



APPOINTED TO THE A PANEL OF TREASURY COUNSEL: 2014

"John-Paul is a sound-minded opponent. He's an excellent advocate and produces high-quality written work." *(Immigration) Chambers UK 2017*

"A man who is permanently in and out of the Administrative Court" – *Chambers UK 2012*. "Has real practical ability and a mature understanding of the merits of a case," – *Chambers UK 2013*. "Effective, quick in his turnaround of papers and very pleasant in his demeanor." *Chambers UK 2014*

*He is a personable and very able practitioner.* **Chambers UK 2015**



#### Practice Areas

POLICE LAW  
INQUESTS  
PUBLIC / ADMINISTRATIVE LAW  
PERSONAL INJURY LAW  
EMPLOYMENT LAW  
PUBLIC INQUIRIES

#### Clerks

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**Background:** John-Paul obtained a BA Hons degree in History before being called to the Bar in 1995 at the Middle Temple. He has built a successful career spanning all aspects of police law and employment law through to personal injury and public enquiries.

**Police Law:** John-Paul is instructed in relation to all aspects of police law. His instructions in the last 12 months include:

Employment Law: Advising a Constabulary on an equal pay issue involving hundreds of employees and officers; defending a claim for unfair dismissal from an employee who was dismissed by the Chief Constable after being the subject of criminal charges of which he was later acquitted; acting in a claim for indirect sex discrimination based on the requirement to work a rolling shift pattern.

Commercial: Advising a Constabulary on a complex procurement issue relating to the delivery of driver awareness courses.

Governance: instructed by a City Council and Chief Constable to specifically advise on the legality of governance arrangements in relation to a pioneering community safety project.

Inquests: Instructed to act in a series of inquests, including death in custody.

Personal Injury: Instructed to advise upon a series of consolidated claims alleging that an unsafe control and restraint technique was taught to officers.

Public Law: Acting for a Constabulary relation to a prospective claim for judicial review brought by a high profile individual who alleges that he was improperly issued with a police caution.

Unlawful arrest/detention and malicious prosecution: Currently acting in high profile claims for unlawful arrest/detention and malicious prosecution arising from a major failed prosecution.

**Employment Law:**

John-Paul has extensive experience acting for public bodies and private companies in the Employment Tribunal, Employment Appeal Tribunal and Court of Appeal. He is the founding author of the Employment Tribunals Handbook, published by Bloomsbury (4th edition published February 2014). He is currently instructed by the Home Office in the case of *Essop v Home Office*, a test case concerning the construction of s19, a test case involving 50 Claimants which relates to the proper construction of s19(2) of the Equality Act 2010. The Home Office's appeal is due to be heard in late 2014/early 2015.

**Public / Administrative Law:**

John-Paul has made regular appearances in the High Court, Court of Appeal and Supreme Court.

**Inquests:**

John-Paul represents public bodies in Coroners' Inquests, with a particular expertise in death in custody cases. In addition to acting in Coroners' Inquests, he has acted in three public inquiries investigating the death of *Billy Wright*, *Rosemary Nelson* and *Robert Hamill*.

**Personal Injury:**

John-Paul carries out Defendant personal injury work for multi-national companies and Government departments.

**Public Inquiries:**

Jean-Paul has acted in the following three public inquiries:

The Billy Wright Inquiry: junior counsel acting for 80 prison officers.

The Hamill Inquiry: counsel for the forensic science service.

The Nelson Inquiry: counsel for individual members of the armed services.

**Other areas:**

John-Paul carries out work in the VAT and Duties Tribunal and the Immigration Services Tribunal regularly and accepts instructions in the area of personal injury law.

**Significant work and cases**

*Cordell v Foreign and Commonwealth Office* [2012] ICR 280 - successfully acting for the FCO in the Employment Tribunal and Employment Appeal Tribunal in a test case concerning the correct choice of comparator in a claim for direct disability discrimination. The Claimant was supported by the Equality and Human Rights Commission.

*Essop and Others v Home Office* UKEAT 0480/13/SM - acting for the Home Office in relation to 50 Trade Union backed claims in which it is alleged that an internal assessment is indirectly discriminatory. The Home Office was successful at first instance but the EAT, who described the case as being of seminal importance when it granted permission to appeal, allowed the Claimants' appeal. The Home Office has been granted permission to appeal.

*UK Power Networks Ltd* - advising on the TUPE implications arising from the insourcing and reassignment of a major contract.

Rashid and Others v EDF Energy - successfully acting for EDF Energy in multiple unfair dismissal claims arising from a major restructuring exercise.

Pope and Buckley v Department for Transport Vehicle Operating Services - successfully acting for the Respondent in a claim relating to the imposition of a pay settlement and its resultant impact upon individual contracts of employment.

Stevens v Ministry of Defence acting for the Ministry of Defence in relation to a major claim for whistleblowing and unfair dismissal brought by a former employee of the department.

Kidson v UK Power Networks Ltd - advising the Respondent in relation to a high value claim by a former consultant of the company who claimed that he was an employee who had been unfairly dismissed.

Significant previous Claimant work includes:

Watts v High Quality Lifestyles [[2006] IRLR 850 - test case for determining the meaning of direct discrimination under the DDA.

**Public Administrative Law:**

Khalid v Secretary of State for the Home Department (SSHD) [2012] EWCA Civ 1656 - successfully acting for the SSHD in relation to a case before the Court of Appeal concerning the proper construction of the Hardial Singh principles.

School of Business and Commerce v UK Border Agency [2013] 126 (Admin) - successfully acting for UKBA in a challenge brought by a private college against the revocation of their license.

Alo v SSHD [2012] EWCA 2375 (Admn) - acting for the SSHD in a case relating to the proper test to apply when assessing the lawfulness of a decision to detain under s16 (1A) of the Immigration Act 1971.

**Interests:**

In his spare time, John-Paul enjoys listening to music, reading, football and boating. He is the founding author of the Employment Tribunals Handbook, published by Bloomsbury (4th edition published in July 2014).