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## MICHAEL DUGGAN QC

Silk: 2014 | Call: 1984



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### What the Directories Say

Chambers and Partners 2017

- ***“Provides expertise in disciplinary, commercial and employment law to employers facing all employment conflicts, including unfair dismissal, restrictive covenants and injunctions. He is known for his specialism in social media law.”***
- ***“Impressive in employment matters for his breadth of knowledge and effective advocacy. He has great instincts and is very user-friendly.”***

The Legal 500 2016

Employment: ***“A true delight and a very gifted practitioner.”***

The Legal 500 2015

Employment: ***“Vastly experienced and undeniably sage.”***

Chambers and Partners 2015:

- ***“Good for appellant and high-level work.”***
- ***“He is very client-friendly. He gives clear opinions in the cases he is working on and provides tremendous support.”***

Chambers and Partners 2014: Michael ***“stands out for his expertise in complex High Court litigation, including cases relating to restrictive covenants and team moves. He is an expert on all areas of employment law and is particularly strong on wrongful dismissal and discrimination claims.”***

Chambers and Partners 2013: Michael Duggan has ***“huge knowledge”*** and gives ***“practical advice”*** on a range of employment law issues including wrongful dismissal, whistle blowing and restrictive covenants.

Chambers and Partners 2012: ***“Always willing to go the extra distance and make himself available”*** he impresses sources with his practical advice and guidance, particularly on wrongful and unfair dismissal cases, and large-scale collective redundancy cases.

Other Chambers and Partners comments:

- ***“Thorough, reliable and down-to-earth.”***
- ***“Combines his commercial and employment based practice with construction law. He is an excellent adviser who will readily go to town on the right case.”***
- ***“He is well known for his writing on unfair dismissal issues.”***
- ***“Endorsed for the clarity of his advice.”***

## General Profile

Michael has practiced in employment and commercial law for over thirty years. He has particular experience in restraint of trade, complex wrongful dismissal cases and large value discrimination cases and many of his cases have involved the financial services sector, including team move cases. He combines his employment practice with sports law, commercial law, construction law and company issues such as unfair petitions and minority shareholder issues where many of the issues are frequently intertwined. Areas covered include:

- Particular expertise in restraint of trade cases - successful Counsel in ***Sunrise Brokers LLP v Rodgers*** [2015] IRLR 57, an important case regarding garden leave; ***Pickwell and Nicholls v Pro Cam (CP) Ltd*** [2016] IRLR 761 and ***Bartholomews Agri Food v Thornton*** [2016] IRLR 432 both cases with important points of law on enforceability of covenants.
- Acting in multi-million-pound wrongful dismissal case based in the Bahamas (May 2017).
- Acting for Respondent in £7.5. million disability discrimination claim (2016-2017).
- Representing individual in Insider dealing FCA investigation (2017).
- Disciplinary Tribunal experience, having represented clients before Regulatory Tribunals including the GMC and the NMC.
- Regular mediator as well as having very substantial experience of commercial law and expertise in building and construction law.
- Particular experience of high value wrongful dismissal cases (Author of Wrongful Dismissal and Breach of Contract – see below), whistleblowing as well as collective trade union issues including labour disputes.
- Acted in many disability discrimination cases over recent years, for both employer and employee and in many harassment cases.
- His interest in large scale projects goes back to the channel tunnel project during which time he was instructed on all the collective and unfair dismissal cases. In conjunction with Human Resources he developed the redundancies procedures and successfully defended over thirty applications to the Employment Tribunal. He has since been instructed on many multi-party Employment Tribunal claims.
- Acted in hundreds of Tribunal cases over the years, involving unfair dismissal and discrimination claims for a wide range of reasons and in dozens of High Court cases involving restrictive covenants. Many of his cases have been reported.
- Recent clients have included/include financial institutions (Bank of England; Cantor Fitzgerald); Local Authorities (Kent, Swale, Leeds, Leicestershire, Bradford); Universities (Cambridge, Trinity Hall, UKC, Leicester, Lincoln); Police Constabularies (Kent, Nottingham, Barnsley, Leeds, Sheffield, East Lindsey, Lancashire, R.A.R.T.).
- In the commercial sphere, he has experience of a wide range of commercial work including sale of goods, retention of title clauses and professional negligence, especially relating to architects and surveyors and negligence and specialises in interlocutory work involving freezing and search orders. Has also acted in receivership disputes and for building societies in cases involving professional negligence.
- Substantial experience of Commercial Agency Contract cases under the 1993 Regulations (see below).
- Advised on the Agency Workers Regulations 2010 on a regular basis.
- Dealt with many Technology and Construction Court cases, including multi-million pound disputes relating to construction defects, extensions of time and disputes under JCT and ICE contracts, Architect and surveyor disputes as well as appearing in arbitrations.
- Allied to the construction side, has dealt with many health and safety cases (both Civil relating to Prohibition Notices and Criminal prosecutions because of defective plant).

