Daniel Stilitz KC

Silk: 2010 Call: 1992

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Daniel Stilitz KC's practice includes employment, public, partnership, commercial and sports law. His recent cases have covered whistleblowing, business protection, discrimination, industrial relations, human rights, local government, health and commercial judicial review. He is regularly instructed on complex trials and in the appellate courts.

As well as appearing as an advocate, Dan regularly sits as a mediator and as an investigator, and is a member of the FA General Appeals Panel and Judicial Panel. In 2019, he was appointed Joint Head of Chambers at 11KBW.

Dan is recognised as a "thought leader" in employment law and is consistently rated as one of the most highly regarded silks at the employment bar.

"an excellent and persuasive advocate" **Chambers & Partners 2023**

"... A very good advocate who wins the court over ... He makes the court like his argument, like him and like the client" **Chambers & Partners**

> ***Daniel Stilitz KC jumps to mind whenever I need a barrister to get behind some creative thinking on a knotty legal problem. He is also exceptionally user-friendly and he wins over clients and judges alike.***
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> CHAMBERS & PARTNERS

Expertise

Employment

Dan's employment practice focuses in particular on the financial services and professional services sectors, as well as on industrial relations, and includes High Court, appellate and tribunal advocacy, recently involving a number of lengthy trials and injunction applications.

> ***Daniel is a very persuasive advocate who has the skill of presenting complex legal arguments in an accessible way. He is all over the detail as well as having good strategic acumen.***
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> LEGAL 500

Prahl v Lapinski

[2025] IRLR 662

Acting for the Claimant in the EAT successfully resisting applications by Swedish-domiciled respondents seeking to challenge the ET's international jurisdiction

Ryanair DAC v Morais

[2025] ICR 863

Acting for the Secretary of State in a case on the meaning and scope of the Employment Relations Act 1999 (Blacklists) Regulations 2010

The Right to Strike under ILO Convention No 98

Representing the UK government in advisory proceedings on the scope of the right to strike in international law

Secretary of State for Business and Trade v Mercer

[2024] ICR 814

Acting for the Secretary of State for Business and Trade in proceedings to determine whether the United Kingdom had acted in breach of Article 11 of the Convention by failing to provide any protection to those subjected to a detriment for participating in industrial action. [The current references to this case are to the earlier decision in the Court of Appeal]

R (ASLEF) v Secretary of State for Business and Trade

[2023] ICR 1405

Acting for the Secretary of State in a challenge to employment agency regulations based on a failure to comply with a statutory duty to consult.

easyJet plc v easyJet European Works Council

[2023] ICR 1394

Acting for easyJet plc in the Court of Appeal in a case on the obligation of UK employers to continue to operate European Works Councils

Miles v Driver and Vehicle Standards Agency

[2023] IRLR 630

Acting for the DVLA in a case on the implications of Covid restrictions for a driving instructor who asserted that he was disabled

Mercer v Alternative Future Group Ltd

[2022] ICR 1034

Employers are in principle able to sanction employees that take part in industrial action without breaching their Article 11 rights. Dan Stilitz appeared for BEIS, intervening, in the Court of Appeal

Parr v MSR Partners LLP

[2022] ICR 672

An equity partner's demotion to salaried partner was not a "continuing act" and he could not recover compensation for profit-generating events long after his de-equitisation. Dan acted for the successful LLP

Lapinski v Triton Investments LLP

2023

The Employment Tribunal found it had territorial and international jurisdiction to determine claims of disability discrimination brought by a former LLP member against individually-named respondents domiciled in Sweden. Dan acted for the successful Claimant.

Niccolini v Algebris (UK) Ltd

2023

Sex discrimination, harassment and victimization claim brought against an international asset manager by a former senior employee. Dan acted for the employer in substantially defeating the claims.

Moore v Phoenix Produce Development Ltd

[2021] UKEAT/0070/20/00

Dismissal by an employer without a right of appeal did not amount to unfair dismissal in circumstances where an appeal would have been futile. Dan acted for the Respondent.

