



PUMP COURT
CHAMBERS

“Fix You”: Compensation, ITF and Ogden for Employment Lawyers

Emma Sole

Overview

- Introduction to the Claimant
- Personal Injury in the ET
- Ogden Tables
- Injury to Feelings



The Claimant

- Mr Winlots (“Mr W”) - 54 yrs old.
- Was a teacher. Had intended to retire at 65. Was earning £60,000 net.
- Won his claim age discrimination claim on two basis; not being offered the opportunity to apply for a promotion and his consequent resignation. The claim included multiple complaints of discrimination which were not successful, including criticism of his teaching style.
- In the months prior to resigning Mr W had been signed off work with severe depression.
- Post resignation Mr W says that he has been too unwell to look for work in any comparable position or to undertake that work, in any event.
- Mr W has suffered from several periods of depression in the past, none ever requiring him to be off work and the most recent being when he was 35 after his divorce (some 19 years ago).
- In the months leading up to Mr W’s resignation his father was diagnosed with dementia and he has had to dedicate a significant amount of time to his father’s care.



Personal Injury in the ET: Basics

- The basis of assessment of damages in a claim of discrimination is a tortious one; compensation is to be awarded for losses that flow directly and naturally from the tort (**Edward v Tavistock and Portman NHS Foundation Trust** [2023] EAT 33).
- Unlike in Civil claims, there is no need for such loss to be reasonably foreseeable.
- Compensation for unlawful conduct contrary to the Equality Act 2010 (and for whistleblowing detriment) can include damages for pain, suffering and loss of amenity (“PSLA”). (**Sheriff v Klyne Tugs (Lowestoft) Ltd** 1999 ICR 1170, CA).
- Where a tortfeasor injures a person they cannot rely on the fact that the person has a predisposition to injury to escape liability: ‘the eggshell skull rule’. Although this might form the basis for an apportionment argument.



Personal Injury in the ET: Psychiatric Harm (1)

- The Supreme Court gave guidance about the proper approach to liability for psychiatric injury in **Sutherland v Hatton** [2002] ICR 613 by Hale LJ including:

“(14) The claimant must show that breach of duty has caused or materially contributed to the harm suffered. It is not enough to show that occupational stress has caused the harm (para 35).

(15) Where the harm suffered has more than one cause, the employer should only pay for that proportion of the harm suffered which is attributable to his wrongdoing unless the harm is truly indivisible. It is for the defendant to raise the question of apportionment (para 36 and 39).

(16) The assessment of damages will take account of any pre-existing disorder or vulnerability and of the chance that the claimant would have succumbed to a stress related disorder in any event (para 42).



Personal Injury in the ET: Psychiatric Harm (2)

- Following Hatton there was some uncertainty as to whether psychiatric harm could be divisible and, thus, susceptible to apportionment. The Court of Appeal in BAE Systems (Operations) Ltd v Marion Konczak [2017] EWCA Civ 1188, settled this and the following propositions emerge from that case:
 1. Psychiatric harm does not have to be regarded as indivisible.
 2. An injury is to be regarded as indivisible where there is simply no rational basis for an objective apportionment of causative responsibility (para 56);
 3. The fact that an employee has a pre-existing injury which has been made worse by a breach of duty will often provide a rational basis for an apportionment (see para 58).
 4. The question of any predisposition to injury, even if disregarded for the purposes of determining causation may still justify a discount to any compensation.



Personal Injury in the ET: Psychiatric Harm (3)

- Underhill LJ at para 71 in **Konczak**:

