



Bruce Carr QC
Year of Call: 1986 Silk: 2009



Bruce practises predominantly in the field of employment law. His practice spans the breadth of this area and is particularly sought after for his expertise in relation to industrial action, restrictive covenants, company re-organisations, union recognition and de-recognition, and discrimination. Bruce won 'Employment Silk of the Year' at the Chambers UK Bar Awards 2017. He was twice nominated in his first two years in silk by both The Lawyer Awards as 'Barrister of the Year' and Chambers UK as 'Employment Silk of the Year'. He was also named Lawyer of the week by The Times newspaper in January 2010 following his success in the BA 'Christmas' injunction. Prior to taking silk, Bruce was twice nominated as 'Employment Junior of the Year' in the Chambers UK Bar Awards

He is ranked as a Star Individual in Chambers UK 2022 and as a Leading Silk in Legal 500 2022.

Recent highlights include:

- *Royal Mail v CWU* [2020] ICR 940
– Acted for Royal Mail in successful application for an interim injunction to restrain national postal strike in the run up to Christmas and the 2019 general election. Royal Mail succeeded at first instance and on appeal to the Court of Appeal.
- *Unite v Nailard* [2019] ICR 128 - Acted for successful Respondent (Ms Nailard) in landmark Court of Appeal hearing on employer liability for third party harassment and trade union liability for acts of paid officers and lay officials.
- *IPL v Osipov* [2019] IRLR 52- Acted for successful Respondent (Mr Osipov) in ground-breaking Court of Appeal hearing on individual liability for dismissal-related detriment in whistleblowing cases. Award against individual directors in excess of £2m made in favour of Mr Osipov.
- *Green v SIG Trading Ltd* [2019] IRLR 52 - Acted for successful Respondent in Court of Appeal hearing on territoriality and application of *Lawson v Serco* to expatriate employee.
- *Lokhova v Sberbank* - Acted for Ms Lokhova in long-running sex discrimination case. Approximate award of £3.2 million. The award, which is primarily made up of Ms Lokhova's anticipated loss of earnings as a result of the sex discrimination to which she was subjected by the Bank, also includes a significant award of £15,000 for aggravated damages.
- *BALPA v Jet2.com* [2017] IRLR 233 - Acted for successful Appellant trade union in first ever Court of Appeal hearing on scope of collective bargaining rights where trade union granted statutory recognition.
- *Dronsfield v University of Reading* [2016] ICR 1107 - Acted for successful Appellant (Dr Dronsfield) in EAT appeal against the dismissal of claim of unfair dismissal where Appellant dismissed pursuant to University Statutes for alleged "immoral, scandalous or disgraceful conduct". Appeal allowed and remitted to a fresh Tribunal.

Bruce is a frequent lecturer on employment subjects including restrictive covenants and confidential information, discrimination, trade disputes, employment related injunctions, TUPE and whistleblowing. He also has extensive mediation experience, having acted for Claimants and Respondents/Defendants as well as frequently acting as a

jointly appointed mediator. He was appointed as an ACAS Arbitrator in 2019.

He is regularly appointed to conduct internal disciplinary and grievance investigations.

He has been a Recorder (in civil and criminal cases) for over 20 years and in 2019 was appointed as a Deputy High Court Judge.

Recommendations

Winner of 'Employment Silk of the Year' - Chambers UK Bar Awards 2017

A skilful advocate, widely recognised for his unbeatable expertise in industrial relations and trade union matters. He is also highly proficient in whistle-blowing and discrimination cases. **"He is absolutely at the top of his game. He is hugely user-friendly and a fantastic advocate who gets to the heart of the matter; he is succinct and he puts across complex issues in an easy and understandable way."** **"He is a passionate and effective advocate, and one of his best qualities is that he uses surgical precision to demolish the other side's case."** **"He is extremely knowledgeable, commercial, approachable and responsive, and he is able to deliver complex advice within exact time-frames."** - *Star Individual, Chambers UK Bar 2022*

"Bruce is extremely user friendly, able to distil complex issues into an easily digestible form, and an excellent advocate." - *Employment, Legal 500 2021.*

