

Michael Ford KC

SILK: 2013 | CALL: 1992

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Overview

Michael's principal area of practice is labour law, both individual and collective, and covers pretty much the full range of employment law, including industrial action, working time, trade union law, equal pay, pensions and human rights relating to employment, as well as data protection, health and safety and public inquiries. His work also extends to judicial review in the work sphere – he acted, for example, for the EHRC in the litigation that ultimately led to the abolition of employment tribunal fees (**R(UNISON) v Lord Chancellor**) and in successful challenges to the regulations permitting employers to engage agency workers to replace strikers and those setting a cap on public sector exit payments. He specialises in difficult appellate cases, mainly acting for claimants and unions.

Michael has over 70 reported cases, many of which are test cases establishing important points of principle or which led to changes in legislation (for complete list, [click here](#)). To date he has appeared eight times in the House of Lords/Supreme Court, most recently in **Mercer v Alternative Futures Group** in which the Supreme Court granted a declaration of incompatibility under the Human Rights Act – the first ever issued in employment law – in holding that the failure of UK law to protect individual union members against detrimental treatment because of participating in strikes was contrary to Article 11 of the ECHR (this led to changes to the legislation in the Employment Rights Bill). His other recent successful Supreme Court appearances include **Chief Constable of the Police Service for Northern Ireland v Agnew**, relating to the scope of the deduction from wages jurisdiction, and **Harpur Trust v Brazel**, on the right paid annual leave.

His five appearances in the Court of Justice of the EU, all of which were successful, include such important cases as **Beckmann v Dynamco**, **Stringer v HMRC**, **British Airways v Williams** and **Lock v British Gas**. Among his noteworthy cases in the European Court of Human Rights are **ASLEF v United Kingdom** (on trade union autonomy), **RMT v United Kingdom** (secondary action) and **Unite v United Kingdom** (collective bargaining).

Michael became a silk in 2013, was awarded Employment Silk of the Year twice at the Chambers Bar Awards in 2015 and 2025 and was Employment Junior of the Year at the 2012 Awards. He is listed as a leading silk in employment law in all the main directories, such as The Legal 500 (listed as a leading silk in tier 1) and Chambers & Partners, in which he is listed as a Star Individual. For many years he was on the Equality and Human Rights Commission's 'A' panel of counsel, acting for them throughout the proceedings in **R(UNISON) v Lord Chancellor** and in the first appellate case on caste discrimination, **Chandhok v Turkey**.

Michael is currently a Deputy High Court judge, sitting in the Administrative Court, KBD and EAT, and previously sat as a fee-paid Employment Tribunal Judge for over twenty years. He was Professor at the University of Bristol from 2017-2021 (now Emeritus Professor). Before coming to the Bar he cycled full-time for four years, qualified as a solicitor with Slaughter and May and taught at the University of Manchester. He was formerly the editor of *Redgrave's Health and Safety* and has many publications on employment law and human rights law, including recent articles written with Professor Alan Bogg in the LQR about the *Uber* judgment and articles in the Industrial Law Journal on personal service companies, the Trade Union Act 2016 and private life at work. He has acted as special adviser to two Parliamentary Committees in relation to employment-related matters (e.g. the inquiry into employment practices at Sports Direct). His Advice for the TUC on the impact of Brexit on employment law continues to be

Expertise

- Administrative & Public Law
- Employment & Discrimination
- Environment
- Health & Safety & Environmental Law
- Inquests & Public Inquiries

Recommendations

"Michael is hands down the most intelligent and successful UK Employment law barrister. He can turn his hand to anything and catches the undivided attention of appeal judges." Legal 500 2026

"Ford is a one-in-a-million barrister. He is a star player in the field of industrial relations." Chambers & Partners 2026

"Michael is a first-class advocate. He is agile in his thinking, great on his feet and his knowledge of the law is second to none." Legal 500 2026

"You always know you're going to get innovative but compelling arguments from Michael Ford. He's a real star." Chambers & Partners 2026

Key contacts

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cited as an authoritative source in the area. He is one of the editors of the UK Labour Law Blog.

