

# Daniel Hobbs

Call 1998



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**Daniel Hobbs is highly regarded by clients and has almost 20 years' experience at the bar. He specialises in employment law, personal injury law, coroner's inquests and police law.**

Dan has been conducting employment cases ever since he qualified in 1998. He has represented a very high number of employers and employees before the employment tribunal and the employment appeal tribunal. He specialises in complex and/or high value discrimination and whistleblowing claims. His public and private sector client base is diverse and includes police forces, NHS trusts, banks & financial institutions and large retailers.

In the field of Personal Injury, Dan acts for both Claimants and Defendants. He specialises in injuries of the upmost severity (head and spinal cord injuries) and fatal accidents (including representation for the family or other interested parties at Coroner's inquests). He has wide experience of conducting and defending stress at work claims and claims brought under the Harassment Act 1997.

His police law practice includes defending employment cases and personal injury cases (including those involving stress at work). He also conducts misconduct proceedings under the Police (Conduct Regulations) 2012 and stage 3 performance hearings under the Police (Performance) Regulations 2012.

Dan is qualified to act under the direct access scheme.

Dan is the editor of 'Five from 5' a bi-monthly employment laws newsletter published in association with BloomsburyProfessional.

## Expertise

### Employment

Dan has nearly 20 years experience in bringing and defending employment cases in the employment tribunal. His practice also incorporates high court litigation concerning employee competition, restraint of trade and misuse of confidential information. He advises on group moves.

He has had a number of employment appeal tribunal successes including wins in *Lancaster v TBWA Manchester* (a case about the duty to make reasonable adjustments in disability cases) and *Dr Suhail v Herts Urgent Care* (a case about whether out of hours GPs have either 'employee' or 'worker' status).

## Notable Employment cases

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Dr Jawad Ali v Dr Torrosian and others [2018] UKEAT/0310/17/JOJ

how should tribunals approach the 'legitimate aim' defence in s.15 discrimination claims?

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Mardner v Gardner [2014] UKEAT/0483/13/DA

should the employment tribunal should ignore the fact that a Claimant has legal expense insurance when making a cost award in his favour?

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The Secretary of State for Justice v John & Iris Norridge [2014] UKEAT/0443/13/LA

how should tribunals apply the test of fairness under s.98(4) ERA 1996?

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Cox v Essex Fire Authority [2013] UKEAT/0162/13/SM

when does an employer have 'knowledge' of a disability?

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Dr Suhail v Herts Urgent Care [2011] UKEAT/0416/11/RN

do out of hours GPs have either 'employee' or 'worker' status?

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Lancaster v TBWA Manchester [2010] EAT/0460/10

is there a duty to make reasonable adjustments if the measure is unlikely to have much effect?

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Patel v Marquette Partners (UK) Ltd [2009] IRLR 425, [2009] ICR 569 (EAT)

can the employer make a deduction from earnings in respect of a disputed tax liability?

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Pennwell Publishing (UK) Ltd v Ornstien and others [2007] IRLR 700, [2007] EWEHC 1570 (QB)

when is a journalists' list of contacts his own?

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Scotts Co (UK) Ltd v Budd [2003] IRLR 145, [2004] ICR 299 (EAT)

is there an Achilles heel to the notice pay provisions of the ERA 1996?

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United Guarding Services Ltd v St James Ltd [2003] EAT/0770/03 (and Harvey's Bulletin No. 313, August 2004)

is an employee on long term sick leave still attached to the undertaking?

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Wodson Park Sports and Recreation Association v West [2002] EAT/0219/02

if a landlord terminates a business lease, might he become the transferee of the affected business's staff?

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## Personal Injury

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Dan covers the full spectrum of injuries including spinal injuries, head injuries, fatal accidents (and coroner's inquests), accidents whilst on holiday, accidents on boats

and airplanes, accidents on the highway and accidents on private property.

He has a particularly wide experience in dealing with accidents at work and he has an in depth knowledge of the UK's health and safety at work regulations.

Dan also undertakes a large number of stress at work claims and brings and defends claims under the Harassment Act 1997.

**Recent settlements / awards include:**

- £2,000,000 (before deduction for contributory negligence) for a male who fell from a flat roof at work and suffered partial paraplegia;
- £345,000 for the wife of an unemployed man killed in a road traffic accident;
- £260,000 for injury sustained whilst on safari in Africa (leading to the amputation of 4 fingers);
- £250,000 for broken hip resulting in the need to give up work as a gardener and retrain as a solicitor.

## Police Law

Dan has been involved in a number of lengthy employment tribunal cases in which he has defended the police against allegations of discrimination and whistleblowing detriment. Whether the problems have arisen within specialist operational departments (such as police dog training schools or Professional Standards Department), Dan has been able to navigate the issues and has helped the force concerned to resolve existing claims and avoid further claims.

Dan's police law practice also includes defending high value personal injury cases on behalf of police forces (particularly those involving stress at work and claims under the Harassment Act 1997).

Dan also conducts misconduct proceedings under the Police (Conduct Regulations) 2012 and stage 3 performance hearings under the Police (Performance) Regulations 2012.

## Healthcare

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## Education & Qualifications

- 1998 – Called to the Bar by Lincoln's Inn
- 1996 – University of East Anglia (LLB Hons)

## Appointments/Memberships

- Lincoln's Inn
- The Free Representation Unit
- Employment Lawyer's Association
- Personal Injury Bar Association
- Vice President of the Evan Ashfield Memorial Trust (providing financial support to outstanding employment law students at IC SL)

## Awards & Scholarships

