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**

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

Public

Daniel Stilitz KC's public law practice includes commercial judicial review, health, human rights and local government. He has recently been involved in a number of cases relating to discrimination in the provision of services and access to innovative treatments in the NHS

> ***Daniel handles complex and sensitive issues effectively and skilfully, addressing the legal points and fully considering the political and reputational issues.***
>
> CHAMBERS & PARTNERS

R (Good Law Project Ltd) v Equality and Human Rights Commission

[2026] EWHC 279 (ADMIN) [2026] ICR 860

Acting for claimants challenging interim guidance from the EHRC on the provision of single-sex facilities. Meaning of Equality Act 2006, Equality Act 2010 and application of Human Rights Act 1998.

O'Connor v NICE

Acting for NICE in challenge to its guidance on the use of a drug for treating breast cancer in the NHS

R (Sex Matters) v City of London Corporation

[2026] EWHC 149 (ADMIN)

Acting for the Corporation of London resisting a challenge to the "trans-inclusive" admission arrangements for bathing ponds on Hampstead Heath

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

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.

R (Hexpress Healthcare Ltd) v Care Quality Commission

[2023] EWCA CIV 238

Acting for the Care Quality Commission successfully resisting an application for judicial review in which it was alleged that factual accuracy checking process used in respect of an inspection report on an online GP service was unfair

Inclusion Housing Community Interest Company v Regulator of Social Housing

[2020] EWHC 346 (ADMIN)

Dan acted for a major housing association in a challenge to the Regulator of Social Housing's decision that its was "non-compliant" with relevant regulatory standards

School Facility Management Ltd v Governing Body of Christ the King College and Isle of Wight Council

[2020] EWHC 1118 (COMM), QBD (COMM), MAY 7 2020, [2020] PTSR 1913, [2020] 1WLR 4825

It was ultra vires for a college to enter into a contract for the construction and hire of a modular building and associated equipment

R (T & S King (a partnership)) v DEFRA

[2016] EWHC 1692 (ADMIN)

Challenging a decision of DEFRA as to payment of agricultural subsidies under EU law

R (Boehringer-Ingelheim Ltd) v NHS England

(2016, ADMINISTRATIVE COURT)

Resisting an application for permission to apply for judicial review of a decision of NHS England on the circumstances in which an end of life cancer treatment should be used

R (Keep Wythenshawe Special Ltd) v NHS Central Manchester CCG

[2016] EWHC 17 (ADMIN)

Acting for NHS England, as an interested party, in a challenge to the reorganisation of hospital services in Greater Manchester

Akerman-Livingstone v Aster Communities Ltd

[2015] UKSC 15 [2015] 2 WLR 721

Acting for a housing association resisting an appeal brought to the Supreme Court by a tenant to whom homelessness duties were owed – Equality Act 2010 defence to possession action – disability discrimination – summary jurisdiction

R (Islington Borough Council & others) v Mayor of London & others

[2013] EWHC 4142 (ADMIN)

Acting for Inner London local authorities in challenge to Mayor of London's decision to close fire stations

R (Singh) v Post Office Ltd

(2013, ADMINISTRATIVE COURT)

Acting for Post Office Ltd resisting claims for alleged breaches of Art 6 and Art 8 ECHR brought by a former sub-postmaster

Commercial Litigation

Examples of Daniel Stilitz's work in this field include:

Former CEO/Team Principal v Leading F1 Team

(2023)

Acting for a Formula 1 team resisting High Court claims in relation to constructive dismissal and shares brought by former CEO

School Facility Management Ltd v Governing Body of Christ the King College and Isle of Wight Council

[2020] EWHC 1118 (COMM), QBD (COMM), MAY 7 2020, [2020] PTSR 1913, [2020] 1WLR 4825

It was ultra vires for a college to enter into a contract for the construction and hire of a modular building and associated equipment

Bartholomews Agri Food Ltd v Thornton

[2016] EWHC 648 (QB), [2016] IRLR 432, QBD, MARCH 23 2016

Restrictive covenant against agronomist was unenforceable.

