



## KARON MONAGHAN QC

**MAIN AREAS OF PRACTICE:**

Discrimination and equality  
Employment law  
EU law  
Healthcare, mental health and  
mental capacity  
Human rights law  
Immigration, asylum and free  
movement  
Police law  
Public law

Called to the Bar 1989  
Appointed to Silk 2008

**CONTACT:**

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Elizabeth Bousher, Senior Practice  
Manager  
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Karon practises principally in the fields of equality and human rights law. She has a broad, largely claimant, practice, encompassing public law, employment law and civil actions. She also acts for NGOs and statutory bodies. Karon has an extensive advisory practice and in addition acts in, conducts and advises on statutory and non-statutory inquiries and investigations.

Karon has appeared in numerous cases at appellate level, including in the Supreme Court and Court of Appeal, and she has appeared in the CJEU. Karon has also appeared in the Hong Kong Court of Appeal and Court of Final Appeal. Karon is an A Panel member of the Equality and Human Rights Commission Panel of Preferred Counsel.

“Simply breathtaking” – Chambers and Partners 2018

**CASES INCLUDE:**

*Leung Chun Kwong v Secretary for the Civil Service and another* [2019] HKCFA 19 Hong Kong Court of Final Appeal (same-sex marriage and discrimination)

*Gilham v Ministry of Justice* [2019] Supreme Court (worker status, whistleblowing and judges)

*Pimlico Plumbers Ltd and another v Smith* [2018] ICR 1511 Supreme Court (worker status and disability discrimination)

*R (Steinfeld and Keidan) v Secretary of State for Education* [2018] 3 WLR 415 Supreme Court (civil partnerships, sexual orientation discrimination and human rights)

*D v Commissioner of Police of the Metropolis (Liberty and others intervening) and O's* [2018] 2 WLR 895 Supreme Court (failures by police force to conduct effective investigation into allegations of rape)

*P v Commissioner of Police of the Metropolis (Equality and Human Rights Commission and others intervening)* [2018] ICR 560 Supreme Court (police, disciplinary hearings, judicial immunity and disability discrimination)

*R (A and others) v Secretary of State for the Home Department and another* [2018] 1 WLR 4279 High Court (disclosure of criminal records, prostitution, sex discrimination and human rights)

*Mruke v Khan* [2018] ICR 1146 Court of Appeal (race discrimination, exploitation and minimum wage)

## DIRECTORIES' RECOMMENDATIONS

### HERE'S WHAT THEY SAY

"Simply breathtaking. She has a very high knowledge of discrimination law. Clear, precise, calm under pressure and an excellent advocate. Her passion for the pursuance of equality is apparent." (Chambers and partners 2018)

"Fantastic on her feet and fights for what the clients want.", "She is an incredibly good and impressive advocate." (Chambers and Partners 2018)

"She is admired for both her fierce advocacy and her emotional intelligence, which allows her to form solid relationships with clients and solicitors alike.", "She has the attention of the court; she is a commanding presence and an exceptional advocate. She is a really experienced discrimination barrister." (Chambers and Partners 2017)

"She is a fantastic advocate, who is calm in the face of complex legal arguments." (Legal 500 2017)

"Her ability to digest cases, work out the main arguments quickly and draft strong skeleton arguments is deeply impressive.", "She is fearless, utterly user-friendly and down-to-earth but immensely clever.", "Good at demystifying the law for clients and very good at getting to the heart of issues. She is good on her feet, eloquent and really impresses clients." (Chambers and Partners 2017)

*R (Interim Executive Board of Al-Hijrah School) v HM Chief Inspector of Education, Children's Services and Skills* [2018] 1 WLR 1471 Court of Appeal (sex segregation and religion)

*Re M (Children) (Ultra-Orthodox Judaism: Transgender Parent)* [2018] 4 WLR 60 Court of Appeal (transgender parent and family life)

*R (UNISON) v Lord Chancellor (Equality and Human Rights Commission and another intervening) (Nos 1 and 2)* [2017] ICR 1037 Supreme Court (access to justice, EU law and discrimination)

*R (MM (Lebanon)) v Secretary of State for the Home Department (Children's Commissioner and another intervening)* [2017] 1 WLR 771 Supreme Court (Immigration Rules, minimum income requirement and human rights)

