

DANIEL NORTHALL

Call: 2004



Daniel is a leading junior in his core practice areas of employment and commercial litigation. He is routinely instructed on matters of critical importance to clients and is noted for his deft handling of complex disputes in a manner which is intellectually rigorous, pragmatic, collaborative and user-friendly.

He typically acts as sole counsel on significant and high value disputes and often appears against QCs in England and Wales and (in respect of employment tribunal litigation) Scotland.

Daniel was ranked as a leading junior after only his second year of practice and has been ranked every year to date. His most recent endorsements include the following:

*"His advice is always based on a **high level of technical knowledge** and **deep intellectual analysis** of the case. He is **extremely eloquent** and his **advocacy skills are first class.**"*

"Extremely bright."

Chambers & Partners (2019)

Previous citations have described Daniel in the following terms:

*"**incredibly hard working**", a "**rising star**", giving a "**first class performance in every case**", having an "**ability beyond his years**", offering "**strong intellectual analysis and pragmatic advice**" and "**excellent advocacy**" in addition to being "**very user-friendly and very popular**".*

Daniel's employment practice requires him to act as an advocate and adviser in high level disputes arising out of all aspects of the employment relationship. His instructions in the past 12 months have shown a particular focus on:

- Strategic analysis and advice to SME and large enterprises involved in disputes over the competitive activity of current or former employees, including representation at injunction applications;
- Significant and high value whistleblowing litigation in the insurance industry and the financial services sector generally;
- Representing disabled trainee doctors in addressing the disadvantages they allege are inherent in the training regime;
- Advising and representing an incorporated former partnership on employment litigation involving hundreds of allegations of discrimination and an associated shareholder dispute proceeding in the High

Court;

- Successfully representing a senior executive in relation to wrongful allegations of dishonesty;
- Representing and advising an international conglomerate in response to allegations of trade union victimisation and threatened industrial action.

Led by David Reade QC, Daniel is currently acting for the Official Receiver (instructed by the appointed Special Managers) in relation to group employment litigation arising out of the corporate collapse of Carillion, the largest corporate insolvency in UK history.

Daniel's commercial practice covers the full range of business disputes, including **breach of contract, insolvency, breach of fiduciary duty, commercial fraud, claims for and against directors and claims between shareholders.**

High Court Employment

Daniel has significant experience of employment based contractual litigation in the High Court. He routinely appears in both the Queen's Bench Division and the Chancery Division of the High Court in **breach of employment contract and employee competition cases**, including in relation to **injunction applications**. His recent experience in this area includes the **misuse of confidential information**, the **interpretation and enforceability and post-termination restrictions**, including their discharge by the employer's breach, **team moves, diversion of business opportunities, breach of fiduciary duty** by statutory directors and **damages claims**.

Instructions in the past 12 months have included the following:

- Representing a senior manager and their new employer within the recycling industry in response to Injunctive proceedings, the defence to which included arguments of unenforceability and discharge by breach, including ongoing strategic advice.
- Representing a retail bank in reply to an injunction application to restrain the closure of a customer account on the grounds that such closure would be discriminatory.
- Advising a statutory director and senior employee on pre and post termination competitive activity, including in relation to their defence to proceedings for significant damages.

Statutory Employment

Daniel is an expert litigator in the employment tribunal and has been recognised as such from an early stage of his career.

He typically acts for PLCs, medium to large businesses, executives, high net worth individuals, public sector bodies and Government departments. He is particularly noted for his **forensic skills** and his ability to cut through litigation which is legally complex and information heavy.

Instructions within the past 12 months have included:

- Led by David Reade QC, acting for the Official Receiver (instructed by the appointed Special Managers) in relation to group employment litigation arising out of the corporate collapse of Carillion, the largest corporate insolvency in UK history.
- Representing an international business at the remedy stage of a claim following the employment tribunal's

finding of victimisation. (Daniel did not represent the Respondent at the liability stage). The Claimant sought approximately £2m in compensation.

- Representing two disabled trainee doctors in separate litigation in England and Scotland in addressing the disadvantages they alleged were inherent in the training regime. The claims required complex legal argument and a detailed understanding of the multi-party training arrangements for doctors which exist in England and Scotland.
- Advising and representing an incorporated former partnership on employment litigation involving hundreds of allegations of discrimination and an associated shareholder dispute proceeding in the High Court.
- Representing and advising an international conglomerate in response to allegations of trade union victimisation and threatened industrial action.
- Representing a senior manager in the oil industry alleging sex and maternity discrimination.
- Representing a senior executive in the insurance industry alleging protected disclosure detriment and dismissal and race discrimination.

Employment Appeals

Daniel has a busy appellate practice and frequently appears in the EAT in appeals where he was not instructed at first instance.

Recent instructions have included:

- Advising a leading high street retailer on a resisted application for trade union recognition, including assistance in the Court of Appeal. The appeal addressed the tension between a trade union's Article 11 rights and the statutory recognition regime contained in Schedule A1 of the Trade Union and Labour Relations (Consolidation) Act 1992.
- Representing HMRC in relation to an appeal providing significant development of the law on early conciliation and its effect on extending time limits.
- Led by Mark Sutton QC, an appeal examining the tripartite training arrangements between a trainee doctor, NHS England and the employing NHS Trust.
- Representing an international business in response to appeals against a complex remedy judgment awarding long-term loss.

Previous appearances in the EAT have resulted in judgments providing significant advancement of the law, including in relation to the strike out of claims, implied terms in employment contracts, the application of Regulation 4 of TUPE, discrimination on the grounds of marital status and the use of warnings in the dismissal of employees.

Commercial

Daniel is an experienced and well-regarded commercial litigator instructed routinely as sole counsel on a range of business disputes, including **contractual disputes**, **commercial fraud**, **breaches of fiduciary duty**, **shareholder disputes** and **disputes between directors or other senior employees**.

Daniel is noted for his keen analytical skills twinned with his ability to provide pragmatic, sensible advice which clients value. He appreciates that a successful outcome is normally due to hard work and a willingness to work as part of a team with his solicitor and lay clients. He is prepared to act at short notice to provide advice, drafting

and representation where, for example, an interim injunction is required.

Recent instructions have included the following:

- Advising a corporate investor in relation to potential claims for professional negligence in relation to advice to invest in high risk film investment schemes given by its former accountants and tax advisers.
- A multi-day trial concerning the beneficial interest in a Seychellois property concerning breach of trust, asset tracing and equitable compensation.
- Advising the former directors and shareholders of a company in the care sector on their rights as minority shareholders in relation to claims for breach of a shareholders' agreement and unfair prejudice.

Daniel has also developed particular expertise in **insolvency** law, both **personal and corporate**, with a particular focus on **bankruptcy** and the **administration** and **liquidation** of companies. He has extensive trial experience of related issues, including the **enforceability of guarantees** and other financial instruments on the grounds of purview, misrepresentation, duress and mis-selling.

Sport

Daniel has been a keen follower of sport since childhood and so the interaction between sport and the law is a natural progression to his career.

He has undertaken a number of high profile sports related instructions, including:

- assisting in the representation of a Championship football manager in disciplinary proceedings brought against him by his then club;
- representing a rugby club in the Aviva Premiership in response to claims of disability discrimination, breach of contract and unfair dismissal brought by a former player; and
- representing a director of a Premier League club in respect of claims of unfair dismissal and breach of contract.

Daniel is a devout supporter of Wolverhampton Wanderers, arguably the antithesis of glory hunting (although less so these days).

Education

Law, Trinity Hall, University of Cambridge