A skilful advocate, widely recognised for his unbeatable expertise in industrial relations and trade union matters. **"He's a really strong advocate; incredibly clever and absolutely the person you want to have on your side."** **"He's a fantastically persuasive advocate with a wealth of knowledge of trade union-related issues. An absolute star for industrial relations work and very easy to work with."** He is also highly proficient in whistle-blowing and discrimination cases - *Star Individual, Employment, Chambers UK Bar 2021.*

'A real heavy hitter in the employment world. He is a skilled advocate and tenacious at representing his client's interests' - *Employment, Legal 500 2021.*

"A born advocate who does miracles in the courtroom. He's a brilliant strategist, an excellent tactician and truly a game-changer in the proceedings." **"An industrial relations titan and the first choice for complex union-related matters."** Acted in *Unite v Nailard*, obtaining a Court of Appeal judgment establishing that unions were to be held liable for discriminatory acts by lay officials, who are elected but not employed by unions. - *Star Individual, Employment, Chambers UK Bar 2020*

"He is a first-class act with an assured manner and quiet confidence that leaves clients at ease and the other side scrabbling for a response." - *Employment, Legal 500 2020*

"Authoritative and thorough. Clients are always impressed." **"Really persuasive and very well prepared in court. He is also very pleasant to work with."** Acted successfully for the claimant in *Osipov v International Petroleum and Others*, a case concerning alleged whistle-blowing. - *Star Individual, Employment, Chambers UK Bar 2019*

'He is very impressive and easy to work with.' - *Employment, Legal 500 2019*

"Excellent advocate with unparalleled knowledge and experience of employment contract and industrial issues." **"A first-class operator and a very smooth advocate. He is top of his game in terms of trade union and collective labour law injunctions."** Acted for BALPA in its claim against Jet2.com regarding the scope of the right of a trade union to collectively bargain pursuant to statutory recognition. - *Star individual, Employment, Chambers UK 2018*

"Highly regarded for industrial action and union work." - *Employment, Legal 500 2017*

"He is an exceptional advocate who is good at both closing submissions and cross-examination." "Very quickly gets to the nub of the issue and dispels very technical legal arguments from the other side that have no weight with the commercial realities." Sources also highlight his proficiency in whistle-blowing, discrimination and strikeout cases, alongside his high level of client service and determination that he brings to his cases. Instructed in *Lokhova v Sberbank*, a high-profile sex discrimination case in which Carr obtained a £3.2 million award for the claimant. - *Employment, Chambers UK 2017*

"An outstanding advocate, who creates the minimum amount of work for his instructing solicitors along the way." - *Employment, Legal 500 2016*

"A major figure in industrial relations disputes, whose advice is much sought after. His advocacy style and work ethic are also highly praised, and he was recently engaged in a governmental review of industrial relations law." "A very fluent advocate, who is very user-friendly." "Fantastic to work with, he has an excellent manner with clients." "Straightforward, immensely likeable, pragmatic and solution oriented." Acted in a multimillion pound sex discrimination claim brought against the largest bank in Russia." - *Employment, Chambers UK 2016*

"He is very client-friendly, and positions his advice strategically and commercially." - *Employment, Legal 500 2015*

A pre-eminent employment and discrimination expert who has unrivalled experience and expertise on issues relating to industrial relations. He is highly sought after for his union expertise, and has handled significant work for employers in high-profile cases. He is singled out for his courtroom presence and is widely viewed as one of the leading advocates in the business. **"He is innovative and has clever ideas about how to tactically deal with situations." "Unflappable, he has a very cool head, and is very calm and authoritative." "Terrier-like, he's a difficult opponent in court but totally charming outside of it."** Acted for Lloyds in defending a multi-claimant indirect discrimination and equal pay claim relating to an attempt to harmonise terms and conditions after the bank's acquisition of HBOS. - *Employment, Chambers UK 2015*

"A robust cross-examiner, who is able to dominate a tribunal" - *Employment, Legal 500 2014*

"Real gravitas, excellent judgement, great advocacy skills and a calm and commercial manner with clients." His areas of expertise include high-value discrimination claims, contractual issues arising from change management and industrial relations. His recent highlights include his representation of Haringey Council in claims brought by the social workers in charge of Baby P. - *Chambers UK 2013*

