

Tanfield Chambers

Peter Linstead

plinstead@tanfieldchambers.co.uk

Areas of Practice

Employment
Personal Injury
Public Access

Career

1994 Called to the Bar, Gray's Inn
1995 Tenant at Clarendon Chambers, specialising in employment law from 1999
2006 Joined Tanfield Chambers

Profile

Since joining Tanfield in 2006, Peter has brought energy and experience to the Set's Employment Group. He has a practical and commercial approach with clients.

In employment, he has a particular interest in cases with a commercial angle, including restrictive covenants and emergency applications to the High Court, but is also excellent in discrimination, unfair dismissal, transfer of undertakings and related areas. He appears regularly in the Employment Appeal Tribunal and has appeared in the Court of Appeal in employment matters twice in the last 12 months.

He has a particular specialism in personal injury claims based on psychiatric injury in the work place including stress, bullying and harassment, and associated disability discrimination issues. His personal injury practice is now principally in this area.

His experience includes acting for large employers, local authorities, charities and individuals and he accepts some instructions on a direct access basis.

He writes and lectures regularly on various areas of employment law.

Experience

Please see 'Significant Cases' page. In addition, Peter's recent instructions include -

Employment

Instructed by 6 Respondents in an age discrimination claim against more than 20 Respondents based on rejection of applications for jobs requiring newly-qualified applications.

Acting for Claimant company, at all stages from pleadings to trial, in action in Mercantile Court involving breach of restrictive covenants by four Defendants, unusual because it got all the way to trial.

Advising a fire authority on Transfer of Undertaking Protection Employment Regulations (TUPE) related claims by 40 employees.

Advising an airline on a £1/2 million Permanent Health Insurance liability to four employees.

Acting for two representative Claimants in action concerning dismissal of 350 employees on trade union grounds.

Personal Injury

Acting for a major city institution in personal injury stress claim valued at £7 million.

Acting for two Claimants in a long running personal injury stress claim against a local authority; resolved at mediation just before trial.

Significant cases

St Christopher's Fellowship v Walters-Ennis [2010] EWCA Civ 252 (Lawtel)
Whether the burden of proof in race discrimination under s.54A RRA 1976 had been correctly applied.

Keane v Investigo & Ors [2009] UKEAT 0389/09/1112 (Lawtel)
Whether claimant's rejection for a job which she did not intend to do amounted to a detriment or disadvantage under the Employment Equality (Age) Regulations

2006. Respondent's costs award in employment tribunal (£140k subject to assessment) upheld.

Mills v Mid Sussex District Council [7.5.09] London South ET (EJ Stacey)

Represented successful claimant in unfair dismissal claim on basis that covert surveillance breached claimant's Article 8 rights.
(covered in Daily Mail 24.7.09)

Ebbs v Oxford Brookes University and Secretary of State for Education Court of Appeal [17.2.09]

Represented University in successfully resisting application for permission to appeal from EAT decision on a public sector Equal Pay claim.

Keane v Investigo & Ors ET Cse No: 33011676/2007

The Evening Standard, The Daily Mail, The Daily Telegraph 26.11.08

Represented 5 successful respondent companies in claim relating to Age Discrimination and Justification.

Millbrook Proving Ground Limited v Jefferson EAT Elias J, [11.3.08] (Lawtel)

Unfair dismissal and procedural fairness.

Lewisham v Colbourne EAT [2006] All ER (D) 200 (Nov), (2006) 819 IDS Brief 5, linked with **HM Prison Service v Barua** [2007] IRLR 4 (Lawtel)

First case in the EAT on extension of time limits under the Statutory Grievance Procedures.

Gupta v Trevor Sorbie International plc ET case No 2200400/2006

The Times, The Daily Telegraph, Daily Mirror, Daily Express, Evening Standard 21.7.06 & 22.7.06. Constructive Dismissal, Public Interest Disclosure, Sex Discrimination

In the media

Co-author with Martina Murphy of article in The Lawyer 24.11.09 "Permanent Shift" on the use of permanent staff in financial services industry.

Peter has recently published the following articles in the HR press:

9.9.08 "Taking Time Off for Gender Reassignment" (HR Magazine)

8.9.08 "Staff Suing Customers" (Personnel Today)

Peter has published the following articles in ELA Briefing:

July 2009 'In Brief' (Editorial)

July 2008 'In Brief' (Editorial)

July 2007 'In Brief' (Editorial)

June 2006 'In Brief' (Editorial)

March 2005 Article entitled 'Psychiatric Injury at Work Under Review'

October 2004 Article entitled 'Positive Discrimination Under the DDA'

May 2004 Article entitled 'Strike Out for Unreasonable Conduct'

Peter has made appearances on Sky News to comment on employment law aspects of current news stories:

4 December 2008: interviewed on the suspension of the Head of Children's Services at Haringey Council in the wake of the Baby P case.

6 March 2009: interviewed on legal implications of the blacklisting scandal in the construction industry, following Information Commissioner's report that Balfour Beatty, McAlpine and others have been paying for personal information about prospective employees.

21 March 2009: interviewed on case of alleged bullying by female police officer on return from maternity leave.

18 October 2009: interviewed about the legality of Royal Mail's proposal to bring in extra temporary staff in response to the proposed industrial action.

Memberships

Member, Employment Lawyers' Association

Member, Employment Law Bar Association

Member, Employment Law Appeal Advice Scheme

Member, Personal Injury Bar Association

Member, Bar Pro Bono Unit

Qualifications

BA (Oxon) Jurisprudence

MA Hons (Hertford College, Oxford)

Gray's Inn: Wilfred Watson Scholar