

Lydia Banerjee

Call: 2007

Barrister

Email: lbanerjee@littletonchambers.co.uk

Email Clerk: jason@littletonchambers.co.uk

Telephone Clerk: +44 (0)20 7797 8623



“One of the brightest young barristers at the set; she is super-bright, extreme and faultless in her level of preparation and has a fantastic bedside manner” – Chambers and Partners

“Lydia was really outstanding. Her preparation, advocacy skills and manner with the client were second to none and I would have no hesitation in using her again.”

“A lawyer who has not only advised on the law but thought tactically and intelligently”

Lydia is a practical and skilled advocate who integrates her personal and professional experience into her work. As a Director and Company Secretary for over 15 years Lydia appreciates the business context in which disputes arise. As chair of trustees for a registered children’s charity, Lydia has first-hand experience of the financial, regulatory and ethical challenges which face modern organisations.

It is no surprise that Lydia’s practice reflects her practical experience.

- Lydia’s commercial practice covers disputes such as **contractual interpretation, partnership disputes, shareholder disputes** and **directors’ duties**.
- Lydia’s sports law work covers work in relation to **agency fee disputes, equality issues** and **disciplinary proceedings**.
- Lydia’s injunctive work covers applications for **freezing orders, delivery up, interim injunctions** particularly in relation to **restrictive covenants** and other team move related orders.
- Lydia’s employment work has a particular focus on **disability discrimination** but also incorporates all areas of tribunal disputes and high court action in relation to **bonuses** and **restrictive covenants**.

Significant experience with clients in the financial, insurance, legal and retail sectors.

RECOMMENDATIONS

“Adept at dealing with difficult issues before an international audience”

Legal 500 - Sport

“A future star of the Bar with all the required legal skill sets that exudes a sense of calm control”

AREAS OF LAW

Injunctions

Lydia acts as **sole counsel or junior counsel on injunctive applications**, particularly in the field of post-termination restrictions.

Examples include:

- Obtaining a **freezing injunction** to prevent assets being removed from the jurisdiction;
- Resisting an application for injunctive relief from a former employer;
- Obtaining **undertakings to the court** to enforce post termination covenants;
- Advising on potential injunctive action to protect confidential information;
- Securing the **return of confidential information** and undertakings against its future use;
- Preparation of pleadings and other steps in **preparation for speedy trial**; and
- General advisory work in the post-termination context to **prevent breach of covenants and abuse of confidential information**.

Commercial

Lydia's commercial practice covers all aspects of contractual disputes. She is regularly instructed to advise in relation to the **interpretation of contractual obligations, breach of director's duties, unlawful means conspiracy and economic torts**. She regularly appears in the **high court** and **county court** on cases involving enforcement of judgments, breach of contract and disputed costs.

Examples of her work include: Acting for a corporate defendant in the trial of a team move complaint;

- An appeal addressing questions of service abroad and limitation restrictions;
- A dispute over the terms of an oral contract;
- Action to recover goods under a hire purchase agreement;
- Litigation between former partners over the terms of the partnership deed;
- An appeal successfully reinstating a claim; and
- Defending an application for advance disclosure.

Lydia has experience in the tax tribunal and as previously worked at Deloitte. She is available for work across all sectors but has particular experience in finance, insurance, recruitment and retail.

Sports Law

Lydia is an active member of the Littleton Chambers Sports law group. Her keen interest in sport stems from personal connections to the world of **cricket** and **football**. The many hours sitting at various county grounds under grey skies or in the rain and snow at Villa Park have confirmed a lasting passion which she is keen to further through her legal practice.

Lydia is regularly instructed on sports law disputes with recent cases including:

- Representing **Jess Varnish** in her claim against British Cycling for sex discrimination, appeal ongoing;
- Part of an **independent review panel** which is presently confidential;
- Representing a former professional footballer in a **CAS dispute** with his former club;
- Appointed as a **sole arbitrator on a Rule K arbitration**;
- Independent **reviews on behalf of Sports Resolutions** exploring allegations of governance failures, tampering and mismanagement;
- High Court claim in relation to **disputed agency fees**;
- **FA Arbitral** proceedings in relation to **disputed agency fees**;
- A dispute between a player and sponsor regarding **image rights**; and
- **FA disciplinary proceedings** in relation to positive drug tests.

Lydia is a member of the LawInSport Editorial board, a panel member for Sports Resolution and author of the Equality review for the LawInSport yearbook. She appears regularly at conferences speaking on subjects such as equality in sport, hyperandrogenism, safeguarding and agency issues. Lydia is an independent member of the ethics panel for British shooting.

Employment

Lydia undertakes work in all areas of employment law and is instructed by both Claimants and Respondents at all stages of proceedings. Lydia has a particular interest in **disability discrimination** and has experience of supporting clients and witnesses with disabilities through adjustments to the tribunal process including by way of example witness statements in braille, lip speakers and adjustments to the timings of hearings to accommodate rest periods. Lydia is the **co-author of a book on disability discrimination** published through the Law Society.

Lydia is also available to provide representation in **mediations** and **internal disciplinary proceedings**.

Lydia appears regularly in **Tribunals** around the country and in the EAT.

Recent cases include:

- An **appeal** in relation to the correct application of Polkey in the context of a career loss compensatory award
- An **appeal** in relation to the correct approach to assessing pension compensation
- Advise in relation to the **TUPE** implications of a merger
- A claim against a finance house in relation to the **employment status of junior limited liability partners**, allegations of **whistleblowing** and issues regarding without prejudice documentation.
- Defending a claim including multiple allegations of **race discrimination** and **constructive unfair dismissal**.
- Advising employee representatives in relation to **collective redundancy consultation**.
- A ten day hearing for a client with hearing and sight impairments using tribunal lip speakers. The claim concerned allegations of race and **disability discrimination**.

Arbitration

Lydia has acted as an arbitral secretary in a trust dispute between former business partners. She has experience of advocacy in a number of different forums and is well placed to act as counsel or secretary for complex arbitrations. With experience of tax, partnership, contract interpretation and jurisdiction disputes Lydia is a natural fit for arbitral work.

Lydia is currently instructed as junior counsel in a partnership dispute listed for arbitration later in the year.

Talks

- Recent topics include “Directors duties” “Interpretation of contracts in a sporting context” “Equality in Sport” “Hyperandrogenism” “Civil Procedure rules” “Drafting effective witness statements” “CPR for employment lawyers”

Professional Memberships

- Commercial Bar Association (Combar)
 - British Association of Sports Lawyers (BASL)
 - Employment Law Bar Association (ELBA)
 - South Eastern Circuit (SEC)
 - Lawyers Christian Fellowship (LCF)
 - Women In Sports Law (WISLaw)
-