

JOSEPH BRYAN

Call: 2015



Joe became a member of Littleton in October 2016 on completion of his pupillage. He is developing a busy practice in employment law, commercial litigation and sports law.

He recently acted (led by David Reade QC) in the Court of Appeal in **Agarwal v Cardiff University & anor, Tyne and Wear Passenger Transport Executive t/a Nexus v Anderson & ors** [2018] EWCA Civ 2084, which is now the leading authority on the jurisdiction of employment tribunals in statutory wages claims.

Praise from clients and instructing solicitors:

- ***“He put his case across to the judge in such a way that she could not say no! [My client] would want Joe fighting his corner any day.”***
- ***“superb, proactive”*** and ***“at ease with the client and good value from my point of view”***
- ***“down to earth, good, decent barrister”*** and ***“he was very professional but also matter of fact”***
- ***“clear and cogent representation”***
- ***“prompt and detailed attention”*** with ***“very clear analysis”***
- ***“excellent – very impressed with his preparation and always helpful – great client care”***

Joe speaks French and German, holding undergraduate and Master's degrees in Modern Languages, and having worked in both France and Germany before coming to the Bar. He was ranked in the top three students in his law conversion course cohort and went on to be graded Outstanding in his Bar examinations.

Outside work, for better or worse, Joe travels far and wide to follow his hometown club Manchester United.

Employment

Joe regularly appears in employment tribunals in discrimination, unfair dismissal, whistleblowing, worker status and contractual claims, for both claimants and respondents, across a range of industries (including education, the medical profession and retail).

He actively welcomes instructions to attend tribunals in Northern England and on other circuits outside London.

Joe is at ease drafting claims and responses involving statutory and common law employment rights. His drafting work has been highly praised by instructing solicitors and clients.

At a recent public Preliminary Hearing, Joe's written argument was described as “excellent” by the Employment Judge in the course of giving judgment in favour of Joe's client.

Recent cases include:

- Successfully resisting a claim of constructive unfair dismissal and unauthorised deductions from wages for a major national retailer.
- Achieving a costs order in favour of a respondent employer not exceeding £60,000 (subject to detailed assessment).
- Providing pro bono representation to a charity-sector employer in a multi-day unfair dismissal, whistleblowing and discrimination case. Successfully obtained judgment dismissing all the claims.
- Representing the claimant in a multi-day harassment and sex discrimination case.
- Successfully resisting a claim for pregnancy discrimination in the hospitality sector.
- Opposing Queen's Counsel, securing a compensatory award for a claimant in an unfair redundancy claim.
- Obtaining a costs award of £6,000 for an employer in the care sector, having successfully defeated a claim for constructive unfair dismissal.
- Successfully resisting an application for the Employment Judge to recuse himself from a costs/wasted costs application on grounds of bias.
- Successfully defending a claim for notice pay brought by an ex-employee of a major casino and obtaining costs for the employer.
- Giving written advice on merits and quantum in a high-profile unfair dismissal claim for a senior official in local government.
- Advising in conference on the merits and strategy of defending a claim for unfair dismissal and breach of contract claim for a third-sector client.
- Obtaining a five-figure settlement and advising on the contents of a COT3 agreement for a claimant in a constructive unfair dismissal claim in the leisure services industry.

High Court

Joe has a keen interest in High Court business protection and has appeared as sole counsel on applications for interim injunctive relief.

He also assisted during his pupillage with a number of interim injunction applications (including in the information technology and insurance sectors).

Other recent High Court appearances include:

- In the QBD, successfully resisting an application to enforce the terms of settlement of an EAT appeal.
- Various applications to Masters in the QBD and Chancery Division.
- Numerous winding-up petitions.

Joe is a proficient user of the Relativity electronic disclosure platform, having been instructed as junior counsel on a multi-million-pound investment dispute.

Commercial

Joe has appeared as sole counsel in various commercial trials and applications in the County Court, including:

- In a multi-track trial before a Circuit Judge, successfully obtaining judgment and five-figure damages for a claimant in the telecommunications sector.
- Obtaining judgment at trial for unpaid fees on behalf of an independent school.

- At trial, successfully defending a claim against an employment agency for loss of earnings alleged to be due to a candidate after a job offer was withdrawn.
- Successfully applying to strike out, on grounds of *res judicata*, a claim brought by a former employee who had previously litigated against the same employer in the employment tribunal.
- Successfully applying for an order for possession of residential property.
- Successfully resisting a claim brought by a recruitment agency for an introduction fee.
- Successfully defending a breach of contract claim brought against a major telecommunications provider.
- Appearing for a firm of solicitors seeking payment of outstanding fees.

Joe welcomes instructions to advise on civil litigation strategy and draft letters before action, pleadings and preliminary applications.

Sports

Joe is a member of Littleton's Sports Law Group and welcomes instructions in sports law, both as sole counsel and led by more senior counsel.

Recent sports law instructions include:

- Drafting Particulars of Claim in a multi-million-pound football breach of contract claim.
- Representing an athlete charged with an Adverse Analytical Finding by the IAAF.
- Advising in a Rule K FA Arbitration.
- Representing a high-profile athlete in proceedings before the National Anti-Doping Panel.

As a pupil, Joe assisted his supervisor and other members of Chambers on various sports-related disputes, including:

- Constructive unfair dismissal claim brought by the personal assistant to a football agent.
- Drafting WP correspondence in a dispute between a Premiership rugby club and a coach.

Education, Scholarships and Prizes

2015: Bar Professional Training Course: Outstanding

2014: Graduate Diploma in Law: Distinction

2012: MSt Modern Languages (University of Oxford): Distinction

2011: BA (Hons) Modern Languages (Durham University): First Class

- Prize for performance in BPTC finals, Inner Temple (2015)
- Law First Scholarship, University of Law (2014)
- Exhibition Award, Inner Temple (2014)
- Paul Methven Award, Inner Temple (2014)
- Merton College Graduate Prize (2012)

Publications and professional memberships

Recent articles:

- 'Court of Appeal resolves question of whether Employment Tribunals may construe contracts in unlawful deductions from wages claims'
- 'An update on fault and negligence in anti-doping regulation'
- 'Joey Barton v The FA: Five things you need to know'
- 'Employees, Directors & the Future Path of Corporate Governance Reform' (co-authored with James Bickford Smith)
- 'Equalities in Sport', Sport Arbitration Handbook 2017-18 (Sport Resolutions UK) (co-authored with John Mehrzad)
- 'Pie-eating goalkeeper caught offside? Five things you need to know'
- 'High heels and workplace dress codes – is the law working?'
- 'Sam Allardyce leaves England post: the law behind the headlines'
- 'Five things you need to know: Sam Allardyce and alleged misconduct'

Professional memberships:

- Employment Lawyers Association
- ELBA
- Inner Temple