

## LYDIA BANERJEE

Call: 2007



Lydia has a busy junior practice dividing her time between court work and advisory work. In line with the broader chambers specialisms Lydia's core areas of practice are commercial law, sports law and employment law. Lydia's commercial practice encompasses disputes including **contractual interpretation, partnership disputes, shareholder disputes** and **directors' duties**. Lydia's sports law work covers work in relation to **agency fee disputes, equality issues** and **disciplinary proceedings**. Lydia's employment work has a particular focus on **disability discrimination** but also incorporates all areas of tribunal disputes and high court action in relation to **bonuses** and **restrictive covenants**.

Lydia draws on personal commercial experience as a **director of a private limited company**. Lydia has been a Director and Assistant Company Secretary since 2004. Alongside her business interests Lydia is the **chair of a registered children's charity**, "Rafiki".

Lydia's personal and professional experiences mean that she understands commercial and employment matters from within the industry enabling her to provide **practical and tactical advice** alongside **sound legal analysis**.

Some client comments include:

***"One of the brightest young barristers at the set; she is super-bright, extreme and faultless in her level of preparation and has a fantastic bedside manner"*** (Chambers and Partners)

***"Lydia was really outstanding. Her preparation, advocacy skills and manner with the client were second to none and I would have no hesitation in using her again."***

***"A lawyer who has not only advised on the law but thought tactically and intelligently."***

### Commercial

Lydia has been involved in several **injunction applications** including an appeal to the Court of Appeal. Lydia has been instructed as sole counsel in relation to conjoined applications for freezing injunctions as well as injunctions to prevent breaches of restrictive covenants.

Lydia's commercial practice covers all aspects of contractual disputes. She is regularly instructed to advise in relation to the **interpretation of contractual obligations**, the application of **UCTA** and **third party claims**. She regularly appears in the **county court** on cases involving enforcement of judgments, breach of contract and disputed costs. Lydia is currently involved in an appeal addressing questions of service internationally and limitation restrictions.

Lydia has been instructed as junior counsel in several high court cases involving allegations of **team moves**,

***breach of directors duties, unlawful means conspiracy*** and other ***economic torts***.

Lydia has also appeared in the Lands Tribunal and High Court and has experience of the VAT tribunal from prior employment in the indirect tax team at Deloitte and during pupillage.

## Sports Law

Lydia is an active member of the Littleton Chambers Sports law group. Her keen interest in sport stems from personal connections to the world of ***cricket*** and ***football***. The many hours sitting at various county grounds under grey skies or in the rain and snow at Villa Park have confirmed a lasting passion which she is keen to further through her legal practice.

Lydia is regularly instructed on sports law disputes with recent cases including:

- A High Court claim in relation to ***disputed agency fees***
- ***FA Arbitral*** proceedings in relation to ***disputed agency fees***
- A dispute between a player and sponsor regarding ***image rights***
- A ***debt claim*** against a former professional sportsman
- An ***FA disciplinary hearing*** in relation to a failed drugs test
- Application for the ***winding up*** of a sports club

Lydia is a contributor to the Sports Insights publications and the Littleton Law in Sport Blog. She spoke at the De Monfort University mini-conference in 2016 on the subject of equality in sport and also addressed a specialist seminar on the question of hyperandrogenism. Lydia is on the ethics panel for British shooting. She also lectures on CAS on the De Monfort University Masters in Sports Law course.

## Employment

Lydia undertakes work in all areas of employment law and is instructed by both Claimants and Respondents at all stages of proceedings. Lydia has a particular interest in ***disability discrimination*** and has experience of supporting clients and witnesses with disabilities through adjustments to the tribunal process including by way of example witness statements in braille, lip speakers and adjustments to the timings of hearings to accommodate rest periods. Lydia is the ***co-author of a book on disability discrimination*** published through the Law Society.

Lydia is also available to provide representation in ***mediations*** and ***internal disciplinary proceedings***.

Lydia appears regularly in ***Tribunals*** around the country and in the ***EAT***.

Recent cases include:

An ***appeal*** in relation to the correct ***application of Polkey*** in the context of a career loss compensatory award

An ***appeal*** in relation to the correct approach to assessing ***pension compensation***

Advise in relation to the ***TUPE*** implications of a merger

A claim against a finance house in relation to the ***employment status of junior limited liability partners***, allegations of ***whistleblowing*** and issues regarding without prejudice documentation.

Defending a claim including multiple allegations of ***race discrimination*** and ***constructive unfair dismissal***.

Advising employee representatives in relation to **collective redundancy consultation**.

A ten day hearing for a client with hearing and sight impairments using tribunal lip speakers. The claim concerned allegations of **race** and **disability discrimination**.

## Arbitration

Lydia has acted as an arbitral secretary in a trust dispute between former business partners. She has experience of advocacy in a number of different forums and is well placed to act as counsel or secretary for complex arbitrations. With experience of tax, partnership, contract interpretation and jurisdiction disputes Lydia is a natural fit for arbitral work.

Lydia is currently instructed as junior counsel in a partnership dispute listed for arbitration later in the year.

## Education & Awards

### Education

First Class degree, Law, Cambridge University (2003-2006)

Bar Vocational Course, ICSSL, (2006-2007)

### Awards

Queen Mother Scholarship (Middle Temple)

Senior Harris Scholar (Downing College)

Listed in the Who's Who of Britain's Young Entrepreneurs 2006

Listed in the Who's Who of Emerging Business Leaders 2007 and 2008

## Talks & Publications

### Talks

Recent topics include

- Directors duties
- Interpretation of contracts in a sporting context
- Equality in Sport
- Hyperandrogenism
- Civil Procedure rules
- Drafting effective witness statements

### Publications

Lydia is the co-author of a specialist text on disability discrimination law. The book, "**Disability Discrimination: Law and Practice**" **Jackson & Banerjee (2013)**, is available through the Law Society and offers practical advice on managing disability in the work place and dealing with tribunal claims. The second edition is due for

release later this year.

Lydia is a contributing author to ***Blackstone's Employment Law and Practice (2014)***, the latest edition is due for release later this year.

Lydia has written on Equality in Sport for Law in Sport's yearbook, publication due shortly.

## Professional Memberships

- Commercial Bar Association (Combar)
- British Association of Sports Lawyers (BASL)
- Employment Law Bar Association (ELBA)
- South Eastern Circuit (SEC)
- Lawyers Christian Fellowship (LCF)