# 11KBW

## Sean Jones KC

Since taking silk, Sean has quickly built a leading practice focused on complex and high profile cases. He acts for both claimants and defendants in claims covering the a wide range of Employment, Commercial Employment and Sport-related disputes. Clients identify, variously, team-working, approachability, breadth and depth of specialist knowledge and effectiveness in cross-examination as the particular skills Sean has to offer..

## **Specialisms**

#### Employment

Employment Law is at the heart of Sean's work. Widely-regarded as one of the leading Employment lawyers in the UK, his practice covers the entire range of employment-related matters from multiple equal pay, pension and employment status claims through to individual dismissals, whistleblowing claims, bonus and restrictive covenant disputes, and industrial action cases. He is instructed by individuals, trade unions and every kind of employer including large private sector companies such as Amazon, Easyjet, Ford, Lloyds Bank, Marks and Spencer, Tesco and Sainsburys; public sector bodies such as the BBC, the HMRC, the Metropolitan Police, and a number of local authorities and Education sector employers such as the University of Oxford and Nottingham University.

#### Sport

Sean has advised and represented a number of football clubs in disputes with players, managers and staff including Aston Villa, Everton, Newcastle United and Nottingham Forest. He has also been instructed by the League Managers' Association and acted for former managers in actions against Fulham, Leeds United and the Football Association of Wales and for a former player against Tottenham Hotspur.

Away from football, he represented the RFU in its dispute with Bristol over the recruitment of a rugby forwards coach. He has sat as chair of disciplinary panel for British Ski and Snowboarding and conducted a disciplinary investigation on behalf of the Olympic Park Legacy Corporation.

Having run 13 marathons it is beginning to dawn on Sean that he is never going to qualify for the Boston Marathon.

## **Recent Cases**

#### SPI Spirits v Zabelin

[2023] EAT 147, EAT, December 6 2023; [2024] IRLR 285 An employment tribunal had been entitled to uplift awards made against a company and its majority shareholder jointly and severally in respect of detrimental treatment, and against the company in respect of automatic unfair dismissal

#### **Element v Tesco Stores**

[2022] EAT 165, EAT, October 31 2022, [2023] IRLR 102 The meaning of a Job Evaluation Study under the Equality Act 2010.

#### K v Tesco Stores

[2021] ICR 1524; [2021] 3 CMLR 33, Case C-624/19, ECJ, June 3 2021 Female employees in supermarket stores claiming comparison with male distribution network employees



#### Professional Summary

Called 1991 Appointed KC 2012

#### **Contact Details**

Sean.Jones@11kbw.com +44 (0)20 7632 8500 Clerk Martin Pownall Clerk Harry Farrow Contact Clerks - Claim based on equal pay for 'work of equal value' - Whether FEU Treaty having direct effect

#### Pitcher v University of Oxford; Ewart v University of Oxford

[2021] IRLR 946, EA-2019-000638-RN; EA-2020-000128-RN, EAT, September 27 2021 Two employment tribunals which had reached different conclusions in respect of the proportionality of the University of Oxford's application of its policy in respect of the compulsory retirement of two professors at the age of 67 had not erred in law. Both appeals dismissed.

#### Queensgate Investments v Millet

UKEAT/0256/20/RN, EAT, January 15 2021, [2021] ICR 863; [2021] IRLR 637 Hearings to determine applications for interim relief should be made in public

#### Royal Mencap Society v Tomlinson-Blake; Shannon v Rampersad

[2021] UKSC 8, SC, March 19 2021, Times, March 30 2021 Care workers not entitled to be paid national minimum wage during periods of on-call time when they were on sleep-in shifts.

#### **Radia v Jefferies International**

UKEAT/0007/18/JOJ, EAT, February 21 2020 [2020] IRLR 431 An appeal against a costs order which provided that the employee pay the employer's costs in respect of unsuccessful disability claims was dismissed.

#### Royal Mail Group v Jhuti

[2020] IRLR 129, [2019] UKSC 55, SC, November 27 2019 Hidden reason for employee's dismissal applicable to claim.

#### East of England Ambulance Service NHS Trust v Flowers

[2019] EWCA Civ 947, [2019] IRLR 798, CA, June 10 2019 Whether voluntary overtime should be taken into account in the calculation of overtime pay.

#### Naeem v Secretary of State for Justice

Supreme Court, April 2017 Landmark case on indirect discrimination which clarified and simplified a notoriously difficult area of Discrimination Law.

## **Appointments**

Fee-paid Employment Judge

Senior Trustee of the Free Representation Unit

Employment Law Bar Association Management Committee

Bar Council

## **News, Articles and Publications**

Employment Law Columnist for Solicitors' Journal

General Editor of Tolley's Employment Law Handbook

### Education

Worcester College, Oxford, Andrew Dixon Scholar; BA (Hons) Jurisprudence, First Class; BCL.

## Recommendations

"Understands the complexities of advising in a sport context and is very well thought of in the sector" **Legal 500** 

"Sean's submissions in tribunal are highly persuasive and he is constantly available to us. Even extremely demanding clients are blown away – Sean is the brightest star of the senior employment Bar" **Legal 500** 

"First choice in relation to the intersection of employment and sport" Legal 500

"As clever as he is creative, as expert as he is amusing, he has taken up residence in the Supreme Court on every employment case going – it's where he belongs though. Associates see working with him as a perk of the job." **Legal 500** 

"Sean is utterly brilliant in relation to statutory construction, presentation of legal argument to tribunals and is also extremely client friendly. His cross-examination is electric and carries a real "edge" to it." **Legal 500** 

"Astute and super bright, he is extremely client-friendly and genuinely a joy to work with." Chambers & Partners

"He's incredibly personable, is known to have an encyclopaedic knowledge of employment law and has very sound judgement." **Chambers & Partners** 

"As a trial advocate he is peerless: his cross-examination is wonderful to watch and he basically dances around the witnesses and leads them wherever he wants them to go." **Chambers & Partners** 

"An outstanding advocate with a brain that drives at the speed of a Ferrari but submissions crafted like a Rolls-Royce." Legal 500

"Very experienced and knowledgeable about football regulatory matters." Legal 500

"He gives clear, practical and commercial advice on resolving disputes in court." Chambers & Partners

"Very bright." Chambers & Partners

"Tactically brilliant." Chambers & Partners

"An excellent choice for employment law matters in the sports industry, particularly in relation to highstakes manager recruitment and exits." **Chambers & Partners** 

"He grasps the intricacies of a case with astonishing speed." Legal 500

"Involved in some very prominent work." Legal 500

"Absolutely outstanding. He has real gravitas and is strikingly bright and sharp." Chambers & Partners

"A master advocate who is incredibly personable and extremely generous with his time." Chambers & Partners

"A leading sport employment silk, who is usually the first choice for clubs in high-profile employment issues." **Chambers & Partners** 

"He thinks things through very clearly and has a very sharp mind." Chambers & Partners

"He is an excellent sport employment specialist." Chambers & Partners

"He is sharp and decisive, and has an extraordinary ability to present complex arguments simply" **Legal 500** 

"So good, lay clients ask him if they can applaud after hearings" Legal 500

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