"One of the cleverest and most impressive barristers in this field." He is highly sought after for his expertise in industrial relations, an area in which he is **"obviously storming ahead,"** as evidenced by work on behalf of British Airways. Not only does he combine **"excellent commercial judgement with engaging and persuasive advocacy,"** but he is also "a great team player and willing to roll his sleeves up." - *Chambers UK 2012*

"A real class act – he never seems to get phased and thinks incredibly fast on his feet." - *Legal 500 2011*

A standout barrister who provides clients with the full package and presents opponents with a tough fight. An absolute superstar who **"rises to any challenge,"** he has made waves in his first couple of years as silk, not least appearing in the recent BA litigation. **"Cool as a cucumber,"** his flair and charm reassure clients and woo courts. Solicitors hail him for being **"witty, diplomatic and blessed with faultless judgment."** - *Chambers UK 2011*

Employment

Bruce Carr QC is an employment practitioner specialising particularly in high value discrimination cases, industrial action and change management (contractual) issues ranging from variation to terms and conditions to restrictive covenants and wrongful dismissal. He also frequently advises and acts in relation to TUPE transfers and other consultation and collective issues.

Recent notable cases include:

- *Royal Mail v CWU* [2020] ICR 940
– Acted for Royal Mail in successful application for an interim injunction to restrain national postal strike in the run up to Christmas and the 2019 general election. Royal Mail succeeded at first instance and on appeal to the Court of Appeal.
- *Unite v Nailard*
[2019] ICR 128 - Acting for successful Respondent (Ms Nailard) in landmark Court of Appeal hearing on liability for third party harassment and trade union liability for acts of lay officials.
- *International Petroleum v Osipov* [2019] IRLR 52 - Acted for successful Respondent (Mr Osipov) in ground-breaking Court of Appeal hearing on individual liability for dismissal-related detriment. Compensation of over £2m awarded against individuals found liable for detriments up to and including dismissal.
- *Green v SIG* [2019] IRLR 123 - Acted for successful Respondent in Court of Appeal hearing on ET jurisdiction and application of *Lawson v Serco* principles to expatriate employee.
- *Lokhova v Sberbank* (2016) - Acted for Claimant in high profile high-value sex discrimination claim resulting in record award for 2016 of c.£3m.
- *BALPA v Jet2* [2017] IRLR 233 - Acted for successful trade union in Court of Appeal case on the scope of statutory recognition. First ever Court of Appeal case on extent of collective bargaining rights in relation to 'pay, hours and holidays'
- *Ward & Christou v Haringey* [2014] 1 All ER 135 - Acted for local authority in Court of Appeal case on application of *res judicata* principles to internal disciplinary processes in relation to claims brought by social workers in 'Baby P' case.
- *Malone & Ors v British Airways Plc* [2010] EWCA Civ 1225 - acted for British Airways in leading case on incorporation of collectively agreed terms.
- *Whitney v Monster Worldwide* [2010] EWCA 1312 - novation of pension promise by former employer after TUPE transfer - acted for successful Respondent (Mr Whitney) in the Court of Appeal.
- *British Airways v Unite the Union* [2009] EWHC 3541 - acted for British Airways in successful injunction application to restrain Christmas strike action by cabin crew

Appointments

2019 - Appointed as Deputy High Court Judge

2019 - Appointed to the ACAS Panel of Arbitrators

2014 - Appointed to conduct Carr Review of the law governing industrial disputes

2009 - Appointed Queen's Counsel

2002 - Appointed to the DRC and EOC Panel

2002 - Member of Bar Pro Bono Unit case reviewing panel

2001 - Appointed Junior Counsel to the Crown (A Panel)

2000 - Appointed Recorder

1999 - Appointed Assistant Recorder

1998 - Appointed member of Bar Council Professional Conduct Committee

1995 - Appointed Junior Counsel to the Crown (B Panel)

Memberships and Associations

ELA, ELBA, ILS

Education

Inns of Court School of Law - Bar Final. Grade: Upper Second

Ede & Ravenscroft Prize

Treasurer Prize for highest mark in Bar Finals by a member of Inner Temple

Queen Mother Scholarship, Inner Temple

University of Westminster - Post Graduate Diploma in Law

London School of Economics - B.Sc(Econ) - International Relations. Grade: Upper Second

Hills Road Sixth Form College, Cambridge

Cambridgeshire High School for Boys