



Kathleen Donnelly KC

“A phenomenal barrister”

- Chambers UK 2023

Call 2005
Silk 2023

Tel: +44 (0)20 7583 9020
Email kdonnelly@hendersonchambers.co.uk

Kathleen specialises in group actions, product liability, environment and employment litigation.

Kathleen has acted in some of the largest and most significant class actions in the English Courts. She acted for 555 subpostmasters against the Post Office in civil litigation concerning the operation of the Horizon IT system, resulting in the unravelling of the largest miscarriage of justice in UK history, with 93 convictions of innocent people for theft, fraud and false accounting overturned as a result of the findings in the High Court that the IT system contained bugs and errors and was not robust.

Kathleen acted in the long running VW NOx emissions litigation and continues to act in this field. She has experience of large scale environmental claims including the OCENSA pipeline litigation (concluding in a 5 month trial) as well as workplace respiratory claims and private nuisance claims. She acted for a major industry party at the Potters Bar inquest.

Kathleen has broad commercial litigation experience, including in the high profile aviation dispute between Qatar Airways v Airbus, and in the Stirling Mortimer fraud and professional negligence litigation.

Kathleen is instructed for a major retailer in a high profile equal pay claim. She has particular experience of employee competition cases, and appears for international civil servants against the African Development Bank.

Chambers and Partners 2023 describe Kathleen as “a phenomenal barrister; her ability to retain detail is truly impressive”, with “a stunning ability to understand complex issues”, “really bright, commercial, and great strategic acumen”. Legal 500 describes her as “tenacious and persuasive”, “excellent with clients”, having “excellent advocacy skills that result in clients winning their cases” and being “very bright, tenacious and good on her feet”.

Chambers and Partners 2024 describe Kathleen as “a superb barrister with a combination of fierce intellect, dogged work ethic, incredible grasp of detail, a superb manner with clients and a great sense of humour”, “absolutely fabulous... extremely well prepared and combines diplomacy with a forcefulness in arguing our case”, and “an expert in environmental law and group litigation”, and that “Kathleen works endlessly and is the engine room for the case.” Legal 500 say “Clients and solicitors love her”, “Excellent with clients under pressure”, and “Razor-sharp mind and exceptionally strong on managing multiple work streams.”

Kathleen studied law at Oriel College, Oxford and has a postgraduate law degree from Queens’ College,

Cambridge.

For more information about the way barristers at Henderson Chambers work, including our terms of engagement, fee transparency statement and our complaints process, [please click here](#). Barristers are regulated by the Bar Standards Board.

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Group Actions

Kathleen has acted in some of the largest and most significant group actions in the English Courts, including the Post Office litigation, the VW NOx Emissions litigation and the OCENSA pipeline litigation.

She is adept at dealing with strategic issues across multiple work streams, and leading a large team, including where multiple technical experts are involved.

Representative Cases

- *VW NOx Emissions group litigation*
Acted for VW in this long running litigation (2015-2021) and instructed in the second wave of NOx emissions cases, in which allegations are made against the entire diesel industry.
- *Equal Pay group litigation*
 - Acting for a major retailer in a high profile equal pay case being pursued by more than 2,000 staff members.
- *Post Office group litigation*
Acting for 555 subpostmasters against the Post Office in civil litigation concerning the operation of the Horizon IT system, resulting in the unravelling of the largest miscarriage of justice in UK history, with 93 convictions of innocent people for theft, fraud and false accounting overturned as a result of the findings in the High Court that the IT system contained bugs and errors and was not robust.
- *OCENSA pipeline group litigation*
Major environmental damage action concerning alleged environmental damage in Colombia, which concluded in a 5 month trial.
- *Sports Direct bonus group litigation*
Acting for Sports Direct in this employment related group action brought by part time employees.
- *Arkwright In Vessel Composting Site group litigation*
Private nuisance claim concerning odour.

- *Powertrain group litigation*

Large scale litigation concerning alleged respiratory complaints arising from exposure to metal working fluid.

Product Liability

Kathleen has significant product liability experience in complex multi-party actions, including where product safety issues arise. She has particular experience in manufacturing, transport and energy related claims and dealing with technical expert evidence.

Representative Cases

- *Qatar v Airbus*

Acting for Qatar in this high profile commercial dispute concerning the surface degradation and grounding of A350 aircraft.

- *VW NOx Emissions litigation*

Acting for VW in this long running litigation (2015-2021) and is instructed in the second wave of NOx emissions cases, in which allegations are made against the entire diesel industry.

- *OCENSA pipeline litigation*

Large scale group litigation concerning the construction of a pipeline in Colombia, which concluded in a 5 month trial.

