



Emma Sole

Called in 2005 +44 (0)20 7583 9241

Emma Sole joined Farrar's Building in 2007 and has, since, established a mixed and successful civil practice over ten years' work. Whilst Emma specialises in employment law, she also regularly undertakes work in the fields of personal injury and general common law.

Specifically identified in the Legal 500 for her client friendly approach, Emma is adept at providing a customer-focused service for a wide range of people, from neuro-diverse lay clients to senior executives.



Credit Hire

Emma regularly advises and acts on credit hire claims for both Claimant and Defendant, and is well versed in all potential arguments ranging from enforceability to profit-making chattels, as well as analysing the quality of BHR.

Location

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Employment

Emma specialises in employment law, representing both employee and employer clients in a wide variety of claims, including unfair dismissal, Equality Act claims (including all forms of discrimination) and “whistle-blowing” matters. Emma also advises in, and drafts pleadings, in high value restraint of trade claims (including at first instance in Customer Systems Plc v Ranson [2011] EWHC 3304 (QB)).

Over the years Emma has successfully made use of the Employment Tribunal judicial mediation scheme, for the benefit of both Claimant and Respondent clients.

Current, on-going cases include a number of whistle-blowing and disability discrimination matters linked to the Covid pandemic.

Emma speaks often at employment law seminars for professional clients and is available and happy to assist with providing talks on specified employment law topics as requested.

General Common Law

Emma has experience in numerous common law areas, including commercial and consumer protection cases as well as contractual disputes.

She is able, and happy, to accept instructions on a direct access basis and will also consider undertaking work on a CFA basis.

Personal Injury

In the field of personal injury, Emma’s extensive practice involves Employers’ liability, tripping and slipping cases and road traffic accident claims. The experience of working in employment law and personal injury provides Emma with an invaluable overlap of knowledge and expertise; which is put to particular use in work-place stress claims which often cross over with disability discrimination/reasonable adjustment cases.

Civil Fraud

Emma’s practice includes representing clients on both sides of the issue; insurers arguing for findings of fraud and fundamental dishonesty but also Claimant’s defending such allegations. Recently Emma was able to successfully resist a fundamental dishonesty defence and application to disapply QOCS, on behalf of a Claimant, despite the Court expressly finding numerous inconsistencies in her evidence. In 2019 Emma has dealt with several contempt of Court hearings, albeit in cases involving breach of Court Orders.

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Emma will give clear and practical advice on all issues involved in cases of fraud/fundamental dishonesty, from costs to strike out applications, relying on a wealth of Court-based experience to steer clients through to the best outcome for them.

Notable Cases

Jackson v Kent CC

Disability discrimination & harassment claim. The Claimant was a mental health social worker who was suspended from work for alleged gross incompetence, but who had been diagnosed with mild ADHD, which his employers had failed to take into account when assessing performance and had failed to make necessary adjustments to the workplace. Emma successfully represented the Claimant, who won the majority of the claims.

<https://www.gov.uk/employment-tribunal-decisions/mr-t-jackson-v-kent-county-council-2300620-slash-2020>

Jones v ABM Facilities

Constructive dismissal & harassment case. The Claimant suffered with poor mental health and was found to have been harassed on the grounds of her disability and latterly resigned in circumstances which were found to amount to unfair dismissal. The claim involved difficult arguments on causation, given the Claimant's ill-health pre-dismissal, however the Tribunal was persuaded that the loss of remuneration stemmed from the earlier harassment and so was recoverable. Ms Y

Jones v ABM Facility Services UK Ltd: 2301119/2020 - GOV.UK (www.gov.uk)

A v Choice Support

Emma acted for the Claimant who alleged that she was raped and then constructively dismissed. The tribunal found that on the evidence she had been raped and that the claim of sexual harassment was upheld, but that her other claims were out of time. The case went to appeal in 2022 and further hearings took place in relation to the permanence or otherwise of the Reporting Restrictions. The case required careful consideration of the difference between RROs and anonymisation orders.

Customer Systems PLC v Ranson & Ors

Acted for the Fourth Defendant (unavailable for representation at trial as Emma's due date for her first child fell in the middle of it) in a high value claim concerning the enforceability of restrictive covenants and breach of fiduciary duties.

Lipton Group PLC v Cudd

Successfully acted for the Respondent Appellant in an appeal against an award made for injury to feelings. Award reduced by over 25% from £12,100 to £9,000.

Craven v Orion

Acted for ex-Director/employment Claimant in a successful constructive dismissal claim. Claimant was awarded damages capped at the statutory limit having been persuaded that monthly "Director's Loans" formed part of the recoverable remuneration package and were not repayable.

Customer Systems PLC v Ranson & Ors

Acted for the Fourth Defendant (unavailable for representation at trial as Emma's due date for her first child fell in the middle of it) in a high value claim concerning the enforceability of restrictive covenants and breach of fiduciary duties.

Mauritius Tourism Promotion Authority v MK Wong Min

Concerned the limits of the considerable leeway given to foreign states who seek to raise the issue of immunity late in the day. Successfully defended the appeal on behalf of the Respondent.

If you would like to instruct Emma Sole or would like help or advice in doing so, please call and talk to our excellent clerking team, led by senior clerk Alan Kilbey MBE. Our phone number is +44 (0)20 7583 9241. Alternatively, please email us at chambers@farrarsbuilding.co.uk

For more information about our clerking team, please [click here](#) for the clerks page.

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Appointments & Memberships

- Personal Injuries Bar Association
- Employment Lawyers Association
- Free Representation Unit

Education & Qualifications

- BVC Exhibition 2004, Inner Temple
- BVC, Inns of Court School of Law, London
- BA Jurisprudence, Trinity College, Oxford

Testimonials

Feedback includes, a senior representative of a Respondent company who described Emma as “a splendid young barrister who has my confidence and undivided attention”, whilst an employee client thanked her, saying “...it was very evident to me that you have outstanding abilities both in preparation and delivery, including an excellent empathy with the client...”. As an example of solicitors’ comments; one employment solicitor was “very pleased” with Emma’s work and explained that she would “have no hesitation in instructing her again”.

Directory Quotes

Emma is ranked as a ‘Leading Junior’ in Employment Law in Legal 500

*‘Very easy to work with and approachable, amazing attention to detail and very knowledgeable about the law. A brilliant and tenacious advocate, who is client friendly, sympathetic, and fantastic at drafting.’ **Legal 500 2023***

Personal Interests

In a previous life Emma’s main hobby was playing hockey, receiving a Blue at Oxford and then playing for Southgate and later Canterbury HC. Although she hung up her stick some years ago, she is now able to get her sports-fix watching her two daughters play in various disciplines (albeit sometimes banished to the car when constructive criticism isn’t welcome). Weekends are spent happily coaxing vegetables to grow on the family allotment, walking and frequenting local, Kentish eateries and hostelryes.

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