

Year of Call: 1992
Practice Areas: Personal Injury, Employment, , Human Rights
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"phenomenally proactive, focused and practical"

Chambers UK

Profile

Peter Edwards is a rare breed of senior junior who continues to perform at a high level across a diverse range of practice areas, with a strong following in the areas of personal injury (including sexual abuse), human rights, employment and industrial relations/trade union law.

For decades, Peter has been recommended as a leading barrister, in both Personal Injury and Employment, in the leading legal directories, *Chambers UK* and *Legal 500*.

His key strengths are summed-up in his most recent, 2021, profile in *Chambers*: "*He is a supreme tactician and knows his law inside-out. He is down-to-earth, has an excellent rapport with clients, is always prepared to go the extra mile and quickly gets to the heart of the legal issues.*" "*He's a great choice for employment and personal injury crossover claims.*" "*He is very effective in cross-examinations and is a good communicator with clients.*" "*He has a fantastic client manner and can cut through complex reports and get to the heart of the issue really quickly.*"

The diversity of his practice allows Peter to take full advantage of the increasing overlap between the fields of personal injury, human rights, data protection and employment law and to take on complex cases involving issues spanning more than one of those fields. Employment and discrimination cases involving psychiatric injury suffered by workers/employees are a key example.

In the last 10 years, largely in conjunction with Mark McGhee, the leading human rights solicitor, and his expert team at Lexent Partners, Peter has developed a specialism in complex human rights and data protection cases involving psychiatric injury, successfully pursuing claims against Police Forces, local authorities, NHS Trusts and private mental healthcare facilities in respect of breaches of Articles 2, 3, 5,6, 8 and 14 of the Human Rights Act and/or breaches of the Data Protection Acts and GDPR.

Peter's personal injury practice is primarily of a High Court and appellate level with specialism in catastrophic injury, including spinal injury, multiple injury, and brain injury cases. He is a contributor to Lexis PSL online Personal Injury Service and author of a textbook on Deafness Claims.

Peter is an expert on all aspects of employment law, including discrimination (all the protected characteristics), restrictive covenants, injunctions, wrongful dismissal, unfair dismissal, equal pay, TUPE, trade disputes, trade unions and commercial agents. He has particular experience of claims involving large banks and financial institutions. He has an exceptional appellate-level practice, including two appearances in the Supreme Court.

Throughout his career, Peter has been the go-to junior for a range of trade union work having advised and represented both large employers and Trade Unions on all aspects of industrial relations law and practice.

Peter also has substantial experience of judicial review challenges in the Administrative Court. These have often arisen from industrial relations matters and/or Human Rights Act breaches associated to other areas of his practice.



His most notable cases include:

- *ATX (A Child by her Litigation Friend ATY) v CRS and DPS*[2018] – The highest ever personal injury award, including a £950,000 per annum Periodical Payment Order, secured by Peter, led by Steve Killalea Q.C. for a catastrophically injured 7-year-old Claimant.
- *Ian Garth Workman v. Carol Ann Forrester & Others*[2017] EWCA Civ.73 – The Court of Appeal upheld Judgment of £1.5 million damages against a man who murdered his wife during divorce and financial relief proceedings, thereby avoiding an award against him in the Family Courts. The judgment represented the sum that Mr Workman would have had to pay his ex-wife had he not murdered her.
- *Begley v. Chief Constable of Greater Manchester/IPCC*[2016] Inquest LR 302 – Represented the family of a teenager who was tasered and assaulted by Officers of Greater Manchester Police at a 5-week Inquest. First narrative verdict of a Jury which has partly attributed a death to the use of a taser. Subsequently recovered civil damages in a High Court claim on behalf of the family. The Jury's verdict resulted in a Judicial Review claim against the IPCC in respect of the flawed investigation that had led to the exoneration of the Officers responsible for Mr Begley's death. The IPCC's Report was set aside, and the disciplinary investigation was re-opened. This is one of a series of taser and Police abuse cases successfully pursued by Peter, instructed by Mark McGhee.
- *Russell & Others v. Transocean International Resources Ltd*[2012] IRLR 149 (Supreme Court) – Entitlement to "leave" pursuant to the Working Time Regulations, 1998, for workers in the offshore sector. Whether breaks in the natural shift pattern constitute "leave" for the purposes of the WTR.
- *Autoclenz Limited v. Belcher & Others*[2011] IRLR 820 (Supreme Court) – Employment/worker status under the Employment Rights Act, 1996, the Working Time Regulations and the National Minimum Wage Act, 1998. This is, undoubtedly, the leading case on 'sham' clauses in employment contracts.
- *Albion Automotive Ltd v. Graham Walker & 20 Others*(CA, 2002) LTL 21/6/2002, successfully represented 21 Claimants in the Employment Tribunal, Employment Appeal Tribunal, Court of Appeal and House of Lords (resisting the respondents' application for permission to appeal) in a case involving rights to enhanced redundancy and pension payments derived from custom and practice. This remains the leading authority on the implication of contractual terms through custom and practice.

