

Grahame Anderson

Call: 2013

Barrister

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Grahame is an expert employment and sports litigator with particular expertise in complex discrimination cases and High Court business protection disputes. He has appeared for individuals, companies and trade unions in some of the most important recent authorities. Grahame appears, led and unled, in the High Court and Employment Tribunals, as well as the appeal courts and domestic and international arbitral jurisdictions. He is known for being user friendly, personable and a formidable cross-examiner.

Grahame was named one of the Legal 500's Tier 1 Rising Stars in both employment law and sports law (the only member of the Bar to receive that accolade in both fields). He is ranked among Chambers and Partners' leading junior employment barristers 2022. The market describes him as:

- *'He far outweighs his level of call with the quality in the work that you get out of him, and he gives a brilliant service.'*
- *'He is very user-friendly, he gets the heart of the matter, he sticks to his guns and he has a good manner in front of the tribunal.'*
- *'Obviously very clever, knows his stuff, and really cares about doing a good job. Approachable and responsive, with absolutely no airs and graces, and generous with his time and well prepared for hearings.'*
- *'Respected advocate who is well versed in discrimination claims, high-value team move litigation, and legally complex cases involving issues such as immigration status'*
- *'He's brilliant at cross-examination and great with clients'*
- *'He's the all-round package.'*
- *'He's exceptionally bright and his work is sensational'*
- *'Approachable, unflappable and always available, with commercial advice and very effective advocacy.'* *'Forensic'*

Follow Grahame's tweets at [@GrahameAnders](#)

AREAS OF LAW

High Court Employment and Business Protection

Grahame regularly appears, led and unled, in High Court business protection cases. Recent highlights include:

- *Grahame is currently instructed in a major team move case in the glass recycling industry: in Grahame's clients secured without-notice injunctions at an early stage against 8 defendants and the case continues to trial.*
- **Alesco Risk Management Services Ltd and ors v Bishopsgate Insurance Brokers Ltd and ors [2019] EWHC 2839 (QB):** acting for the Claimants, led by Gavin Mansfield QC, in this blockbuster High Court team move and confidential information litigation involving leading City insurance brokerages;
- **Visage Limited and anor v Mehan and ors [2017] EWHC 2734 (QB):** acting for one of the Defendants led by David Reade QC in a very high value covenants and confidential information case involving major players in the global fashion industry;
- Acting for the Defendants, led by Gavin Mansfield QC, in a confidentiality and team moves dispute in the insurance brokerage sector.

Statutory Employment

Grahame has acted in a broad range of Tribunal, County Court and High Court employment cases and regularly acts for Claimants, Respondents and unions, including in major authorities. Recent highlights and reported cases have included:

- **Kocur v Angard Staffing Solutions Limited [2022] EWCA Civ 189; 2022 IRLR 437 (Court of Appeal):** Grahame was led by David Reade QC in this important authority on the scope of the agency worker's right to be informed of job opportunities.
 - **CESC v Gould, UKEAT/0330/19/VP: (Employment Appeal Tribunal):** Grahame recently appeared unled before Mr. Justice Choudhury in this important appeal on territorial reach. He acts for the former captain of a superyacht in a claim against his former employers, which he seeks to bring before the UK employment tribunal. Grahame was successful at first instance. The dispute has been reported in the national media. The employer's application for permission to appeal to the Court of Appeal was refused and Mr Gould eventually secured a costs award.
 - **Okedina v Chikale [2019] EWCA Civ 1393; [2019] IRLR 905 (Court of Appeal):** led by David Reade QC in this important authority on the effect of illegality on employment contracts. David and Grahame acted for the successful Respondent to the appeal; her former employer had argued that because her continued employment breached immigration rules, it was unenforceable. The Appellant's application for permission to appeal to the Supreme Court was refused. Grahame edited the Practical Law UK entry on Illegality in Employment Contracts. The entry is reproduced from Practical Law with the permission of the publishers. For further information visit practicallaw.com.
 - **British Council v Jeffrey; Green v SIG plc [2019] ICR 929 (Court of Appeal):** acting for the appellant, Mr Green, in an important appeal, and now leading authority, on the Employment Tribunal's territorial jurisdiction. Grahame has developed a particular specialism in cases involving thorny questions of territorial jurisdiction, in particular in the maritime context: Grahame acted successfully in **Martirano v Peras Limited** and **Gould v Crew Employment Services Camelot**, both cases involving the captains of superyachts and their right to bring claims before the UK tribunal.
 - **Bryan v College of Northwest London [2018] UKEAT 0067/18:** Grahame acted for the Respondent, having earlier successfully defended the Respondent in a 7-day discrimination claim; the EAT decided that, although the Employment Tribunal had made an error of law, there could only have been one outcome and so the Claimant's claims against Grahame's client were dismissed anew.
 - **ST v XY Law Firm:** acting unled for a leading solicitors' firm in a highly sensitive disability discrimination claim; the case involved significant reputational risk and Grahame was able to secure anonymisation for all parties;
 - **Ghiglieri v Systech [2017] UKEAT 0310/16/BA:** success in the EAT in a case concerning the test for implying a term through custom and practice and subsequent victory on remittal before the same Tribunal;
 - **Kojima v Japan Green Medical Centre Limited:** successfully representing a Japanese doctor, based in London, in a claim against his former employer. The case threw up complicated legal issues about illegality,
 - **Wraith v Driving Standards Agency [2015] UKEAT 0210/13/JO:** led by Gavin Mansfield QC in the Court of Appeal and Employment Appeal Tribunal in a long-running case that deals with discrimination law pre-Equality Act, statutory grievance procedures important points about issue estoppel in Employment Tribunals.
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Sport

Grahame is Deputy Head of the Littleton Sports Group. He has particular expertise in big ticket commercial litigation in the sports world, especially in FA Rule K Arbitrations (both as counsel and arbitrator); inevitably, this means he often goes head-to-head with some of the industry's leading QCs. Grahame is a member of Sport Resolutions' panel of arbitrators and regularly sits as an arbitrator, alone or as a panel, in high value or highly sensitive cases, and is frequently appointed to conduct investigations.

Recent highlights from Grahame's sports practice have included:

- **Hartlepool United FC v Fulham FC:** Grahame, led by Sam Neaman, secured a six-figure sum before the Professional Football Compensation Committee in relation to the acquisition by Fulham of former Hartlepool player Luca Murphy,
- **Isaac v (1) Tan Sri Dato' Seri Vincent Tan and (2) Cardiff City Football Club (Holdings) Limited [2022] EWHC 322 (Ch):** Grahame acts for a minority shareholder in Cardiff City, Mr Isaac, against the majority, the Malaysian billionaire Vincent Tan in this major sporting bust-up. Judgment in Grahame's client's unfair prejudice petition is expected imminently.
- Acting, led by John Mehrzad QC for a major global sports agency against its former MD in FA Rule K arbitration).
- Conducting an investigation on behalf of the Board of a County FA in relation to allegations against former members.
- Acting for the former Head Coach of an England Olympic squad in an appeal against the findings of an independent investigation;
- Acting for a Premiership and England star in a claim brought by a former agent; Acting for a major Cypriot agent in CAS agency-player dispute;
- Acting for a former Premiership physio in a claim against his former club;
- Grahame has acted for a number of the major sports agencies in Rule K litigation against players who have defaulted on contractual obligations in agency mandates;
- Acting for a rugby player accused of a doping violation;
- Advising a national youth sport charity on safeguarding issues and drafting their safeguarding disciplinary policy. Grahame acted for a swimmer in a funding selection dispute in the run up to Rio 2016; he was led by Jeremy Lewis.