## Restrictive Covenants

Restraint of trade and restrictive covenants is one of the central areas of Michael's practice. He appears regularly in applications for interim relief both on a without notice and contested basis. He is also an expert in drafting and advising in this field. He has particular expertise in relation to recruitment agency injunctions, financial institutions and injunctions involving computer imaging. His cases include:

- ***Pickwell and Nicholls v Pro Cam (CP) Ltd*** [2016] IRLR 761 and ***Bartholomews Agri Food v Thornton*** [2016] IRLR 432 both cases with important points of law on enforceability of covenants.
- ***Sunrise Brokers LLP v Rodgers*** [2015] IRLR 57. Recent important case on the scope of garden leave.
- ***Ashcourt Rowan Financial Planning Ltd v Hall*** [2013] EWHC 1185 (QB) (10 May 2013). Whether a non-competition covenant is enforceable.
- Between 2009 – 2017 Michael has successfully acted in dozens of injunction applications, including obtaining injunction for, amongst other clients, a major mobile telephone provider, a large scale recruitment agency and a property company.
- Michael has also recently acted for Defendants in a case involving a team move, which was successfully settled following exchange of evidence and pleadings.
- Michael has a particular expertise in applications involving the use of electronic media, including data searches.
- ***Pathology Group Limited v Reynolds*** [2011] EWHC 3958. Successfully defended an injunction application by offering limited undertakings and succeeded in obtaining costs because of manner in which Claimants had pursued the injunction.
- Michael acted for the successful Claimant in ***Kynixa Ltd v Hynes & Ors*** [2008] EWHC 1495 (QB) (30 June 2008) in which the three Defendants were found to be liable, after a nineteen-day trial, for breach of fiduciary duty and duties of fidelity as well as various covenants. The Claimant obtained costs approaching £1 million after being awarded £350,000 on a successful 'on account' application; See the costs judgment of 15th July 2008. The case has been referred to at length in the leading textbooks as containing important points on the extent of liability for breach of the duty of fidelity and fiduciary duty.
- ***Intercall Conferencing Services Ltd v Steer*** [2007] EWHC 519 (QB) 15 March 2007. Approach to non-competition clauses in interim applications in which Michael successfully got injunction for Claimant.
- ***EE & Brian Smith v Hodson & Ors*** [2007] EWCA Civ 1210. Delay on the part of the Judge in giving judgment for an interim injunction led to the Court of Appeal emphasising the need for expedition.
- ***Brake Brother v Ungless*** [2004] EWHC 2799. Obtained injunction in first instance which was upheld at trial.
- ***Turner v Commonwealth & British Minerals Ltd*** (CA) [2000] IRLR 114 Restrictive covenants (payment to accept covenant) & termination of employment.
- ***Wincanton Ltd v Cranny & anr*** (CA - Civil Division) [2000] IRLR 716; Simon Brown LJ, Sedley LJ. Twelve months post termination. Whether covenants enforceable. Whether interlocutory injunctive relief should be granted. Represented the partially successful Appellant.
- ***Taylor Stuart & Co v Timothy Croft*** (ChDiv) 07.05.97 - Restrictive covenant - penalty clauses. Acted for successful Defendant in arguing that a clause was a penalty clause. Stanley Burnton QC (sitting as a Deputy High Court Judge).

