

GAVIN MANSFIELD QC

Silk: 2013 | Call: 1992



Overview

Known for being **“wonderfully client-friendly”**, Gavin specialises in employment, partnership and related areas of commercial law. He has a particular interest in business protection disputes and has acted in many complex team move cases.

Gavin is recognised for his ability to **“cut to the chase in the courtroom”**. His modern, no-nonsense approach combined with outstanding advocacy skills has seen Gavin feature prominently in all the legal directories. He was shortlisted for Employment Silk of the Year by Legal 500 in 2016. He has been described by the directories in the following terms:

“He’s a very impressive figure: he inspires confidence and he is very client-friendly and assured. He’s very persuasive in his advocacy: he presents his case very logically and always delivers with real confidence and authority.” (Chambers & Partners 2017)

“An outstanding silk, who gets stuck into complex matters, and is 100% focused on achieving the client’s aims.” (Legal 500 2016)

“Technically very good, and a very aggressive and effective cross-examiner. Pragmatic, commercial and a great all-rounder.” (Chambers & Partners 2016)

“Very calm and cool, he’s an effective cross-examiner.” (Chambers & Partners 2015)

“Fantastic for team moves and High Court work.” (Legal 500 2014)

“Very astute cross-examiner.” (Legal 500 2013)

“Highly forceful and punchy.” (Chambers & Partners 2013)

Business Protection

Notable recent cases have included complex team move cases in the insurance, wealth management and private equity sectors. His expertise in restrictive covenant, fiduciary duty and confidentiality cases has seen him instructed by clients across a wide range of business sectors including ship broking, e-commerce, sport, recruitment consultancy, digital marketing and engineering.

Examples of Gavin’s cases include:

- **Bluefin v Bruce and Global Risk Partners** (2016) (springboard injunction)
- **Willis Ltd. v JLT Group plc** [2015] EWCA Civ 450 Court of Appeal, [2016] EWHC 723 QB (team move springboard injunction and damages claim)
- **Brewin Dolphin v Charles Stanley** (2015) (team move)
- **UK Power Reserve Ltd. v Read** [2014] EWHC 66 (Ch) (freezing order and non-compete injunction)
- **Churchill Retirement Living v Luard** [2012] ALLER (D) 92, ChD (confidential information)
- **Caterpillar Logistics Services UK Ltd v Huesca de Crean** [2012] IRLR 410, Court of Appeal, (confidential information/chinese wall injunction)
- **Standard Life Health Care Ltd. v Gorman** [2010] IRLR 233, Court of Appeal, garden leave injunction

- **UBS Wealth Management v Scott, Vestra and others** [2008] IRLR 965 springboard injunction obtained in large scale team move of stockbrokers

Employment

Gavin's long experience of whistleblowing and discrimination claims in the employment tribunal has seen him advising and representing clients at the cutting edge of discrimination law. His extensive experience of High Court litigation sees him well suited to contractual employment issues, and cases with an overlap between the statutory employment law, and contractual/ tortious issues.

Examples of Gavin's recent cases include:

- **Smith v Gartner UK Ltd.** (2016, EAT) construction of employer PHI obligations
- **Adebowale v Isban UK Ltd.** (2015, EAT) race discrimination
- **Arriva London South Ltd. v Graves** (2015, EAT) dismissal for trade union activities
- **Wraith v Driving Standards Agency** (2015, EAT), disability discrimination
- **Saad v University Hospital Southampton NHS Trust** (2014, EAT) definition of disability
- **Patel v De Vere Group Ltd.** (2013) Manchester Mercantile Court (incorporation of enhanced redundancy terms)
- **Spaceright Europe v Baillavoine** [2012] IRLR 111, Court of Appeal (TUPE and insolvency)
- **May & Baker Ltd. v Okerago** [2010] IRLR 394, EAT (agency and vicarious liability)
- **MacCullough v ICI** [2008] IRLR 846 EAT (age discrimination challenge to ICI's contractual redundancy scheme)

Commercial

Gavin undertakes a broad range of commercial litigation, and has particular experience in partnership disputes, director's duties and confidentiality disputes arising out of business sales and joint ventures.

Recent examples include:

- **MacInnes v Gross** [2017] 4 WLR 49 – oral contract – sports data business
- A vendors warranty claim arising out of share sale of a payment software business
- A dispute over confidential information between the founders of a challenger bank
- Advice relating to wrongful termination of an international distribution agreement in the engineering sector

Sport

Gavin's work ranges across a wide range of sports including football, motor sport and horse racing. He has acted for clubs and individuals in relation to manager terminations, directors' disputes, misuse of confidential information, and club sales.

Partnership and LLPs

Gavin acts frequently for hedge funds, private equity firm and professional services firms (particularly in accountancy and law) in relation to disputes within their firms, in the High Court and in arbitrations. He has advised and represented partnerships and LLPs in relation to claims concerning contractual disputes over partnership deeds, restraint of trade, partnership status, expulsions of partners, and discrimination.

Recent Publications

- General Editor of "*Blackstone's Employment Law Practice*" 2017 (OUP)
- Contributor to "*Brearley and Bloch: Employment Covenants and Confidential Information*" 3ed (Tottel 2009) (4ed pending 2017)

Gavin lectures and leads seminars widely on employment law topics, both on public courses and in-house for solicitors. Gavin is an advocacy trainer for Middle Temple.

Pro Bono Work

Gavin is committed to Pro Bono work, he is a case reviewer for, and undertakes cases through, the Bar Pro Bono Unit, and undertakes pro bono work through the ELAAS scheme at the Employment Appeal Tribunal.

Memberships

- Employment Law Bar Association (Former Chair 2015-2017)
- Employment Lawyers Association
- Industrial Law Society
- COMBAR
- London Common Law & Commercial Bar Association

Education

- Called 1992 (Middle Temple)
- Jesus College, University of Cambridge MA (law), Foundation Scholar
- Nottingham High School