

Year of Call: 1995



Main Areas of Practice

Discrimination law

Employment law

Human Rights law

Civil actions against the police

Commercial law

Financial Services Regulation

What the Directories Say

Chambers & Partners - Band 1 of Leading Juniors in Employment 2010

“undoubted star” James Laddie, whose “extremely proactive approach and superb advocacy” win him many votaries. Commentators note that “he is aggressive where necessary but exercises good judgement at all times.”

2009
“Fantastic all-rounder” James Laddie is often a first choice for solicitors, particularly for tricky restrictive covenant and confidentiality actions. He has been acting on some of the most significant discrimination and whistle-blowing cases around, one example being his successful representation of the appellant in the disability discrimination case, Paterson v Commissioner of Police for the Metropolis. “Technically strong and great with clients”, he is “a robust and forceful advocate.”

‘James Laddie is “tenacious, thorough and enquiring”, and his “meticulous preparation and research is allied to a very persuasive and robust advocacy style.” Described as “a great performer in the tribunal who really pulls results out of the bag” and “a first-rate communicator”, he wins clients' confidence with “inspirational, commercial advice.”

Chambers & Partners – Band 1 of Leading Juniors in Police Law 2010

‘James Laddie enjoys a strong reputation in the field and is deemed “unbeatable in cross-examination.”

2009
‘Solicitors describe James Laddie as “a dazzling trial advocate” who is “very switched on and persistent - he’s prepared to put up a fight.” He regularly represents individuals in high-profile claims of assault and malicious prosecution, as well as actions against bodies such as the Prison Service.’

Legal 500 – ranked in the Leading Juniors in both Employment Law and Human Rights 2009

James Laddie is a “first-class advocate who is supremely intelligent and totally committed.”

2008
“Very good advocate” James Laddie is “technically strong” and “commercial”...“highly skilled.”
‘The “refreshingly positive” James Laddie “gives 100% to his clients”. He is “a star in the making”, who “easily cuts through to the heart of the matter and is excellent on confidentiality, whistle-blowing and restrictive covenants.”

Employment and Discrimination - overview

James specialises in employment and discrimination law. Within this area, he has a diverse practice but he has a particular emphasis on appellate work and complex and high-value claims of all types.

He maintains an even balance of claimant and respondent/defendant work, and is as interested in advising on policy-related matters as he is in representing clients in courts and tribunals.

Reported Cases and Appellate Practice

James appears regularly in the appellate courts and, according to the Equal Opportunities Review, had more reported cases in the Industrial Relations Law Reports in 2008 than any other advocate. His appellate caseload extends across the full range of employment and discrimination law.

Discrimination

A very substantial part of James's practice involves discrimination claims of all types, from test cases involving a discrete point of law, to multi-month high-value claims. He appeared for the lead claimant in *Igen v. Wong* [2005] ICR 951, the leading case on burden of proof in discrimination claims.

He has a particular interest in [disability discrimination law](#), confirmed by an extensive list of reported cases including *Sheffield Forgemasters v. Fox* [2009] ICR 333; *Paterson v Commissioner of Police for the Metropolis* [2007] ICR 1522; *H M Prison Service v Beart* (No.2) [2005] ICR 1206; *Swift v Chief Constable of Wiltshire Constabulary* [2004] ICR 909; *Beart v H M Prison Service* [2003] ICR 1068; *College of Ripon & York St John v Hobbs* [2002] IRLR 185. He has achieved many high-profile successes at first instance, including in *Currier v. Hampshire Constabulary* (first successful DDA claim against Hampshire police), *Port v. GMTV* (dispute over whether claimant's seizures were genuine) and *Beart* (where the final award of c.£500,000 remains one of the highest tribunal awards under the DDA).

[Sex discrimination and harassment/equal pay/part-time workers](#): has successfully represented claimants and respondents in sex discrimination and allied fields. James represented the Muslim twin sisters in *Fariad v. Tradition* (2008), reported in the press as being one of the highest settlements in an employment tribunal claim, and the successful claimant in *Carlucci v. Oracle*. Successful representation of respondents includes *Ashbrooke v. Zurich* (claimant forged witness evidence; costs award of c.£300,000).

[Race discrimination](#): recent successful representation of claimants includes *Riaz v. City of London Police* (first successful race claim against the respondent) and *Stark v. Digital Vision* (discrimination on grounds of German nationality). Recent successful representation of respondents includes *Haritaki v. SEEDA* (discrimination on grounds of Greek nationality).

[Age discrimination](#): James has advised in several age discrimination claims and appeared in one of the first appellate cases, *Loxley v. BAE Land Systems* [2008] ICR 1348.

[Non-employment discrimination](#): James has been involved in a number of cases involving discrimination in the provision of goods and services, and non-employment discrimination by public authorities, particularly the police.

Whistleblowing/Financial Services

He has also been involved in many significant [whistleblowing](#) claims, including: *Holden v. Connex* (successful representation of train driver dismissed for raising concerns about railway safety); *Antoniou v Legion* (successful representation of company facing whistleblowing dismissal claim following more than 100 alleged protected disclosures); *Moxon v Home Office* (representation of civil servant dismissed for raising concerns about systematic non-compliance with entry requirements by the Immigration and Nationality Directorate - case settled). He has written and lectured widely on this subject and appeared in two of the leading Court of Appeal cases: *Bolton School v. Evans* [2007] ICR 641 and *Kuzel v. Roche* [2008] ICR 799.