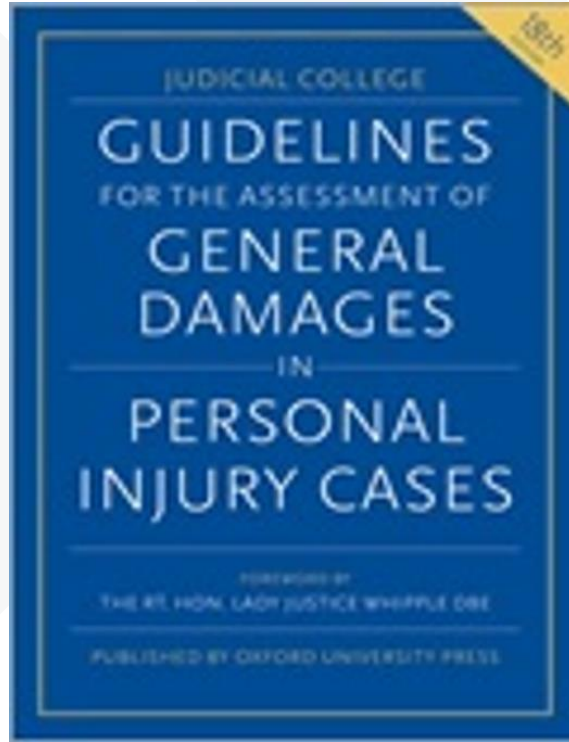
‘What is therefore required...is that the tribunal should try to identify a rational basis on which the harm suffered can be apportioned between a part caused by the employer’s wrong and a part which is not so caused. ...the exercise is concerned not with the divisibility of the causative contribution but with the divisibility of the harm. In other words, the question is whether the tribunal can identify, however broadly, a particular part of the suffering which is due to the wrong; not whether it can assess the degree to which the wrong caused the harm.’

- Irwin LJ at para 92:

“...where an injury is divisible, even if on a rough and ready approach to the division, recompense must be limited to the consequences of identified injury attributable to the tort in question...I further support the proposition that it will often be appropriate to look closely, particularly in a case where psychiatric injury proves indivisible, to establish whether the pre-existing state may not nevertheless demonstrate a high degree of vulnerability to, and the probability of, future injury: if not today, then tomorrow”



Personal Injury in the ET: Assessing (1)



Personal Injury in the ET: Assessing (2)

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Psychiatric and Psychological Damage

This chapter covers those cases where there is a recognisable psychiatric injury. In part (A) of this chapter some of the brackets contain an element of compensation

(A) Psychiatric Damage Generally

The factors to be taken into account in valuing claims of this nature are as follows:

- (i) the injured person's ability to cope with life, education, and work;
- (ii) the effect on the injured person's relationships with family, friends, and those with whom he or she comes into contact;
- (iii) the extent to which treatment would be successful;
- (iv) future vulnerability;
- (v) prognosis;
- (vi) whether medical help has been sought.

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4. PSYCHIATRIC AND PSYCHOLOGICAL DAMAGE

- (a) Severe £72,440
to £152,900

In these cases the injured person will have marked problems with respect to factors (i) to (iv) above and the prognosis will be very poor.

- (b) Moderately Severe £25,190
to £72,440

In these cases there will be significant problems associated with factors (i) to (iv) above, but the prognosis will be much more optimistic than in (a) above. While there are awards which support both extremes of this bracket, the majority are somewhere near the middle of the bracket. Cases involving psychiatric injury following a negligent stillbirth or the traumatic birth of a child will often fall within this bracket. Cases of work-related stress resulting in a permanent or long-standing disability preventing a return to comparable employment would appear to come within this category.



Personal Injury in the ET: Procedure (1)

- Despite precisely the same injury potentially being caused in an ET claim the approach to medical evidence is wildly different than in Civil Courts;
 - No need to provide medical evidence with the claim form;
 - No standard directions post-issue;
 - PSLA can be awarded without medico-legal evidence.
- The new draft Case Management Agenda asks simply:
 - 9.8 Will expert medical evidence be needed at the final hearing? Why?*
 - 9.9 Should there be joint medical expert?*
- No Presidential Guidance about expert evidence (although some reference in General Case Management and in ET Rules about Equal Pay claim)
- Key guidance is given in **De Keyser Ltd v Wilson** [2001] IRLR 324.



Personal Injury in the ET: Procedure (2)

In De Keyser the EAT, issued quite prescriptive guidelines:

"(i) Careful thought needs to be given before any party embarks upon instructions for expert evidence. It by no means follows that because a party wishes such evidence to be admitted that it will be....A prudent party will first explore ...whether, in principle, expert evidence is likely to be acceptable.

(ii) ...the joint instruction of a single expert is the preferred course.

