



# Matthew Curtis

**Year of Call:** 2006

**Email Address:** [matthew.curtis@3pb.co.uk](mailto:matthew.curtis@3pb.co.uk)

**Telephone:** 01962 868 884

## Overview

Matthew Curtis has been recognised as a Leading Junior in the Legal 500 for the last 5 years. He has been described as "*calm and effective*" and acknowledged as showing "*meticulous attention to detail*". He has been given particular praise for his "*excellent commercial and communication skills*".

Matthew has a wealth of experience in Employment law. He regularly appears in the Employment Tribunal and EAT on behalf of both employers and employees in a range of employment issues and has dealt with a number of complex multi-day cases, including:

- Currently instructed on an EAT case re: time limits following the Unison decision removing tribunal fees and the correct approach to the reasonable practicability of lodging claims when the fee regime was in place
- A 5-day disability discrimination and unfair dismissal case, acting for the Appellant on appeal to the EAT
- A 10-day whistleblowing case for a respondent which involved technical issues of aviation law
- A TUPE case which was listed for a 10-day remedy hearing and involving 14 claimants and 8 respondents representing a local authority.

Matthew is instructed by numerous large national retailers, transport companies, airline industry providers and a multitude of SME's as well as several local authorities across the Western Circuit.

Matthew is authorised to accept instructions direct from members of the public. He is able to undertake work for a fixed fee where appropriate. He provides pro-bono assistance to unrepresented appellants in the EAT through the ELAAS scheme.

## Recommendations

Highly experienced advocate with a wealth of experience handling discrimination claims. He undertakes work on behalf of respondents arising from a variety of sectors, including from the fields of healthcare, retail and technology.

Strengths: "He is well liked by clients, technically excellent and a great advocate."

Recent work: Represented Kingston University Service Company in a six-day whistle-blowing, age discrimination, sex discrimination, unfair dismissal and TUPE claim. The claimant was an HR director working for the university.

**Chambers UK 2021/**Employment - Western Bar - Band 4

'As an advocate, he is a calm, deliberate and extremely effective persuader.'

**Legal 500 2021/Regional Bar – Western Circuit, Employment law**

'Well-liked by clients for his clear and concise advice.'

**Legal 500 2020/Regional Bar – Western Circuit, Employment law**

'Very experienced in discrimination cases.'

**Legal 500 2018/19/Regional Bar – Western Circuit, Employment law**

'Very personable, articulate and thorough.'

**Legal 500 2017/Regional Bar – Western Circuit, Employment law**

Matthew Curtis - "A calm and effective advocate, who shows thorough preparation and meticulous attention to detail."

**Legal 500 2016/Regional Bar – Western Circuit, Employment law**

Matthew Curtis - "He comes across confidently when delivering a case to tribunal."

**Legal 500 2015/Regional Bar – Western Circuit, Employment law**

Matthew Curtis - "A very competent barrister, with excellent commercial and communication skills."

**Legal 500 2014/Regional Bar – Western Circuit, Employment law**

Matthew Curtis - "Recognised as a rising star who punches well above his height."

**Legal 500 2013/Regional Bar – Western Circuit, Employment law**

### **Client Testimonials**

"I just wanted to reach out to you following the conclusion of [our] case. In fact, prior to receiving judgement I'd already decided I would contact your chambers, feeling compelled to write a few words of gratitude toward Matthew Curtis. The manner in which he handled our case, such professionalism, efficiency and good nature, was second to none. Should the company again find itself in an employment issue requiring representation, I'll be calling 3PB. Great job!" [Employment client]

"Can I take this opportunity to thank you for instructing Matthew to represent me in the tribunal, he was absolutely brilliant in everything he did." [Employment client]

"Thank you so much for representing us on Thursday. We couldn't have had a better barrister! You were so organised [and] articulate and managed to get a grasp extremely quickly on a very unusual case resulting in winning. This is more outstanding due to the huge file that you had to go through in such a short time. We were very impressed with your confident presentation to the judge whom I think rather enjoyed listening to your argument. Thank you once again and we wish you success in your future cases. I would say good luck but with all the hard work you do I don't think you will need it." [Civil case]

## **Academic qualifications**

- Middle Temple
- King's College, London - LLB (Hons)
- Inns of Court School Law - BVC

## **Professional qualifications & appointments**

- CIPD conduct hearing panel member

## Professional bodies

- Employment Law Bar Association
- Employment Lawyers Association

## Employment and discrimination

Matthew has an extensive Employment Law practice regularly advising and representing both Claimants and Respondents. He has been recognised as an employment barrister, noted as a Leading Junior in the Legal 500 for each of the last 5 years, described as *"a rising star who punches well above his weight"*, an accolade which is demonstrated with his work on numerous complex multi-day cases across London and the Western Circuit.

