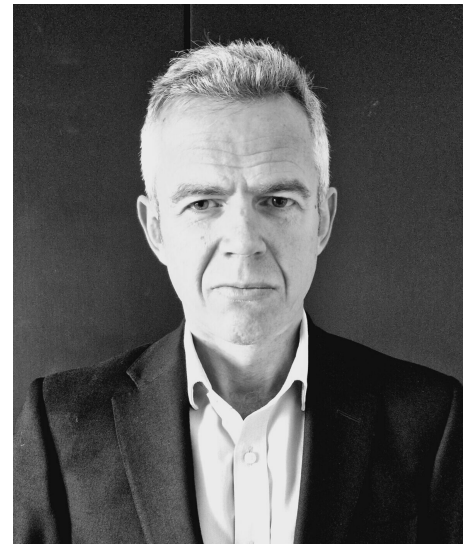


Andrew MacPhail

Year of Call: 2007

Email Address: andrew.macphail@3pb.co.uk

Telephone: 01865 797 700



Investigations

Andrew MacPhail is happy to assist with workplace and employment investigations.

Investigations undertaken by Andrew to date include:

- A grievance investigation into an existing employee's allegations of direct race discrimination.
- a grievance investigation into an existing employee's allegations of direct sex discrimination.
- A grievance investigation into an existing employee's allegations of direct sex discrimination and victimisation.
- An investigation into the appeal of an ex-employee against the outcome of a complaint he had submitted post termination.

Investigations tend to involve the following core steps:

- Terms of reference
- Interviews and collation of documentary evidence
- Production of an investigation report.

Recommendations

Andrew MacPhail has long been recommended as an Employment & Discrimination specialist by both Chambers UK and Legal 500 in their UK Bar Directories, praising him as:

Andrew MacPhail acts for private companies, public bodies and individuals in Employment Tribunal claims. "He is adept at handling a range of employment matters including unfair dismissal, discrimination and whistle-blowing detriment claims." Strengths: "His ability to think of technical arguments to cover off all eventualities and scenarios is particularly impressive, and his assistance with strategy is invaluable too."

Chambers UK 2024/Employment/South Eastern Bar

Strengths: "Andrew provided excellent representation throughout." "He brought a hearing listed for many days to an abrupt and early end by demolishing the claimant with his cross-examination." "Andrew is fastidious in attention to detail. He is very thorough and well prepared."

Chambers UK 2024/Employment/Western Bar

Andrew MacPhail's employment practice often focuses on complex multi-day discrimination and whistle-blowing hearings. He also has experience of TUPE and breach of contract work.

Legal 500 2024/Employment/Leading Juniors/South Eastern Circuit – Tier 1

'Andrew is a very strong and commanding advocate, able to put forward his arguments in a clear and concise manner even when addressing matters which have litigants in person. His knowledge of the law and how to get the best out of any situation is second to none.'

Legal 500 2024/Employment/Leading Juniors/Western Circuit

'An accomplished advocate with an incisive approach.'

Legal 500 2024/Employment/Leading Juniors/London Bar

Andrew MacPhail acts for private companies, public bodies and individuals in Employment Tribunal claims. He is adept at handling a range of employment matters including unfair dismissal, discrimination and whistle-blowing detriment claims. Strengths: "He gives incredible confidence to clients in his demeanour, and persistently pushes clients' agendas in hearings. He is fastidious, comprehensive and highly attentive to detail."

"We appreciate Andrew's ability to think of technical arguments to cover all eventualities and scenarios, giving clients a 360-degree view of the situation."

Chambers UK 2023/Employment/Western Bar

"Andrew MacPhail is an outstanding employment lawyer and a safe pair of hands on any matter."

Strengths: "His ability to review papers and to understand not only the legal issues in the case but also the commercial aspects and implications, in a very short time, has been astounding. Andrew has an eye for detail and nothing is lost on him. He has made himself available to assist us with ongoing work on the case as needed. His calm and confident manner has been of great reassurance to the client."

Recent work: Successfully defended Swalecliffe Pharmacy in a claim for age-related harassment concerning the alleged use of the phrase 'stropky child'.

Chambers UK 2023/Employment/South Eastern Bar

'He is fastidious, comprehensive and highly attentive to detail.'