(iii) If a joint expert is to be instructed the terms which the parties will need to agree will include the incidence of that expert's fees and expenses...

...

(vi) Any letter of instruction should specify in as much detail as can be given any particular questions the expert is to be invited to answer and all more general subjects which he is to be asked to address.

(vii) Such instructions are as far as possible to avoid partisanship [and avoid] tendentiousness...

(ix) ...the tribunal may give formal directions as it does generally in relation to the issues to be dealt with at the main hearing.



Personal Injury in the ET: Procedure (3)

De Keyser cont...

(x) *Where there is no joint expert, the tribunal should, in the absence of appropriate agreement between the parties, specify a timetable for disclosure or exchange of experts' reports and, where there are two or more experts, for meetings (see below).*

(xi) *Any timetable may provide for the raising of supplementary questions with the expert or experts (whether there is a joint expert or not) and for the disclosure or exchange of the answers in good time before the hearing.*

(xii) *In the event of separate experts being instructed, the tribunal should encourage arrangements for them to meet on a without prejudice basis with a view to their seeking to resolve any conflict between them and, where possible, to their producing and disclosing a schedule of agreed issues and of points of dispute between them.*

(xiii) *If a party fails, without good reason, to follow these guidelines and if in consequence another party or parties suffer delay or are put to expense which a due performance of the guidelines would have been likely to avoid, then the tribunal may wish to consider whether, on that party's part, there has been unreasonable conduct within the meaning of [rule 76 of the 2013 Rules] (as to costs)."*



Personal Injury: Tips

- **Crucial** for **both parties** to consider the need for medical evidence as early as possible.
- Whether to instruct an expert in the ET claim and when, will be dependent on a number of factors eg: the complexity of the liability matter/costs/desire for speed etc
- If remedy is to be decided after liability should medical evidence be sought post-decision, what possible impact is this likely to have on both claims?
- Follow up medical reports with relevant questions: eg: *what is the % chance of C being similarly impaired “but for” the discrimination alleged?*
- Important to compare witness statements and statements in medical reports for consistency and coherency.



PSLA: Application to Mr W's Case (1)

Expert Evidence?:

C: Might argue that medical records are sufficient.

R: Given the number of other potential causes (multiple alleged acts of discrimination/history of depression/father's ill-health) weigh up benefit of having an expert report early on.

Procedure:

- Raise within the initial PH **including timetable for questions etc.**
- Consider benefit to R of paying for the report up front.

Arguments:

- Causation likely to be proved, only need “material contribution”
- However, significant scope to argue rational basis for apportionment and, perhaps, a “long stop”.



PSLA: Application to Mr W's Case (2)

Possible Outcome at Remedy Hearing:

- Mr W suffered an exacerbation of severe depression, which had already begun before the successful acts of age discrimination.
- Valuation of the injury: Assessing the value of the **exacerbation** using JC Guidelines 4(A)(b) or (c). Will depend on the factual evidence re: symptoms and impact.
- Apportionment: Rational basis for determining that:
 - 50% of the resulting injury is due to successful age discrimination acts and so from the total reduce by 50%.
 - From age 70 Mr W would have been in the same position anyway, given the personal stresses/strains of looking after his father and so the period for which R is liable is reduced to that up to 70 and a reduction should be made to reflect this.
- Mr W is no longer able to work as a result of the exacerbation and will not be able to do so prior to his intended retirement at 65.
- How should the ET approach calculation of losses?



Ogden Tables (1)

What are the Ogden Tables?

- Actuarial approach to assessing future loss in legal claims – aimed at providing proper compensation taking into account certain contingencies of life, including the fact that the Claimant is receiving money now and can save it.
- Invite to simply read through online – published by Government Actuary's Depart.

How are they used?

- By multiplying the annual loss (**the multiplicand**) by the relevant **multiplier**.
- **Multipliers** are found by considering the correct table out of 36 – all of which take into account mortality rates (*bar 35 and 36).

Loss continuing for C's life: Tables 1 and 2

Loss continuing for C's working life (with a range of retirement ages, now including 68 and up to 80): Tables 3 to 18

Loss only starting after C's working life: Tables 19 to 34...

