



Nicholas Robinson

Call 2006

Email nick.robinson@3pb.co.uk

Qualifications

BA Criminology & Sociology, The University of Liverpool (First Class Honours) Postgraduate Diploma in Law, Manchester Metropolitan University Bar Vocational Course, BPP London

Nick Robinson developed his enthusiasm for Employment Law during pupillage by accepting instructions from the Free Representation Unit and representing a Claimant in a successful claim of unfair dismissal. Following pupillage he has maintained a commitment to pro bono work.

Nick has represented employers and employees in claims for unfair dismissal (substantive and procedural, constructive or actual), wrongful dismissal, discrimination claims (sex, pregnancy, age, disability; direct and indirect), harassment, victimisation, TUPE, whistle-blowing, breach of contract and unlawful deductions from wages. Nick has recently gained extensive experience of representing employers in claims of unfair dismissal where the reason for dismissal was redundancy.

Nick has been instructed to draft a wide variety of employment pleadings and frequently advises parties pre-action in industrial relations matters generally and on the issue of settlement.

Notable cases

Pankhurst t/a Mopdocs Barbers v Phillips - acted for the Respondent Barber Shop in a case involving an employee who advanced claims of sex/pregnancy discrimination and unfair dismissal, namely that she had been dismissed owing to her pregnancy. The Employment Tribunal found against the Respondent and this decision was successfully appealed at the Employment Appeal Tribunal on the grounds of there being "inadequacy of reasons" (Meek compliance) [UKEAT/0040/09]. A rehearing was ordered at which the Employment Tribunal dismissed the claims.

P v A - successfully acted for the Respondent in an unfair dismissal claim. The Respondent had dismissed the Claimant for gross misconduct, namely for using and selling class A drugs at the workplace. During the course of the investigation witnesses had expressed fear of reprisals and so the evidence against the Claimant was redacted so as to maintain confidentiality. An order was sought at the ET for the bundle to be heavily redacted so as to maintain witnesses' anonymity.

H v CEL - successfully resisted claims for constructive unfair dismissal, disability discrimination and whistle-blowing. The Respondent was a school for children with special needs and the Claimant was a member of staff. The unique feature of the case was that the Claimant's son was a student at the school.

D v GW - represented the Claimant who successfully claimed disability discrimination, victimisation and unfair dismissal. This case involved a substantial sum of damages.

F v H - represented the Respondent in an age discrimination claim. Although the ET found in favour of the Claimant, on the basis that the arrangements for interviewing prospective employees including the Claimant were discriminatory, the Respondent successfully argued that the Claimant would not have been recruited in any event and the award for damages including injury to feelings was limited to a nominal sum.

Sawle v Southampton Community NHS Trust & Secretary of State for Health / NHS Pensions Agency -

represented a Claimant in a part-time workers' pension / equal pay claim. The Claimant had worked for the NHS on a part-time basis for over 25 years. She had been excluded from the occupational pension scheme owing to her part-time status. The ET awarded her pension benefits retrospectively for a period exceeding 14 years; this followed a landmark House of Lords judgement in the case of *Preston & others v Wolverhampton Healthcare NHS Trust and others* (No.3) (Case number 507497/95).

Robb v Collins - unfair dismissal, wrongful dismissal. This case involved tandem civil proceedings for the recovery of monies that the Respondent asserted had been unlawfully and dishonestly obtained.

D & Others v BTL - Transfer of Undertakings (Protection of Employment) Regulations 2006 [acting for Respondent in case involving 12 Claimants].

Nick is a member of the Employment Law Bar Association.

Professional Bodies

Bar Pro Bono Unit

Criminal Bar Association

Employment Law Bar Association

Free Representation Unit

Human Rights Lawyers' Association