

Madeline Stanley

CALL: 2013

Email Clerk: moliterno@oldsquare.co.uk

Telephone Clerk: 020 7269 0477



Overview

Madeline has been described by the legal directories as “*fiercely clever*” and as having “*a very tactical and analytical approach.*”

Madeline is ranked as an employment practitioner in both Chambers and Partners and the Legal 500. Her practice in this area includes:

- disputes in the Employment Tribunals and on appeal
- collective work
- commercial employment law (and other related work in the High Court and County Courts)
- public law challenges in the employment and discrimination context.

Madeline also practises in the areas of professional discipline, general public law and personal injury.

Madeline is a vice-chair of the Industrial Law Society. She is a member of ELA, ELBA and PIBA.

Employment & Discrimination

Employment Tribunal litigation

Madeline advises and represents individuals, trade unions and employers in all areas of employment law. Her recent clients include individuals supported by most of the major trade unions, several NHS Trusts, a well-known law firm, and employers in the banking, hospitality and higher education sectors.

Madeline has significant experience running claims involving multiple claimants. She has recently been instructed on several large multiples including claims for holiday pay, unauthorised deductions from wages and age discrimination.

Madeline is an experienced appellate advocate.

Madeline’s recent significant cases in the Employment Tribunal or on appeal include:

- *Miles v Driver and Vehicle Standards Agency* [2023] IRLR 630 led by [Betsan Criddle KC](#). EAT judgment on disability discrimination/health and safety dismissals in the Covid 19 context.
- *Ranson v Department of Health and Social Care* (Isle of Man Employment Tribunal, 2022 and 2023) led by [Oliver Segal KC](#). Whistleblowing claims brought by the Medical Director on the Isle of Man. Dr Ranson was awarded £3.19m.
- *Pitcher v (1) University of Oxford (2) St John’s College* [2022] ICR 338 led by [Nadia Motraghi KC](#). EAT judgment about whether the compulsory age for academics at Oxford University constituted direct age discrimination.
- *Secretary of State for Business, Energy and Industrial Strategy v Parry* [2018] ICR 1807 led by [Nicola Newbegin](#). Court of Appeal judgment on whether paragraphs of the Employment Tribunal rules were *ultra vires*.

Collective work

Madeline advises on ballot papers and notices for the purposes of industrial

Expertise

- Clinical Negligence
- Education & Safeguarding
- Employment & Discrimination
- Environment
- Finance
- Health
- Personal Injury
- Professional Regulatory & Discipline
- Public Law
- Sport
- Travel

Recommendations

"Madeline is helpful and approachable and is willing to go the extra mile to get tricky cases back into shape at short notice. She has an attention to detail and is good with legally complex and messy matters." Chambers & Partners 2024

"An extremely bright junior, and an authority on worker status cases." The Legal 500 2024

"Not only is she extremely clever, but she has the emotional intelligence to work well with and gain the respect of the client, the other side and the judge. She also has the ability to grasp changing complex and untested areas of employment law; and is extremely good with clients, explaining matters in a way that can be easily understood, while also being very commercial in terms of advice and potential outcomes." The Legal 500 2023

"Madeline is an incredibly bright barrister with a great deal of commercial awareness." Chambers & Partners 2023

Key contacts

Olivia Moliterno

Team Leader

Phone: 020 7269 0477

Email: moliterno@oldsquare.co.uk

Manisha Agheda

Junior Team Leader Assistant

Phone: 020 7269 0300

Email: agheda@oldsquare.co.uk

action. She has defended applications for strike injunctions led variously by [Oliver Segal KC](#) and [Betsan Criddle KC](#). Madeline has significant experience of disputes falling within the jurisdiction of the Central Arbitration Committee and the Certification Officer.

She is currently instructed on several large unlawful inducement (section 145B) multiples.