- Proceedings concerning the emissions compliance of forklift trucks.
- Inquest concerning the death of a patient during cranial surgery using a surgical navigation system.
- A claim for defective playground equipment.
- A claim for adverse reaction to cosmetic products.
- Claims for defective car brakes and bonnets.

Environment

Kathleen has acted in a number of large scale environmental group actions, as well as other high profile civil and criminal environmental proceedings. She has particular experience in waste, transport, mining and railway related cases.

Representative Cases

- *VW NOx Emissions group litigation*
Acted for VW in this long running litigation (2015-2021) and instructed in the second wave of NOx emissions cases, in which allegations are made against the entire diesel industry.
- *Arkwright In Vessel Composting Site group litigation*
Private nuisance claim concerning odour.
- *OCENSA pipeline group litigation*
Major environmental damage action concerning alleged environmental damage in Colombia, which concluded in a 5 month trial.
- *Powertrain group litigation*
Claim concerning alleged respiratory complaints arising from exposure to metal working fluid.
- *HSE v UK Coal, Alstead and Davison*
Prosecution arising from a fatal accident at Daw Mill Colliery.

Employment

Kathleen is an established employment practitioner and experienced in employment tribunal and high court work. Kathleen has particular experience of employee competition cases, discrimination and whistleblowing claims. She is currently instructed for a major retailer in a high profile equal pay claim. She appears for international civil servants against the African Development Bank.

Representative Cases

- *Equal Pay group litigation*
Acting for a major retailer in a high profile equal pay case being pursued by more than 2,000 staff members.
- Advising CEO of major UK fashion brand in a claim for whistleblowing and sex discrimination.
- *Jerroms v Tilson*
Employee competition and economic tort claim.
- Advising CEO of major UK PR brand in claim for bonus and sex discrimination.
- *Aron v AFDB*
Claim for unlawful termination for abandonment of post.
- *Michelitsch v AFDB*
Acting for former Evaluator General against the AFDB.
- Advising former country director in relation to departure from AFDB.

- *Sports Direct bonus claim litigation*
Acting for Sports Direct in claim concerning bonus payments to part time workers.
- *Baldwins v Maidstone*
Acting for accountancy firm in case arising from breach of covenants in sale purchase agreement.
- *Donaghy v Kings College*
Acting for Kings College.
- *Fabrizi v London Borough of Hackney*
Acting for a claimant in a complex discrimination claim.
- *Back Office v Tipper*
Acting for a payroll company against departing employees who set up a competitor company. Departing employees in breach of undertakings found liable for contempt of court.
- *Crown Talk v Dandy*
Acting for a telecoms company against salesmen who secretly incorporated a competitor company during their employment.
- *The Hospital Medical Group Ltd v Westwood [2012] EWCA Civ 1005*
Case concerning worker status and the limb(b) exception.
- *Bungay v Chandel [2011] EqLR 1130*
Joint and several liability, and awards of aggravated damages for events post termination of employment.
- *Westwood v The Hospital Group, EAT*
Appeal concerning approach to worker status.
- *Baldwins v Maidstone*
Breach of restrictive covenants in sale purchase agreement.
- *Rowan Dartington v Davis and others, High Court*
Acting for a stockbroking company against former employees for alleged breach of restrictive covenants, confidentiality and database rights.
- *Autoclenz v Belcher [2009] EWCA Civ 1046, [2010] IRLR 70*
Acting for appellant in Court of Appeal (led by Patrick Green QC) in case concerning employee/worker status and sham contracts.

What the directories say

"She provides clear advice. Clients and solicitors love her."
Legal 500 2024

"Very good experienced advocate. Excellent with clients under pressure."
Legal 500 2024

"Kathleen is decisive and robust. A calm and collected advocate."
Legal 500 2024

"Razor-sharp mind and exceptionally strong on managing multiple work streams when preparing evidence and preparing for court."
Legal 500 2024

"Kathleen is trusted by her clients as a result of her incredibly hard work and the fact she gets the details organised."
Legal 500 2024

"She commands the attention of the court."
Chambers UK 2024

"She is a superb barrister with a combination of fierce intellect, dogged work ethic, incredible grasp of detail, a superb manner with clients and a great sense of humour."
Chambers UK 2024

"Kathleen is absolutely fabulous. She responds very quickly, is extremely well prepared and combines diplomacy with a forcefulness in arguing our case. She wins many cases due to her excellent knowledge, preparation and very strong oral and writing skills."
Chambers UK 2024

"She does whatever is needed to get the job done in a timely fashion."
Chambers UK 2024

"An expert in environmental law and group litigation."
Chambers UK 2024

"Kathleen Donnelly got to the bottom of technically complex issues. She is very good at explaining difficult issues in an easily digestible way."
Chambers UK 2024

"Kathleen works endlessly and is the engine room for the case."
Chambers UK 2024

"Kathleen is a diligent and professional lawyer. She has excellent advocacy skills that result in clients winning their cases, and her advice on all legal matters is always on point."

