

JULIAN ALLSOP

CALL: 1999

"A strong barrister with a high degree of knowledge and flexibility in his approach."
Chambers UK 2019

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Julian has a specialist, predominantly employer focused employment and discrimination practice in the Employment Tribunal, EAT and business protection work in the High Court.

Julian is also Chambers' specialist construction practitioner.

Julian is a qualified mediator and adjudicator.

PRACTICE AREAS

- Employment & Discrimination
- Construction
- Business Protection

EMPLOYMENT & DISCRIMINATION

Julian has a specialist employment and discrimination practice which covers all aspects of the Employment Tribunal and Employment Appeal Tribunal jurisdiction. He is recommended as a Band 1 (Western) in both Chambers UK 2019 and Legal 500 2019 in the Employment category. He is also the only member of the team to be appointed as Junior Counsel to the Crown (Regional Panel) to the new 'A Panel'.

He is a highly skilled, authoritative and pragmatic employment law practitioner. He acts in high value and complex litigation in both the High Court and Employment Tribunal jurisdictions. In the Employment Tribunal he has particular expertise in complex discrimination, whistleblowing and private sector equal pay litigation.

The majority of his work is for employers. In addition to private sector businesses, his clients include Local Authorities, NHS Trusts and schools. He also regularly represents Government Departments such as the MOD, MOJ, Home Office and DWP in employment and discrimination matters.

This expertise has been recognized by the legal marketplace for many years. In addition to the recommendation above, Chambers and Partners 2015 endorsed him as being, *"...quick to respond, even late at night or early in the morning. He understands what his clients want to achieve, and puts things in place to make sure they get a result as quickly as possible, although he can be incredibly patient when required." "He is forceful when needed, but never overly so... He inspires confidence."*

In Chambers UK 2014, the marketplace recognised that, *"He is very commercially astute. He is good at recognising what an employer needs to achieve, and can achieve it."*

He was also listed nationally as a leading junior Barrister in the first Who's Who's Legal UK Bar Publication 2015 in which it is recommended that he is someone that, *'peers would also "definitely endorse"'* and noting his particular expertise in acting for businesses, he is *'recommended for his largely respondent-based practice'*.

Julian is the Employment Lawyers Association South West Representative and regularly lectures on the ELA circuit and contributes articles to internal and external publications such as ELA Briefing.

He is a contributing author to Tolleys Employment Law Service (Unfair Dismissal I).

He is a co-author of the book, 'Settlement of Individual Employment Disputes' which was published by LexisNexis in 2017.

He accepts instructions in Special Educational Needs and Disability Needs Tribunal (SEND) cases. He also advises in relation to internal disciplinary hearings.

Julian is also a qualified mediator and is listed on the TECBAR Mediator Panel & Bar Council List of Barrister Mediators.