Madeline's reported cases include:

- (1) *National Union of Rail Maritime and Transport Workers (2) Unite the Union v Tyne and Wear Passenger Transport Executive t/a Nexus* [2023] ICR 148 led by [Lord Hendy KC](#). Court of Appeal judgment on whether it is possible (in law) to rectify a collective agreement.
- *Independent Workers of Great Britain v (1) Central Arbitration Committee (2) Rooffoods t/a Deliveroo* [2022] ICR 84 led by [Lord Hendy KC](#) and [Katharine Newton KC](#). Court of Appeal judgment on collective bargaining in the gig economy (Article 11 of the ECHR). The Supreme Court heard an appeal in April 2023 (judgment not yet handed down).
- *NUPFC v Certification Officer* [2021] ICR 1397 led by [Lord Hendy KC](#) and [Katharine Newton KC](#). Court of Appeal judgment on whether a union comprising individuals working under foster care agreements is eligible for inclusion on the list of trade unions kept by the Certification Officer

High Court and County Court litigation

Madeline acts in matters concerning bonuses, notice periods, confidential information and post-termination restrictions. She has recently been instructed on behalf of individuals and businesses in the property, public relations and medical sectors.

Her led work includes *Dixon v North Bristol NHS Trust* [2022] EWHC 1871 (QB) (confidential information in the employment context led by [Nicola Newbegin](#)).

In the county court, Madeline is regularly instructed in goods and services discrimination matters and has recently advised on these claims in sectors as diverse as construction and social care.

Madeline regularly advises on civil procedure, cost budgeting, general costs recovery and litigation tactics.

Public law

Madeline is regularly instructed on public law matters.

Examples of her recent sole instructions include:

- a challenge to the regime for a particular professional examination;
- a challenge to a funding decision in the education sector; and
- advising a major trade union on the public law aspects a key policy campaign.

Her led work includes:

- *R (ASLEF and others, UNISON and the NASUWT) v Secretary of State for Business and Trade* [2023] EWHC 1781 (Admin) acting for the NASUWT led by [Betsan Criddle KC](#). The High Court quashed regulations made in 2022 which removed the prohibition on the supply of agency workers to cover industrial action.
- *R (FDA) v Chancellor of the Exchequer* acting for the FDA and led by [Ijeoma Omambala KC](#). Judicial review of the exit payment regulations. The regulations (which sought to impose a cap on exit payments in the public sector) were revoked after the claim for judicial review was issued.

Personal Injury

Madeline advises and represents Claimants and Defendants. Her work includes claims arising out of road traffic accidents, employer's liability claims, occupiers' liability claims, package holiday claims and claims under the Highways Act.

Madeline regularly appears in the full range of application hearings, at cost case management conferences and at trials. She drafts pleadings, and advises on liability, quantum, cost recovery and tactics in all areas of personal injury work.

William Meade

Senior Clerk

Phone: 020 7269 0360

Email: wmeade@oldsquare.co.uk

Professional Regulatory & Discipline

Madeline has appeared in various regulatory tribunals. She is a well-prepared advocate with an excellent eye for detail.

Professional Recommendations



"Madeline is helpful and approachable and is willing to go the extra mile to get tricky cases back into shape at short notice. She has an attention to detail and is good with legally complex and messy matters."

Chambers & Partners 2024

"Madeline is a pleasure to work with. She is helpful, approachable and able to manage the client well."

Chambers & Partners 2024

"Madeline is excellent. She is super smart, robust and wins the client's confidence."

Chambers & Partners 2024

"An extremely bright junior, and an authority on worker status cases."

The Legal 500 2024

"She has excellent attention to detail and creates great confidence in the client."

Chambers & Partners 2023

"Madeline is an incredibly bright barrister with a great deal of commercial awareness."

Chambers & Partners 2023

"Not only is she extremely clever, but she has the emotional intelligence to work well with and gain the respect of the client, the other side and the judge. She also has the ability to grasp changing complex and untested areas of employment law; and is extremely good with clients, explaining matters in a way that can be easily understood, while also being very commercial in terms of advice and potential outcomes."

The Legal 500 2023

"She has extensive knowledge of trade union law, a very tactical and analytical approach, and is a delight to work with. She is generous with her time and expertise, understands instinctively which points would be attractive to the judicial audience (and which would not), and backs up her views with very prompt, yet thorough, research as new points arise."

The Legal 500 2022

"She is fiercely clever."

Chambers & Partners 2022

"She's brilliant on employment cases." "She has great attention to detail and quickly develops a good grasp of the case."

Chambers & Partners 2021

"Her advocacy, both written and oral, was clear and concise, and she made numerous good points in a very persuasive manner."

The Legal 500 2021