Legal 500 2023/Employment/Leading Juniors/Western Circuit

'Andrew is extremely thorough, knowledgeable, and approaches cases with a holistic approach that benefits all clients. He is excellent with clients providing both honest and pragmatic advice. Andrew MacPhail handles all complex discrimination and whistle-blowing matters with 'a holistic approach that benefits all clients'.

Legal 500 2023/Employment/Leading Juniors/South Eastern Circuit – Tier 1

'Andrew is meticulous in his approach – no corner is left unturned. He is good at probing questions for the client to consider, so the case strategy is clear; and he is effective in his cross-examination of witnesses, drawing out concessions along the way.'

Legal 500 2023/Employment/Leading Juniors/London Bar

'Very calm and measured. Never gets flustered. He gets to the heart of a case very quickly.'

Chambers UK 2022/Employment/Western Bar

Strengths: "Andrew is very technical and really good on equal pay claims."

Recent work: Represented the respondent in Miss J Shrubsole v Swalecliffe Pharmacy, in which age-related harassment was

alleged by the claimant.

Chambers UK 2022/Employment/South Eastern Bar

Strengths: "He is very calm but diligent. He goes the extra mile for clients and is a fearless advocate."

Recent work: Acted for the claimant in bringing various claims, including an equal pay claim, against BMC Software.

'Andrew is extremely thorough and knowledgeable, with a forensic eye for detail.'

Legal 500 2022/Employment/Leading Junior/South Eastern Circuit

'Calm, methodical and extremely approachable for lay clients in conference, and provides clear and practical advice to enable easier decision making for clients.'

Legal 500 2022/Employment/Leading Junior/London Bar

He has also been rated Band 4 for Employment Western (Bar) in Chambers & Partners 2020 UK Bar Directory.

Strengths: "He is extremely detailed, and really analyses a case down to the finest details."

Chambers UK 2021/Employment/Western Bar

"He is practical and thorough, and the clients love him."

Legal 500 2021/Employment/South Eastern Circuit

"Very good with clients." "Andrew MacPhail represented the claimant in Court of Appeal case BMC Software v Shaikh, an equal pay claim"

Legal 500 2021/Employment/Western Circuit

'Andrew is a very strong and commanding advocate. He is able to put forward his arguments clearly and concisely, even when addressing matters. His knowledge of the law and how to get the best out of any situation is second to none.'

Chambers UK 2020/Employment/Western Bar

"Very good with clients."

Legal 500 2020/Employment/South Eastern Circuit

"Very good with clients."

Legal 500 2020/Employment/Western Circuit

""Andrew is a very user-friendly barrister"

Legal 500 2018/19/Employment

In Chambers & Partners 2017 UK Bar Directory. Andrew is rated 'Up and Coming barrister' and described as: "Andrew is esteemed for his experience in a diverse array of employment law disputes, ranging from whistle-blowing, discrimination and harassment, to equal pay, unfair dismissal and TUPE ". His strengths were detailed as : "His experience at tribunal covers a wide range of employment law areas. He is often instructed for complex multi-day discrimination and whistle-blowing hearings."

Chambers UK 2017/Employment

"Practical and professional; clients love him"

Legal 500 2017/Employment

In Chambers & Partners UK Bar Directory 2016, Andrew was again rated as an Up and Coming barrister for Employment and

described as counsel who "has represented both claimants and respondents in matters concerning issues as diverse as whistle-blowing, unfair dismissal, TUPE, equal pay, unlawful deductions and breach of contract. His strengths were described by clients as "He's m and reassuring, and has a confident approach. He always delivers and always gets good results." "He's sensible, gives the client confidence, and can boil down the information to its essential points."

Chambers UK 2016/Employment

"A pure employment expert"

Legal 500 2016/Employment

In Chambers & Partners K Bar Directory 2015, Andrew was again rated as a top employment barrister and was described by clients as : "He is a thorough and systematic barrister. You always know when Andrew is instructed that he will devote his full care and attention to the case." "He's quite technical but very effective as an advocate, and always invested in his work."

Chambers UK 2015/Employment

Academic qualifications

- MA Hons, Classics, University of Edinburgh
- Graduate Diploma in Law, College of Law
- Bar Vocational Course, College of Law

Professional qualifications & appointments

- Graduate Diploma in Law, College of Law
- Bar Vocational Course, College of Law

Professional bodies

- Employment Law Bar Association
- Employment Law Association