*Essop and others v Home Office (UK Border Agency); Naeem v Secretary of State for Justice* [2017] 1 WLR 1343 Supreme Court (race and age discrimination and meaning of indirect discrimination)

*R (MA and others) v Secretary of State for Work and Pensions (Equality and Human Rights Commission intervening) and O'rs* [2016] 1 WLR 4550 Supreme Court ('bedroom tax', sex discrimination and domestic violence)

*Hotak v Southwark London Borough Council; Kanu v Southwark London Borough Council and A'or* [2016] AC 811 Supreme Court (homelessness and disability)

*R (Tigere) v Secretary of State for Business, Innovation and Skills (Just For Kids Law intervening)* [2015] 1 WLR 3820 Supreme Court (immigration status, discrimination, student loans and human rights)

*R (Brown) v Secretary of State for the Home Department* [2015] 1 WLR 1060 Supreme Court (immigration, sexual orientation, persecution and 'safe countries')

*Michael and others v Chief Constable of South Wales Police and another (Refugee and others intervening)* [2015] 2 WLR 343, Supreme Court (police, negligence, human rights and CEDAW)

*R (Bibi) v Secretary of State for the Home Department (Liberty intervening)* [2015] WLR 5055 (immigration and English language requirements)

*Cary v Commissioner of Police of the Metropolis* [2015] ICR 71 Court of Appeal (use of assessors in county court claims under the Equality Act 2010)

*CD v ST (Case C-167/12)* (2014) Court of Justice of the European Union (EU maternity and non-discrimination rights and surrogacy)

*Minister voor Immigratie en Asiel v X (United Nations High Commissioner for Refugees intervening) and O'rs* (Joined Cases C-199/12 to C-201/12) [2014] 3 WLR 770 Court of Justice of the European Union (asylum and sexual orientation)

*Jessemey v Rowstock Ltd & Anor* [2014] ICR 550 Court of Appeal (employment and victimization)

*S.A.S v France* (2014) 36 BHRC 617 ECtHR (burqa ban in France)

*Gallop v Newport City Council* [2014] IRLR 211 Court of Appeal (disability discrimination and employment)

*H v Commissioner of Police of the Metropolis (Liberty and another intervening)* [2013] 1 WLR 3021 Court of Appeal (action against the police and disability discrimination)

*Barts and the London NHS Trust v Verma* [2013] ICR 727 (part-time work and pay protection)

*Preddy v Bull (Liberty intervening); Hall v Same (Same intervening)* [2013] 1 WLR 3741 Supreme Court (sexual orientation and services)

*Christou and another v Haringey London Borough Council* [2013] ICR 1007 Court of Appeal (employment rights)

*R (Quila) v SoS* [2012] 1 AC 621 Supreme Court (immigration rules and forced marriage)

*St Helens & Knowsley Hospitals NHS Trust v Brownbill and others* [2012] ICR 68 Court of Appeal (equal pay)

*Copple and others v Littlewoods plc and others* [2012] ICR 354 Court of Appeal (equal pay)

*R (Johns and another) v Derby City Council (Equality and Human Rights Commission intervening)* [2011] 1 FLR 2094 High Court (fostering, religion, sexual orientation and human rights)

*R (GC) v Commissioner of Police of the Metropolis (Liberty and another intervening)* [2011] 1 WLR Supreme Court (retention of biometric data and human rights)

*Land Registry v Grant (Equality and Human Rights Commission intervening)* [2011] ICR 1390 Court of Appeal (sexual orientation discrimination at work)

*HJ (Iran) v SoS* [2010] 3 WLR 386 Supreme Court (persecution of gay men and asylum)

*Rodriguez v The Minister for Housing of the Government of Gibraltar and the Housing Allocation Committee* [2010] 3 LRC 653 Privy Council (marriage criterion and sexual orientation discrimination in housing provision)

*Eweida v British Airways plc* [2010] ICR 890 Court of Appeal (and see too ECtHR (2013) App. nos. 51671/10 and 36516/10) (religious discrimination and dress codes)

*Slack and others v Cumbria County Council (Equality and Human Rights Commission intervening)* [2009] ICR 1217 Court of Appeal (equal pay)

