

KIERAN WILSON

Call: 2016



Kieran joined Littleton in October 2017 upon successful completion of pupillage. His practice spans Chambers' core areas of work, including employment, commercial, and company law.

Clients have praised Kieran's work:

- *"He has a lovely manner ... which not only the client but also the judge was charmed by".*
- *"...incredibly thorough, very smart and extremely responsive to me as an instructing solicitor".*
- *"He is tactful and patient with sensitive lay clients and inspires confidence with professional clients".*
- *"He provides an astute and accurate analysis ... and a conscientious and comprehensive opinion".*

Kieran's recent experience includes:

- Representing an airport in a four-day trial concerning allegations by a security officer of unfair dismissal and discrimination arising from disability.
- Acting for the Claimant in a claim for constructive unfair dismissal against a large estate agency firm by a former branch manager. The claim settled out of court the evening before the three-day trial was set to begin.
- Successfully representing a chain of pubs in a two-day trial for unfair dismissal in circumstances where the Claimant suffered from depression.
- Representing the Claimant (a teacher) in an application for interim relief in the Employment Tribunal in a claim for automatically unfair dismissal for making protected disclosures.
- Successfully acting for the Respondent in the Employment Tribunal in having claims for sex discrimination, disability-related harassment and holiday pay dismissed as out of time.
- Appearing for a university in the Administrative Court, successfully resisting a renewed application for judicial review brought by a student who had been found to have plagiarised his Masters dissertation.

Kieran grew up in Edinburgh, and actively welcomes instructions to appear in the Employment Tribunals in Scotland. He is a keen theatregoer, and can also be spotted on-stage himself each Christmas in the Gray's Inn Miscellany.

Employment

Kieran has a broad practice across the full spectrum of employment law; he has a particular interest in discrimination (including equal pay), whistleblowing, and matters involving trade unions and their members. He is regularly instructed to appear in the Employment Tribunals for both Claimants and Respondents.

As well as appearing in Tribunal as an advocate, Kieran is regularly instructed to draft Grounds of Complaint and Grounds of Resistance. His experience of drafting spans the full range of employment law, including: **unfair dismissal, religious discrimination, sex discrimination and equal pay, whistleblowing detriment, and victimisation**. Kieran was also recently instructed to draft grounds of appeal on behalf of a former NGO employee against a government department.

Kieran's recent employment law experience includes:

- Representing an airport in a four-day trial concerning allegations by a security officer of **unfair dismissal and discrimination arising from disability**.
- Acting for the Claimant in a claim for **constructive unfair dismissal** against a large estate agency firm by a former branch manager. The claim settled out of court the evening before the three-day trial was set to begin.
- Successfully representing a chain of pubs in a two-day trial for **unfair dismissal** in circumstances where the Claimant suffered from depression.
- Appearing for the Claimant (a teacher) in an application for **interim relief** in the Employment Tribunal in a claim for automatically **unfair dismissal for making protected disclosures**.
- Acting for a Respondent at a Preliminary Hearing concerning whether a Court Security Officer is an agent of the Secretary of State for Justice when carrying out their duties.
- Successfully acting for the Respondent in having claims for **sex discrimination, disability-related harassment and holiday pay** dismissed as out of time.
- Representing the Respondent, successfully defending a claim for **unfair dismissal** arising out of breaches of health and safety procedures.
- Obtaining a five-figure judgment for a Claimant at a **remedy hearing** where failure to mitigate loss and Polkey deduction were in issue.

In addition, Kieran has gained experience in other areas of employment law, including by:

- Drafting Particulars of Claim for **injunctive relief, springboard injunctive relief** and damages for **breach of confidence** following a senior employee leaving an organisation to work for a competitor.
- Advising during the immediate aftermath of an employee's departure where questions of **breach of post-termination restrictive covenants, directors' duties, and breach of confidence** were in issue.
- Drafting submissions and preparing cross-examination for a two-day preliminary hearing in the Employment Tribunal concerning **employment status** and the **territorial reach** of the Tribunal's jurisdiction.
- Providing research assistance to Ed Kemp (being led by Karon Monaghan QC) in *P. v. Commissioner of Police of the Metropolis*, in which the Supreme Court held that EU law prevents police authorities from invoking the judicial proceedings immunity of Police Misconduct Panels to avoid claims in the Employment Tribunal.