## Equality and Diversity: Discrimination Claims including Age and Disability Discrimination, Harassment Cases, including Sexual and Racial Harassment, Equal Pay and Stress Cases

Michael is a well-known practitioner in the field of equality law. He has been involved in many high value discrimination cases and has a particular expertise in age discrimination cases and disability cases. He is a member of the Bar Council's Equality Diversity and Social Mobility Committee. His cases and experience includes the following:

- Prior to the implementation of the Employment Equality (Age Regulations) 2006, Michael acted for the successful employee in **Wall v British Compressed Air Society** [2004] IRLR 147 CA in which the Court of Appeal held that a single employee could have a contractual normal retiring age.
- He has advised widely on the Regulations, and then the Equality Act 2010, in relation to unfair dismissal, discrimination and, in particular, the provision of service benefits and pensions. He has acted in a number of Employment Tribunals in which age discrimination has been claimed and successfully represented Claimants in securing a series of large settlements well in excess of £100,000 against a major newspaper group based upon contractual redundancy schemes where age discrimination was alleged.
- He acted for the successful Claimant in the multi million pound claim in **Shiret v Credit Suisse** [2013] which was widely reported in which Mr Shiret successfully contended that he had been selected for redundancy because of his age. He also represented a firm of solicitors who were being sued when they took on a junior PQE as opposed to someone who was much more senior.
- He has also acted for Police Authorities in varying protected terms and conditions due to equal pay and age discrimination issues.
- He has drafted and advised upon the public sector duty statements required by the equality legislation and upon procedures required by institutions subject to public sector duties. Michael has lectured widely on this topic.
- Michael has acted in many dozens of cases, for both Claimants and Respondents in cases involving all aspects of discrimination and harassment, including serious sexual harassment.
- He assisted the EAT in **DA'Bell v NSPCC** [2010] IRLR 19 in updating the figures for injury to feelings and has successfully represented the NSPCC in a number of cases.
- **Larkin v Korean Airlines Co Ltd** (EAT) he acted in a case concerning remedies, compensation and causation where the Claimant had embarked on a course of study rather than seek further employment.
- He drafted guidelines which were accepted and adopted by Holland J in the leading case of **Driskel v Peninsula Business Services Ltd** (EAT) [2000] IRLR 151.
- He was Counsel for the successful bank in **Johnson v Bank of England** [2003] UKEAT 0334/021004 (10 April 2003).
- Michael represented Commander Dizaei in the Central London Tribunal and successfully resisted attempts to have his race discrimination claims struck out, in the largest claim that has been brought against the Met and other Respondents. The case generated huge publicity and subsequently settled.
- He has acted for Claimants in a number of cases alleging discriminatory conduct against senior professional females which have led to successful settlements against major financial institutions in excess of £250,000. He has obtained a number of large settlements for clients in cases against financial institutions.
- Michael has acted for Claimants in high value disability cases. Cases recently have achieved settlements of £½ Million and he has acted in a number of multi-million pound claims.
- Michael has also acted for educational institutions in claims of discrimination. He successfully defended a discrimination claim by a student against the University and Chancellor in **Nadsalingham v University of Lincoln** after a long trial. He has acted for a number of banks, Higher Education establishments and businesses in advising and defending sex discrimination claims.
- In **Gillingham Football Club Ltd & Anor v McCammon** (Unfair Dismissal: Reasonableness of dismissal) [2013] UKEAT0559 (03 September 2013) Michael acted for club in first claim of race discrimination by black footballer. Succeeded in defending direct race discrimination but technical victimisation found based on termination letter. Michael has acted for both Claimants and Respondents, particularly, Local Authorities and financial institutions in disability claims involving allegations of discrimination on the ground of disability and issues of reasonable adjustments.

