



## Betsan Criddle



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### Profile

Described by Chambers and Partners as “responsive, decisive and directional”, and “determined, dogged and good at putting her point across forcefully without intimidating the client”, Betsan is an established and highly regarded practitioner in the employment and professional disciplinary fields where her clients include banks, niche recruitment consultancies, leading public schools, household name transport businesses, NHS Trusts and senior employees.

Betsan is a leading expert in doctors’ disciplinary cases and has appeared in many of the key cases in this area, including Chhabra, Kerlake and Lim. She is regularly called upon to advise in the context of High Court injunctive proceedings and in the handling of complex disciplinary proceedings. Betsan also acts for medical professionals in regulatory proceedings before the MPTS, the GDC and the HCPC as well as in performers’ list cases.

Betsan has experience across the broad spectrum of employment and discrimination work, both in the Employment Tribunals and the civil courts, with a particular focus on TUPE, pregnancy and maternity discrimination and disability discrimination. She has significant experience of multi-million pound multi-claimant equal pay litigation, making her adept at handling complex and high value discrimination claims: she is “on top of cases involving multiple claims and multiple parties” (*Chambers and Partners 2015*). Her discrimination practice encompasses significant experience in the field of goods and services. Recent cases include advising on a disability discrimination claim brought against a bank for alleged failure to make reasonable adjustments; acting in a race discrimination claim brought against a charity in connection with the removal of a customer from its premises and acting in a transgender discrimination claim for an injunction to compel an NHS organisation to allow an individual to transition.

Betsan also has a thriving practice in primarily employment based commercial work, where she advises and represents clients in a wide range of disputes, including restrictive covenant cases, issues relating to termination of Board level employment and high value redundancy and negligent reference claims.

Betsan speaks Welsh fluently and has advised and conducted litigation through the medium of Welsh. She recently represented two senior employees in their unfair dismissal claims against the National Library of Wales which generated considerable Welsh media interest.

Betsan is able to accept instructions under the Bar’s Public Access Scheme in suitable cases.

### Recent and current work

- *Edwards v Encirc Ltd* UKEAT/0367/14/DM. Whether time spent by an employee on trade union duties is “working time” for the



purposes of the Working Time Regulations 1998.

- *London Borough of Wandsworth v UNISON* UKEAT/0234/13/LA. Whether interpreting the exclusion of individuals in “police service” from protection under the Employment Rights Act 1996 and the Trade Union and Labour Relations (Consolidation) Act 1992 consistently with Convention rights and/or Community law means that parks constables should have the right to complain of unfair dismissal and failure of collective consultation.
- *Chhabra v West London Mental Health NHS Trust* [2014] 1 All ER 943; [2014] ICR 194; [2014] IRLR 227. Successfully represented the doctor in a landmark Supreme Court decision that an employment contract includes an implied contractual right to a fair disciplinary process and that an injunction may be granted to restrain an employer from charging an employee with gross misconduct where this is unwarranted by the findings of a disciplinary investigation.
- *Jones and Williams v National Library of Wales* (ET, 2014). Successfully represented two senior employees in high profile unfair dismissal cases. Whether imposing a demotion and pay cut as a disciplinary sanction amounts to a Hogg v Dover College dismissal in the absence of a contractual disciplinary procedure and whether an unintended dismissal can nevertheless be fair.
- *McGuinness v Royal Surrey County Hospital NHS Foundation Trust* (ET, 2013). Successfully defended an NHS Trust in multi-million pound disability discrimination and TUPE claim by a consultant surgeon. Whether a transfer of an employee can amount to a breach of the implied term of trust and confidence.