Publications

Books

- Grahame edited the Practical Law UK entry on Illegality in Employment Contracts. The entry is reproduced from Practical Law with the permission of the publishers. For further information visit practicallaw.com.
- Grahame contributed to the new edition of 'Employment Covenants and Confidential Information: Law, Practice and Technique' (Bloomsbury, 2018) by Selwyn Bloch QC and Kate Brearley.
- Sports Law Yearbook 2015/16 - UK, Ireland and EU, author of chapter on Selection Disputes Cited, with John Mehrzad, in an [EU Report on Football funding for FIFA](#)

Videos and podcasts

- [Equality And Diversity In Sport: Current Issues](#) - (with Libby Payne of Withers LLP)
- [IAAF Ban and Neutral Flags: Will Russians Race in Rio](#) - Podcast episode 1 (with Jamie Susskind)
- [Brexit, Free Movement and Sports Law](#) - Podcast with Katherine Apps and Andrew Nixon of Sheridans Sports team)
- [Hyperandrogynism](#) - with Lydia Banerjee "[Sports Funding Disputes](#)" with Jeremy Lewis

Articles

- [RULE K ARBITRATIONS: LITTLETON'S STEP-BY-STEP GUIDE](#)
- Rule K Jurisdiction Challenges: do you have to be a Participant to be bound by FA Arbitration? 27 February 2018.
- "Penalty Clauses: primariness, secondariness and the categorisation of obligations in a penalties case", Practical Law

Dispute Resolution Blog, 1 June 2017

- “Remarkably Unremarkable: the appeal in *Workman v Forrester*”, Practical Law Dispute Resolution Blog, 14 March 2017
- “Torpedoes, asymmetric jurisdiction clauses and the Recast Brussels 1 Regulation”, Littleton, 22 February 2017
- “Wise Indians, unwise advice and the perils of lengthy litigation: Court of Appeal considers remoteness of damage following failure to advise on jurisdiction clause”, Practical Law Dispute Resolution Blog, 12 January 2017
- “Late Early Conciliation: conflicting Tribunal decisions”, PLC Employment Law Blog, 26 April 2016
- “Who will the court believe? Lessons on witness credibility from recent cases”, PLC Dispute Resolution Blog, 8 March 2016
- “The taxonomy of evidence: experts, facts, opinions and the courts”, Practical Law Dispute Resolution Blog, 22 November 2016
- “Truth, the whole truth, and a little sweetener for telling it: contingent payments to witnesses and other litigation impropriety”, Practical Law Dispute Resolution Blog, 8 September 2016
- “Who will the court believe? Lessons on witness credibility from recent cases”, Practical Law Dispute Resolution Blog, 8 March 2016
- “Indirect instruction: a flight of fancy?”, Practical Law Dispute Resolution Blog, 19 November 2015
- “Adducing expert evidence: appeal in *British Airways v Spencer*” Practical Law Dispute Resolution Blog, 10 September 2015
- “Samara sixteen months on: applications for relief from sanction and to set aside default judgment”, Practical Law Dispute Resolution Blog, 9 July 2015
- “When is there a right to replay a football match?”, LawInSport.com, 10 June 2015
- “Regulating unruly football fans: the state of English law and proposed improvements” with Lydia Banerjee, LawInSport.com, 7 May 2015
- “Wild West’ or ‘Brave New World’: The new FIFA and FA Intermediaries Regulations”, LawInSport.com, 27 March 2015
- “A Practical View from Tribunal: Extending Time Because of Early Conciliation”, Practical Law Company, 1 April 2014
- “Fortification Fortified: the Court of Appeal’s judgment in *EVP Ltd v Malabu Oil and Gas*”, Littleton, 17 October 2014

Education

- University of Cambridge, Fitzwilliam College, MA;
- Université Panthéon-Assas (Paris II) Maîtrise en Droit;
- Japan University of Economics, Tsuzuki Scholar;
- University of Northumbria, Bar Professional Training Course, Outstanding.

Languages and Background

- Grahame speaks fluent French and intermediate Japanese, having won a Tsuzuki Scholarship at the Japan University of Economics.
- Grahame is a lifelong fan of Newcastle United. More rationally, he has played the violin since he was old enough to fit one under his chin. He plays the viola in an amateur orchestra and is a volunteer at the North East Law Centre. He chairs the Employment Group of the Society of Labour Lawyers.

Scholarships and Prizes

- Legal 500 – Rising Star (Employment and Sport) 2021;
- Middle Temple, Baron Dr Van Heyden de Lancey Prize for best performance on the Bar course;
- Middle Temple, Queen Mother’s Scholarship;
- Trinity Chambers Prize for best overall performance on Bar course;
- Northumbria University, Dean’s Scholarship.

