

3PB Barrister Profile



David McIlroy

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Academic Qualifications

PhD (Wales)

MA degree in Law, Gonville & Caius College, Cambridge (Scholar)

Maîtrise en Droit (International and European Law), Université de Toulouse I, France

Diploma in French with Credit, Gonville & Caius College, Cambridge

Employment

David has an understanding of employment relationships in a number of different fields, with particular expertise in the local authority, higher education, charitable and transport sectors. He is familiar with whistle-blowing allegations which are increasingly made in such contexts.

David is an expert on TUPE, particularly on questions relating to employees' rights in the context of insolvency (either actual or potential). He lectures frequently on this topic to both solicitors and accountants.

David also has considerable experience in the most common forms of discrimination allegation - race, sex and disability, he also has expertise in age discrimination, religious discrimination and part-time workers' rights.

Unfazed by factual, legal or mathematical complexities, he is well-versed in handling document-heavy cases and in evaluating high value claims requiring pension calculations. David is deputy leader of the 3PB Employment Law group.

Notable cases

In 2009, David represented two senior local government employees who brought whistle-blowing claims, as well as defending a number of different organisations against serious allegations of race and sex discrimination.

He was involved in one of the first Employment Appeal Tribunal cases which considered the application of the 2006 TUPE Regulations to administrations.

David has also appeared in the Employment Appeal Tribunal in the following cases:

- *Mansi v Warne and Straw* EAT/853/02. EAT. Unfair Dismissal. TUPE.
- *Milner v University of Greenwich* EAT/882/02. EAT. Sex Discrimination.
- *ACSL v Laing and Singh* UKEAT/238/03/RN. EAT. Unfair Dismissal.
- *Simms v Sainsburys Ltd* UKEAT/0548/04. EAT. Disability Discrimination.
- *Centrewest Buses Ltd v Aron* UKEAT/0268/05. EAT. Race Discrimination.

Indicative Articles

- ?The Enforcement of Covenants in Restraint of Trade in Severance and Compromise Agreements? (2009) *Employment Law Association Briefing*
- ?TUPE and the transfer of insolvent companies? (2007) *Employment Law Association Briefing*

Professional Bodies

- Employment Law Bar Association (ELBA)
- Financial Services Lawyers Association
- Franco-British Lawyers Society