SIGNIFICANT AND REPRESENTATIVE CASES

- **Exmoor Ales v Herriot UKEAT/0075/18/RN** successful resistance of an appeal against the finding of employment and worker status.
 - **Abertawe Bro Morgannwg University Local Health Board v Morgan [2018] ICR 1194 CA** appeal on the correct approach to ascertaining time limits in reasonable adjustment discrimination claims, and the just and equitable discretionary extension of time.
 - **St Nicholas School (Fleet) Educational Trust Ltd v P Sleet (2017) UKEAT/0118/17 UKEAT/0138/17** successful appeal on behalf of the school against a finding of unfair dismissal.
 - **Clarke v Abertawe Bro Morgannwg University Health Board (2017) UKEAT/0311/15 UKEAT/0312/15- EAT** appeal in relation to whether or not there had been a serious procedural irregularity in the ET's conduct of a review hearing.
 - **Balson v Foray Motor Group [2016] UKEATPA/0259/16/RN - EAT** successfully resisted an appeal based on the premise that the ET had not properly considered the impact of the Claimant's disability when it rejected his claim of discrimination under s.15 EqA 2010.
 - **Interserve FM Ltd v Tuleikyte [2017] IRLR 615- EAT**, successfully appealed against the ET judgment that held that a blanket policy was inherently discriminatory against the protected characteristic of maternity leave contrary to s.18(4) EqA 2010.
 - **Department for Work and Pensions v Brindley [2016] UKEATPA/0063/16/JOJ - EAT**, acted in this guideline appeal in relation to the interpretation & scope of COT3 agreements.
 - **Fairlead Maritime Ltd v Parsoya [2016] UKEAT/0275/15/DA- EAT**, successfully resisted an appeal against ET's decision that discrimination was a continuing act and its discretion to extend time on a just and equitable basis.
 - **Abertawe Bro Morgannwg University Local Health Board v Morgan [2016] All ER (D) 168 (Mar)** EAT, appeal against the Employment Tribunal's judgment in respect of remitted issues.
 - **H v CF Ltd [2016] ET** successful defence of a complex and high value (in excess of £ 150K) Agricultural Wages enforcement action brought by the Rural Payments Agency on behalf of the complainant, H.
 - **Z v P & Q [2014] ET** Represented the Claimant in a complex private sector equal pay claim against her current and former employers, value in excess of £ 300K. After successfully defeating P's challenge which took place over the first year of the litigation to the effect that it was not liable for accrued liabilities under TUPE the matter was resolved favourably.
 - **X v Y [2014] ET** - Acted on behalf of the Claimant who was a senior director level employee who was dismissed on the grounds of her disability / whistleblowing. Case settled for a substantial six figure sum.
 - **Abertawe Bro Morgannwg University Local Health Board v Morgan [2014] All ER (D) 56 (May)- EAT**, successful appeal against the Employment Tribunal's judgment in a complex disability discrimination case, judgment of Langstaff P is regularly cited as to the correct approach to the just and equitable extension of time in discrimination cases.
 - **Fernandez v Allied Healthcare Group Ltd [2014] ET** - Acted for the Claimant who was employed under an alleged zero hours contract who had been dismissed as a result of having made whistleblowing complaints about how planned changes to the care package would be detrimental to the patient. Successful in persuading the Employment Tribunal that the zero hours contract did not reflect the true contractual position, that she had been subjected to whistleblowing detriment and as a result she recovered the full extent of her loss and subsequently awarded her costs. Media interest in the nursing sector.
 - **Rodríguez Noza v Abertawe Bro Morgannwg University NHS Trust [2013] All ER (D) 13 (Aug) [Court of Appeal - 27.11.13]** Acted on behalf of Respondent Health Board at the EAT and Court of Appeal in an appeal which involved consideration of whether it was permissible for the ET to accept the Respondent's concession as to the date of disability, and the ET's approach to reasonable adjustments, in the light of expansive Burns Barke replies. Succeeded in resisting the appeal in relation to the first ground of appeal at the EAT. Despite this, the EAT remitted the whole disability discrimination claim to be reheard by a new ET. Successfully represented the Health Board before the Court of Appeal on its appeal against the scope of the remission.
 - **Langton v Secretary of State for Health [2013] All ER (D) 170 (Oct) [2014] ICR D2-** Successfully represented the Claimant in her appeal at the EAT against the judgment of the ET to decline to entertain her application for interim relief (i.e. a continuation order) on the basis that the Secretary of State could not be her employer in the place of the dissolved NHS Trust for the purposes of ss128-130 ERA 1996.
 - **Oyesanya v Aneurin Bevan Local Health Board [2013] UKEATPA/1134/12/DM-** Successfully acted on behalf of the Respondent Local Health Board at the EAT in the resistance to an appeal against the Registrar's order that ruled the appeal out of time.
 - **Osborn v Abertawe Bro Morgannwg Local Health Board [2012] UKEAT /0330/12/CFA-** Successful defence of a complex £ 300K disability discrimination claim in the ET and resistance of the appeal that was brought at the EAT against that judgment.
 - **D v E and F [2012] ET** - Representing the Claimant in a sex harassment and victimisation claim that is subject to Rule 54 (national security proceedings), considerable national media interest.
 - **Gosnold v BA Securities [2011] All ER (D) 110 (Sep)-** Successful appeal at the EAT against procedurally irregular ET judgment which defied the norms of natural justice, subsequently successful for the Claimant upon remission to the ET..
 - **Cave v Portsmouth City Council [2008] All ER (D) 313 (May)-** Appeared on behalf of the Respondent City Council in the EAT in relation to the appeal against the Employment Tribunal's judgment which decided that the Appellant was neither an employee nor a worker. Succeeded in defeating the claim upon remission to the Employment Tribunal.
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CONSTRUCTION

*"A strong barrister with a high degree of knowledge and flexibility in his approach."
Chambers UK 2019*

*"He has brilliant technical skills"
Legal 500 2019*

Julian Allsop is Chambers' construction law specialist and is recognised in this regard by the leading directories.

He is a highly skilled, authoritative and pragmatic construction law practitioner. He is known for being *aborn fighter whose sense of humour and charm makes him a delight to work with on construction and property matters'*(Legal 500).

He has considerable experience of advisory work and advocacy in relation to disputes that arise from a range of projects, from domestic building claims to commercial construction disputes in an industrial setting.

Julian has particular expertise in disputes involving the following:

- Contractor's payment claims and / or claims for delay and disruption, loss and expense.
- Employer's claims arising out of defective workmanship and / or delay.
- Professional Negligence against Architects, Quantity Surveyors and Project Managers.
- Adjudication pursuant to the Housing Grants, Construction and Regeneration Act 1996 and the Construction Act 2009.
- Arbitration of construction disputes.
- Injunctions and interim remedies.
- Standard forms, such as the JCT contracts published by RIBA, the ICE & NEC3 forms and the PPC 2000.

Examples of a few of the matters that Julian has been involved in recently have included:

- The successful defence of an application for summary judgment for the sum of £ 357K in the High Court on the basis of a contractor's alleged payment notice.
- Successful representation of an employer in a claim of professional negligence against his team of construction professionals, settlement for a six figure sum.
- Successfully acted on behalf of a building contractor in the defence of a claim for damages in the region of arising out of defective workmanship in two developments, quantum in excess of £ 600K.