His real interest in life is cycling. He was a member of the Great Britain road cycling squad (1982-3) and raced in Belgium, France, Holland, Germany and Poland (e.g. 5th Ronde de L'Oise; 1st Tour of Surrey, 4th Tour of the Peak, 1st Jock Wadley Memorial, 1st Tour of South Downs 6th on stage of Tour of West Flanders). He still takes cycling very seriously (e.g. 4th in age group in Maratona Delle Dolomiti 2022, narrowly pipped for a podium place; 7th in Fausto Coppi 2025). He has First Class degrees in Law (1983-86) and Biology (2007-2010) and is a fluent French and excellent Spanish speaker. For nine years he was a trustee of the Bats Conservation Trust, assisting it with issues on wildlife law.

He now spends his spare time cycling, drinking coffee, learning Spanish and trying to cope with two unregenerate adolescents.

Employment & Discrimination

Michael's practice covers virtually all aspects of employment law, both individual and collective, and trade union internal matters. He is listed as a leading silk in employment law in the directories, including *Chambers & Partners* (Star Individual) and the *Legal 500* (Tier 1). For many years he was a fee-paid Employment Tribunal Judge.

Michael has over 70 reported cases in the sphere of labour law, across almost all subject areas. He has particular expertise in judicial review in the employment sphere, EU labour law and human rights and employment law. His areas of practice include the following:

Working time

Michael acted for the successful claimants in ***Stringer v HM Revenue and Customs*** in the ECJ and the House of Lords, establishing that sick workers are entitled to annual leave under the Working Time Regulations and to bring claims for holiday pay as a claim for unlawful deduction from wages. Subsequently, he was instructed in the leading authority on interpretation of WTR to comply with the Working Time Directive, ***NHS Leeds v Larnier***, CA. He acted for 1000s of pilots in their successful claims in both the Supreme Court and ECJ in ***British Airways v Williams*** and was subsequently instructed in claims for tens of thousands of workers about the level of their holiday pay. He appeared in European Court of Justice and Court of Appeal in ***Lock v British Gas***, on whether commission payments must be included in payment for annual leave. Other important test cases in which he acted include ***Bear Scotland v Fulton*** (whether overtime counts towards annual leave), ***Dudley v Willets*** (voluntary overtime); ***Harpur Trust v Brazel*** (Supreme Court; term-time workers and annual leave); ***Smith v Pimlico Plumbers*** (CA, on carry over of unpaid leave); and ***Chief Constable of the Police Service for Northern Ireland v Agnew*** (Supreme Court decision on the protective purpose of the deductions from wages jurisdiction).

Industrial action

Michael acted in the first – and only – Supreme Court case to recognise the right to strike, ***Mercer v Alternative Future Group***, in which the Court granted a declaration that the failure of UK law to protect individual strikers against sanctions for participating in strikes was incompatible with Article 11 of the ECHR. He has often been instructed by unions in injunction applications (see e.g. ***Balfour Beatty v Unite; Metroline Travel v Unite***). Cases in which he successfully resisted injunctions on behalf of unions include ***British Airways v BALPA*** in the Court of Appeal, the leading authority on ballot and strike notices, and ***ISS v Mediclean*** in the High Court, in which Singh J (as he then was) recognised that the right to strike was protected by Art. He has also acted in cases in which the whole workforce has been dismissed for taking strike action, including ***Davies v Friction Dynamics*** in which hundreds of dismissed workers succeeded in unfair dismissal claims before the ET, and ***Balfour Kilpatrick v. Acheson***. He was instructed by the RMT in ***RMT v United Kingdom***, in which the European Court of Human Rights held that the ban on secondary action did not infringe Article 11.