Cases include:

- **Evans v Oaklands Nursing Home Group Ltd** (EAT) before Lindsay J concerning compensation for hurt feelings in which it was held that a Tribunal is obliged to indicate their reasoning for the amount of the award.
- **Butler v Mellons Limited** [2012] Langstaff J. Acted for successful Appellant. Relationship between disability discrimination and breach of trust and confidence/unfair dismissal.
- Michael has also successfully represented schools/local authorities in education cases in the SENDIST in which allegations of discrimination and failure to carry out less favourable adjustments have been made; his latest case involved a pupil ADHD who had been excluded because of his unacceptable conduct.
- Michael has also advised employers about the steps that they should take in order to comply with their duty to carry out reasonable adjustments and lectures on this topic.
- Michael has appeared regularly in the Employment Tribunal, both in large scale equal pay claims and for Respondents in which individuals equal pay claims have been brought. Michael has written the leading text on equal pay, *Equal Pay* (2009) Jordans which considers the recent cases as well as setting out practical steps to carry out an equal pay audit. Michael is well placed to advise and assist employers on non-contentious matters, such as equal pay audits as well as representing parties in the Tribunals.
- He is acting for a number of Local Authorities in the collective equal pay cases that are presently going through the Tribunals. He was successful Counsel for the Appellant in **North Tyneside Primary Care Trust v Aynsley** [UKEAT/0489/09] in which Underhill P in allowing an appeal against a strike out of a large number of equal pay claims, considered the application and scope of Unless Orders in the Employment Tribunal.
- Michael acted for First Assist in successfully resisting an equal pay claim by a male advocate who compared himself with female advocates who had been provided with cars. He recently acted for a charitable school which successfully resisted an equal pay claim by a female Head of Department who compared herself to other Heads in other schools which were part of the charity in **Chubb v The Bedford School**.

### Unfair Dismissal including Whistleblowing, Re-organizations, Redundancy & Transfers

Michael has acted in many unfair dismissal cases over the years as a staple of his practice. He is responsible for the leading text, *Unfair Dismissal, Law, Practice and Guidance*, which is due to go into a second edition via Duggan Press (see below). Michael has advised and acted in various cases involving transfers, both at individual unfair dismissal level and on a collective basis.

- Acted in over 400 claims involving holiday pay under the WTR 1998.
- Advised and acted for Liverpool John Lennon airport in relation to the transfer of baggage handling and successfully resisted a claim in the Tribunal and EAT in **Allenby v Liverpool Airport PLC** (EAT).
- Acted for several Respondents in the Swissport litigation concerning baggage handling at Heathrow.
- He has acted in a number of cases involving the insolvency provisions of Regulation 8 TUPE 2006. He was Counsel for Head Entertainment in the conjoined cases - **OTG Ltd v. Barke & Ors** [2011] UKEAT 0320, ([2011] ICR 781, [2011] IRLR 272).
- Michael has successfully defended a number of banks and other institutions against 'whistleblowing claims' including a recent 9 day case in Central London where the claim was well in excess of £1 million. He has also acted for Claimants in a number of such claims.
- **RSA Consulting Ltd v Evans** (23 July 2010) [2010] EWCA Civ 866, [2011] ICR 37 in which employment status was in issue.
- **NSPCC v Dear** [UKEAT/0553/08] Michael succeeded in appeal against a finding of unfair dismissal.
- **Fitzgerald v University of Kent at Canterbury** (HHJ Peter Clark EAT) [2004] IRLR 300; ICR 737, (Court of Appeal). Retrospectively agreed effective date of termination meant appellant could not claim unfair dismissal as mutual termination defeated that right and not contrary to s 203 ERA 1996.

- He has acted in many Tribunal cases involving redundancies and re-organisations as well as being involved in appeals at EAT level. He was Counsel in **Corus & Regal Hotels v Wilkinson** [UKEAT/0102/03] in which the EAT considered the scope of the definition of redundancy against a business re-organisation.
- **Scotts Company (UK) Limited v Budd** [2003] IRLR 145 - Notice payments when employee is absent due to sickness.
- Represented the successful Appellant in arguing that, under the ERA 1996, notice pay does not 'rejuvenate' when an employee, who has been off sick so that that entitlement to salary has ceased, is given notice to terminate.
- **Smith v Secretary of State for Trade & Industry** (EAT) [2000] IRLR 6 - Represented the successful Appellant. The EAT also considered the right to fair trial; close connection between employment tribunal & executive led to possibility of partiality over redundancy claim.
- **Taylor v John Webster Buildings Civil Engineering** (EAT) [1999] ICR 561. Unfair dismissal; compensation; redundancy selection; effect of Polkey reduction on compensation award.

