

**What Dan's clients say:**

*"I have instructed Dan over a number of years in a wide range of cases. He has a very analytical mind and a great eye for detail and is quickly able to grasp the key issues in a case. Dan is very knowledgeable, exudes confidence and is excellent*

*both in meetings with clients and in court. I have no hesitation in recommending him."* **Paul Owen, Partner, Charsley Harrison LLP**

**Practice Areas**

EMPLOYMENT  
PERSONAL INJURY

**News**

[5 Essex Court welcomes four new members](#)

[5 Essex Court is rated highly in its specialist fields in Chambers and Partners 2013](#)

**Contact us**

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*"Dan is a confident advocate with a fantastic grasp of discrimination and unfair dismissal issues in the employment tribunal. He also has a great gut instinct and is very personable with clients, which is a rare skill for barristers and means that I am always confident instructing him."* **Lucy Harrington, Solicitor, Foot Anstey LLP**

**Background:**

Dan joined 5 Essex Court in early 2014 with over 15 years' experience in his chosen fields, receives exceptional instructions and is considered a rising star. Dan started his career at 169 Temple Chambers in 1998 and moved to 13 King's Bench Walk in 2011. He became joint leader of the employment team in 2014 and is a senior member of the personal injury team. He is qualified to act under the direct access scheme.

**Employment / Commercial:**

Dan has been conducting employment cases for over 15 years and has represented a high number of employers and employees before the employment tribunal. He specialises in complex or high value discrimination claims. His clients have included the National Bank of Abu Dhabi, the Swedish Church and a number of NHS Trusts.

He has notched up a string of employment appeal tribunal successes including recent wins in *Lancaster v TBWA Manchester* (a case about the duty to make reasonable adjustments in disability cases) and *Dr Suhail v Herts Urgent Care* (a case about whether out of hours GPs have either 'employee' or 'worker' status).

His practice specifically incorporates high court litigation concerning employee competition, restraint of trade and misuse of confidential information. He advises on group moves.

As a commercial practitioner Daniel undertakes instructions in claims involving professional negligence, breach of contract, sale of goods and debt collection.

### **Personal Injury / Coroner's Inquests:**

Dan acts for both Claimants and Defendants and undertakes many cases on a 'no win, no fee' basis. He specialises in injuries of the upmost severity. He covers the full spectrum including fatal accidents and coroner's inquests, spinal injuries, accidents whilst on holiday, accidents on boats and airplanes, accidents on the highway (including credit hire issues), and accidents on private property.

One of Dan's key strengths is in dealing with accidents at work and he has an in depth knowledge of the UK's health and safety at work regulations. He also undertakes stress at work claims and claims under the Harassment Act 1997.

### **Recent settlements / awards include:**

£345,000 for the wife of an unemployed man killed in a road traffic accident  
£260,000 for injury sustained whilst on safari in Africa (leading to the amputation of 4 fingers)  
£250,000 for broken hip resulting in the need to give up work as a gardener and retrain as a solicitor

### **Recent Lectures and Seminars:**

- Use of Ogden tables in calculating lost earnings, Institute of Chartered Accountants
- Mock employment tribunals, Prettys LLP & McGuire Woods LLP
- Abolition of the normal retirement age, Essex County Council
- Advocacy in the ET, Oxford ELA
- Accidents at work, 13KBW Gray's Inn Lecture Series
- Psychiatric injury claims in the employment tribunal, Backhouse Solicitors LLP
- Harassment at Work, 13KBW Gray's Inn lecture series
- Fraudulent PI claims, Chartered Institute of Insurers, Southampton Rose Bowl

### **Significant Cases:**

The Secretary of State for Justice v John & Iris Norridge [2014] UKEAT/0443/13/LA - how should tribunals apply the test of fairness under s.98 (4) ERA 1996?

Cox v Essex Fire Authority [2013] UKEAT/0162/13/SM - when does an employer have 'knowledge' of a disability?

Dr Suhail v Herts Urgent Care [2011] UKEAT/0416/11/RN - do out of hours GPs have either 'employee' or 'worker' status?

Lancaster v TBWA Manchester [2010] EAT/0460/10 - is there a duty to make reasonable adjustments if the measure is unlikely to have much effect?

Patel v Marquette Partners (UK) Ltd [2009] IRLR 425, [2009] ICR 569 (EAT) - can the employer make a deduction from earnings in respect of a disputed tax liability?

Pennwell Publishing (UK) Ltd v Ornstien and others [2007] IRLR 700, [2007] EWEHC 1570 (QB) - when is a journalists' list of contacts his own?

Scotts Co (UK) Ltd v Budd [2003] IRLR 145, [2004] ICR 299 (EAT) - is there an Achilles heel to the notice pay provisions of the ERA 1996?

United Guarding Services Ltd v St James Ltd [2003] EAT/0770/03 (and Harvey's Bulletin No. 313, August 2004) - is an employee on long term sick leave still attached to the undertaking?

Wodson Park Sports and Recreation Association v West [2002] EAT/0219/02 - if a landlord terminates a business lease, might he become the transferee of the affected business's staff?

**Interests:**

Dan enjoys acting and toured in a French production of Salome (by Oscar Wilde) before opting for a career at the Bar. More recently, he has provided lighting designs for productions at the Southwark Playhouse. He relaxes by playing the drums in a rock band called 'Spirit of Homer' and rides a classic Italian Vespa. He is a member of Lincoln's Inn, the Free Representation Unit, the Employment Law Bar Association and the Personal Injury Bar Association. He is also Vice President of the Evan Ashfield Memorial Trust (providing financial support to outstanding employment law students at ICSL).