

## Joel Wallace

Call: 2015

### Barrister

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Email:

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Email Clerk:

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Telephone Clerk:

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Joel's style and approach sets him apart. Professional clients say that he has an ability to develop, deploy and fine-tune novel solutions, often borne of a deep review of the prevailing legislation, case law or rules of procedure. It is this ability to develop legal arguments that enables Joel to offer solutions in seemingly difficult circumstances.

A keen advocate and trial strategist, Joel's continually expanding employment practice includes representing leading national and regional firms, 'household name' clients in several sectors, and private individuals. Similarly, in the commercial arena, he is called upon by leading national and international businesses alike.

Joel prides himself on delivering an exceptional and prompt client service, and focuses on navigating to the best client outcomes from the outset of his instruction. At university, Joel was a keen moot competitor and had considerable success: placing second in City Law School's BPTC moot despite being a GDL student, and competing in the highly respected Telders Public International Law Moot for UCL. Outside of his thriving practice, Joel's personal interests are diverse. Joel cooks Peruvian, speaks Norwegian and frequents Scotland. He undertakes volunteer work and, when time allows, enjoys playing five-a-side football.

For Joel, delivering an excellent client service is essential. He prides himself on his prompt turnaround of instructions and a responsive style that ensures professional clients in particular are up-to-date and aware of where he stands with their case. Joel's ability to digest and analyse, often vast, briefs and case bundles means that he is always across his brief and primed to present the best possible case for his clients. A natural presenter, gifted advocate and robust cross-examiner, Joel brings a rounded skill set to the table.

Ultimately, Joel also relies on hard work and significant investments of time and effort into each case. His outcome-focused mindset and approach means that he can navigate the issues quickly and liaise in a timely manner with his professional clients once papers arrive. Clients say that Joel's self-deprecating and down-to-earth style makes collaborating on even the most challenging of cases easy and enjoyable.

### RECOMMENDATIONS

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"Very quick to respond, knowledgeable and gives outstanding advice."

**Chambers UK Bar 2022**

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"He is a commercial and pragmatic barrister, and works collaboratively with the instructing solicitor to achieve the best outcome for his clients."

"Joel gets to the heart of the issue very swiftly, understands the legal complexities but also the pragmatic commercial elements for clients."

Legal 500 2022

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## AREAS OF LAW

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### Employment

Employment is a main area of work for Joel at present, closely tied by his growing commercial practice. Joel specialises in those areas of employment practice that lend themselves to not only fact management, but also where a deep understanding of the legislation, procedure and caselaw leads to tactical advantage. Accordingly, Joel is most often called upon in respect of discrimination, and whistleblowing cases, and has interests in TUPE claims and in contractual work.

Joel maintains a balanced Respondent and Claimant client portfolio and sees the benefits of regularly acting for both sides when it comes to case strategies. Able to comfortably deal with all types of Employment Tribunal hearing, drafting and advisory work, Joel receives instructions from local authorities, SMEs, franchises and franchisees, care providers, education providers, and national retailers. He has a growing appellate practice and recently successfully appealed a decision concerning the disallowance of ET1 amendments. A snapshot of Joel's considerable employment experience includes:

- **Morgan v DHL Services Ltd** – (EAT, 18<sup>th</sup> December 2020) – Strike-out and the Burden of Proof – Joel represented the appellant employee who was successful in overturning the tribunal's decision to strike out claims of direct race discrimination and harassment related to race. The EAT agreed with Joel's submission that the tribunal ought to have expressly addressed, if not considered, the employee's assertions of deceit. Link to Judgment [here](#).
  - **Rodgers v Caverswall China Co Ltd** – (ET, 2<sup>nd</sup> December 2020) – Maternity Leave and Sex Discrimination – Joel acted for a high end, fine-bone china manufacturer against a claim that its rejection of an application amounted to maternity leave discrimination, or direct and indirect sex discrimination. All claims were dismissed.
  - **Re a Consultancy (2020)** – Application for Interim Relief – Joel was instructed to act for the respondent in a section 128 application. Joel reviewed documents, prepared for the application, hearing and gave advice on merits.
  - **Ketlinska v Holland Mountain Group Ltd and Ors** – (ET, 5<sup>th</sup> February 2020) – Disability Discrimination in Finance Sector – Joel represented a former employee of a private capital consultancy who succeeded in her discrimination arising from depression, anxiety and panic attacks, and a failure to make reasonable adjustment claims. Link to Judgment [here](#).
  - **Re a Security Firm (2019)** – Working Time Regulations – Joel advised on the application of the working time regulations in the provision of security and logistics services.
  - **Shaw v Nottinghamshire CC** – (ET, 3<sup>rd</sup> October 2019) – Whistleblowing in the Care Sector – Joel successfully defended the respondent local authority in the two-week trial of claim involving multiple whistleblowing detriment complaints. The tribunal held that the claimant was not a reliable witness, illustrated by her answers in cross-examination. Link to judgment [here](#).
  - **Re an International Social Media Company** – (EWHC, August 2019) – Joel represented a former employee of a social media company in a High Court, breach of contract dispute. A central issue involved the application of TUPE and identifying the identity of the transferee in complex structure.
  - **Re a Recruitment Agency** – (EWHC, June 2019) – Joel defended a recruitment company, its management, and staff against a springboard injunction application made by a former employer of some of the staff. This involved breaches of confidentiality, fidelity, and restrictive covenants.
  - **Re Accountancy Firm (2018)** – Partnership and Restraint of Trade – Joel advised a partner of a medium sized accountancy firm on entering into a new partnership agreement and whether doing so would be a breach of restrictive covenants.
  - **Brooke v Sanders Polyfilms Ltd** – (EAT, 18<sup>th</sup> August 2017) – Amendments and Right to Accompany Workers – Joel successfully appealed a decision to dismiss the Claimant's amendment application. The Claimant sought to add detriment and unfair dismissal claims under s12 ERA 1999 to his claim.
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## Business Protection and Support

