

HELEN TROTTER

Year of call: 2004

Clerked by: Louise Barnes Paul Clarke

AREAS OF EXPERTISE:

Employment Occupational Disease Serious Injury



Profile

Having begun her career at a common law set of Chambers, Helen has built a strong civil practice with a particular emphasis on employment and personal injury. In 2010, Helen was appointed to the Attorney General's panel of approved Counsel, and appears for a variety of Government departments throughout the country. She is also counsel of choice for corporate clients in a varied range of disciplines, which include aviation, education, the leisure industry and a number of local authorities.

Helen is a tenacious and committed advocate, who is frequently instructed in multiday matters lasting for 5 days or more. Alongside a daily practice in the Employment Tribunal and County Court, Helen regularly appears in the High Court and the Employment Appeal Tribunal. She was praised in the most recent edition of Chambers and Partners for being *"extremely good - client-focused, robust, personable, knows her stuff really well, and delivers great results."*

Year of Call: 2004

Areas of Expertise

Employment

Helen has a broad based employment practice, encompassing litigation concerning TUPE, unfair dismissal, redundancy, commercial injunctions and the enforceability of restricted covenants. Her extensive employment law experience means that she approaches commercial matters with a pragmatic, client based attitude. Helen is regularly instructed in cases with listing of 10 days or more, including a recent 25 day hearing listing.

Significant Reported Cases:

JG v TUI [2014]: Helen successfully represented the Respondents in this case, resisting over 120 allegations of discrimination on the grounds of sex, sexual orientation, and disability.

P v HMRC [2013]: Helen successfully represented the Respondents, resisting the Claimant's contention that the Civil Service Management Code was intrinsically discriminatory.

Equality Act law

Helen is well-versed and experienced in both fighting and defending Equality Act cases, with particular expertise in fighting for sexual orientation equality. She is currently being led by Sean Jones QC in a test case, concerning the applicability of schedule 9 of the Equality Act 2010, in respect of a hospital chaplain. The case has attracted extensive media attention in both the broadsheets and the legal press and is the first of its kind to be tried.

Significant Reported Cases

P v I [2015] An ongoing case concerning a hospital chaplain sanctioned for his same-sex marriage, and subsequently being denied employment as a result. Helen is the employment junior on the case, in which she is led by Sean Jones QC. First instance judgment is expected at the end of the year.

Occupational Disease

Helen enjoys a reputation as an accomplished Defendant occupational disease representative, in claims arising from asbestos, noise and vibration exposure, and stress at work. She is experienced in robustly representing Defendant interests, and in getting to the real issues in the case at the earliest stage. She is adept at identifying (particularly in complex cases) what medical and professional investigations are needed and quickly identifying truly contentious issues of likely interest to insurers. Helen is instructed both by disease solicitors in private practice and a number of government departments, having been on the Treasury Counsel list since 2010.

Dust disease: Helen is rapidly building a reputation as an accomplished Defendant representative, in claims arising from asbestos exposure, allegedly resulting in asbestosis, mesothelioma, and lung cancer. She is experienced in robustly representing Defendant interests, and in getting to the real issues in the case at the earliest stage. She is adept at identifying (particularly in complex cases) what medical and professional investigations are needed and quickly identifying truly contentious issues of likely interest to insurers.

NIHL: Helen has extensive experience in defending NIHL claims, for a range of clients, including government departments and large industry employers. She takes a particularly robust view as to matters of limitation and has had significant success with preliminary arguments as to the lack of applicability of the discretionary Limitation Act extension.

HAVS/VWF: Helen is familiar and confident defending HAVS/VWF claims, for a wide range of clients and well versed in the myriad of regulations surrounding employers' alleged liability for the same. Ongoing matters include defending a HAVS claim, with specific reference to which the relevant regulations do, or do not, apply to a self-employed Claimant.

Serious Injury

Helen continues to build a thriving general Personal Injury practice, with particular expertise in disease litigation, chronic pain and stress at work. She is also experienced across the broad spectrum of personal injury litigation, however the loss arose. Helen is extremely experienced in conducting multi-track cases, with many of her cases having a value of seven figures. Her pragmatic, hands-on approach expedites the cases she is involved in, avoiding unnecessary delay and costly satellite litigation. Helen's experience in employment law gives her valuable additional insight in the stress at work claims in which she specialises.

Significant Reported Cases

W v D [2015] An ongoing industrial injury case in which Helen is being led by Michael Rawlinson QC, acting for the Defendant. The case is pleaded at £5.5 million and is being litigated in the High Court.

Stress at Work

Helen has a particular interest in stress at work claims, due to the additional advantage her extensive employment law practice gives her. Helen has also been involved in a number of claims brought under the Protection of Harassment Act 1997, and is skilled at determining whether the connection between the harassment alleged and the Claimant's employment is sufficiently proximate to found a successful claim.

Significant reported cases

H v DWP [2015] This is an ongoing case, in which Helen is led by Michael Rawlinson QC, and is acting for the Claimant. She alleges systematic bullying and harassment by her superiors, leading to the development of psychosis and ongoing mental health problems.

Pain Syndromes

Helen has extensive experience in chronic pain cases, and often deals with extremely high value litigation, on behalf of both Claimants and Defendants. Recent cases have involved chronic and complex regional pain syndrome, and have involved the examination of multiple experts' reports, often containing widely divergent views, and successfully advancing applications for interim payments. She is a member of the recently founded Kings Chambers specialist pain team.

Memberships

ELBA
ELA
PIBA
Northern Circuit
North Eastern Circuit
Western Circuit

Appointments

Recorder, Family Division - North Eastern Circuit
Tribunal Judge (part time), First-tier Tribunal, Mental Health

Qualifications

BA Hons (Cantab): 2000 [2:1]
CPE, City University: 2003 (Commendation). David Karmel scholarship.
BVC, ICSL: 2004 (Very competent). Gerard Moody scholarship.
Call: 2004, Gray's Inn.
Attorney General's provincial panel: 2010.

Recommendations

Legal 500 2020

"A tornado in court, she combines energy and killer instinct"

Chambers UK 2020

"She is extremely user-friendly, pragmatic and commercial. She inspires confidence in clients."

Chambers UK 2018

"She is extremely thorough and quickly gets to the heart of the issues in a case."

Legal 500 2018

'A combative cross-examiner, who is excellent with clients.'

Legal 500 2017

'An impressive advocate with expertise in Equality Act cases.'

Chambers UK 2017

"Her strengths lie in her ability to analyse and process information quickly and deliver an opinion in a concise, clear, practical way."

Chambers UK 2016

"Her strengths lie in her ability to analyse and process information quickly and to deliver an opinion in a concise, clear and practical way."

"Clients warm to her and know that she will represent them as robustly as possible."

Chambers UK 2015

"She has a strong presence in tribunals and a good bedside manner with clients." "She is extremely good - client-focused, robust, personable, knows her stuff really well, and delivers great results."

"We have found the service and advice from Helen to be of the highest quality on a variety of cases ranging from routine to catastrophic personal injury claims..." Neil Thompson, Quality Solicitors Smith Roddam.

"Over the years, Helen has worked with me on a number of diverse cases. She is a consummate professional. She has an enquiring and investigative mind, and her strengths lie in her ability to analyse and process information quickly and to deliver an opinion in a concise, clear and practical way." Susanna Gilmartin, Thompson, Snell and Passmore.

"I have been impressed by Helen's quick grasp of issues and thoroughness of preparation, when reviewing cases prior to hearing. She is good at putting clients at their ease, and giving them the confidence that someone has grasped the detail of a complex matter." Jonathan Mansfield, Thomas Mansfield.

