

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:

- Acting for an airport in a four-day trial concerning allegations by a security officer of unfair dismissal and discrimination arising from disability
- Advising and drafting Particulars of Claim for a PR firm during the immediate aftermath of a senior employee's departure and setting up competition against the firm.
- 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 five-day trial for constructive unfair dismissal and sexual orientation related harassment.
- 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 appealing a County Court decision concerned with enforcement of an Employment Tribunal award. The appeal concerned a point of statutory interpretation of the Employment Tribunals Act 1996.
- Appearing for a university in the Administrative Court, successfully resisting a renewed application for judicial review brought by a student who was found to have plagiarised his Masters dissertation.

Kieran also co-authors a chapter of Bloomsbury Professional's Termination of Employment, focusing on protection of business interests on termination of employment.

Kieran grew up in Edinburgh, and actively welcomes instructions to appear in the Employment Tribunals in Scotland as well as in England and Wales. He is a keen theatregoer, and can also be spotted on-stage (acting and singing with varying degrees of competence) 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 Tribunal 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 range of employment law causes of action, including: **unfair dismissal, disability discrimination, religious discrimination, sex discrimination and equal pay, whistleblowing detriment, and victimisation**. Kieran was also recently instructed to draft grounds of appeal to the EAT on behalf of a former NGO employee.

Kieran's recent employment law experience includes:

- Acting for an airport in a four-day trial concerning allegations by a security officer of **unfair dismissal and discrimination arising from disability**.
- Advising a PR firm during the immediate aftermath of a senior employee's departure where questions of **breach of restrictive covenants, directors' duties, and breach of confidence** were in issue. The parties reached a settlement shortly after being served with draft Particulars of Claim.
- 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**.
- Successfully representing a chain of pubs in a five-day trial for **constructive unfair dismissal** and sexual orientation related **harassment**.
- Successfully representing a Claimant in an appeal in the County Court concerned with enforcement proceedings of an Employment Tribunal award. The appeal concerned a point of statutory interpretation of the Employment Tribunals Act 1996.
- Acting for a Respondent at a Preliminary Hearing concerning whether a Court Security Officer is an agent of the Secretary of State for Justice for the purposes of **Equality Act 2010** when carrying out their duties.
- Appearing in the Chancery Division urgent applications court in respect of urgent case management directions in an employee competition matter.
- 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:

- Drafting Particulars of Claim for **injunctive relief, springboard injunctive relief** and damages for **breach of confidence** following a senior employee leaving an advertising agency to work for a competitor.
- 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 the Supreme Court case *P. v. Commissioner of Police of the Metropolis*.

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

Kieran also co-authors a chapter of Bloomsbury Professional's *Termination of Employment*, focusing on

protection of business interests on termination of employment.

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.
- 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).
- Appearing in **bankruptcy petitions**, acting for both the petitioning creditor and debtor. Kieran recently acted for an alleged debtor in respect of a disputed debt, having the petition dismissed and obtaining indemnity costs against the petitioning creditor.
- 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**.

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 into and developing policy on property law reform.

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.