

Paul O'Callaghan (2008) LLB (Hons)

General Information

Paul O'Callaghan joined Clerksroom in 2013 having previously practised as a solicitor-advocate with a national firm of solicitors.

Paul was called to the Bar at Gray's Inn back in 2008 and he is now fourteen years Call (where do the years go)! Paul is a specialist **employment** and **civil barrister**.

Employment

Paul is a member of the Employment Lawyers Association (ELA) and a specialist employment lawyer with a national practice encompassing the full range of employment law issues.

Paul regularly appears at tribunals nationwide but he prides himself on a conciliatory approach to employment disputes and he is pleased to say that the vast majority of cases that he deals with settle amicably without the need for a trial which ultimately saves time and costs.

Paul's employment work is generally split at 75% Claimant and 25% Respondent. Paul has successfully handled claims against major multi-national companies as well as public sector organisations. Paul offers advice in writing, by telephone or remotely via video call as well as in person.

Paul is regularly instructed by major insurers to provide legal opinions and he also provides advice and assistance to employees and employers involved in disciplinary and grievance procedures. Paul is adept at document drafting and he aims to return papers within seven days.

Paul recently acted in a group litigation case against an international bank represented by a Magic Circle law firm and Queen's Counsel. Paul was able to negotiate a settlement on behalf of the group in excess of £400,000.

Recent successes include:

Whitbourn, Atherton, Neto -v- Key People Limited (1) Just Recruit Group Limited (2)

I represented three Claimants on a direct access basis from day one through to a successful conclusion after a fully contested trial. The Tribunal found that all three Claimants were unfairly dismissed and Miss Whitbourn was discriminated against on the grounds of sex. The total award was in excess of £200,000 and the case was also reported in the national media. Both Respondents were legally represented by expensive London solicitors who repeatedly threatened my clients with costs.

https://assets.publishing.service.gov.uk/media/606ec60ee90e076f4901996a/Mrs_P_Whitbourn___Others_v_Key_People_Limited___Others_-_3303448_2019___Others_-_Reserved_Judgment.pdf

<https://www.dailymail.co.uk/news/article-9453301/Recruitment-firm-boss-didnt-approve-office-romances-forced-pay-100-000.html>

Phillips -v- Pontcanna Pub Company Limited

I was instructed by local solicitors and represented a young female bartender who was violently choked by a colleague at a work Christmas Party. The Claimant complained to management who turned a blind eye to the perpetrator's conduct and sought to downplay the incident, even making jokes about it. The Claimant resigned and brought a claim of constructive unfair dismissal. Her claim was successful following a trial where the Respondent was represented by solicitors and counsel who threatened to

make an application for costs if the claim was not successful. The case was widely reported in the media.

<https://www.walesonline.co.uk/news/wales-news/manager-cardiff-bar-strangled-until-15391665>

<https://www.thesun.co.uk/news/7909259/bar-manager-headlock-passes-out-hits-head-christmas-party/>

https://assets.publishing.service.gov.uk/media/5c07f01ced915d7455f5165d/Miss_Molly_Phillips_v_Pontcanna_Pub_Company_Ltd_-_1600719.2018_-_Judgment.pdf

Professor T Ahmed -v- United Lincolnshire Hospitals NHS Trust

The Claimant instructed me directly and I represented him at a 10 day hearing before the Nottingham Employment Tribunal. The Claimant's claims of unfair dismissal, direct discrimination (race) and victimisation were upheld following a botched disciplinary hearing. The Respondent NHS Trust fought the claim vigorously and sought to discredit the Claimant's evidence at trial but the Tribunal were highly critical of the Respondent's procedure in their judgment. The case was reported in the media and a remedy hearing will be listed to determine compensation which is likely to be significant.

<https://www.dailymail.co.uk/news/article-11010187/NHS-trust-lose-racism-case-against-sacked-Asian-professor-accused-playing-race-card.html>

https://assets.publishing.service.gov.uk/media/62cd432dd3bf7f3006989d58/Prof_T_Ahmed_v_United_Lincolnshire_Hospitals_NHS_Trust

Ahmed -v- Medexpress Limited

I represented the Respondents on a direct access basis and successfully defended multiple claims including constructive dismissal, discrimination on the grounds of race and sex as well as whistleblowing detriment during the course of a ten day trial. The case was reported in the national media and the judgment was circulated to the parties recently and is due to be published in the near future.

<https://www.dailymail.co.uk/news/article-10423031/Worker-London-pharmacy-selling-Viagra-boasted-size-manhood-tribunal-hears.html>

Civil

Paul maintains a busy civil litigation practice which includes acting in **property, contract and business disputes** as well as **Personal Injury**.

Paul regularly provides drafting and advisory services to solicitors who routinely instruct him to attend hearings.

You will find Paul to be an experienced and tenacious advocate and when not in Court you may find him 'relaxing' by entering endurance running events. As such he is always willing to go the extra mile!

(Marathon PB 2hr 59 minutes).

Paul is flexible and approachable and always willing to have an informal discussion about your case or query at any stage in proceedings.

Paul is willing to accept instructions from the public on a **direct access** basis and he has been granted **full litigation privileges**.

Paul has received **excellent feedback** from both lay and professional clients and he always welcomes feedback so that he can continue to improve upon the service that he provides.

Paul is based in Cardiff but he can attend Court anywhere within England and Wales.

Paul was proud to represent Team GB at the Sydney Olympics in 2000 and after a long hiatus he has recently returned to his sport of target shooting.

Paul is also a commercial **pilot** and qualified flying instructor and always happy to take on an **aviation law** case or just talk flying!

Paul is a member of the following groups:-

- **Road Traffic Group**
- **Personal Injury Group**
- **Clinical Negligence Group**
- **Motorcycle PI Group**
- **Inquests Group**
- **Industrial Disease Group**
- **Fraud Group (Claimant) - RTA & PI Fraud Counsel**
- **Credit Hire Group**
- **Defendant Credit Hire Group**
- **Costs Group**
- **Employment Law Group**
- **Contract Law Group**
- **Consumer Credit Group**
- **Sale of Goods Group**
- **Landlord & Tenant Group**
- **Insolvency & Bankruptcy**
- **Public Access Accredited Group (also authorised to conduct litigation under Public Access rules).**

Paul is a member of the Association of Personal Injury Lawyers (APIL) and the Employment Lawyers Association (ELA).

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