- To identify the correct multiplier, look at age at trial and apply the correct discount rate – changes over time but, at present, is 0.5%



Ogden Tables (2)

Contingencies other than mortality:

- The Table A to D introduce further reduction factors, used for discounting loss of earnings and pension loss multipliers for contingencies other than mortality.
- The Tables consider three factors – each of which are defined within the narrative:
 - Employment status;
 - Academic achievement (level 1 to 3):
 - Disability.
- Once identified, this reduction figure is then applied to the multiplier.



Ogden: Application to Mr W's Case (1)

- To work out Mr W's loss of earnings we need to identify the **multiplicand** and the **multiplier**.
- **The multiplicand** = the net annual loss of **£60,000** (Mr W might argue that this would have changed over time and been increased, but for present purposes we can use a net figure of £60,000).
- For the multiplier we need to go to the Tables 3 – 18 and identify the correct one. Table 9 is for males with a retirement age of 65 – find the relevant figure at 0.5% discount rate.
- Consider whether any further adjustment needs to be made using Tables A to D.



Ogden: Application to Mr W's Case (2)



Ogden: Application to Mr W's Case (3)

A8: The Ogden Tables – 8th edition

Table 9 Multipliers for loss of earnings to pension age 65 (males)

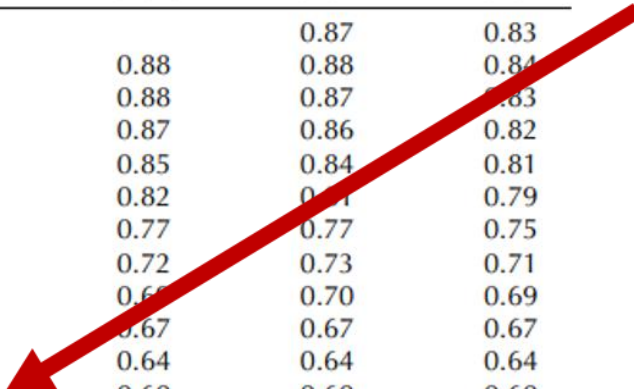
Age at date of trial	Multipliers calculated with allowance for projected mortality from the 2018-based population projections and rate of return of:													Age at date of trial
	-2.0%	-1.75%	-1.5%	-1.0%	-0.75%	-0.5%	-0.25%	0.0%	0.5%	1.0%	1.5%	2.0%	2.5%	
16	81.53	75.93	70.81	61.85	57.93	54.33	51.03	48.00	42.64	38.09	34.21	30.88	28.02	16
17	78.89	73.59	68.74	60.23	56.49	53.06	49.90	46.99	41.85	37.46	33.71	30.48	27.70	17
18	76.31	71.30	66.71	58.62	55.06	51.79	48.77	45.99	41.05	36.83	33.21	30.08	27.38	18
19	73.79	69.06	64.71	57.04	53.65	50.53	47.65	44.99	40.25	36.19	32.70	29.68	27.05	19
20	71.31	66.88	62.81	55.62	52.41	49.49	46.75	44.20	39.45	35.59	32.29	29.36	26.83	20
21	68.87	64.73	60.94	54.14	50.99	48.25	45.69	43.32	38.65	34.83	31.63	28.80	26.46	21
22	66.47	62.52	58.94	52.53	49.44	46.87	44.48	42.28	37.85	34.02	30.82	28.08	25.93	22
23	64.11	60.35	56.97	50.95	47.92	45.52	43.29	41.24	37.05	33.21	30.01	27.27	25.39	23
24	61.79	58.21	54.94	49.21	46.24	43.91	41.74	39.82	36.25	32.37	29.17	26.43	24.85	24
25	59.51	56.11	52.94	47.49	44.58	42.32	40.29	38.50	35.45	31.53	28.33	25.59	24.25	25
26	57.27	53.95	50.88	45.71	42.86	40.66	38.79	37.14	34.65	30.69	27.49	24.75	23.61	26