Many whistleblowing claims arise in the [financial services](#) sector. James has extensive experience of representing parties in this area, and is entirely comfortable with the regulatory framework established by the FSA. He successfully represented the respondent in the ET and EAT in *Petrischeva v. Sumitomo Banking Corporation* (2008). James has now expanded his practice to include [financial services regulation](#) and he represented two of the individuals in the FSA disciplinary proceedings arising out of the 'Split Cap' collapse.

Media

A particular focus of James's practice in recent years has been the representation of parties in [high-profile litigation](#), as well as the [representation of media organisations](#). In 2008 alone, James represented the BBC, GMTV and Talksport as respondents in employment litigation. Many of the cases referred to above, for both claimants and respondents, attracted considerable press attention, reflecting the increasing public interest in employment issues. Consequently, James is very familiar with the involvement of the media in litigation, including the jurisdiction to make restricted reporting orders. He has lectured upon the role of the media in employment claims.

High Court

James frequently represents parties in High Court employment litigation e.g. [breach of confidence and restrictive covenants](#). Recent experience includes successfully representing the claimants in *Allan Janes LLP v Johal* [2006] ICR 742 (restrictive covenant) and *Aon v Heath Lambert & others* (2007 - breach of fiduciary duty and breach of confidence) and the defendants in *Travis Perkins v. MKM Building Supplies* (2008 - restrictive covenant).

He also has extensive experience of both bringing and defending claims under the [Protection from Harassment Act 1997](#) and is the author of the relevant chapter in *Bullen & Leake*. It is increasingly common to find employers complaining of harassment by employees, and vice-versa. James is well-equipped to handle such claims; he has obtained injunctions on behalf of employers preventing harassment in both the UK and abroad, and successfully appeared in one of the very first reported harassment cases: *DPP v. Lau* [2000] 1 FLR 799.

Other Employment Areas

James's experience extends to other areas of employment law.

He has been involved in many cases relating to statutory employment rights including:

- Unfair dismissal (*Anglian Home Improvements v. Kelly* [2005] ICR 242)
- Annual leave (*Sumsion v. BBC (Scotland)* [2007] IRLR 678)
- Employment status (*RNLI v. Bushaway* [2005] IRLR 674; *Clark v. Clark Construction Initiatives* [2008] ICR 635)
- Transfer of undertakings (*Capita Health Solutions v. McLean* [2008] IRLR 595)
- Jurisdiction and state immunity (*Republic of Yemen v Aziz* [2005] ICR 1391)
- Territorial jurisdiction (*Tradition v. X and Y* [2009] ICR 88, *YKK Europe Ltd v Heneghan* UKEAT/0271/09/ZT).

He has appeared in many cases involving trade unions and has particular experience of the following types of claim: applications for injunctions where industrial action has been threatened; claim for damages for unlawful industrial action; claims against trade unions for unjustifiable discipline of a member (*Massey v. UNIFI* [2007] IRLR 902). He has also appeared in the Central Arbitration Committee (and successfully judicially reviewed it) and before the Certification Officer. He has close links with a number of trade unions and employers' organisations.

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James has also appeared in employment cases involving human rights-based arguments. Examples include *Copsey v. WWB Devon Clays Ltd* [2005] ICR 1789 (Sunday working) and *Tradition Securities v. Times Newspapers* [2009] IRLR 752 (restricted reporting orders and press freedom).

Police Law and associated human rights work

James has undertaken civil actions against the police and associated human rights work throughout his practice and is recognised as a leading junior in the directories.

The bulk of this work consists of actions for assault, wrongful arrest, false imprisonment and malicious prosecution. He has successfully represented claimants against different police forces following trials before juries and judges sitting alone. Examples of such work include *Francis v. CoP for the Metropolis* (all torts - £65,000 damages) and *Ford v. Ch. Constable of South Wales* (all torts - £22,500 damages). His experience in this field extends to actions for conversion/trespass to goods (*Mills v. National Crime Squad* and *Ch. Constable of Kent Police* - £13,000 damages) and misfeasance in public office (*Geraghty v. Ch. Constable of Greater Manchester Police* - judgment awaited (2009)).

Much of James's police work is work for individual police officers complaining of having been unlawfully arrested etc, or of having been discriminated against at work.

James also represents individuals claiming compensation for miscarriages of justice; he also has some experience of representation at inquests.

Lectures and Publications

James is a contributing author to Butterworths Employment Law: Practice, Precedents and Procedure (2007) and is the author of the chapters on discrimination and harassment in Bullen & Leake & Jacob's Precedents of Pleadings (2007, 16th ed.). He frequently contributes articles to employment law journals and lectures on subjects of current interest.

Pro bono work

Appears in the EAT under the ELAAS scheme and is instructed by the Bar Pro Bono Unit.

Leisure Interests

Family

Playing blues harp and boogie-woogie piano and dreaming of getting the band back together

Live music (especially African/world music, blues and jazz)

20th century fiction and poetry

Sport