

Karon Monaghan QC

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matrix
chambers

Registered name on the Bar Standards Board Register: Karon Monaghan QC
VAT Number: 564339426

Year of Call: 1989 Silk: 2008



Main Areas of Practice

Discrimination Law

Human Rights

Employment Law

Public Law

EU Law

Introduction

Karon Monaghan QC has a strong practice across the fields of equality and discrimination law, human rights, employment, public law and EU law.

Recent/Notable cases

[St Helens & Knowsley Hospitals NHS Trust v Brownbill & Ors \[2011\] EWCA Civ 903](#) (equal pay)

[Potheary Witham Weld and another v Bullimore and another and the Equality and Human Rights Commission \(intervener\) \[2010\] IRLR 572](#) (Application of the burden of proof in victimisation claims)

[Eweida v British Airways \[2010\] IRLR 322](#) (Religious belief and dress codes)

[Rodriguez v The Minister for Housing of the Government of Gibraltar and the Housing Allocation Committee \[2009\] UKPC 52](#) (Marriage criterion and sexual orientation discrimination in housing provision)

[Ladele v London Borough of Islington and Liberty \(Intervening\) \[2009\] ICR 387; \[2009\] IRLR 154; \[2009\] EWCA Civ 1357; \[2010\] IRLR 211](#) (Requirement that Christian registrar perform Civil Partnerships and religious/sexual orientation discrimination)

[Hovell v Ashford and St Peter's Hospital NHS Trust \[2009\] EWCA Civ 670 \[2009\] ICR 1545; \[2009\] IRLR 734](#) (Equal value claims and comparators)

[Slack and others v Cumbria County Council and Equality and Human Rights Commission \(intervener\) \[2009\] EWCA Civ 293; \[2009\] ICR 1217; \[2009\] IRLR 463](#) (Time limits in equal pay claims)

[R \(Domb & Ors\) v London Borough of Hammersmith & Fulham & Anor \[2009\] EWCA Civ 941](#) (Disability equality duty and budget setting)

[R \(Al-Saadoon & Anor\) v SSD \[2008\] EWHC 3098 \(Admin\)](#) (Whether transfer of Iraqi nationals in British custody to stand trial before the Iraqi High Tribunal would be lawful)

[R \(Kaur & Shah\) v Ealing London Borough Council & EHRC \[2008\] EWHC 2062 \(Admin\)](#) (Judicial review of decision to withdraw funding from the Southall Black Sisters in respect of their domestic violence work in reliance on equality duties).

[C \(a Minor, by litigation friend\) \(R on the application of\) v Secretary of State for Justice & Anor \[2008\] EWCA Civ 882](#) (Judicial review to quash the Secure Training Centre (Amendment) Rules 2007 in reliance on equality duties)

[British Medical Association v Chaudhary \[2007\] EWCA Civ 788; \[2007\] IRLR 800](#) (Race discrimination and indirect discrimination)

