

Ghazaleh Rezaie

Call: 2009
rezaie@12kbw.co.uk

AREAS OF EXPERTISE

Employment & Discrimination, Personal Injury, International & Travel, Clinical Negligence, Health & Safety, Costs & Litigation Funding, Credit Hire, Aviation, Other



Ghazaleh attracts consistent praise from solicitors and lay clients for her attention to detail, strategic thinking and commercial awareness. She is particularly commended for her user-friendly approach and command of the court room during cross examination.

Ghazaleh's practice encompasses every aspect of employment law and she is regularly instructed to attend Employment Tribunal and High Court trials in disputes involving discrimination in respect of all protected characteristics, equal pay, whistleblowing, TUPE, unfair dismissal, redundancy, PHA claims, PHI claims, restraint of trade and partnership disputes. Ghazaleh has familiarity with all aspects of employment tribunal and employment appeal tribunal practice and procedure, to include costs applications.

Consistently providing the highest standards of service result in regular and repeat instructions from solicitors of the highest calibre. Solicitors welcome her collaborative approach to litigation, choosing to seek her advice and guidance from the earliest stages of litigation, ensuring in turn that the service to the lay client is as comprehensive as can. Client's see Ghazaleh and her solicitors as their team.

Ghazaleh's core clients include globally renowned facilities management and logistics companies, nationwide pharmaceutical companies, educational institutions, NHS Trusts and Local Authorities.

Ghazaleh maintains a personal injury practice and is therefore particular adept at advising on matters where there is a cross-over between employment law and personal injury, such as stress at work claims. Her expertise in discrimination matters and the Equality Act 2010 have also stood her in good stead in cases concerning the provision of services both by public and private entities.

Where, as is often the case in the Employment Tribunal, Ghazaleh's practice has seen her face a litigant-in-person, Ghazaleh has been commended by Judges for her sensitivity and considered approach notwithstanding the tenacity with which she presents her client's position.

Employment & Discrimination

Prior to coming to the Bar, Ghazaleh enjoyed a successful career as a paralegal in the field of Employment Law and she continues to undertake work in all areas of employment law including unfair and wrongful dismissal, discrimination, whistle-blowing, TUPE, employment status, working time, unlawful deduction of wages, maternity and paternity rights and breach of contract. She has experience at all levels of the Employment Tribunal and has advised and appeared in cases involving employment disputes in the Employment Tribunal, the County Court and the High Court.

She is particularly familiar with race, sex and disability discrimination claims brought by high-ranking police officers against police forces across the country having been involved in high-profile cases in the past (Yip –v- CC of Merseyside Police; Singh –v- CC of Greater Manchester Police; Ul-Haq –v- CC of Greater Manchester Police).

Ghazaleh has been involved in cases where the hearing has lasted for periods of up to 4 weeks demonstrating her ability to retain large amounts of information in order to prepare lengthy written submissions.

Ghazaleh has developed a solid practice in Scottish Employment Tribunal cases and is familiar with and confident in preparing for such cases given the procedural differences between Scottish and English Employment Tribunal hearings.

Ghazaleh also has particular experience of claims against Local Authorities making her sensitive to the wider implications of claims against the Local Authority both in terms of reputation and commercial realities.

Ghazaleh's recent case highlights include:

Cox v Adecco UK Ltd & others [2023] EAT 105: Successful appeal, acting pro bono on behalf of the appellant/claimant. Consideration of *Vaughan v Modality Partnership* (see below) and amendments in whistleblowing claims.

Taylor v Lloyds Pharmacy (EA-2022-0007): appeal to the EAT against the decision of the Registrar to refuse permission to appeal out of time. Involved discussion of *El Helabi v Avis Budget UK Ltd* and whether there is any material conflict between the wording of the EAT rules and the Practice Direction when reference is made to the number of days permissible for an action to be taken.

Vaughan v Modality Partnership (UKEAT/0147/20BA): a reminder from HHJ Tayler about the application of the Selkent principles and the correct approach to amendment applications. A precursor of sorts for HHJ Tayler's decision in *Chaudhury v Cerberus Security and Monitoring Services Limited* [2022] EAT 172.

Southward v Colas Rail Limited (case no:1311267/2020): consideration of cause of action estoppel and abuse of process. Given that previous authorities (such as *Ako -v- Rothschild Asset Management Limited & anr*, and *Srivatsa -v- Secretary of State for Health & anr*) were decided under previous iterations of the Tribunal Rules, this decision sets a precedent for the correct approach to cause of action estoppel and/or abuse of process arguments in the light of Rule 52 of the 2013 Employment Tribunal Rules.

Taylor v Lloyds Pharmacy (case no: 2408853/2020): successfully persuaded a Tribunal that allegations made by the Claimant were made in bad faith; a rare finding particularly against a litigant-in-person.

Larbi v Thurrock Council and others (case no: 3201623/2019 and 3203127/2019): an ongoing litigation involving at least 6 separate claims issued by the Claimant. After successfully defeating the first two claims, securing a £15,300 costs award against the Claimant.

Garrett v Bidvest Noonan (UK) Ltd (case no: 3201687/2020): dismissal of all claims after consideration of extensions of time for claims brought beyond the primary limitation period. Detailed analysis of the relevant tests for when an extension of time may be permissible (ie whether just and equitable or reasonably practicable).

Izzadoust v Alliance Medical Limited (case no: 2414962/2019): serious allegations of sexual harassment against a medical practitioner. Careful cross-examination resulted in the dismissal of all claims and an award of costs against the Claimant (<https://metro.co.uk/2022/05/16/doctor-who-lied-about-colleague-raping-her-is-ordered-to-pay-6000-16651067/>).

Preko v Costco Wholesale Ltd (case no: 2302353/2019): A rare case of the maximum permissible award of £20,000 being awarded to the Respondent for its costs.

Qualifications & Awards

LLB (hons) Law and French Law – University of Leeds and Université Nancy II

Bar Vocational Course (Very Competent) – BPP Law School London

Exhibitioner – Inner Temple, 2008

Duke of Edinburgh Entrance Award – Inner Temple, 2008

Appointments & Memberships

Qualified and Registered to Practice as an Attorney in New York State since 2010.

PIBA

ELBA