

Grace Holden

Year of Call: 2016
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Employment and discrimination

Grace Holden acts for both claimants and respondents in preliminary and final hearings in the Employment Tribunal, as well as drafting and advising on the full range of employment disputes and issues.

Grace is proactive in tactically managing cases from an early stage and she makes effective use of preliminary hearings. Her recent work in preliminary hearings includes:

- Achieving strike out for unmeritorious discrimination claims.
- Obtaining deposit orders for claims of whistleblowing.
- Advising upon and successfully challenging disability status, thereby significantly reducing the listing of a finding hearing.
- Being involved in case management of a multi-party matter, involving test cases.

Grace has represented both claimants and respondents in multi-day final hearings. Her recent work includes:

- Successfully achieving the dismissal of all claims of whistleblowing detriment and failure to make reasonable adjustments in a 10 day final hearing.
- Successfully defending claims of unfair dismissal, disability discrimination and victimisation in an 8 day final hearing.
- Representing a respondent in a complex claim brought by two claimants, involving an alleged TUPE transfer; achieving the successful dismissal of the race discrimination claims and limiting dismissal-related losses to just over £7000 in total.
- Successfully achieving a finding of unfair dismissal for two claimants in a complex 7-day hearing.
- Successfully achieving dismissal of multiple allegations of race discrimination within 2 days of a hearing listed for 5 days.
- Successfully defending claims of whistleblowing detriment in a 4 day hearing.
- Successfully defending claims of unfair dismissal in multiple 2 day hearings.
- Successfully defending claims of unfair dismissal and age discrimination in a 2 day hearing.
- Successfully defending claims of race discrimination and disability discrimination in a 2 day hearing.
- Successfully defending claims of race and religious discrimination in a 5 day hearing.
- Representing a respondent in a 5 day case, resulting in the successful dismissal of claims of race discrimination, disability discrimination and harassment.
- Acting as junior counsel in the successful defence of an 8 day sex-related harassment and victimisation claim, which included drafting 7 supporting statements.

Grace also has experience of handling employment disputes in the County Court, and is familiar with the civil jurisdiction. Her work includes:

- Advising on restrictive covenants.
- Drafting pleadings and defences.
- Representing parties in both contractual claims and discrimination claims in the County Court.

She drafted pleadings for and advised on a complex multi-party breach of contract claim, which resulted in a very favourable early settlement for the claimant.

Articles

Grace Holden reviews Harkins v Marks and Spencer PLC [2026] EAT 131 and McManus v British Airways PLC [2026] EAT 155, and the guidance they provide about evaluating the question of proscribed effect in harassment claims, particularly when mental ill health is a factor.

Grace Holden appeared for the successful Respondent in the case of Harkins, both at the final hearing in the Employment Tribunal and EAT.

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Grace Holden analyses and summarises the cases of Deans v RBL Law Ltd et al [2026] EAT 76 and Harkins v Marks & Spencer PLC [2026] EAT 70, two recent judgments by HHJ Tayler that have provided helpful clarification on the procedure to follow when bringing and responding to appeals in the EAT.

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Grace Holden reviews Parmar v Leicester City Council [2024] EAT 85, a race discrimination case in which the EAT provides a useful summary of the principles applicable when considering the shifting burden of proof under s136 Equality Act 2010 ('EqA').

Grace also provides some tips to remember when bringing an appeal.

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Grace Holden considers Owen v Network Rail Infrastructure Ltd [2023] EAT 106, a case in which the EAT ultimately confirms previous decisions of the EAT that the lack of an explanation as to why a claim is brought late is not a pre-requisite to extension of time being granted, but is of particular relevance.

The judgment provides useful learning points and reminders for practitioners dealing with just and equitable time extension arguments.

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Grace Boorer analyses Agbeze v Barnet Enfield and Haringey Mental Health NHS Trust EA-2020-000413-VP, in which the EAT found that where a worker's contract requires something more than being ready, willing and able to work in order to receive wages, a term is not implied that the worker is entitled to be paid on suspension in absence of a contractual provision on the point.

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University Hospital of North Tees & Hartlepool NHS Foundation Trust v Ms L Fairhall [2021] 6 WLUK 454

Grace Boorer reviews University Hospital of North Tees & Hartlepool NHS Foundation Trust v Ms L Fairhall [2021] 6 WLUK 454, a case providing a timely reminder to practitioners that in most cases it is not necessary to complicate whistleblowing determinations, notwithstanding the decision in Jhuti.

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Grace Boorer reviews All Answers Ltd v Mr W and Ms R [2021] EWCA Civ 606, a discrimination case in which the Court of

Appeal reasserts the importance of considering all the elements of the disability status test under s6 and schedule 1 of the Equality Act 2010, and that it is crucial to consider the question of whether an impairment had lasted or was likely to last at least 12 months at the date of the discriminatory acts.

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Court of Appeal confirms the causative approach to the 'material factor test' in equal pay claims
Grace Boorer looks at Walker v Co-Operative Group Ltd & Anor and identifies some important practical considerations to avoid falling into error when considering material factor defences.

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Recommendations

Grace Holden is building a strong employment practice, regularly representing claimants and respondents in the Employment Tribunal.
Strengths: "Grace is an effective and solicitor-friendly barrister who balances between identifying all key issues and being pragmatic. She understands the commercial issues and has the bigger picture in mind."
"Grace has great technical ability and has excellent attention to detail. She is a good advocate and a pleasure to work with."
"Grace dissects and clarifies the relevant legal issues and claims, which leads to commercial settlements."
"Grace grasped the issues and worked with me and the client to identify appropriate next steps. Grace presents well before the judge."
Chambers UK 2025/Employment/Leading Juniors/Southern Eastern Circuit

Grace Holden is known as 'a safe pair of hands' and has an excellent track record in advising on employment issues.
'Grace is always well-prepared with a keen grasp of the issues in the case. She is proactive in preparations for any hearing and is always available to discuss matters. Her advocacy is impressive and well-received by clients.'
Legal 500 2025/Employment/Leading Juniors/Southern Eastern Circuit

'Grace is a very calm and intelligent barrister. She's well prepared for hearings and deals with witnesses well. Grace can be trusted to handle any type of employment tribunal claim.'
Legal 500 2025/Employment/Leading Juniors/Midland Circuit

Academic qualifications

- Bar Professional Training Course, City Law School, Outstanding, 2015-2016
- LLB Hons, University of Bristol

Scholarships

- Major scholarship and Duke of Edinburgh Entrance Award, Inner Temple, 2015

Professional qualifications & appointments

- BPTC

Professional bodies

- Employment Lawyers Association
- Industrial Law Society