- [R \(on the application of Equal Opportunities Commission\) v Secretary of State for Trade and Industry](#) [2007] EWHC 483 (Admin); [2007] ICR 1237 (Judicial review of regulations implementing EU amended Equal Treatment Directive)
- [Barracks v Chief Superintendent John Coles](#) [2006] EWCA Civ 1041; [2007] ICR 60; [2007] IRLR 73, CA (Right to a fair trial, race discrimination)
- [Wilkinson v Kitzinger & Ors](#) [2006] EWHC 2022; (2006) HRLR 36 (Recognition of same sex marriage)
- [Alder v Chief Constable of Humberside & Ors](#) [2006] EWCA Civ 1741, CA (Race Discrimination and scope of RRA in action against the Police and CPS)
- [M v Secretary of State for Work and Pensions](#) [2006] UKHL 11; (2006) 2 AC 91, HL (Sexual Orientation and human rights)
- [Lyfar v Brighton & Sussex University Hospitals Trust](#) [2006] EWCA Civ 1548, CA ("act extending over a period")
- [R \(on the application of Amicus - MSF section and others\) v Secretary of State for Trade and Industry and Another](#) [2004] EWHC 860; [2004] IRLR 430 (Judicial review on lawfulness of exemptions in the Sexual Orientation Regulations)
- [X v Y](#) [2004] EWCA Civ 662; (2004) ICR 1634; (2004) UKHRR 1172, CA (Application of HRA to unfair dismissal law)
- [Patterson v Legal Services Commission](#) [2003] EWCA Civ 1558; (2004) ICR 312, CA (Application of the RRA to LSC franchising arrangements)
- [Essa v Laing Ltd](#) [2004] EWCA Civ 02; [2004] ICR 747, CA (Compensation in discrimination cases)
- [Department of Work and Pensions v Thompson](#) [2004] IRLR 348 (Dress codes and discrimination)
- [Alabaster v Woolwich plc and Secretary of State for Social Security](#) [2002] EWCA Civ 211; [2002] IRLR 420, CA and C-147/02; [2005] ICR 695, ECJ (Maternity pay and sex discrimination)
- [D'Souza v Lambeth and others](#) [2003] UKHL33; [2003] ICR 867, HL (Post employment discrimination)
- [Ahmed v Governing Body of the University of Oxford and another](#) [2002] EWCA Civ 1907; [2003] I.C.R. 733; CA (Role of assessors in race discrimination claim)
- [Yeboah v Crofton](#) [2002] EWCA Civ 794; [2002] IRLR 634, CA (Perversity and race discrimination)
- [Ako v Rothschild Asset Management](#) [2002] EWCA Civ 236; [2002] ICR 899, CA (Unfair dismissal and race discrimination)
- [Coker & Osamor v The Lord Chancellor](#) [2001] EWCA Civ 1756; [2002] ICR 321, CA (Word-of-mouth recruitment)
- [Andrews v Harris v Lewisham & Guy's Mental Health NHS Trust](#) [2000] ICR 707, CA (Action in discrimination survives death)
- [Anyanwu v South Bank University and Another](#) [2001] UKHL 14; ICR 391, HL (Meaning of "aiding" in discrimination legislation)
- [Canniffe v East Riding of Yorkshire Council](#) [2000] I.R.L.R. 555 (Providing statutory defence under discrimination legislation)
- [Williams v Cowell and Another](#) [2000] ICR 85, CA (Use of Welsh language; proceedings in England)
- [Burton & Rhule v De Vere Hotels](#) [1997] ICR 1 (Liability for third party harassment, "the Bernard Manning" case)
- [Prison Service v Johnson](#) [1997] ICR 275 (Guidance on compensation for injury and aggravated damages in discrimination)

Northern Joint Police Board v Power [1997] IRLR 610 (Meaning of "national origins" in Race Relations Act 1976)

Zaidi v FIMBRA [1997] ICR 876 (Meaning of section 54(2) of the Race Relations Act 1976)

Advisory Work/Appointments

Equal Treatment Advisory Committee of the Judicial Studies Board (2003 - 2010)

Appointed Special Adviser to the Treasury Select Committee for their Inquiry on Women in the City (2009/10)

Appointed by the Commission for the Compact to undertake independent legal analysis and review of the Compact's BME Code (2008)

Member, Fawcett Society's Commission on Women in the Criminal Justice System (2003-9)

Chair of inquiry into fitness standards in nursing, teaching and social work for the Disability Rights Commission (report published in 2007)

Adviser to the Government's Women and Equality Unit on the "Discrimination Law Review" (2006)

Publications

Feminist Judgment Writing Project (EM (Lebanon) v Secretary of State for the Home Department (AF (A Child) and others intervening) [2008] UKHL 64) (contributor, forthcoming Hart October 2010)

K. Monaghan, "*The Equality Bill: A Sheep in Wolf's Clothing or Something More?*" [2009] EHRLR 512

K. Monaghan, "*Constitutionalising Equality: New Horizons*" [2008] EHRLR 20

K. Monaghan, "*Equality Law*" (2007, OUP) (2nd edn. forthcoming 2011)

Clayton and Tomlinson "*The Law of Human Rights*" (OUP, 2009) (contributor)

Civil Procedure ("White Book") (2006-2010, Sweet and Maxwell) (Discrimination sections)