As well as claims in the Employment Tribunal, Kieran has a particular interest in wider **professional discipline and regulatory matters**, including investigations.

Employment Crossover

Kieran has experience in matters involving a cross-over between employment law and other areas of law, including:

- Drafting a Defence for a company in a County Court claim under the Equality Act 2010 and Protection from Harassment Act 1997, alleging **sexual harassment by a company employee** and victimisation by the company itself.
- Drafting a letter before claim, and subsequently advising in writing, in claims against an employer relating to entitlement to **Permanent Health Insurance** benefits and discrimination in the provision of those benefits (led by Sam Neaman).
- Assisting in a dispute between a FTSE 100 company and its former Group Finance Director concerning entitlement to various **share options** and **bonus payments**. The case gave rise to questions surrounding the scope of the "*Braganza implied term*" and settled shortly before the trial was due to begin.
- Drafting a Defence and Counterclaim in relation to **post-retirement benefits** owed to a former senior employee of a trade union.

Commercial and Company Law

Kieran has been instructed in a range of commercial and company law matters. Recent instructions include:

- A high-value **international arbitration** relating to alleged breaches of contract arising out of the termination of a long-standing foreign distributorship (led by Rupert D'Cruz).
- Petitions for **compulsory winding up** of companies in the High Court (including adjournment and dismissal of petition).
- Successfully resisting an application for **strike-out** of a claim concerning alleged damage to telecoms equipment.
- Applications to rectify the company charges register and to extend time to register charges under the **Companies Act 2006**.
- Appearing in the County Court to resist a **bankruptcy petition** in respect of a disputed debt.

Kieran also has extensive drafting experience in commercial law matters, including

- Drafting Particulars of Claim in claims:
 - For alleged **breach of warranties** under a share purchase agreement relating to private education facilities.
 - Against a local authority for **breach of contract** (including implied terms when exercising contractual discretions) in relation to a proposed property development scheme.
 - For **contractual commission** and/or **restitution** of a reasonable sum for management services provided to an artist in the music industry.
- Drafting a skeleton argument for **summary judgment/strike out** of a claim for a financial reward advertised in a national newspaper.
- Drafting written advice in a claim against a bank involving allegations of **breach of contract**, **misrepresentation**, and **breach of duty in tort**.

Education, Scholarships and Prizes

Kieran graduated from the University of Cambridge in 2014 with First Class Honours in Law. Following this, he spent a year working at the Law Commission conducting research and developing policy on property law reform. During his Bar studies, Kieran was a Bedingfield and Residential Scholar of Gray's Inn and was graded Outstanding in the BPTC (ranking second in his year of 335 students).

Education:

2016 Bar Professional Training Course: Outstanding (ranked second in a year of 335).

2014 BA (Hons) Law, University of Cambridge (Jesus College): First Class Honours.

2011 Visiting Studentship, Hamilton College (Clinton, NY).

Scholarships and Prizes

- Runner-up, James Hunt Prize for Advocacy, Gray's Inn, 2017.
- Scarman Scholarship, The City Law School, 2016.
- Bedingfield Scholarship and Residential Scholarship, Gray's Inn, 2015.
- Glanville Williams Prize for Part II Law, Jesus College, Cambridge, 2014.
- Hogan Lovells Prizes for Part IA & Part IB Law, Jesus College, Cambridge, 2012 & 2013.
- Foundation Scholarship, Jesus College, Cambridge, 2012-2014.
- Benefactor's (2004) Prize, Jesus College, Cambridge, 2012.