In addition, Peter was Junior Counsel to Sir Richard Scott's Inquiry into the Export of Arms and Dual-Use Equipment to Iraq (aka *Arms to Iraq*) from 1992 to 1995.

Industrial Relations

Junior Counsel of choice for industrial relations work for Unite the Union. Advises and represents both large employers (including Coca Cola, Royal Mail and London Underground) and Trade Unions (including Unite, Unison and the FBU) on all aspects of industrial relations law and practice. Conducted and defended a number of multi-party actions up to EAT/Court of Appeal level on industrial relations issues.

Advised Unite on its internal Industrial Action Ballot Guidelines following the decision of the Court of Appeal in *Metrobus UK*. Also advised Unite on the contents of its Rule Book following the merger between the TGWU and Amicus.

Frequently involved in injunction applications based on industrial relations issues, including unofficial industrial action and balloting requirements.

Provides seminars, lectures and training to employers/unions on industrial relations issues, including a televised seminar to a commercial training organisation on collective redundancy consultation.

Appointments

Judge of the First-Tier Tribunal of the Social Entitlement Chamber.

Hobbies

The musical genius of Dolly Parton, unique jackets and narrow-boating (proud owner of a 65 foot beauty).

Testimonial Quotes

Rated as a Leading Junior in both Chambers & Partners and Legal 500 with recommendations as a “go-to junior”, “exceptionally able”, a “rock solid choice”, “phenomenally positive, focused and practical”, a “very persuasive negotiator” and “doing a huge amount of brilliant work.”

Routinely appears in high-profile inquests and maximum severity catastrophic injury cases. His employment law practice complements his personal injury offering, especially in complex EL/PL disputes and quantum calculations. He acts for both defendants and claimants in cases which often have a human rights angle. *“Has a brilliant mind. Very clever.” “Equally skilled at cross-examination and complex legal submissions. He also has an impressive rapport with vulnerable clients.”* Acted in a multi million-pound claim on behalf of the family and dependants of two friends who were killed in a road traffic accident involving a drunk driver. - *Personal Injury, Chambers UK 2018*

Has a broad employment law practice, with extensive experience of High Court litigation and complex EAT claims. He specialises in industrial relations work and is often instructed by high-profile trade unions. He also leverages his experience in personal injury litigation to tackle disability discrimination matters. *“His attention to detail and ability to get to the crux of a case are second to none.” “Decisive, down-to-earth and robust.”* Acted for the claimant in a disability discrimination claim for more than £2 million against a large inter-dealer money broker. - *Employment, Chambers UK 2018*

“Noted for cases at the intersection of personal injury and employment law.” - Personal Injury, Legal 500 2017

“An experienced advocate.” - Employment, Legal 500 2017

Routinely appears in high-profile inquests and maximum severity catastrophic injury cases. His employment law practice complements his personal injury offering, especially in complex EL/PL disputes and quantum calculations. *“He’s excellent. If it’s a difficult case he’ll handle it with absolute aplomb.”* Acted for the claimant in a 25-day inquest investigating whether the police used excessive force when arresting the deceased in *Jordan Begley (deceased) v Greater Manchester Police*. - *Personal Injury, Chambers UK 2017*

Has a broad employment law practice, with extensive experience of High Court litigation and complex EAT claims.

He specialises in industrial relations work and is often instructed by high-profile trade unions. *‘He is very experienced across the whole employment field and good to work with - he gives helpful advice.’* Instructed in *O’Sullivan v TfL*, a complex EAT case trying to ascertain whether a death in service benefit can be considered a loss following the redundancy and death of the claimant before the remedy hearing. - *Employment, Chambers UK 2016*

Peter Edwards is ranked as a Leading Junior in 'Employment'. *“His case preparation, eye for detail and cross-examination are second to none.” - Legal 500 2016*

“He is able to give to provide accurate, focused and succinct advice.” - Personal Injury, Legal 500 2016

Practices personal injury, employment and trade union law, and he is known for the strength of his performances in court. *“A barrister with an excellent cross-examination technique, who is always willing to assist.”*

“He brings a thorough and practical approach to his cases.” Acted in a case brought by a former senior broker at BGC International, alleging bullying, harassment and claims relating to unpaid bonuses and provision of health insurance. - *Employment, Chambers UK 2016*

Covers the full breadth of personal injury litigation, including catastrophic injury, industrial disease and psychiatric injury claims. He is frequently instructed on cases involving serious orthopaedic, spinal cord and head injuries.

