

Alex Shellum

CALL: 2018

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Overview

Alex accepts instructions in all of Chambers' core areas of practice. Details of his work in these areas can be found in the sections below.

Alex is currently instructed in two major public inquiries - the Grenfell Tower Inquiry and the Infected Blood Inquiry.

Before coming to the Bar, Alex worked as a Legal Officer for the Electoral Commission, Research Assistant for both the Good Law Project and the Royal Institute of International Affairs (Chatham House), and as a paralegal for leading City law firm Travers Smith LLP.

For his BPTC year, in which he was graded *Outstanding*, Alex was awarded the Bedingfield Scholarship by Gray's Inn, the Inn's most prestigious award reserved for candidates of exceptional merit.

Alex read Law at Homerton College, University of Cambridge, and studied for an LLM in Human Rights Law at the London School of Economics, in which he achieved a *Distinction* and topped the year in Employment Law.

Outside of work, Alex can usually be found sharing good food and drink with friends and family.

Employment & Discrimination

Alex is frequently instructed to act for both respondents and claimants in multi-day hearings across all areas of employment and discrimination law. He has experience of employment litigation in the Employment Tribunal, the Employment Appeal Tribunal, and the High Court.

Recent and current work

- *Dr Kamalnayan Gupta v Northampton Hospital NHS Trust* [2021] EWHC 965 (QB): successfully represented the Respondent in the High Court, led by [Mark Sutton QC](#), in its resistance of an **MHPS interim injunction** requiring the Respondent to reinstate the Applicant and restraining the Respondent from contacting the Applicant's private work providers in relation to allegations of fraud;
- Successfully defended the First Respondent, an NHS Trust, in a **ten-day** hearing against various claims of **disability discrimination**. The claim raised further complex issues regarding the contract worker provisions under s.41 EqA, the vicarious liability of principals for agents under s.109(2) EqA, and the application of these provisions to acts done by individuals who were employed by various NHS Trusts but all of whom were supplied to an unincorporated association comprised of said Trusts for the provision of integrated healthcare services across the south-east of England.
- Successfully defended the Respondent, an internationally renowned museum, in a **five-day** hearing against claims of **direct sex discrimination and sexual harassment** which raised issues of statutory vicarious liability under s.109 EqA. The Tribunal dismissed the freestanding claims against the museum and found that the acts of the alleged harasser were not done in the course of his employment, per s.109(2) EqA. The Tribunal stated *obiter* that the museum would have in any event succeeded in deploying the reasonable steps defence under s.109(4) EqA.
- Successfully represented the Claimant, assisted by an Urdu interpreter, in a **three-day** hearing for claims of **unfair dismissal, breach of**

Expertise

- Administrative & Public Law
- Civil Liberties and Human Rights
- Clinical Negligence
- Data Protection & Information Law
- Education & Safeguarding
- Employment & Discrimination
- Health
- Inquests & Public Inquiries
- Personal Injury
- Public Law
- Travel

Recommendations

"They have good coverage at all levels, meaning you can always find the right barrister for the case in question." Chambers & Partners

"Old Square are my preferred set of chambers and have been throughout my career. They will always try to accommodate needs and the set are very down to earth and approachable. We have developed very good working relationships with the team over the years." The Legal 500 2021

Key contacts

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contract, and unlawful deductions from wages for which the Tribunal additionally awarded the full 25% uplift for the Respondent's failure to comply with the ACAS Code. The Claimant received in excess of the full value of his Schedule of Loss.

- Currently instructed by the trade union Equity on behalf of a Claimant group of actors, dancers and stage managers against the Respondent, the world's largest pantomime production company, represented by leading counsel, in a claim seeking to establish **s.230(3)(b) ERA worker status** so as to recover backdated holiday pay under the WTR.