27	55.07	51.83	48.94	43.95	41.16	39.02	37.31	35.81	33.85	29.87	26.67	23.93	23.07	27
28	52.91	49.75	46.94	42.13	39.40	37.32	35.76	34.39	33.05	28.97	25.77	23.03	22.43	28
29	50.79	47.71	44.98	40.31	37.64	35.62	34.21	32.98	32.25	28.07	24.87	22.13	21.83	29
30	48.71	45.71	43.06	38.43	35.82	33.86	32.59	31.50	31.45	27.15	23.95	21.21	21.23	30
31	46.67	43.75	41.18	36.69	34.14	32.24	31.11	30.16	30.65	26.23	23.03	20.29	20.63	31
32	44.67	41.83	39.34	35.03	32.54	30.69	29.69	28.88	29.85	25.31	22.11	19.37	19.81	32
33	42.71	39.95	37.54	33.45	30.99	29.20	28.33	27.66	29.05	24.39	21.19	18.45	18.99	33
34	40.79	38.11	35.78	31.93	29.49	27.75	26.93	26.40	28.25	23.47	20.27	17.53	18.17	34
35	38.91	36.31	34.06	30.45	28.05	26.36	25.68	25.30	27.45	22.55	19.35	16.79	17.53	35
36	37.07	34.55	32.38	28.99	26.64	25.00	24.46	24.23	26.65	21.63	18.43	15.85	16.69	36
37	35.27	32.83	30.74	27.57	25.27	23.68	23.28	23.20	25.85	20.71	17.51	14.97	15.93	37
38	33.51	31.15	29.14	26.17	23.92	22.38	22.12	22.20	25.05	19.79	16.59	14.09	15.15	38
39	31.79	29.51	27.58	24.79	22.58	21.09	20.96	21.20	24.25	18.87	15.67	13.21	14.37	39
40	30.11	27.91	26.06	23.43	21.22	19.78	19.80	20.20	23.45	17.95	14.75	12.33	13.53	40
41	28.47	26.35	24.58	22.09	19.83	18.44	18.61	19.16	22.65	17.03	13.83	11.45	12.73	41
42	26.87	24.83	23.14	20.77	18.55	17.20	17.51	18.22	21.85	16.11	12.91	10.53	11.93	42
43	25.31	23.35	21.74	19.47	17.29	16.00	16.45	17.30	21.05	15.19	12.00	9.61	11.13	43
44	23.79	21.91	20.38	18.19	16.06	14.81	15.39	16.40	20.25	14.27	11.08	8.69	10.33	44
45	22.31	20.51	19.06	16.93	14.87	13.66	14.37	15.54	19.45	13.35	10.16	7.77	9.53	45
46	20.87	19.15	17.78	15.69	13.75	12.58	13.43	14.76	18.65	12.43	9.24	6.85	8.73	46
47	19.47	17.83	16.54	14.47	12.64	11.51	12.51	14.00	17.85	11.51	8.32	5.93	7.89	47
48	18.11	16.55	15.34	13.27	11.56	10.47	11.61	13.24	17.05	10.59	7.40	5.01	7.05	48
49	16.79	15.31	14.18	12.11	10.44	9.40	10.69	12.46	16.25	9.67	6.48	4.09	6.21	49
50	15.51	14.11	13.06	10.97	9.94	8.95	10.37	12.28	15.45	8.75	5.56	3.17	5.37	50
51	14.27	12.95	11.98	9.83	8.84	7.91	9.46	11.54	14.65	7.83	4.64	2.29	4.53	51
52	13.07	11.83	10.94	8.69	7.74	6.85	8.53	10.76	13.85	6.91	3.72	1.41	3.69	52
53	11.91	10.75	9.94	7.57	6.66	5.81	7.61	9.99	13.05	6.00	2.80	0.53	2.89	53
54	10.79	9.71	8.98	6.43	5.56	4.75	6.67	9.24	12.25	5.08	1.88	-0.59	2.09	54
55	9.71	8.71	8.06	5.37	4.54	3.77	5.81	8.46	11.45	4.16	0.98	-1.69	1.29	55
56	8.67	7.75	7.18	4.33	3.54	2.80	5.00	7.76	10.65	3.24	0.06	-2.71	0.49	56
57	7.67	6.83	6.34	3.33	2.58	1.87	4.21	7.06	9.85	2.32	-0.86	-3.73	-0.51	57
58	6.71	5.95	5.53	2.37	1.66	0.98	3.41	6.56	9.05	1.40	-1.78	-4.65	-1.51	58
59	5.79	5.11	4.76	1.41	0.74	0.10	2.61	6.06	8.25	0.48	-2.80	-5.67	-2.59	59