*R (on the application of Domb and others) v Hammersmith and Fulham London Borough Council* [2009] LGR 843 Court of Appeal (disability discrimination and home care services)

*Islington London Borough Council v Ladele (Liberty intervening)* [2009] ICR 387 Court of Appeal (and see too ECtHR (2013) App. nos. 51671/10 and 36516/10) (religious/sexual orientation discrimination at work)

*R (C (A Minor)) v Secretary of State for Justice* [2009] 2 WLR 1039 Court of Appeal (child, race discrimination and human rights)

*R (Al-Saadoon) v Secretary of State for Defence* [2009] 3 WLR 957 Court of Appeal (customary international law and extra-territorial jurisdiction)

*Wilkinson v Kitzinger (No 2)* [2007] 1 FLR 295 High Court (same-sex marriage and sexual orientation discrimination)

*Barracks v Coles and A'or* [2007] ICR 60 Court of Appeal [2007] ICR 60 (race discrimination at work)

*M v Secretary of State for Work and Pensions* [2006] 2 WLR 637 House of Lords (sexual orientation and family life)

*Essa v Laing Ltd* [2004] ICR 746 Court of Appeal (compensation for race discrimination)

*Rhys-Harper v Relaxion Group plc; D'Souza v Lambeth London Borough Council and O'rs* [2003] ICR 867 House of Lords (victimisation and employment)

*Ako v Rothschild Asset Management Ltd and another* [2002] ICR 899 Court of Appeal (race discrimination and estoppel)

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*Anyanwu and another v South Bank Student Union and another (Commission for Racial Equality intervening)* [2001] 1 WLR 638 House of Lords (race discrimination and education)

*Harris (personal representative of Andrews deceased) v Lewisham & Guy's Mental Health Trust* [2000] IRLR 320 Court of Appeal (claims of race discrimination after death)

## INQUIRIES AND INVESTIGATIONS

Karon has acted for and advised individuals, regulatory and other bodies in public inquiries, other statutory inquiries and internal investigations. These include:

The Mid Staffordshire NHS Foundation Trust Public Inquiry  
The Infected Blood Inquiry  
The Grenfell Tower Inquiry

Further, Karon has conducted investigations, including:

Labour Party Investigation into Sexual Harassment  
Chair, Inquiry Panel 'Formal Investigation into Fitness Standards: Maintaining Standards: Promoting Equality: Professional Regulation within Nursing, Teaching and Social Work and Disabled People's Access to these Professions' (Disability Rights Commission): 2006-7.

Karon has also acted in a number of complex Inquests:

Inquest into the Death of Seyni Lewis (restraint related death and state failings)  
Inquest into the Death of Kingsley Burrell (restraint related death and state failings)  
Inquest into the Death of Cassandra Hasanovic (domestic violence homicide and state failures)  
Inquest into the Death of Sabina Akhtar (domestic violence homicide and state failures)  
Inquest into the Death of Colette Lynch (domestic violence homicide and state failures)

She has also been appointed *ad hoc* Assistant Coroner to conduct the following Inquests:

Inquest into the death of Joseph Phuong (2017)  
Inquest into the death of Francesca Whyatt (2017)  
Inquest into the death of Ms Carmel Bloom (2016)  
Inquest into the death of Mr Hywel Hughes (2014)  
Inquest into the death of Mr Jimmy Mubenga (2013)  
Inquest into the death of Mr and Mrs Stirland (2010)

## JUDICIAL APPOINTMENTS

Karon has in the past held a number of judicial appointments:

Deputy High Court Judge (QBD) (Administrative Court): 28 June 2010 - March 2019

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Recorder: January 2006 – March 2019

Fee-Paid Employment Tribunal Judge: 2000-2008

## OTHER APPOINTMENTS/ ACTIVITIES

Member of the Steering Group of the Sir Lenny Henry Centre for Media Diversity, a centre that acts as an impartial voice addressing inequality in the industry.

Member of the ILO Committee of Experts on the Application of Conventions and Recommendations.

Visiting Professor in the UCL Faculty of Laws.

'A' Panel member of the Equality and Human Rights Commission Panel of Preferred Counsel.

Member of the Reference Group for the Independent review into serious incidents and deaths in custody, undertaken by Dame Elish Angiolini (2017).