R (Independent Workers' Union of Great Britain) v Central Arbitration Committee

[2024] ICR 189

Acting for the Government successfully resisting a challenge under Article 11 of the Convention based on the inability of Deliveroo drivers to seek statutory trade union recognition

Beatt v Croydon Health Services Trust

[2017] EWCA CIV 401 CA, MAY 23 2017 [2017] IRLR 748

The EAT had been wrong to overturn an employment tribunal's finding that a consultant cardiologist had been dismissed because he made protected disclosures

R (Boots Management Services Ltd) v Central Arbitration Committee

[2017] EWCA CIV 66 [2017] IRLR 355

Intervening on behalf of the Secretary of State on claim for a declaration of incompatibility with Article 11 in relation to trade union derecognition provisions

Carneiro v Chelsea FC & Mourinho

(2016, ET)

Acting for Premier League Football Club and its former manager – sex discrimination and constructive dismissal – claim by former first team doctor

Johnson v Fortress Investment Group

(2016, ET)

Acting for hedge fund defending disability discrimination claim brought by former employee with Motor Neurone Disease

R (BMA) v Secretary of State for Health

(2016, HIGH COURT)

Acting for NHS Confederation, an interested party in judicial review brought against the alleged imposition of judicial doctors' contracts by the Secretary of State

Yates v Orrick

(2015, ET)

Resisting claims of age and disability discrimination brought by a former member of a US law firm LLP

Smith v Carillion

[2015] EWCA CIV 209 [2015] IRLR 467

Acting for the Secretary of State on appeal relating to adequacy of protection against blacklisting, employment status, retrospective application of the HRA and declarations of incompatibility

Gregg v Troy Asset Management Ltd

(2015, ET AND EAT)

Resisting claims of sex, maternity and pregnancy dismissal brought by senior dealer against asset management company

Duffy v TNS

(2015, ET)

Acting for a research and media company resisting claims of sex discrimination and whistleblowing brought by a former CEO

Pereiro-Mendez v Goldman Sachs

2015

Acting on behalf of a global investment bank resisting claims of equal pay, sex discrimination and maternity discrimination brought by director in relation to salary, bonus and promotion

Achievements

News, Articles & Publications

Contributor to *Conduct and Pay In the Financial Services Industry: The Regulation of Individuals* (eds Ogg and Leiper). Informa Law from Routledge, 2017.

Contributor to *Tolley's Employment Handbook*, 39th Edition (2025) (Trade Unions and Industrial Action)

Joint author (with Philip Sales) of *'Intentional Infliction of Harm by Unlawful Means'* Law Quarterly Review (1999) 411

Joint author (with Michael Supperstone KC and Clive Sheldon) of *'ADR and Public Law'* Public Law (2006) 299

Education

1987-1990: New College, Oxford University. BA Hons in Philosophy, Politics and Economics, First Class

1990-1992: City University. 1991: Diploma in Law CPE with Distinction

1992: MA in Law

Other

CEDR-trained Mediator since 1997. Regularly sits as a mediator in commercial, public law and employment disputes.

1999: Appointed to the Attorney General's 'B' Panel

2006: Appointed to the Attorney General's 'A' Panel

Memberships:

Member of COMBAR, ELBA, ALBA, ILS and ELA

He is a great team player and he can see through all of the issues to get to the heart of the case pretty quickly, balancing that with commercial nous

CHAMBERS & PARTNERS

His easy manner with clients establishes a great rapport and instils confidence

CHAMBERS & PARTNERS

He is an exceptional advocate

CHAMBERS & PARTNERS

He is a superstar. Incredibly clever, not afraid to take decisions, excellent on his feet, and a number one choice on any injunction matter without a doubt

LEGAL 500

Daniel is very user friendly, has an excellent manner with clients and is absolutely first class as a trial advocate when on his feet – particularly during cross-examination

LEGAL 500

Very easy to get on with – not imposing or intimidating despite being astronomically intelligent.

CHAMBERS & PARTNERS

A standout silk. Intelligent, hardworking and user-friendly.

LEGAL 500

Fabulous manner with both clients and tribunals, and he is constructive and commercial.

LEGAL 500

He has an air of authority that comes from his long experience. He's very calm and is technically excellent.

CHAMBERS & PARTNERS