Matthew has appeared in Employment Tribunals on behalf of both employer and employee in unfair dismissal, TUPE, redundancy, disability discrimination, age discrimination, race discrimination and whistle-blowing cases.

Matthew is particularly adept at getting to grips with the details in technically complex cases, demonstrated by a number of cases he has undertaken for airports and flight schools requiring detailed understanding of Aviation law, and also for regulated professions such as care homes and schools requiring an understanding of the CQC/Ofsted requirements. His recommendation in the Legal 500 notes him for his thorough preparation and meticulous attention to detail (2017).

Matthew is frequently asked to advise on all aspects of an employment law dispute, from drafting merits and pleadings to appropriate quantum and terms of settlement. He is instructed by large national corporations and solicitors from across the country as well as individual claimants who require a dedicated, competent and technically able Barrister.

### Recent Cases include

#### **Wray v Jewish Care UKEAT/0193/18**

Acted for Respondent resisting the Claimant's appeal. C had failed to present his claim in time due to the fees regime; he argued that the fees meant it was "not reasonably practicable" to present his claim and sought an extension of time. The ET rejected C's arguments and struck out the claims due to lack of jurisdiction. The EAT upheld the ET decision. Matthew appeared for the Respondent at the ET and EAT.

#### **H v E Borough Council (2018) (EAT)**

Representing the Respondent/Appellant at the EAT following a 5-day ET claim involving allegations of disability discrimination and unfair dismissal.

#### **M v E CAB (EAT)**

Representing the Appellant at a rule 3(10) hearing under the ELAAS scheme, which provides pro bono assistance to unrepresented appellants.

#### **B & 13 ors v A Local Authority & 7 ors (2018)**

Junior being led on a multi-party TUPE service provision change claim relating to domiciliary care contracts. Currently listed for a 10-day remedy hearing (2018).

#### **M v B Trust (2017)**

Successfully representing the Respondent in a disability discrimination and unfair dismissal claim involving a teacher who was dismissed from her role shortly after commencing long-term sick leave with anorexia nervosa.

## Articles

[Gareth Graham](#) and [Matthew Curtis](#) examine the options in this employment law webinar first broadcast on 21 April 2021 and look at the potential pitfalls for businesses looking to make redundancies or organisational changes due to pressures caused by reduced activity.

Read their notes and answers to the most common questions received.

[Watch the webinar on 'Preparing to trade in a post-pandemic economy: options available to employers facing uncertain times here.](#)

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The strictness of contractual appeal time limits

Matthew Curtis analyses Joseph v Deloitte NSE LLP [2020] EWCA Civ, and reminds us that where contractual rights of appeal are involved, it is essential to get the appeal in within the time specified in the contract, even in if the employer has delayed another part of the process.

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Cost plus: still alive and kicking?

Matthew Curtis analyses Heskett v Secretary of State for Justice [2020] EWCA Civ 1487, a case likely to make it easier for employers to prove they have a legitimate aim in age discrimination cases.

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Workplace monitoring in a remote working age

Matthew Curtis reviews the legal risks involved with monitoring employees and puts forward practical tips to help ensure compliance of any surveillance system with the expected standards.

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Working time and time again: how to measure time? Matthew Curtis analyses the CJEU decision in Federación de Servicios de Comisiones Obreras (CCOO) v Deutsche Bank SAE (C55-18)

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Employment specialist Matthew Curtis provides an employment case law update covering:

1. Tribunal fees – the latest position
2. Suspension – the risks
3. ACAS Early conciliation – the latest skirmishes in an ongoing war (De Mota v ADR Network & anor UKEAT/0305/16)
4. Presidential guidance – pensions and Vento
5. Burden of proof in discrimination claims

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Evidence in Disability Cases: where are we now? By Matthew Curtis.

Matthew Curtis reviews some recent decisions regarding evidential issues in disability discrimination cases, with a particular focus on:

- Stress as a disability
- Principal's liability for acts of their agents
- Knowledge of disability, in particular who has to know for a claim to succeed?
- Indirect discrimination: the standard of evidence required
- Dismissing for long-term absence where there is late evidence from the employee

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