



## Practice

Catherine is a member of the Housing and Civil teams. She previously worked in the voluntary sector where she campaigned on issues of social justice and equality which has very much influenced her career at the bar.

Since coming to the bar Catherine has built up extensive experience in a range of courts and tribunals including the Court of Appeal and has dedicated her practice to defending individuals' economic, social and human rights.

## Housing

Catherine's housing practice spans the whole range of tenancy and housing matters, including possession (anti-social behaviour, rent, breach of tenancy, tenancy status, beneficial interests), anti-social behaviour injunctions, unlawful eviction, disrepair and succession.

She is particularly interested in public law and possession cases, and has provided training to practitioners in this area.

Catherine is regularly instructed in complex anti-social behaviour trials, especially those involving mental health issues, where she brings to bear her extensive knowledge of disability discrimination from her practice in employment law, including the Equality Act 2010.

Catherine also acts and advises in the whole range of homelessness work, including county court appeals and claims for judicial review.

## Employment

As a member of the civil team Catherine practises in employment law. Catherine has a long standing interest in promoting employment rights, based in her previous campaigning work in this area.

Her practice covers all areas of discrimination law including equal pay, race, and sex and disability discrimination and other "protected characteristics", as well as TUPE, unfair dismissal, redundancy, breach of contract and other employment rights.

Catherine represents workers in the Employment Tribunal as well as the Employment Appeal Tribunal and has appeared in the Court of Appeal.

Her work in this area also crosses over into the county court where she acts and advises in cases including harassment at work, breach of contract and negligent misstatement.

Catherine has a particular interest in developing work in the professional regulation field.

## Mental health and capacity

Mental health issues are a thread running through much of Catherine's practice in all the fora in which she works. She regularly advises and acts in cases where capacity is an issue including where the Official Solicitor has been appointed. She

### Year of Call

2000

### Email Address

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### Telephone

020 7993 7820

### Education

BA, MA, Diploma In Law

### Languages

Spanish (fluent)

### Practice Areas:

Catherine O'Donnell is a member of the following Practice Areas:

- Civil Law
- Court of Protection
- Employment, Discrimination and Professional Regulation
- Housing
- Property Law

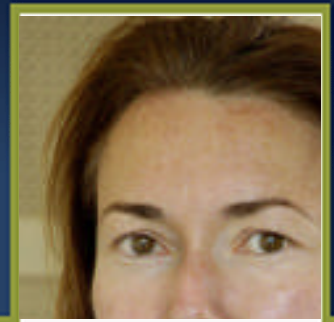
### Garden Court Chambers

57 - 60 Lincoln's Inn Fields

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has also appeared before the Mental Health Tribunal. She has provided training to practitioners in mental health and housing, and in disability discrimination. She is keen to continue to develop this area of her practice, including in the Court of Protection.

## General civil

Catherine has a varied general civil practice. She has experience in a range of cases involving Protection from Harrassment Act injunctions, nuisance, trespass and negligence. She has also represented families of the bereaved at inquests.

## Background

Catherine came to the Bar from the voluntary sector where she was a senior researcher at the Low Pay Unit and carried out extensive campaigning work for the introduction of the National Minimum Wage and for improved employment rights. She worked with a variety of organisations, including trade unions, the Low Pay Commission and the European Commission, on issues surrounding pay, working conditions, equality and child workers.

Catherine also previously lectured in European Social Policy at Southbank University and University of Westminster.

## Notable cases

Luke v Stoke-On- Trent City Council [2007] IRLR 777, Court of Appeal  
Implied terms in employment contracts.

Rydvqvist v Secretary of State for Work and Pensions [2002] 1 WLR 3343, Court of Appeal  
Jurisdiction of Social Security Appeal Tribunal after appeal withdrawn.

Smith et al v Trustees of Brooklands College [2011] Employment Appeal Tribunal.

Transfer of Undertakings. Whether a contract term is void due to transfer.

Mingeley v Pennock & Ivory (trading as Amber Cars) [2003] All ER (D) 90 (Jun),  
Employment Appeal Tribunal

A self employed taxi driver was not an employee of the respondent within the definition in s 78(1) Race Relations Act 1976 as the dominant purpose of the contract was the provision of a service to him to allow him to ply his trade.

Pagetti v Cobb (2002) IRLR 861, Employment Appeal Tribunal  
Compensation for unfair dismissal must be calculated in accordance with the employee's right to be paid the national minimum wage even if the employer had not in fact paid it.

## Training

Catherine has extensive experience as a trainer. Since joining chambers she has been involved in designing and delivering training, in a variety of formats, for solicitors and advisers throughout the country. She regularly speaks at seminars and training events organised by Garden Court Chambers in the fields of



**Barrister profile**

# Catherine O'Donnell



employment and housing law.

## **Professional Memberships**

- Housing Law Practitioners Association
- Employment Law Bar Association
- Discrimination Law Association.

Profile updated January 2012