“A fine advocate with an excellent legal mind.” - Employment, Legal 500 2015

“Peter Edwards is a go-to junior for trade union work and has done a huge amount of brilliant work in this area. He represented Unite in a number of the actions brought by, and against, British Airways arising out of the highly publicised industrial action by cabin crew members” Chambers UK

“[Peter] is particularly recommended for complex trade union issues” Chambers UK

Notable Cases

- *Forrester v. Workman [2017] 2 FLR (CA)*- Appeared in the Court of Appeal representing the family of a wife murdered by her

husband, thereby avoiding payment of financial relief in divorce proceedings. First reported recovery of a damages award – in excess of £1.5 million – in those circumstances. Consideration of applicable principles of Judgment in default of an award of damages for breach of the terms of a Freezing Order.

- *Begley v Chief Constable of Greater Manchester/IPCC [2016] Inquest LR 302- 5 Week Inquest* - Represented the family of a man who was tasered and assaulted by Officers of Greater Manchester Police. First narrative verdict of a Jury which has partly attributed a death to the use of a taser. Subsequently recovered civil damages in a High Court claim on behalf of the family. The Jury's verdict resulted in a Judicial Review claim against the IPCC in respect of the flawed investigation that had led to the exoneration of the Officers responsible for Mr Begley's death. The IPCC's Report was set aside and the disciplinary investigation was re-opened.
- In 2017/2018 - Represented a high-profile TV Nutritionist who was sexually abused by a teacher at the St. Paul's School, recovering a substantial out-of-Court settlement. Tackled difficult issues relating to limitation (with the sexual offences having taken place some 30 years ago) and quantification of losses (given the Claimant's age at the time of the offences, such that his career had not yet commenced)
- *Zarrabi v. National Crime Agency [2017] HC/01CL648* – Recovered substantial damages for a Solicitor who was falsely imprisoned by Officers working for the National Crime Agency. Finding by the Court that 2 serving Police Officers had lied under oath about the circumstances of the Police raid and what she said to the Claimant, who was not suspected of any offences (including the statement that she could be handcuffed to the chair if she attempted to leave). Disciplinary proceedings are now pending directly attributable to the Court's findings.
- *Schwartz v. Pennine Care NHS Trust [2017]* -Claim on behalf of an Orthodox Jewish Claimant who was suffered psychiatric injury and physical self-harm as a result of being placed on a mixed hospital ward and subjected to abuse relating to his religious beliefs. Claims of clinical negligence, religious discrimination and pursuant to the Human Rights Act.
- *Fidler/Lindsay v. Richard Blenkin [2017] D90MA020* –Represented 2 families in which the father/partner was killed in a road traffic accident when they were cycling to work. The bereaved partners had attended Downing Street to meet David Cameron, when he was Prime Minister, to campaign for changes to sentencing in death by dangerous driving cases.
- *ZXA v. Priory Hospital [2017] HQ15X01471*– Claim on behalf of a mentally-impaired Claimant who was detained at the Defendant's care facility. The Claimant was physically and verbally abused by his carers, the abuse being detected through a Nanny-Cam hidden in a teddy bear. The abusers were imprisoned. Important principles established and endorsed by the Court in respect of awards of aggravated and exemplary damages in abuse cases.
- *Bankole v. Arnal/Allen [2017]* -Representing the infant Claimant who suffered catastrophic spinal and traumatic brain injuries as a result of a road traffic accident. The claim is likely to result in the highest ever personal injury settlement/award given the Claimant's ongoing and permanent care needs (double up, 24- hour waking care)and her pre-accident earning potential.
- *X & Y v. Tameside MBC [2017]* –Claim against a Local Authority, pursuant to the Data Protection Act and Human Rights Act, in respect of the unlawful disclosure of details relating to the sexual abuse suffered by the Claimants in childhood. First reported case in which damages for psychiatric injury have been recovered for a breach of the DPA.
- *Gallagher v. Simpson [2017] A90BM191* –Represented a family of Claimants who were involved in a road traffic accident when returning from a trip to Center Parcs. The husband/father was killed and all other family members were seriously injured. Total recovery of damages in excess of £1 million.
- *Clouett v. Katsianis [2017]* –Successfully represented the Claimant family at the Inquest and, subsequently, in a Fatal Accidents Act claim brought following the death of a husband/father killed in a motorcycle accident. Court Approval of the liability and quantum settlement was granted in 2017.
- *Wilson v. Southgate/RSA [2016] B90BM075* –Multi-million pound claim by an adult Claimant who suffered from Mosaic Down's Syndrome, whose mother and carer was killed in a road traffic accident. Novel claims were successfully pursued for Court of Protection costs. Court Approval of the agreed settlement sum was granted in 2017.
- *Chloe Benson v. Goldman Sachs [2017]* –Multi-day Employment Tribunal claim for disability discrimination involving the conduct of a performance management process and the application of a Permanent Health Insurance Policy. The Respondent was represented by Bruce Carr QC. Claim settled on terms that were approved by HMRC for tax purposes,
- *Allen v. Tullet Prebon [2017]* –Multi-day Employment Tribunal claim for disability discrimination involving the City-wide practice of reducing salary when targets are not met. The Respondent was represented by James Laddie Q.C. Claim settled on terms that were approved by HMRC for tax purposes.
- *ATB v. Commissioner of Police of the Metropolis [2017]* –High Court claim involving the rape of a serving Police Officer by a fellow Officer.
- *Martin Christie v. Bar Standards Board [2016] LTL 21/03/2016*–Regulatory proceedings in which Mr Christie was subject to a sanction of disbarment. Application of Rule 202 of the Disciplinary Tribunal Rules, 2014. Review Application in the High Court.
- *Brown & Others v. Commissioner of Police of the Metropolis [2016]* –Represented the Commissioner on a complex case involving the assault of members of the public by serving Officers. For the first time ever, the Commissioner made the decision to join the serving Officers as Third Party Defendants. Application of principles of issue estoppel in the Employment Tribunal proceedings issued by the Officers.
- *Juneja v. BGC International [2015]* –High Court stress-at-work/bullying claim by a Senior Trader. The Defendant was represented by Caspar Glynn Q.C. Resulted in a substantial (confidential) settlement just prior to the Trial.
- Advising the Prison Officers Association on the Rules relating to whether the former General Secretary, who stood as a Labour-party candidate in the last General Election, could return and stand for re-election. Case listed for Hearing before the Certification Officer in March 2018.
- Advising the Professional Rugby Players Association – the body representing all Aviva Premiership and Home Nations International players – on the Rules of the Association and the forthcoming General Secretary elections.
- Conducted a number of internal disciplinary hearings on behalf of URTU, leading to the exclusion of former members of the