Equal pay

Michael has acted in several large public sector equal pay claims, including part-time pensions test cases, both in the employment tribunal and on appeal (see e.g. ***DEFRA v. Robertson, Abendshine v Sunderland CC, Allen v Unison***). He appeared in one of the first “bonus” cases against a local authority (***Paterson v Islington***), was instructed in the equal pay claims brought against all Welsh local authorities for bonus payments (which eventually settled after years of litigation), similar claims against Reading CC, and acted for 1500 claimants in the prison service who were awarded £4 million in compensation. He represented Mrs Grundy in her successful claim against British Airways, a leading authority on establishing and justifying indirect discrimination in pay (***Grundy v British***

Airways). He appeared in the leading authority on the demarcation line between equal pay and sex discrimination claims: **Hosso v European Credit**, CA.

Judicial review

Unusually for an employment practitioner, Michael is frequently instructed on judicial review applications brought by public sector workers, including the police. He acted for the EHRC as intervener in the challenge to the introduction of tribunal fees which eventually succeeded in the Supreme Court (**R (Unison) v Lord Chancellor**). He has represented police officers in judicial review applications in the context of police discipline and pensions (e.g. **Salter v Chief Constable of Dorset**; **R (Chief Constable of Avon) v Police Appeals Tribunal**; **Clinch v Dorset Police Authority**; **R (Stunt) v Mallett**). He represented the NHS Trust in **Gibb v Maidstone and Tunbridge Wells NHS Trust**, CA, on whether termination payments were unlawful. Recent notable cases include being instructed by UNISON in the judicial review which led to the government revoking the Public Sector Exit Payment Regulations; acting for the FDA (with Tom Hickman KC) in its challenge to the Prime Minister's decision regarding bullying by Priti Patel; and successfully representing UNISON in the judicial review claim brought by it and other unions in which led to quashing the regulations allowing employers to replace strikers with agency workers were unlawful (**R (ASLEF) v Secretary of State for Business and Trade**).

Trade unions

Michael has a particular expertise in relation to trade union law. As well as often advising unions on internal matters, he has acted in High Court challenges based on trade union rule books, in complaints to the Certification Officer and in hearings before the Central Arbitration Committee. He recently acted for Mrs Mercer in the Supreme Court in **Mercer v Alternative Futures Group**, arguing that the absence of protection in UK law against workers being subjected to detriments because of their participation in lawful industrial action is incompatible with Article 11 of the ECHR.

Discrimination

Michael acted for the EHRC in the test case of **Chandhok v Tirkey**, holding that discrimination owing to caste was potentially race discrimination; he acted in the important case on reasonable adjustments and disability discrimination, **Griffiths v Secretary of State for Work and Pensions**; and he represented Jessica Starmer, a BA pilot who succeeded in her complaint that a requirement to work full-time amounted to indirect sex discrimination, in the highly-publicised case of **British Airways v Starmer**. He appeared in **Ahsan v The Labour Party**, in which the House of Lords resolved that complaints of race discrimination against political parties cannot be brought before the employment tribunal.

Pensions and TUPE

Michael acted for Ms Beckmann who succeeded in her claim before the ECJ that an early retirement pension, payable in the event of redundancy, transferred under the Acquired Rights Directive and hence TUPE (**Beckmann v Dynamco Whicheloe, ECJ**). The ruling of the ECJ led to many successful claims in the High Court. He also regularly advises on pension issues and public sector TUPE points. He acted for the successful claimants in the ECJ in **Allen v Amalgamated Construction** (transfers within corporate groups).

