
Andrew Blake

Andrew Blake is an experienced trial and appellate advocate, specialising in employment law. He is ranked as a leading employment law junior in both Chambers and Partners, and the Legal 500. He acts for a wide range of employers as well as for claimants. He is instructed by solicitors ranging from magic circle firms to sole practitioners, as well as in house lawyers and trades unions.

He is recognised in the legal directories for his intellect and advocacy skills, and his commitment to being “client friendly” with “a refreshingly collaborative and co-operative approach” and a “demonstrably commercial outlook”.

Outside of the court room, Andrew is an accredited mediator, as well as an experienced party representative in negotiations and mediations.

Specialisms

Employment

Andrew’s practice covers the full range of employment advice and litigation, with a particular focus on high value or multiple claims in the Employment Tribunals. These claims tend to fall within the areas of discrimination (including equal pay), whistleblowing, collective consultation, TUPE or working time (including holiday pay). In the County and High Courts, Andrew has acted in a number of contractual claims including, in particular, disputes over bonus payments, commission and other incentives. Andrew’s appellate practice is based on both cases where he acted at trial, and also those where he has been brought in for the appeal in order to provide a new perspective.

A selection of Andrew’s notable cases are included in the “Cases” tab below.

Thorough preparation, together with a complete grasp of the evidence and law, should be a given for every advocate. However working relationships, strategy and the approach to trial preparation can have a significant impact on litigation. Andrew is recognized by clients and solicitors for his collaborative approach, getting to the core of the issues and leaving “clients feeling they are in the safest hands.”

Mediation & Arbitration

Andrew is an accredited mediator, as well as an experienced party representative in negotiations and mediations. Recent mediations include cases acting for an international jewellery retailer, a nurse, and a number of local authorities.

Professional Disciplinary & Regulatory

Through his employment practice, Andrew has been involved in several cases relating to professional disciplinary bodies and professional registrations.

Recommendations

Chambers and Partners / Legal 500:



Professional Summary

Called 2000

Contact Details

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Clerk Lee Cutler

Clerk Joe Freeman

[Contact Clerks](#)

“Very approachable, intelligent and insightful. He is very hard-working and well-liked by clients.”

“Very practical and client-friendly.”

“An assured and meticulous representative with excellent client management skills.”

“He is very thorough and exhibits great attention to detail.”

“He has a great ability to clarify very complex issues and to distil and present the necessary information in a highly effective and persuasive manner.”

“He is methodical, calm and quick on his feet”

“extremely bright and very skilled at explaining things to business people. He leaves clients feeling they are in the safest hands”

“excellent advocacy skills”

“very down to earth...his cross-examination skills are deadly”

“he’s got a very forensic mind and completely grasps the detail”

“very practical and client-friendly, and excellent in equal pay and complex discrimination cases”

“hailed by peers for his user-friendly manner and his demonstrably commercial outlook”

“he takes a refreshingly collaborative and co-operative approach to working with solicitors”

“goes the extra mile to get the best results for his clients”

“very user-friendly, he shows a genuine interest in what he is dealing with and the client’s point of view”

“well known for rolling up his sleeves and getting stuck in”

Recent Cases

Notable trials and hearings (all as sole counsel) include:

- Acted for the Respondent, a private equity backed geological company, in its defence, following a 7 day hearing, of a claim by its former Finance Director alleging unfair dismissal and a breach of the TUPE Regulations.
- Acted for the Defendant financial IT company in a 10 day trial in the County Court arising out of a dispute over commission and bonus payments.
- Acted for the Respondent international jewellery retailer in its defence, following an 8 day hearing, of a claim by its former European Director of HR for sex discrimination and unfair dismissal.
- Acted for a national transport company in its defence to a complex multiple Claimant equal pay claim.
- Acted for a University in a 10 day discrimination and unfair dismissal hearing brought by a former member of academic staff.
- Acted for an international IT company in its defence of a holiday pay claim by an employee on long term sick leave who was receiving PHI payments.
- **Whitham v. Capita Insurance Services Ltd** [2013] Eq LR 1136. Acted for the Claimant in an age discrimination case about the failure to provide permanent health insurance until the state pension age.
- Acted for the Defendant school governing body, opposing an application made by the Headteacher for an injunction to compel completion of a contractual disciplinary procedure by a certain date (in the High Court, Chancery Division).

