



## Gillian Crew

Call Date: 1998

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### Areas of Practice

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- Property
- Employment
- Personal Injury

### Profile

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#### Qualifications

David Karmel Entrance Award (Gray's Inn)

Bar Vocational Course, Inns of Court School of Law

LLB Hons (Warwick)

Languages: French

### Experience & Expertise

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Gillian joined Ely Place Chambers in 2002 following completion of her pupillage in a civil set of chambers in the Temple. Since then Gillian has developed a busy and satisfying practice, specialising in all areas of employment law and property, and is now the team leader for the Employment team. Gillian provides pragmatic advice and advocacy to a wide range of clients, from police forces to multi-national firms and local authorities. In court, Gillian has a quietly confident demeanour: she is tenacious and completely unflappable in achieving the best results for her client. She regularly appears in the High Court and County Courts, Employment Tribunals, First Tier Tribunal (Property Chamber), and Licensing Committees throughout the country. Gillian is an Accredited Mediator and is qualified to take on Direct Public Access work. She has also acted as a legal advisor to Licensing Committees.

### Current & Recent Work

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**Employment:** Gillian has a busy employment law practice in both advice and litigation and has been practising in

employment law for 12 years. She appears regularly in Employment Tribunals throughout the United Kingdom, on behalf of both claimants and respondents, although her practice is predominantly respondent-based. Her practice includes the whole range of employment issues, including TUPE, Working Time Regulations, and claims of unfair dismissal through to discrimination claims. She is also instructed in cases involving the enforcement of restrictive covenants in employment contracts in the County Court and High Court. Gillian has a particular expertise in complex discrimination claims, with an emphasis on disability claims. In terms of her respondent work, Gillian is regularly instructed by police forces and local authorities throughout the country. In terms of her Claimant work, Gillian is regularly instructed by a well-known union and has been advising on claims for failure to inform and consult and on ongoing industrial relations issues.

Examples of recent cases in 2015 include:

- Successfully acted for a Respondent police force in a complex 10 day full merits hearing disability discrimination claim, failure to make reasonable adjustments, harassment, victimisation and constructive unfair dismissal.
- Successfully represented a Respondent local authority in a seven-day full merits hearing in a race discrimination, whistleblowing and constructive unfair dismissal. She successfully defeated allegations that the authority was institutionally racist.
- Representing a Respondent local authority in an equal pay claim made by male Claimants against a historic female comparator
- Successfully striking out two race discrimination claims at preliminary hearings on ground that they had no reasonable prospects of success.
- Obtaining several costs awards after successfully representing respondents
- Successful in a disability discrimination claim acting for a claimant who had been subject to discrimination arising out of her mental impairment,
- Successfully acted for a claimant in a constructive unfair dismissal claim by arguing that the claimant was ready, willing and able to return to work following a past disability related absence yet was not permitted to return to the workplace.
- Successfully representing a Respondent college in a claim of unfair dismissal, race discrimination, victimisation and being subject to a detriment for making a protected disclosure arising out of a capability dismissal at a 4 day full merits hearing.
- Successfully represented a police force against a claim of unfair dismissal brought by an administrative officer who alleged she had been forced into an unsuitable role and should not have dismissed for capability.
- Successfully representing a well-known charity from a claim of constructive unfair dismissal and being subject to a detriment for making health and safety protect disclosures at a five day full merits hearing
- Successfully acting for a claimant challenging her unfair dismissal from as a care worker.

**Property:** Gillian is one of chambers' specialists in property work. Her practice encompasses all aspects of real property, landlord and tenant (both commercial and residential), housing law, and residential and mortgage possessions. Gillian has extensive experience in handling complex disrepair claims and possession claims on the grounds of breach of covenants and nuisance, and is an expert on anti-social behaviour law. Gillian has successfully conducted a number of long-running and complex service charge cases in the First tier tribunal (Property chamber) and County Court on behalf of freeholders and management companies, and dealing with breach of covenant counter-claims and points of law as to consultation requirements and the construction of leases. Gillian also has a niche licensing practice. She is regularly instructed in a wide range of licensing matters, including alcohol, entertainment, gambling, taxi licence matters and "tables and chairs" applications. She has acted on behalf of applicants, objectors, responsible authorities and licensing authorities across the whole spectrum of licensing applications, from new applications to reviews and appeals in the Magistrates' Courts, and judicial review applications.

Examples of recent cases in 2015 include:

- Advising and appearing in a number of proprietary estoppel claims on behalf of both registered title owners and alleged beneficiaries.
- Advised and acted for a number of freeholders in relation to breach of covenant claims and forfeiture claims, including acting in a controversial possession claim of a temporary Gypsy site.
- Successfully acted in a number of constructive trust cases and applications for a declaration of beneficial interest
- Advising and appearing in a number of boundary disputes and nuisance matters

- Advising and appearing before the First Tier Tribunal, Property Chamber in a number of service charge cases
- Advising and appearing before the Land Registry tribunal in claims dealing with restrictions and priority of beneficial interests.
- Robustly defending a number of complex possession claims for private landlords, including defeating claims made by tenants in relation to service of statutory notices, breach of the tenancy deposit schemes, private landlord licensing schemes and disrepair counterclaims.
- Gillian has also continued her successful anti-social behaviour practice, obtaining a number of stand alone orders and possession orders in long running cases.

## Directory Comments

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“I have seen Gill’s advocacy skills on a great number of occasions. Her greatest attribute is her ability to remain calm and unflustered, even when faced with the most confrontational opponent, allowing a clear delivery in court.” – instructing solicitor in property case.

“Thank you so, so much for fighting my case, I couldn’t have asked for anyone better. I can never really thank you enough.” – client in discrimination claim.

## Professional Memberships

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Employment Law Bar Association

Property Bar Association

Personal Injury Bar Association

Institute of Licensing

Bar Pro Bono Unit

Amicus Assisting Lawyers for Justice on Death Row

## Additional Information

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In her spare time, Gillian enjoys playing the piano, scuba diving and dancing salsa and tango.

### **Publications:**

Gillian is also a keen participant in Chambers' active seminar programme, speaking on all areas of her expertise within Chambers and to clients. Recent topics in 2015 included:

- Costs in the Employment Tribunals
- Don't Settle for Less! Compromising employment claims
- The expanding world of discrimination: Obesity discrimination
- Life after death (of the default retirement age) and discrimination
- Blowing the whistle on whistle blowing claims
- Love thy neighbour: The effect of *Coventry v Lawrence* on remedies in nuisance
- Rent Act tenancies: Still alive and kicking
- Easing the pain of restrictive covenants and easements in the conveyancing process