Co-editor (and author of editorial), special edition EHRLR on equality law [2006] EHRLR Issue 6, 595-7

Palmer, Cohen, Gill, Monaghan, Moon & Stacey, Ed. McColgan, *Discrimination Law Handbook* (2006, LAG)

Blackstone's Guide to The Disability Discrimination Legislation (2005, OUP)

Disability Discrimination Legislation (2004, OUP)

Ed. McColgan, *Achieving Equality at Work* (2003, IER) (on Race and Work)

Gill & Monaghan, '*Justification in Direct Sex Discrimination Law: Taboo Upheld*' (2003) 32 ILJ, 115

Monaghan, du Plessis & Mahli, *Race, Religion and Ethnicity Discrimination; Using International Human Rights Law* (2003, Justice)

Clayton & Tomlinson, *Civil Actions Against the Police* (2004, Sweet & Maxwell) (Chapter 12, on discrimination claims)

Challenging Race Discrimination at Work (2000, IER)

Bullen & Leake's Precedents and Pleadings (on Harassment, Employment Discrimination) (2000/04, Sweet & Maxwell)

Book Reviews (including): Karon Monaghan QC, Neil Rees, Katherine Lindsay and Simon Rice, Australian Anti-Discrimination Law: Text, Cases and Materials, [2009] Human Rights Law Review; Karon Monaghan QC, "Democracy, Minorities and International Law" (Stephen Wheatley) [2007] European Human Rights Law Review, 206.

Lectures/Training

Karon speaks regularly at conferences, for example the EOR/TUC Annual Discrimination Conference (2000 - 2009), the ILS annual conference (2006), ALBA (2006) and Society of Legal Scholars (2007). She has provided training for a number of organisations including: Liberty; the Discrimination Law Association; Commission for Racial Equality; the Equal Opportunities Commission and the Disability rights Commission and the Equality and Human Rights Commission.

She is a lecturer on the LSE's International Human Rights Law and Practice course (Equality Law).

Memberships/Committees/Boards

Karon is a founder member of the Discrimination Law Association (DLA), was a committee member from 1997-2002, and Chair of the association from 2002-04. Her other professional memberships include: the Employment Law Bar Association (ELBA); the Industrial Law Society; the Bar European Group; the EAT ELAAS scheme; and the Bar Pro Bono Unit.

She is also a board member of the Local Employment Access Project and a governor of Derwentwater Primary School.

What the directories say

Chambers & Partners 2012 ranks Karon Monaghan QC in Civil Liberties and Human Rights and Employment. She has an *"unparalleled understanding of discrimination law"* and is *"passionate, totally committed, astonishingly responsive and unhesitating in her readiness to roll her sleeves up and get stuck in."*

Chambers & Partners 2011 ranks Karon in Civil Liberties and Employment. She is *"massively respected"* for her excellence in discrimination and equality matters and *"knows all there is to know"* on the subject. *"Bright and dedicated, she takes no prisoners in her advocacy."*

Karon is ranked in Chambers & Partners 2010 in Civil Liberties and Employment: The *"extremely passionate"* Karon Monaghan QC *"is brilliant on discrimination matters. She is recommended by clients for her representation in the Court of Appeal especially on matters pertaining to human rights in an employment context."*

Chambers & Partners 2008 recommend Karon Monaghan in Civil Liberties Law, *"hard-working and creative"*, and Employment Law, a *"superb discrimination lawyer."*

Karon is ranked in Employment law and Civil Liberties and Human Rights Law, *"very experienced and exceptionally competent, particularly in discrimination law"* (Legal 500 2007/8).

Ranked in Employment, *"a real heavy weight in discrimination cases...characterised by a gutsy performance in court and down to earth approach with clients. Her breadth of knowledge and ability to focus on the key issues are as good as any junior at the bar."* Karon was also ranked in Human Rights and was lauded for being *"an effective advocate, clearly well versed in the area"* (Chambers & Partners, 2007).

Ranked for Civil Liberties and Human Rights and in Employment (Legal 500, 2006-7).

Recommended in Human Rights and in Employment: *"Karon Monaghan is rated by peers for her expertise in discrimination claims"* (Chambers & Partners - 2006).