He is also regularly retained to provide advice and to draft pre action correspondence and pleadings in Court, arbitration and adjudication proceedings.

Julian is also a qualified mediator and adjudicator and is listed on the TECBAR Mediator & Adjudicator Panel & Bar Council List of Barrister Mediators. He is also a member of the Adjudication Society and Construction Law Society.

BUSINESS PROTECTION

'has a national reputation for restrictive covenant expertise'. - Chambers UK

Julian Allsop is a specialist and experienced practitioner in cases involving the enforcement and protection of rights arising from the key business relationships contingent upon shareholdings, partnership and employment.

He has a particular interest in cases involving restrictive covenants in restraint of trade, confidentiality - including in relation to social media in the workplace, and the Database Right.

Julian has considerable experience in advising on the meaning and effect of shareholders' agreements, partnership agreements and restrictive covenants contained in employment and consultancy contracts and in cases involving the enforcement of the rights arising out of those contracts, such as breach of contract claims, breach of fiduciary duties by directors and the enforcement of minority shareholder rights.

Examples of recent and typical cases that Julian is involved with in this field include:

- **Re: L, M, N.** -advice and drafting for senior employees / directors who engaged in a team move from their employer to another entity.
 - **L Ltd v B** - successfully acted on behalf of the employer to obtain a settlement that involved undertakings, damages and costs against a senior employee who set up a competing company and diverted clients using confidential information.
 - **G & H Ltd v C** -obtained Pre Action Disclosure and a neutral costs order against a former quasi partner who had appeared to breach the terms of a Sale and Purchase Agreement under which he had transferred his shareholding.
 - **D v E, F, G** - advice in relation to the enforceability of a shareholders agreement in a quasi partnership and potential remedies under that document and the underlying articles of association.
 - **Re : P & Q** - advice to a senior consultant solicitor and his potential new employer on the meaning and effect of covenants contained in his service agreement with his former employer.
 - **X Ltd v Y and Z** - Successfully acted for the employer who sought interim injunctive relief in the High Court against two former employees who had misused confidential information acquired during the course of their employment and breached the restrictive covenants in the contracts of employment during the course of their new employment.
 - **Banks v Skydive** - acted on behalf of the Claimant to an employment tribunal claim to secure a freezing injunction to prevent the dissipation of assets pending the resolution of the employment tribunal claim.
 - **Pegasus Corporation Ltd v Richards & another** -successfully obtained interim injunctive relief in the High Court against former director, consultant and shareholder to prevent misuse of confidential information & client contact.
 - **A v J and others** - Acted in contested complex partnership proceedings, before and after dissolution, and also in relation to the reconciliation of the Partnership account.
 - **L v M** - Acted on behalf of the Claimant who was the senior employee in his claims in the High Court and Employment Tribunal arising out of the termination of his employment and non-payment of bonuses, successful resolution for six figure sum.
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RECOMMENDATIONS

- [Who's Who Legal - UK Bar 2015](#)
 - [Chambers UK 2015](#)
 - [Chambers UK 2014](#)
 - [Legal 500 2014](#)
 - [Chambers UK 2013](#)
 - [Legal 500 2013](#)
 - [Legal 500 2012](#)
 - [Legal 500 2011](#)
 - [Legal 500 2010](#)
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APPOINTMENTS:

- Regional Panel Junior Counsel to the Crown (A Panel)
 - TECBAR adjudicator and mediator
 - ELA Regional Representative (South West)
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MEMBERSHIPS:

- Discrimination Law Association
 - Employment Lawyers Association
 - Employment Law Bar Association
 - Industrial Law Society
 - Adjudication Society
 - Construction Law Society
 - TECBAR
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EDUCATION:

- LLM, Commercial Law, University of Bristol
 - LLB Hons, King's College London
 - Clifton College, Bristol
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RECENT NEWS

- Julian Allsop & Debbie Grennan to speak at the ELA Solent Employment Law Conference 2019
 - Julian Allsop becomes ELA South West Representative
 - Appointments to the Attorney General's Regional Civil Panel of Junior Counsel
 - Debbie Grennan and Julian Allsop are delighted to be able to assist the Employment Lawyers Association
 - Liverpool Law Society - Julian Allsop & Douglas Leach Speaking at the Employment Law Conference 2016
 - Julian Allsop to speak at the ELA Solent region annual training day
 - ELA Webinar - Masterclass on Employment Claims in the Civil Courts - Feb 2016
 - Debbie Grennan & Julian Allsop: A Masterclass - EMPLOYEE COMPETITION - Sept 2015
 - ELA Training Cardiff - Masterclass - Employment claims in the Civil Courts
 - Debbie Grennan and Julian Allsop to speak at DASLS Employment Law Update, Exeter Racecourse on 13 April 2015.
 - ELA Masterclass - Employment Claims in the Civil Courts 2015 -Jan 2015
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