Michael acts for both Claimants and Respondents in the Tribunals. He also advises on drafting disciplinary and grievance procedures and has advised on and assisted in 'in house' disciplinary proceedings as well as redundancy procedures. He recently lectured to senior HR Managers in relation to dismissal issues arising out of the use by employees of social media.

### Commercial Work, Dispute Resolution, Construction Work, Commercial Agencies and Employment Agencies and Large Scale Wrongful Dismissal Claims

Michael had acted in a wide range of commercial work including sale of goods, retention of title clauses and professional negligence, especially relating to architects, surveyors and solicitors' negligence and specialises in interlocutory work involving freezing and search orders (Marevas and Anton Pillers).

- Acted in dispute involving the royalties to be paid in relation to the documentary, Hello Quo.
- Acted in negligence/breach of contract claim for major financial institution in claim arising out of insurance policies.
- Michael has been involved in a large number of contractual claims involving hundreds of thousands of pounds (ie **Parham v F Parham Limited** [2006] EWCA Civ 181 in which a claim for wrongful dismissal was successfully resisted) and has a particular expertise with regard to large discretionary bonus claims, in which he has successfully represented both employees and employers.
- Counsel in **Fulham FC v Tigana** [[2004] EWHC 2585 (led in trial before Elias J) acting for Fulham.
- **Greenland v GX Networks Limited**, QBD, HHJ Shaun Spencer QC; Court of Appeal, he was Counsel for the employer in a case in which the scope of bonus provisions was argued.
- Recent cases have included achieving a settlement of £700,000 for a Claimant and defending a multi-million-pound claim which settled after a mediation at a fraction of what was claimed.
- Has also acted in receivership disputes and for building societies in cases involving professional negligence.
- Michael also has considerable experience of Unfair Prejudice petitions having acted in a number of cases where a Petition has run parallel with an employment or commercial dispute.
- Has dealt with many Technology and Construction Court cases, including multi-million pound disputes relating to construction defects, extensions of time and disputes under JCT and ICE contracts, Architect and surveyor disputes as well as appearing in arbitrations and, allied to the construction side, have dealt with many health and safety cases (both Civil relating to Prohibition Notices and Criminal prosecutions because of defective plant). He has recently been instructed in a 7 million-pound dispute concerning the commissioning of plant which proved to be below specification.

- Michael has substantial experience of Commercial Agency Contract cases under the 1993 Regulations and was involved in the large scale, multi million pounds, and Enron dispute concerning electricity and gas utilities in which he achieved a substantial settlement for his clients by obtaining a concession that they were commercial agents. He successfully acted in the first case to decide that commercial agents owe a duty of trust and confidence akin to an employment relationship to their Principal: see **Gledhill v Bentley Designs (UK) Limited** [2010] EWHC B8 (Mercantile). Michael acts for both Principals and Agents in commercial agency disputes. He has drafted a number of precedent agreements arising out of the Agency Workers Regulations 2010 and lectured widely on this subject. He continues to be instructed on a regular basis by Agencies.
- Michael also has detailed knowledge of employment agency/temporary workers law under the 2003 and 2010 Regulations and has drafted precedents for national recruitment agencies, as well as appeared in the Tribunals and EAT. He regularly lectures on this topic to ELA and in-house to firms of solicitors.

### Procedure

Michael has acted in a large number of important procedural cases, including:

- **Kular v Lenlyn** - EAT case on Polkey reductions. Acted for successful Claimant – went on to obtain maximum award.
- **Gillingham Football Club & Anor v McCammon** [2011] UKEAT 0625\_11\_0812 (08 December 2011), Michael successfully appealed the refusal of the Ashford Tribunal to adjourn a case where an individual had been added as a party and was not available for the hearing.
- **Halstead v Paymentsfield Group Holdings Limited** [2012] IRLR 586, important case on stays where there are Tribunal and High Court claims.
- **Abegaze v Shrewsbury College of Arts and Technology** [2010] IRLR 238, Court of Appeal, which has been described in the EAT as the 'most important case now on strike out'. Succeeded in appeal on the grounds that claim should not be struck out because there was an injury to feelings element and a lesser sanction was possible.
- **Butler v Mellons Ltd & Anor** (Unfair Dismissal: Constructive dismissal) [2011] UKEAT 0216. Successful appeal concerning the Tribunal's failure to differentiate between the tests for unfair dismissal and discrimination and in which Langstaff J made some important points about lists of issues.
- **North Tyneside Primary Care Trust v Aynsley** [UKEAT/0489/09] [2009] ICR 1333. Michael successfully argued that a lesser sanction such as an unless order should be applied to a party in default before a case was struck out.
- **Myers v Tang (t/a China Rose Restaurant)** [1996] UKEAT 266\_96\_2211 (22 November 1996) considered the issue of the standard of proof.