Legal 500 2023

"Very bright, tenacious, and good on her feet."

Legal 500 2023

"Kathleen is a tenacious and persuasive advocate who easy to work with and excellent with clients."

Legal 500 2023

"Kathleen provides an excellent, client-focused approach."

Chambers UK 2023

"She is a phenomenal barrister; her ability to retain detail is truly impressive."

Chambers UK 2023

"Kathleen is very responsive, eloquent, and gives excellent advice."

Chambers UK 2023

"Kathleen has a stunning ability to understand complex issues and distil them into a format in which they can be deployed in court."

Chambers UK 2023

"A particularly excellent barrister."

Legal 500 2022

"An excellent advocate with a good client manner and strong judgement."

Legal 500 2022

"She is extremely dedicated, hard-working and very focused. She is also adept at getting to grips with the heart of the issues."

Chambers UK 2022

"Has absolute attention to detail and is smart and responsive."

Chambers UK 2022

"She knows every single detail about every single element of a claim and she is good on her feet."

Chambers UK 2022

"She is fantastic, she is really bright, she is commercial and she has great strategic acumen."

Chambers UK 2022

"She is exceptionally bright and always well prepared. She is a delight to work with and an asset to any team."

Chambers UK 2022

"She is an impressively persuasive advocate whose 'let's cut to the chase' style belies her immaculate preparation and work ethic."

Chambers UK 2022

"No one works harder than her; she gets into a brain-boiling level of detail but can synthesise it in a way that allows you to keep up."

Chambers UK 2022

"A formidable advocate"

Chambers UK 2021

"Fast gaining a well-deserved reputation as a leading counsel and authority in the complex area of employment law of international organisations. Her greatest strengths are knowledge of the law, attention to detail, advocacy, and flexibility and empathy with clients."

Legal 500 2021

"She has a meticulous eye and a good courtroom manner. She is very good with clients and excellent to work with."

Legal 500 2021

"Excellent attention to detail with good judgement and court presence. Good humour and excellent manner with clients."

Legal 500 2021

"She's excellent - very organised and a formidable advocate." "She's excellent on her feet and she is a very good source of wisdom in tricky situations with health and safety prosecutions."

Chambers UK 2021

"She's great on her feet, is really approachable, really personable and she absolutely knows her stuff." "She's fantastic commercially and has a fantastic manner with clients; she's unbelievably hard-working."

Chambers UK 2021

"A tenacious and persuasive advocate"
Chambers UK 2020

"She is good at working with clients who are in a difficult situation, as well as being a tenacious and persuasive advocate."
Chambers UK 2020

"Excellent advocate with tenacious attention to detail on complex cases."
Legal 500 2020

"She is very detail focused and always well prepared."
Legal 500 2019

"An incredible able advocate who is a pleasure to work with."
Legal 500 2019

"Enormously client friendly and always provides practical commercial solutions to multifaceted legal issues."
Legal 500 2019

Chambers UK 2018

"Immensely knowledgeable, articulate, down-to-earth and easy to get on with. She's very hard-working and focuses on clients' objectives as much as the legal points." *"Very client-friendly and very skilled at cross-examination."*

"A great technical lawyer, and a tenacious and effective advocate."
Legal 500 2017

"A great technical lawyer, and a tenacious and effective advocate."
Legal 500 2017

"Firm but effective and always on top of the brief."
Legal 500 2017

"Her enthusiasm and intellect make her a pleasure to work with."
Legal 500 2017

"She is very confident, robust and clear in her advocacy." "She is highly intelligent and she has excellent attention to detail."

Chambers UK 2016 & 2017

"She's superb; she's brilliant with clients and understands issues quickly."

Legal 500 2016

"She displays an excellent legal knowledge and takes a pragmatic approach."

Legal 500 2016

"She is an excellent and well-prepared cross-examiner, who can advance a formidable case."

Legal 500 2016

"Described as a dogged opponent by impressed peers who note her skill in managing large-scale litigation."

Chambers UK 2015

"Calm under fire, confident, and knowledgeable."

Legal 500 2015

"A very effective and tenacious advocate."

Legal 500 2015

Appointments

- King's Counsel (2023)

Memberships

- Commercial Bar Association
- Employment Lawyers Association
- Personal Injuries Bar Association

Education

- LLM Commercial and International Law (Cantab) (2003)
- BA (Hons) Jurisprudence (Oxon) (2001)
- Hardwicke Award, Lincolns Inn
- Buchanan Scholar, Lincoln's Inn

Awards & Recognitions