Special Adviser to the House of Commons Business, Innovation and Skills Committee Inquiry into 'Women in the Workplace' (Report: HC 342): 2013.

Special Adviser to the House of Commons Treasury Committee Inquiry into 'Women in the City' (Report: HC 482): 2010.

Adviser to the Government's Women and Equality Unit on the 'Discrimination Law Review': 2006-7.

Member, Equal Treatment Advisory Committee of the Judicial Studies Board: 2003 – 2010.

Member, Sir Paul Kennedy's 'Working Group on Bar Council Representation': 2007.

Member, Lord Neuberger's 'Entry to the Bar Working Party': 2007.

## PUBLICATIONS

### Sole Author

K. Monaghan QC, *Monaghan on Equality Law* (OUP, 2013) (2nd edn) (734 pp).

K. Monaghan, *Equality Law* (OUP, 2007).

K. Monaghan, *Blackstone's Guide to the Disability Discrimination Legislation* (OUP, 2005).

### Contributor (selection)

Section 'Discrimination' in ed.-in-chief, Jackson LJ, *Civil Procedure* ('The White Book') (2005 - 2018, Sweet and Maxwell).

Chapter: 'Employment Law and Professional Misconduct' in ed. D. Clarry, *The UK Supreme Court Yearbook (2016-17)* (Appellate Press, 2018), forthcoming.

Chapter: 'Reflection' in ed. G. Gee and E. Rackley, *Debating Judicial Appointments in an Age of Diversity* (Routledge, 2017).

Chapter: 'EM (Lebanon) v Secretary of State for the Home Department' in ed. R. Hunter, C. McGlynn and E. Rackley, *Feminist Judgments from Theory to Practice* (Hart, 2010).

Chapter: 'There's Nowt so Queer as Folk: Bull v Hall' in ed. I. McDougall *Cases that Changed our Lives, Volume 2* (LexisNexis, 2014).

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Chapter (co-authored with Prof. A. McColgan): 'Freedom from Discrimination in Relation to Convention Rights' in R. Clayton QC and H. Tomlinson QC, *The Law of Human Rights* (2010, OUP), 2nd edn.

Co-author: C. Palmer et al, 'Discrimination Law Handbook' (2007, LAG) 2nd edn.

Chapter: 'Discrimination Claims' in R. Clayton and H. Tomlinson, *Civil Actions Against the Police* (2004, OUP) 3rd edn.

### Articles (selection)

Sole Author

K. Monaghan, 'Religious Freedom and Equal Treatment: A United Kingdom Perspective', *Brooklyn Law School Journal of Law and Policy* (2014) Vol XXII 673.

K. Monaghan, 'The Equality Bill: A Sheep in Wolf's Clothing or Something More?' (2009) 4 EHRLR 512.

K. Monaghan, 'Constitutionalizing Equality: New Horizons (2008) 1 EHRLR 20'.

Joint

T. Gill and K. Monaghan 'Justification in direct discrimination Law: Taboo Upheld' (2003) *ILJ* Vol. 32, 115.

### Lectures/Teaching (selection)

'Sexual Orientation and Fundamental Rights' (2017) Hong Kong Law Society and Bar Association, Hong Kong.

'Patriarchy, Power and the Law' (2017), School of Law, University of Worcester.

'Equality Law' (2016) Blavatnik School of Government, University of Oxford.

'Gender Diversity in the Judiciary: Women From Object to Subject, Political Power, Legal Discourse and Professional Equality' (2015) Toulouse University.

'Equality law' (module), LSE Certificate in International Human Rights Law (lecturer), 2008-2010.

'Neuberger and the 'F' word,' (2008) Durham 2008.

### AWARDS

Liberty's Human Rights Lawyer of the Year Award in 2010

Chambers & Partners Employment Silk of the Year 2017

Legal 500 Employment Silk of the Year 2017

Honorary Doctorate, University of West London: 2010

Inns of Court Studentship: 1987

### EDUCATION

LLB (1st Class)

Bar finals

**Karon is regulated by the Bar Standards Board and accepts instruction under Standard Contractual Terms. To find out more information on this and the way we work at Matrix, including our fee transparency statement,**

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