Ogden: Application to Mr W's Case (4)

Table A Loss of earnings to pension age 65: Males – Not disabled

Age at trial	Employed			Non-employed		
	Level 3	Level 2	Level 1	Level 3	Level 2	Level 1
16-19		0.89	0.86		0.87	0.83
20-24	0.91	0.91	0.87	0.88	0.88	0.84
25-29	0.91	0.91	0.88	0.88	0.87	0.83
30-34	0.90	0.90	0.88	0.87	0.86	0.82
35-39	0.88	0.89	0.87	0.85	0.84	0.81
40-44	0.86	0.87	0.86	0.82	0.81	0.79
45-49	0.83	0.85	0.85	0.77	0.77	0.75
50	0.81	0.83	0.84	0.72	0.73	0.71
51	0.80	0.82	0.83	0.69	0.70	0.69
52	0.78	0.81	0.83	0.67	0.67	0.67
53	0.77	0.80	0.82	0.64	0.64	0.64
54	0.76	0.79	0.81	0.60	0.60	0.60



Ogden: Application to Mr W's Case (5)

$$£60,000 \times 10.40 \times 0.81 = \textbf{£505,440}$$

Adjustments:

1. 50% reduction for apportionment (providing ET considers same rational basis to do so as with PSLA) = **£252,720**.
2. R *could* argue that C would have retired earlier in any event, given the difficulties with his father – matter of evidence. In which case argue for a different table altogether. Eg: Table 7: males/retirement at 60 would $£60,000 \times 5.83 \times 0.81 = \textbf{£283,338}$ and with a 50% reduction = **£141,669**.



Injury to Feelings (1)

ITF should:

- Compensate the Claimant fully for what they have in fact suffered.
- Bear some broad general similarity to the range of awards in personal injury cases (albeit the Tribunal needs to be conscious not to allow double recovery)

ITF should not:

- Punish the discriminator
- Be too low that they would diminish respect for the policy of anti-discrimination legislation.



Injury to Feelings (2)

How are IFT awards assessed?

- **Factually:** need to have factual evidence to support the claim. In the recent case of **Eddie Stobart Ltd v Graham** (2025) EAT 14, the EAT found that the ET had erred in law by awarding a manifestly excessive IFT award (£10,000) where the only evidence before it was given in response to her solicitor's question at the hearing about whether she was surprised not to have received any communication after receiving her grievance (the act of discrimination) and the response she gave was *"shocked and upset. People dismissed of what I had to say and my rights"*.
- Considering which bracket in **Vento** applies – as updated by Presidential Guidance. NB: the guidance applicable as at the date of presentation of the claim should be used.
- 2. In respect of claims presented on or after 6 April 2026, the "**Vento bands**" shall be as follows: a lower band of **£1,300 to £12,600** (less serious cases); a middle band of **£12,600 to £37,700** (cases that do not merit an award in the upper band); and an upper band of **£37,700 to £62,900** (the most serious cases), with the most exceptional cases capable of exceeding **£62,900**.



ITF: Application to Mr W's Case

- Need **evidence**.
- Carefully set out in a witness statement and/or explore in cross-examination:
 - What the injury to feelings actually was;
 - Whether the hurt/upset covers the same symptoms as compensated for in the PSLA award;
 - Whether the hurt/upset was caused by claims which were not, in the event, successful.



ITF: Play Your Cards Right (1)

- **Facts:** C suffered race and age discrimination, from two colleagues who regularly humiliated her in front of the other trainees, using racist language, trivialising racial discrimination and creating a hostile and intimidating environment. Her grievance was dismissed. C felt ostracised and betrayed by the persons she turned to. The evidence included ongoing distress and the negative impact on the claimant
- **ITF AWARD: BOTTOM OF TOP-BAND** (Plus £7,500 aggravated damages)

Giwa-Amu v Department for Work and Pensions (2020)



ITF: Play Your Cards Right (2)

- **Facts:** C experienced sex discrimination and victimisation over a significant period from the time when she received a lower bonus than a male comparator (March 2014). C's attempts to resolve matters through grievance procedures making things worse and she was treated very badly which became much more extreme from March 2017 with manifested itself in a very negative approach being adopted in appraisal which was over critical.