Arthur J Gallagher Ltd v Aston Scott Group

[2017]

High Court: Claim against insurance company and executives for breaches of restrictive covenants and misuse of confidential information.

Zerolight Ltd v Wolff

[2016] EWHC 487 (QB)

Obtaining injunction for technology company whose senior employees had been poached by a competitor

GCN (Scotland) Ltd v Palletways (UK) Limited

(2013, QUEEN'S BENCH DIVISION)

Acting for Scottish haulage company – dispute of contractual arrangements with distribution hub -injunctive relief obtained to restrain premature and unlawful termination of the agreement

Mittell & others v PHD Technologies Inc

(2011, BRISTOL MERCANTILE COURT)

Acting of US technology company Dispute with former owners – Sale and Purchase Agreement – deferred consideration

BTIG v Reiss

(2011, COMMERCIAL COURT)

Acting for firm of agency brokers Breach of contract – losses arising from unauthorised trading

Nick Page & another v Barry Page & others

(2011, CHANCERY DIVISION)

Acting for minority shareholders in section 994 Companies Act petition – unfair prejudice to minority shareholders

City Index Ltd v Gawler & others

[2008] CH 313 [2007] EWCA CIV 1382

Knowing receipt and the scope of the Civil Liability (Contribution) Act 1978

Sport

Dan regularly advises football clubs and managers regarding contractual and other disputes, and has also acted for teams in Formula 1 motor racing and cricket, as well as other elite sporting organisations.

> ***Daniel is a brilliantly accessible barrister. He's fast and responsive but distils his thoughts into the key points, succinctly delivered.***
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English Cricket Board v Yorkshire County Cricket Club

2023

Dan acted for YCCC in relation to claims of race discrimination and bringing the game of cricket into disrepute arising from allegations made by Azeem Rafiq

Former CEO/Team Principal v Leading F1 Team

(2023 – 2024)

acted for a leading F1 team defending claims brought former CEO and team principal in the High Court for constructive dismissal and shares

Athlete X v Sporting Body Y

2020

Successfully representing a British athlete before a sports arbitral body on appeal against her deselection from Team GB for the Tokyo Olympics

Carneiro v Chelsea FC & Mourinho

2016

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

Nescar SL v Middlesbrough FC

(2011, QBD)

Acting for Spanish sports services agency – agency agreement for transfer of professional footballer – breach of contract – implied terms

Gascoyne v Force India Ltd

GASCOYNE V FORCE INDIA LTD

Acting for Formula One motor racing team – gross underperformance of Chief Technical Officer – wrongful dismissal – loss of chance

Mediation

Daniel is a CEDR trained Mediator and has been accredited since 1997. He has mediated in more than 50 disputes. He adopts the approach which is most appropriate to the nature of the dispute and works with the parties to explore potential solutions with tenacity and creativity.

His mediation experience is in the following fields:

- Commercial disputes
- Employment disputes
- Public law disputes

Recent cases successfully mediated include:

- A commercial dispute between a firm of headhunters and a law firm over fees payable following a team move. The case was settled through mediation prior to the issue of proceedings

- A dispute over the sale and purchase of a company owning a chain of clinics, involving issues of share ownership, misrepresentation and debt
- A £5 million sex discrimination claim brought by a senior banker against a major US investment bank
- A High Court action for alleged misuse of confidential information, poaching of staff and unlawful competition between financial advisers
- A sex discrimination claim brought by an associate solicitor against a leading law firm, settled prior to the hearing of an internal grievance
- A £2 million maternity leave discrimination claim brought by a banker against a Swiss bank
- A multi-party Chancery Division dispute over a share sale agreement in relation to a company engaged in the exhibitions business, including allegations of fraud and misrepresentation. Settlement included both financial and non-financial elements

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