

Charles Crow

Call: 1999

"Charles is an absolute pleasure to work with. He is commercially smart, technically superb, and very affable. He delivers every time." "Charles is an excellent choice to impress clients, because he is a fantastic strategist, and he is hard working and reliable." "Charles provided excellent service. He listened to what I wanted, which meant that it was easier to look after the client. His advocacy was clear, persuasive and engaging, as well as successful."

Chambers UK 2024



Charles Crow has significant first instance and appellate experience in the areas of employment and personal injury litigation. He also practices in the area of costs law.

He has achieved recognition for his ability to marshal large amounts of information in complex multi-day hearings, and for his ability to see the wider picture.

In addition, Charles is an accredited mediator, accepts instructions on a direct access basis, and sits as a Deputy District Judge in the County Court.

During his training for the Bar, Charles obtained the Hardwicke Scholarship as well as the Tancred Studentship (Lincoln's Inn).

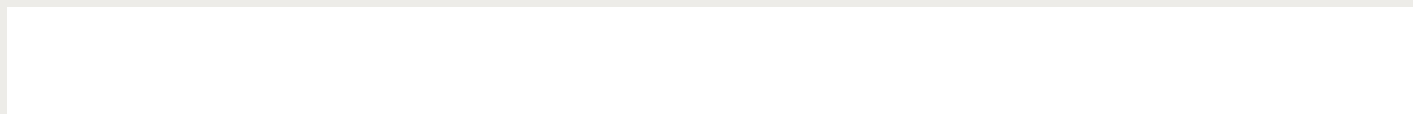
Expertise

Employment

Ranked as Band 1/Tier 1 in the directories, Charles has a growing reputation in the field of employment law having been involved in cases at all levels up to the Court of Appeal, and appearing before the Central Arbitration Committee. Recent cases include several with values exceeding £1 million.

Charles is increasingly instructed in High Court injunction applications, in mediations, and in the performance of internal investigatory and decision-making roles (grievance and disciplinary procedures).

He has particular experience in the healthcare, social care, education, housing and banking sectors. He practises, in an advisory capacity, on behalf of both employers and employees.



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Notable Cases

Lawrynowicz v. Bidvest Noonan (UK) Limited [2024] EAT 13

A v. The Forward Trust [2023]

Successfully defended FT in a 16 day (liability only) disability discrimination, whistleblowing detriment/dismissal, unfair dismissal, wrongful dismissal, and Working Time Regulations case.

Willis v. Natwest Bank Plc [2023]

£88,000 awarded, in a case pleaded in excess of £5 million (before grossing up):
<https://www.gov.uk/employment-tribunal-decisions/ms-a-willis-v-national-westminster-bank-plc-2205821-slash-2020>

Cygnnet Behavioural Health Ltd v. Britton [2022] EAT 108

Ward v. Dimensions (UK) Ltd [2022] EAT 110

Richard Baker Harrison v. Brooks [2021] EWHC 2562 (QB)

Henry and Others v. London Care and others [2018] 2 WLUK 476, EAT

Valentine v. Thera East [2017] IRLR 878 - Before HHJ Richardson

an appeal in relation to payments to a peripatetic carer for travel to and from care appointments at the beginning and end of the day, and the jurisdiction of a Tribunal to consider a claim not in fact argued by a litigant in person.

Morgan v. Royal Mencap [2016] IRLR 428 - Before Simler, J (P)

an appeal concerning the public interest provision in Whistleblowing/Protected Disclosure cases, and the limitations on a Tribunal's power to strike out a whistleblowing case on the grounds of it lacking reasonable prospects.

Hamblett v. The Humberside Lincolnshire and North Yorkshire Community Rehabilitation Company Limited and others (2015-16)

14 day (not including remedy) unfair dismissal and disability discrimination case involving a probation officer and arising from the completion of offender records.

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Rogers v. United Care Limited, 2015

7 day (not including remedy) constructive unfair dismissal and disability discrimination case, involving a care home manager.

Ore v. Dudley, 2015

8 day unfair dismissal and whistle-blowing case

AZ v. Oxford University Hospitals NHS Trust

10 day (not including remedy) unfair dismissal case, involving a Consultant Surgeon, followed by separate remedies hearing. At the remedy hearing the sum of 93,306 was awarded by way of compensation, and an award of wasted costs.