Appellate work

Alex is developing his appellate practice and has been instructed in a number of matters on appeal to the Employment Appeal Tribunal, on a led basis and as sole counsel:

- *Reuser v University Hospitals Birmingham NHS Trust* UKEAT/0020/19/BA: appeared for the Appellant before the EAT, led by [Nadia Motraghi](#), in a complex **serious procedural irregularity** appeal and **s.103A ERA protected disclosure** dismissal cross-appeal.
- Instructed as **sole counsel** by the Respondent trade union steward resisting the Appellant employer's appeal against an adverse finding of **s.146 TULRCA trade union detriment**. Alex advised on prospects, drafted the Respondent's Answer, and was instructed to represent the Respondent at the appeal hearing. The Appellant withdrew the appeal shortly before the hearing.
- Instructed as **sole counsel** by Unite the Union to draft its Notice of Appeal against the Employment Tribunal's decision to reject its claims under **TUPE Reg.13** for failure to comply with the requirement at **Rule 10(1)(c) of the ET Rules** - the rule relating to early conciliation numbers and claim forms. The Employment Tribunal corrected its error by reconsideration prior to the appeal being heard.
- Currently instructed as **sole counsel** by the Respondent, an NHS Trust, in an appeal regarding the operation of the **burden of proof provisions under s.136 EqA**. Specifically, on the issue of the drawing of adverse inferences by the Employment Tribunal at 'Stage 1' - the *prima facie* stage - of the analysis.

As a pupil, under the supervision of [Rebecca Tuck QC](#) and [Katharine Newton QC](#), Alex gained exposure to high-profile and complex employment litigation and sensitive internal investigations, including leading 'gig economy' employment status cases, multi-week discrimination complaints, and industrial action injunction applications.

Alex has a particular interest in employment and discrimination cases which engage the Human Rights Act 1998. Alex was instructed by the British Association of Physicians of Indian Origin ('BAPIO'), led by [Nadia Motraghi](#), in a judicial review challenging the lawfulness of the Government's PPE Guidance in the context of the COVID-19 crisis (click [here](#)).

Personal Injury & Clinical Negligence

Alex is regularly instructed on behalf of both Claimants and Defendants in Fast Track trials involving personal injury arising out of road traffic accidents, accidents at work and occupiers' liability.

Alex regularly advises on personal injury matters and drafts pleadings on behalf of both Claimants and Defendants. He has experience of advising on quantum in relation to Multi Track claims, which he is well-placed to do having gained exposure to a variety of complex and high value personal injury and clinical negligence claims under the supervision of Christopher Edwards during pupillage.

Alex has experience of costs and case management conferences in the Multi Track, in addition to experience of making and responding to a broad range of interim applications on behalf of both Claimants and Defendants.

Public Law & Human Rights

Alex has a developing practice in this area and welcomes instructions relating to public law and human rights matters. Alex has a particular interest in the intersection between public law, human rights and employment law - a subject on which he has been published in the LSE Law Review. Alex's article *'The case for a Human Rights Act based approach to unfair dismissals engaging Convention rights: challenging judicial attitudes and assessing potential'* received the Francis Taylor Building Prize for Best Overall Submission.

Recently, Alex was instructed by the British Association of Physicians of Indian Origin ('BAPIO'), led by [Nadia Motraghi](#), in a judicial review challenging the lawfulness of the Government's PPE Guidance in the context of the COVID-19

crisis (click [here](#)).

Before coming to the Bar, Alex read for an LLM in Human Rights Law at the LSE, in which he was awarded a Distinction. He built on this academic experience by spending a year working as a Legal Officer for the Electoral Commission prior to commencing pupillage, before which he worked as one of the original team members assisting with the establishment of the Good Law Project - the strategic litigation initiative responsible for *Wightman and others v Secretary of State for Exiting the European Union* [2018] 3 W.L.R. 1965 and the Cherry appeal in *R (on the application of Miller) (No 2) v Prime Minister* [2019] 3 W.L.R. 589.

Alex is a member of the Attorney General's Junior Junior scheme.

Inquests and Public Inquiries

Alex is currently instructed as part of the counsel team in two major public inquiries:

- As junior counsel to the London Fire Brigade in the Grenfell Tower Inquiry; and
- As junior counsel, led by Charlie Cory-Wright QC, to NHS Blood and Transplant in the Infected Blood Inquiry.

Alex is a member of the Attorney General's Junior Junior scheme.