

## Jane McNeill KC (Investigator/Mediator)

SILK: 2002 | CALL: 1982

Email Clerk:

Telephone Clerk:



### Overview

Jane McNeill KC was called to the Bar in 1982 and took silk in 2002. She is now an Honorary Member (door tenant) of Old Square Chambers.

She specialised in the fields of employment, discrimination, personal injury and clinical negligence. As junior and then leading Counsel, she was involved in many leading cases (see the list below), including, as a QC, cases with a specific employment/personal injury law overlap.

She sits as a Recorder in the County Court (appointed 2006) and as an Employment Judge (fee-paid) (appointed 2000). She was a member of the Council (Board) of Acas from July 2014 to July 2021, where she contributed to the good governance and strategic objectives of Acas and sat on and chaired committees considering guidance on good practice aimed at supporting positive relationships between employers and employees and managing conflict in the workplace. She was joint Head of Old Square Chambers from 2009-2015.

Jane qualified as a mediator in 2002. She has facilitated the resolution of many difficult disputes across a range of sectors, including the education, health and finance sectors. Following a recent mediation, the lawyer for one of the parties described her as “the perfect mediator” who had handled the mediation in a way which was “professional, courteous and patient”.

Jane also carries out investigations and chairs panels considering disciplinary, grievance and wider cultural workplace issues. Recent investigations have included investigations in the higher education sector (whistleblowing and other serious complaints involving very senior employees), the commercial sector (involving alleged sexual harassment against a CEO), the legal sector (allegations of sexual harassment against a partner in a law firm) and the arts (an orchestra).

Jane was ranked as a leading silk in the directories for many years, most recently (2018) being described as “a brilliant counsel, who is patient, firm and decisive” and “highly knowledgeable in the crossover between employment and medical law”. She is an Honorary Fellow of Lucy Cavendish College, Cambridge and has been a Bencher of Lincoln’s Inn since 2007.

The well-known and leading cases in which Jane has appeared include:

- *Beatt v Croydon Health Services NHS Trust* [2017] EWCA Civ 401 – whistleblowing
- *Chhabra v West London Mental Health NHS Trust* [2014] ICR 194 – Supreme Court, application of disciplinary processes in the NHS
- *Yapp v Foreign and Commonwealth Office* [2013] IRLR 616 – mental ill-health caused by failure of due process in application of disciplinary procedures
- *British Airways plc v. Williams & Others* [2012] UKSC 43, Supreme Court and CJEU – leading cases on the principles and calculation of holiday pay brought by c. 2700 pilots
- *Michalak v. Mid Yorks Hospitals NHS Trust* ET 2011 – doctor awarded £4.3 million compensation for sex and race discrimination
- *Gibb v. Maidstone & Tunbridge Wells NHS Trust* [2010] EWCA Civ 678 – ultra vires payment of compensation and restitution
- *Guttridge & others v. Sodexo Ltd* [2009] EWCA Civ 729; [2009] IRLR 721: Test case on time limits under the Equal Pay Act 1970 where TUPE transfer
- *BA v. Grundy* [2008] IRLR 74: assessing disparate impact in a predominantly female workforce

### Expertise

- Investigations
- Mediation

### Recommendations

“Pragmatic, methodical and incredibly calm.”  
Chambers & Partners

“She’s someone you want on your side, a fearsome opponent.” 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.” Chambers & Partners

### Key contacts

**William Meade**

Senior Clerk

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*Hallam v. Avery* [2001] ICR 408 – House of Lords vicarious liability for acts of discrimination;

*Preston v. Wolverhampton Healthcare NHS Trust* [1998] ICR 227 – House of Lords and ECJ the test cases involving the pension rights of part-time workers

*Barclays Bank plc v. Kapur and others* [1991] ICR 208 – House of Lords – test cases on continuing acts of discrimination.

## **Education**

BA Hons in Modern Languages (French and Italian): University of Oxford 1975-1979

Diploma in Law: City University – 1980-1981

## **Recent and current work**

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Jane has served on Bar Council committees and was the first equality and diversity representative on the General Council of the Bar. She edited the 2004 Bar Equality and Diversity Code. She was a member of the Standards Committee of Islington Council and now chairs the Staff Committee at Lincoln's Inn. She is a governor and Godolphin & Latymer School and a trustee of the Estorick Foundation.

She speaks fluent Italian and French, improving German and basic Spanish. She has a CELTA qualification, enabling her to volunteer as an English language teacher, teaching English to asylum-seekers and refugees.

Since 1995, she has volunteered as an advocacy trainer (now Lead Tutor) for Lincoln's Inn and the South Eastern Circuit