National Executive Committee, in 2017.

- Advised the Prison Officers Association in 2016 on a potential Judicial Review Application to prohibit smoking in UK Prisons. The Pre-Action Protocol letter resulted in a firm commitment from HMG to ban smoking in all UK Prisons by 2019.
- *BALPA v. Jet2.Com* [2015] IRLR 543 (Court of Appeal) – First case involving the construction of collective
- *O’Cathail v. Transport for London* [2013] IRLR 310 (Court of Appeal) – Circumstances in which cases can proceed in the absence of the Claimant who has been medically certified as unfit to attend
- *Russell & Others v. Transocean International Resources Ltd* [2012] IRLR 149 (Supreme Court) – Entitlement to “leave” pursuant to the Working Time Regulations, 1998, for workers in the offshore sector. Whether breaks in the natural shift pattern constitute “leave” for the purposes of the WTR.
- *Autoclenz Limited v. Belcher & Others* [2011] IRLR 820 (Supreme Court) – Employment/worker status under the Employment Rights Act, 1996, the Working Time Regulations and the National Minimum Wage Act, 1998; ‘Sham’ clauses in employment contracts
- *Autoclenz v. Belcher & Others* [2010] IRLR 70 (Court of Appeal) – Employment/worker status under the Employment Rights Act, Working Time Regulations and National Minimum Wage Act. ‘Sham’ employment clauses. See Supreme Court entry above
- *Autoclenz v. Belcher* [2008] EAT 04.06.08 – Principles to be applied to “sham” clauses in employee/worker contracts. Also represented the employees in the Court of Appeal and Supreme Court

Membership

PIBA, APIL, ELBA, ELA, ILS, BSB, Member of the ELAAS scheme at the Employment Appeal Tribunal