights): Claims brought by thousands of Indian Ocean islanders displaced to make way for US military base at Diego Garcia
- Orthet Ltd v Vince-Cain [2004] EWCA Civ 1613. Assessment of damages in discrimination cases.
- BCCI v Ali [2002] 1 AC 251: The leading case on the enforceability of settlement agreements.