Hurley v. Hereford Hospitals NHS Trust

6 day (not including remedy) unfair dismissal case

Howell v. Easyjet, 2011

pilot, protected disclosures regarding flying hours/limitations/fatigue, detriment suffered

Hamilton v. West Midlands Ambulance NHS Trust, 2011

acting for the NHS Trust, unfair dismissal (criminal offences outside of the workplace)

Walcott v. Whipps Cross University Hospital NHS Trust, 2011

acting for the Trust, discrimination and harassment

Quashie v. Methodist Homes Housing Association [2011] UKEAT/0422/11/DM

ET procedure

Hurley v Wye Valley NHS Trust

2011 10 day unfair dismissal (capability/misconduct) ITU nurse

Bishop v. Carlisle Staffing

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2010 unfair dismissal (redundancy), flexible working, maternity leave/sex discrimination, detriment

Nazir and Aslam v. Asim UKEAT/0332/09; [2010]ICR1225, [2010] EqLR 142-155, [2010] ALL ER (D) 113 (Aug)

RRA, ET procedure/unincorporated associations - remitted hearing following EAT decision, 6 days, costs awarded in favour of Respondents

Harber v. Kelly Residential UKEAT/0105/CEA

Human Rights, right to representation at internal disciplinary proceedings, 'substitution' by Employment Tribunal, limits of EAT's appellate jurisdiction

Bryan v. Reverend Enever

employee status (church organist), unfair dismissal

Cpt. Mason v. Thomas Cook

Telegraph, 20 March 2009 acted for Thomas Cook in multi-day, publicised unfair dismissal claim

Dr Elaine Storkey v. Wycliffe Hall

8th January 2008 religious discrimination

Chohan v. Derby Law Centre [2004] IRLR 685; [2004] ALL ER (D) 132 (Apr)

Birmingham City Council v. Mtize; and others [2004] IRLR 516

Discrimination

Hugely experienced in cases involving allegations of unlawful discrimination, Charles is adept at assessing the strengths and weaknesses of a case and addressing the sometimes complex legal issues that arise. His background in personal injury work gives him a particular insight into the medical issues that arise in disability discrimination claims, and his familiarity with financial compensation principles provides a solid basis for dealing with significant future loss of earnings claims.

Settlement Agreements & NDAs

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Charles has experience and familiarity with advising on straight-forward settlement agreements, and also the more complex processes involved in negotiating exists of senior employees with share options, and directorship positions, etc. He has advised and assisted with shareholder disputes.

Executive Contracts & Wrongful Dismissal

Charles' advisory practice encompasses consultation in relation to the negotiation of new contracts of employment, including in cases where restrictive covenants have given rise to additional complication.

Industrial Action

Charles was recently instructed to appear before the Central Arbitration Committee to represent a significant employer in the airline sector. The case involved a dispute in relation to the disclosure of information in the context of collective pay bargaining.

Investigations

In recent years Charles has been increasingly instructed by large employers to undertake disciplinary and grievance investigations, or to chair disciplinary and grievance hearings or appeals. He has particular experience in the health, care, housing, education and sports sectors.

Equal Pay

Charles is experienced in advising on and arguing equal pay claims, including claims involving senior employees at board level.

TUPE

An admittedly complex area, Charles' experience of cases involving technical aspects of the law pertaining to the Transfer of Undertakings (such as the issue of 'fragmentation' – see, for example, *London Care and others v Henry* [2018] 2 WLUK 476) enables clients to have confidence in relation to avoiding the pitfalls that exist as undertakings transfer or service provision changes take place.

Restrictive Covenants, Confidential Information & Garden Leave

Charles has a growing practice and reputation in relation to the bringing and defending of issued and intimated claims for injunctive relief arising from actual or threatened breaches of restrictive covenants and/or confidentiality clauses. In addition, he frequently advises senior employees with regard to exist arrangements and agreements.

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Whistleblowing & Protected Disclosures

Over the years, Charles has developed great experience in all aspects of 'whistleblowing' /protected disclosure law, including s.103 ERA 1996 automatic unfair dismissal claims and s.47B ERA 1996 detriment claims. He is frequently instructed for complex lengthy hearings involving alleged protected disclosures and multiple alleged detriments.

Personal Injury

In addition to being an accredited mediator, Charles practices in all areas of personal injury law with particular experience in the areas of travel/holiday illness litigation, RTA fraud, health and safety at work/employers' liability, highways cases, Coroner's Inquests, CICA hearings, industrial diseases, and general road traffic accident litigation including MIB claims.

He is increasingly involved in fatal accident and serious injury work.

Charles regularly acts for both Claimants and Defendants at all stages of the litigation process, including drafting and advising.

He has experience of various aspects of Motor Indemnity work, including: policy coverage issues, MIB and Article 75 insurer status, dual insurance, and the Untraced Drivers agreement.

Instructions are accepted on a direct access basis.

Costs & Litigation Funding

Charles has been involved in costs litigation for nearly 20 years, including cases involving high value (multi-million) costs bills and complex arguments of costs law and principle.

International Travel Litigation

For many years Charles has been involved in substantial travel illness and injury claims, including many group action claims in relation to large hotels and cruise ships. His experience in the field of costs strengthens his appeal to solicitors where additional complexity arises due to the number of claimants involved in consolidated claims. Due to his lengthy experience, Charles is able to satisfy the requirement, in many cases, for an advocate with familiarity with local standards issues or conflicts of laws.

Awards

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Accreditations

- BLS Barrister of the Year 2022 nominee

Appointments

- Deputy District Judge (since 2019) Accredited Mediator

Qualifications

- LLB, Barrister-at-Law

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