### Disciplinary Cases and Sports Law Cases

Michael advises on and acts for clients in disciplinary cases, in particular those involving regulatory matters. He can represent clients in relation to the FCA (formerly FSA), GMC and NMC. He recently successfully persuaded the NMC to impose a conditions of practice order rather than a suspension order in a case where a Director of Nursing was being investigated for substantial failings in a hospital as found by the CQC. He can give practical and pragmatic advice to companies and individuals on regulatory matters. He is currently (May 2017) acting for an individual in relation to an FCA insider dealing investigation.

Michael sees Sports Law as related to his employment and contract work and has acted for an Academy Manager against a leading football club, been led in a claim against a football club (**Tigana v Fulham FC**) and, most recently, represented Gillingham FC in the Employment Tribunal. He has advised on numerous sports issues, though he does not see his successful representation in the claim in Central London County Court in **Goldman v Association of Premier Scrabble Players**, where the issue was how long should be left between games to take comfort breaks as a turning point. He is happy to advise and represent both sports persons and clubs.

## Collective Trade Union and Labour Law Issues

Ever since acting for the construction companies on the Channel Tunnel project in the eighties in obtaining injunctions to restrain unlawful industrial action and is a co-author of the leading text in this area. Michael has acted in many cases involving unlawful strikes or other industrial action in which injunctions have been granted to restrain action due to a defective ballot process or where the action has been unofficial (*Anglian Windows Ltd v The GMB* [2007] EWHC 917 (QB) (27 April 2007). He has also advised trade unions in relation to the ballot process, recently the BAJ in relation to action involving mass redundancies.

- Michael also has expertise in appearing before the CAC including acting for a company concerning the scope of the bargaining unit. He has represented the BAJ in its pay claims, which went to arbitration before an ACAS nominated panel and successfully obtained a 'binding in honour' order for a pay rise.
- Michael also acted for a number of companies in the Employment Tribunal, defending claims against alleged trade union discrimination in relation to the so called 'blacklist' which was kept by the Consulting Association.
- Michael was admitted to the Bar of Northern Ireland in 2008 in order to represent a company in the Court of Appeal regarding a strike at Belfast airport, in which the issue was whether shop stewards had been dismissed for 'political activities'.
- He has also acted in number cases concerning collective consultation under section 188 of TULR(C)A 1992, most recently representing acting for the Respondent at Bedford Employment Tribunal in which a whole plant had been closed down with the issue being whether there had been over 99 redundancies in 90 days and whether there had been meaningful consultation.
- He was Counsel for the successful Appellant in *Shanahan Engineering v Unite the Union* [UKEAT/0411/09] where the Tribunal eventually reduced the protective award down from 90 to 30 days, saving his client hundreds of thousands of pounds.
- He recently represented 24 Claimants in a collective consultation case involving the closure of a depot and secured a settlement in January 2015 of several hundred thousand pounds.

## Mediation

Michael is an accredited Mediator with the ADR Group and can mediate on a wide range of matters. He has mediated cases as diverse as the parties falling out over the sale of a used car to a dispute between a bursar and the Fellows of the College and a Claimant with Asbergers Syndrome. He has been a regular mediator in employment disputes. For further information contact his clerks. Michael is also a member of the Instituted of Chartered Arbitrators and acts for both sides in arbitrations.

## Publications



Michael has been a published author ever since he has been in practice. In 2014 he made the decision to set up Duggan Press in order to publish his own works that had already run into several editions with previous publishers (See [www.dugganpress.com](http://www.dugganpress.com)).