Joel's complementary commercial and contract law practice is varied. Joel has developed a niche in the Business Protection and Support space - in short, Joel specialises in business protection against present and future risks, whilst providing more general representation on the typical complexities and occurrences of modern UK business. Accordingly, Joel is comfortable in cases concerning bankruptcy, winding-up petitions, debt claims, insolvency as well as a more typical array of B2B and B2C commercial contractual disputes (finance, hire-purchase agreements, consumer rights, etc.). As you may rightly expect given his aligned employment specialism, Joel is also at ease when dealing with complex claims at the interface of contract, consultancy and employment, including restraint of trade, bonus payments, commission, TUPE, redundancy and issues concerning shareholder agreements upon termination.

Clients turn to Joel from a wide array of sectors. In recent years he has advised and acted for and against, professional football clubs, a sports regulator, a beauty and skincare company, a large social media company, business consultancy firms, care service providers, construction companies, and banks.

A snapshot of Joel's considerable commercial and contractual experience includes:

- **Re a Sports Tournament Organiser (2020)** - Joel advised and drafted pleadings on behalf of a national tournament organiser in respect of a dispute over bookings and interpretation of national sports regulatory provisions.
- **Leaseplan UK Ltd v Serita (Newcastle) Ltd and Ors** - (CC, January 2020) - Joel successfully represented a vehicle leasing company in respect of a fleet hire and contract dispute both at first instance and in an application for permission to appeal.
- **Re a Car Restoration Partnership** - (CC, B&P Work, December 2019) - Joel acted and advised in a dispute over assets following the dissolution of a high-end car restoration partnership.
- **Re an International Social Media Company** - (EWHC, August 2019) - Joel advised and represented a former employee of a social media company in a High Court, breach of contract dispute. A central issue in the dispute involved the application of TUPE and determining the identity of the transferee in complex company group structure.
- **Re a Recruitment Agency** - (EWHC, June 2019) - Joel defended a recruitment company, its management, and staff against a springboard injunction application in the High Court made by a former employer of some of the staff. The injunction involved breaches of confidentiality, fidelity, and restrictive covenants.
- **Re a Shareholder Agreement (2019)** - Joel drafted and advised on the recovery of loan money connected to an offshore shareholder agreement.
- **Re a Football Club (CC, May 2018)** - Joel successfully represented a Championship football club in a contract dispute with a national vendor.
- **Re Accountancy Firm (2018)** - Joel advised a partner of a medium sized accountancy firm on entering into a new partnership agreement and whether doing so would breach restrictive covenants.

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## Sports Law

A keen sportsman himself, Joel's sports specialism cuts across all of his areas of his practice. Joel formerly sat as an Adjudicator on the FA's CFA Disciplinary Panel and is instructed in both employment and commercial issues in the sector. Notably, Joel acted for a prominent academy footballer in that player's efforts to leave their club, involving complex considerations concerning the interpretation of contracts and industry norms. He has also acted on various commercial claims for prominent football clubs, as well as novel disputes arising from the administration of a small-sided football league.

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## Professional Memberships

The FA's CFA Disciplinary Panel

Employment Law Association Member

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## Education, Scholarships and Prizes

### Education

Bar Professional Training Course - BPP Law School

LLM – UCL

GDL – City

BA Theology (First Class) – University of Nottingham

Languages – English and Norwegian

#### Scholarships & Prizes

Middle Temple – Queen Mother Scholarship (Middle Temple’s most prestigious scholarship)

Middle Temple – Blackstone Exhibition

BPP – BPTC Excellence Award

BPP – Advocacy Scholarship.

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