- Acted for the Claimant, an NHS nurse, in a 6 day constructive unfair dismissal claim.
- Acted for the Claimant, the former CEO of an international maritime company, in a 5 day whistleblowing and unfair dismissal claim.
- Acted for a brokerage house in a 12 day equal pay, sex discrimination and breach of contract claim.
- Acted for an international accountancy practice in a 7 day whistleblowing claim brought by a former senior manager.

Appellate cases include:

Cockram v Air Products

(No. 2) [2018] IRLR 755, CA.

Instructed (with Daniel Stilitz QC) by the Respondent to defend a claim (and subsequent appeals) by a former senior manager alleging age discrimination in relation to the definition of retirement age in a long term incentive plan. The Court of Appeal concluded that the employment tribunal had been entitled to find that the Respondent's decision to increase the customary retirement age from 50 to 55 was objectively justified and lawful."

Cockram v Air Products

[2014] I.C.R. 1065, [2014] I.R.L.R. 672 (EAT)

An earlier appeal in the case above. Acted for the Respondent (as sole counsel) in opposing the Claimant's appeal. The appeal determined the new point that an employee could affirm the contract of employment in constructive dismissal claims by giving long notice of resignation.

Dynamic Extractions v Keay

(EAT)

Acted for the Claimant responding to an appeal in relation to an Employment Tribunal's refusal to stay enforcement of a judgment in the Claimant's favour.

Prest v Mouchel Business Services Ltd

[2011] ICR 1345 (EAT)

A case on the approach to the selection of comparators in equal pay claims.

Newcastle Upon Tyne Hospitals NHS Trust v Armstrong

[2006] IRLR 124 (Court of Appeal), and on a second appeal, [2010] ICR 674 (EAT)

Instructed throughout this long running equal pay case which, on appeal, raised issues of the selection of comparators and the material factor defence in equal pay claims. Andrew was led at various times by Michael Supperstone QC – now Mr Justice Supperstone – and subsequently John Cavanagh QC.

Chief Constable of West Midlands Police v Blackburn

[2009] IRLR 135 (Court of Appeal)

Appeared (led by Elizabeth Slade QC – now Mrs Justice Slade) on behalf of the Chief Constable at first instance, in the EAT and in the Court of Appeal in a case brought under the Equal Pay Act 1970 concerning the genuine material factor defence and justification for the payment of night shift supplements.

Thornett v Scope

[2007] ICR 236 (Court of Appeal)

Appeared in the EAT and the Court of Appeal on behalf of the Claimant in a case which considered the correct approach to compensation for unfair dismissal and "*Polkey*" reductions.

Walton v The Independent Living Organisation

[2002] ICR 1406 (Court of Appeal)

Appeared in the Court of Appeal (led by Andrew Hillier QC) in this case concerning the application of the National Minimum Wage to live in carers who slept on site and could be woken during the night to assist clients.

Astle and others v Cheshire County Council

[2005] IRLR 12 (EAT)

Represented the County Council (led by Andrew Hillier QC) in the Employment Tribunal and

EAT in a case which considered the application of TUPE where local government services were fragmented after being outsourced.

News, Articles & Publications

Andrew writes the Holidays chapter in *Tolley's Employment Handbook*.

Education

University of California, Berkeley, School of Law (Boalt Hall). LL.M. [1997-1998] High Honours.

University of Cambridge. BA Hons. Law. [1994-1997] First Class Honours

Other

Andrew is a member of ELA and ELBA.

He is the Vice-Chair of Governors of a primary school in the London Borough of Merton.



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