The main books are:

- Duggan on Contracts of Employment; Law, Guidance and Precedents (3rd Edition, 2 volume with disc).
- Wrongful Dismissal and breach of contract: Law, Practice and Precedents (2nd Edition with disc).
- Business Re-organisations and Employment Law: Reorganisations, Redundancies and Transfers.
- Unfair Dismissal, Law Practice and Precedents.

Other publications have included:

- The Law of Industrial Action and Trade Union Recognition (OUP) with John Bowers QC and David Reade QC. (2nd Edition 2011).
- The Equality Act (The Law Society) (2010) • Equal Pay: law and Practice (Jordans 2009).

- Family Friendly Policies: A Handbook for Employers and Employees (pp 423).
- Business Re-organisations and Employment Law (Longmans 1992).
- Director's Termination Payments (Sweet & Maxwell).
- The Modern Law of Strikes (with John Bowers) (Blackstones) – Described as the classic text on the subject (written by Michael when a pupil) and updated and published by OUP as set out above.

Editor of the Civil Practice Law Reports. Reported as 'CPLR' from 1999 - widely referred to in the Supreme Court Practice. Regular contributor to law periodicals with over one hundred articles to his credit.

Past tutor on the Bar Court at the Council of Legal Education, whilst in practice, teaching Civil Procedure, Evidence, International Trade, Tort and Contracts. Michael is on the Legislation and Guidance Sub-Group of the Bar Council, Equality and Diversity Committee.

### Lectures on Areas of Practice

Michael is a regular lecturer on legal topics and has lectured for years via the Employment Lawyers Association on various employment issues. He has lectured in the ELA regions for the last three years on social media and employment law, maternity, restrictive covenants and age discrimination and given a yearly Seminar to the North-East group of local authorities in Leeds on employment updates. He was invited to Belfast ELA to speak on Equal Pay. He has spoken at the Liverpool Law Society Annual conference on TUPE. In May 2013, he spoke at the ELA annual conference in Birmingham on 'Drafting the Perfect Restrictive Covenant', which session was warmly received and he speaks in the regions each year. He has also spoken recently on the Sunrise v Rodgers case, in-house to several firms of solicitors.

**Current topics of interest include:** Agency Workers Regulations; Age Discrimination; Disability Discrimination Maternity and Paternity; Restrictive Covenants; Social Media and Networking; Stress at work; TUPE Recent Issues; Discrimination and the EA 2010 generally.

Michael has lectured on the Lexis Nexis Harvey Employment Seminar on Contracts of Employment and Recruitment Agencies; Strikes; Unfair Dismissal; Termination of employment of Executives and Directors; Sale of Goods; Commercial Law; Civil Procedure; CPR Part 36. To arrange a lecture please contact:

[clerks@littletonchambers.co.uk](mailto:clerks@littletonchambers.co.uk)

### Education

- BA, BCL, LLM (First Class, Sidney Sussex College, Cambridge University)
- Holt Scholar of Gray's Inn, Gray's Inn
- Evan Lewis Thomas Student, Sidney Sussex College, Cambridge
- Constitutional Law Scholar Gray's Inn
- Lee Essay Prizeman, Gray's Inn

### Professional Associations

- Member of Management Committee, Employment Lawyers Association 2004 –9. London and South East Representative 2004-8. ELA Training Committee 2004-9
- Member Gray's Inn Barristers' Committee 2006-2012
- Elected Gray's Inn Senior in Hall, 2014
- Member ELBA, ELA
- Member of the Legislation and Drafting sub-committee of the Bar Council Equality and Diversity Committee
- Committee Member of the Equality Diversity and Social Mobility Committee, January 2015 onwards
- Elected to the Bar Council for three-year term commencing January 2015

- Fellow of the RSA
- Member of the Chartered Institute of Arbitration

## **Interests**

Music: Blues - Guitar, Mandolin, Ukulele, Guitar Viol. Currently learning violin. Concert going. Old and Middle English. WW1. His Morgan and renovating the water wheel at his seaside home in Mundesley, North Norfolk. Married with three grown sons and a granddaughter and grandson. Lives in Mundesley, North Norfolk; Coton, Cambridgeshire and Gray's Inn, London.