HIGHER OR LOWER THAN BOTTOM OF TOP-BAND?

Macken v BNP Paribas (2021)



ITF: Play Your Cards Right (3)



- **Facts:** C experienced sex discrimination and victimisation over a significant period from the time when she received a lower bonus than a male comparator (March 2014). C's attempts to resolve matters through grievance procedures making things worse and she was treated very badly which became much more extreme from March 2017 with manifested itself in a very negative approach being adopted in appraisal which was over critical.

HIGHER: MIDDLE OF TOP-BAND
(PLUS £15,000 aggravated damages).

Macken v BNP Paribas (2021)



ITF: Play Your Cards Right (4)

- **Facts:** C's dismissal without a disciplinary hearing and pre-dismissal comments, were all found to be acts of pregnancy-related discrimination. C was very worried and upset and suffered a severe stress reaction prior to her dismissal. The Tribunal was unable to attribute this entirely to the discrimination. C's stress, worry and anxiety continued until the end of her pregnancy.

HIGHER OR LOWER THAN MIDDLE OF TOP-BAND

Sanderson v Bespoke Digital Agency (2019)



ITF: Play Your Cards Right (5)



- **Facts:** C's dismissal without a disciplinary hearing and pre-dismissal comments, were all found to be acts of pregnancy-related discrimination. C was very worried and upset and suffered a severe stress reaction prior to her dismissal. The Tribunal was unable to attribute this entirely to the discrimination. C's stress, worry and anxiety continued until the end of her pregnancy.

LOWER: LOWER MIDDLE-BAND

Sanderson v Bespoke Digital Agency (2019)



ITF: Play Your Cards Right (6)

- **Facts:** C succeeded in a race discrimination claim on one complaint out of 29; namely treatment of her at an extremely challenging meeting by the CFO who suggested she should look for a role outside of the organisation and later told a colleague that C believed she should be made Director of Finance because of having taken part in a course designed to train BME senior management and because “she was black”. C was extremely upset. Following a number of grievances and restructuring, C was signed off sick and was dismissed by reason of ill-health capability. Dismissal was not found to be an act of discrimination.



HIGHER OR LOWER THAN LOWER MIDDLE-BAND

Salter v Imperial College Healthcare NHS Trust EAT (2015)



ITF: Play Your Cards Right (7)



- **Facts:** C succeeded in a race discrimination claim on one complaint out of 29; namely treatment of her at an extremely challenging meeting by the CFO who suggested she should look for a role outside of the organisation and later told a colleague that C believed she should be made Director of Finance because of having taken part in a course designed to train BME senior management and because “*she was black*”. C was extremely upset. Following a number of grievances and restructuring, C was signed off sick and was dismissed by reason of ill-health capability. Dismissal was not found to be an act of discrimination.

LOWER: TOP OF BOTTOM-BAND

Salter v Imperial College Healthcare NHS Trust EAT (2015)



Contact details



Emma Sole
Call: 2005

Emma Sole joined Pump Court Chambers in 2023, after establishing a mixed and successful civil practise over ten years' work in London (where she retains an associate tenancy).

Emma specialises in employment law, representing both employee and employer clients in a wide variety of claims, including unfair dismissal, all types of discrimination and “whistle-blowing” matters. Emma also advises on, and drafts pleadings in, high value restraint of trade claims (including at first instance in *Customer Systems Plc v Ranson* [2011] EWHC 3304 (QB)).

In parallel to building her employment work, Emma has also established an extensive personal injury practice. Emma represents both Claimants and Defendants across the whole range of PI claims; road traffic accidents, including credit hire, employer liability and public liability claims.

She is able, and happy, to accept instructions on a direct access basis and will also consider undertaking work on a CFA basis.



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