

## Jonathan French

Call 1997



### Clerks' Details

👤 Ian Spencer  
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👤 Nicole Haigh  
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### Appointments

- Accredited Mediator

### Memberships

- R3
- Employment Law Bar Association
- Employment Lawyers Association
- Industrial Law Society
- Talk Mediation
- North Eastern Circuit
- The Fraud Lawyers Association

### Education

- Harrogate Grammar School
- LLB (Hons), The University of Manchester
- Bar Vocational Course, The Inns of Court School of Law
- Accredited Mediator, SPC, Regent's College (2005)

### Employment CV

#### Overview

Jonathan has practised at the employment law Bar since 1997, frequently appearing on substantial matters before the Employment Tribunal and on the Employment Appeal Tribunal. He has a particular interest in cases with a commercial/insolvency dimension, especially restrictive covenant work.

His practice principally focuses upon:

- TUPE, especially Service Provision Changes
- Equality and discrimination, especially disability discrimination
- Unfair dismissal
- Wrongful dismissal
- Whistle blowing
- Employee's and directors' duties
- Restrictive covenants

He regularly acts for national and international businesses including well-known hotel chains, high-street department stores and mobile phone companies, and for trade unions. Jonathan is recognised for being approachable and for giving clear advice.

## Recommendations

“Jonathan French of Exchange Chambers enters the rankings this year following widespread praise for his excellent accessibility and his pragmatism when handling cases. Sources say: ‘He offers full and frank advice and is very sharp on his feet.’”

**Chambers & Partners**

“Jonathan French is an experienced junior in difficult cases and boasts a high success rate ‘in and out of court’.”

**Legal 500**

“Jonathan French has wide experience and is ‘an excellent negotiator who never drops a point’.”

**Legal 500**

“An effective negotiator and there’s always a strong likelihood he’ll win.”

**Legal 500**

## Beyond the Bar

Jonathan lives in North Yorkshire with his wife and their two daughters. He enjoys walking in the Yorkshire Dales and Scottish Highlands as well as sailing. He follows motor racing, cricket and rugby and enjoys live music.

## Cases

### DISCRIMINATION

Jonathan has a particular expertise in discrimination matters, having appeared in a leading EAT decision on disability. He regularly acts in Equality Act matters before the Tribunal and also advises upon discrimination in the provision of goods, facilities and services.

Mental health discrimination claim representing a national employment agency

Successfully representing hotel in pregnancy discrimination claim

Defeating mental health discrimination claim against large hotel chain

To appear in 7-day hearing for Police Officer forced to take ill-health retirement following injury in line of duty

*Girvan v Humberside Probation Trust [2009] UKEAT 0197/09/DA LTL 30/11/09*: successfully appealing on the correct approach to striking out a claim on the grounds of a party's failure to comply with directions

*Butterfield v Edmund Nuttall Ltd [2006] ICR 77*: leading case on causation under the Disability Discrimination Act 1995 and Disability Discrimination (Meaning of Disability) Regulations 1996

*Greenhoff v Barnsley Metropolitan Council [2006] UKEAT 0093/06/3105*: leading case on calculation on loss of pension rights. Appeared for respondent on remedies for disability discrimination

Representing disabled passenger in claim for discrimination in the provision of transport services

Successfully representing former partner in national solicitors firm regarding £1 million disability discrimination claim

### TUPE

Jonathan is particularly interested in Service Provision Changes under the 2006 Regulations. He has successfully acted in several multi-day, multi-party claims on behalf of both claimants and respondents. Jonathan also regularly gives seminars on TUPE matters.

Advising local authority on reorganisation of 20 children's centres

Representing national hotel chain in several sets of multi-day ET proceedings brought by

groups of claimants following its acquisition of a well-known holiday camp business

Appearing for local charity regarding SPC upon change of local government funding

Advising waste disposal company upon TUPE liabilities arising out of Sale & Purchase Agreement

Successfully appearing against the Dean & Chapter of a cathedral on SPC claim

Representing High Street name pharmacists, department stores and mobile phone shops.

## **WHISTLEBLOWING**

Jonathan acts in public interest disclosure matters for both employees and employers, concerning a wide range of legal and health & safety matters.

Successfully representing national hotel chain in multi-day health & safety whistleblowing claim by night porter

Acting for Finance Director dismissed for raising concerns as to accuracy of company accounts

## **RESTRICTIVE COVENANTS**

With a practice spanning both commercial and employment law, Jonathan is regularly instructed to advise upon and appear in claims concerning post-termination restrictions imposed upon departing employees and restrictive covenants in business sale and purchase agreements.

Injunction against company directors surreptitiously operating rival cosmetics business

Securing injunction to prevent director from fraudulently diverting funds from employer

Obtaining injunctions against former employees of two employment agencies

Advising managing director of national cleaning company on directors' duties, confidentiality and restrictive covenants

Appearing for account manager accused of breach of undertaking Acting on behalf of salesperson on injunction application

Successfully appearing for recruitment agency seeking injunctive relief against former resourcing consultant