Human rights and employment

Michael often advises on the implication of the European Convention of Human Rights in relation to employment law. He was instructed in **RMT v United Kingdom** (on the right to strike) and **Unite v United Kingdom** (on abolition of the Agricultural Wages Board), both of which lost in Strasbourg. He provided submissions for Liberty in a blacklisting case pending before the Court, **Smith v UK**. He acted for ASLEF in their successful challenge in Strasbourg to the domestic legislation which prevented unions expelling BNP members (**ASLEF v United Kingdom**), and which led to the government amending s.174 of TULRCA 1992. He appeared in an early case on freedom of protest, **Steel, Lush and others v UK**, and more recently has acted in injunction claims giving rise to issues based on the Human Rights Act (including claims against unions in the context of "leverage" action). He recently appeared in the Supreme Court in **Mercer v Alternative Futures Group**, a case which grapples with the Strasbourg case-law on the right to strike, the interpretative duty in s.3 of the HRA and the proper scope of declarations of incompatibility under s.4 HRA. He has written widely on human rights at work, especially on the right to privacy.

Data protection

Michael was involved in the process of drafting the Information Commissioner's Employment Practices Data Protection Code, giving guidance on the application of the Data Protection Act 1998 to employment. He is the author of *Surveillance and Privacy at Work* (Institute for Employment Rights).

Other

Michael acts in just about all areas of employment, especially in the context of appeal cases, or claims brought by the whole workforce. Recent appellate cases include Supreme Court appearances in ***Mercer v Alternative Futures Group***, ***Agnew*** and ***Harpur Trust v Brazel***; ***Ryanair and McGinley v Lutz*** (leading Court of Appeal authority on protection of agency workers); ***Allen v TRW*** (contractual redundancy payments); ***Dutton v. Jones*** (calculation of redundancy pay when on short-time working), ***Singh v Bristol Sikh Temple*** (whether Sikh priest was a worker). Other work includes settling infringement proceedings before the ECJ, drafting an application to the ILO, and advising on appeals concerned with the Agency Worker Regulations and on contractual issues relating to medical professionals. He is currently instructed by many thousands of police officers in their tribunal claim challenging the potential discriminatory effect of the Police Pensions Regulations 2015 on grounds of age, sex and race.

Publications

Michael was formerly an editor of *Redgrave's Health and Safety* and of *Munkman's Employers Liability*; other publications include:

- 'Employment Status and Trade Union Rights: Applying Okham's Razor' (2022) 51 *Industrial Law Journal* 717 (with Alan Bogg)
- 'The Fissured Worker: Personal Service Companies and Employment Rights' (2019) 49 *Industrial Law Journal* 35
- 'The Death of Contract in Determining Employment Status' (2021) 137 *Law Quarterly Review* 392 (with Alan Bogg)
- 'Between Statute and Contract: Who is a Worker?' (2019) 135 *Law Quarterly Review* 347 (with Alan Bogg)
- "Employment Tribunal Fees and the Rule of Law: *R(UNISON) v Lord Chancellor* in the Supreme Court" (2018) 47 *Industrial Law Journal* 1
- "Criminalisation of Health and Safety at Work" in Bogg et al, *Criminality at Work* (OUP: 2020)
- "Legislating for Conflict: The Trade Union Act 2016" (2016) 45 *Industrial Law Journal* 277 (with Tonia Novitz)
- "Two Conceptions of Worker Privacy" (2002) 31 *Industrial Law Journal* 135
- "Re-thinking the Notice Rule" (1998) 27 *Industrial Law Journal* 220
- *Privacy and Surveillance at Work* (IER: 1998)
- "Citizenship and Democracy in Industrial Relations" (1992) 55 *Modern Law Review* 241

Michael is an Executive Committee Member of the Industrial Law Society and has often given lectures to it and for many other organisations. He is one of the editors of the popular UK Labour Law Blog: <https://uklabourlawblog.com/>

Administrative & Public Law

Michael is frequently instructed in judicial review applications, especially on behalf of public sector workers and the police (including police pensions and police disciplinary matters). He has drafted applications to and appeared in the European Court of Human Rights. His notable cases in this area include:

- Instructed by Commission for Equalities and Human Rights in ***R (UNISON) v Lord Chancellor***, the challenge to the introduction of fees in the employment tribunal, which eventually succeeded in the Supreme Court and led to the abolition of tribunal fees;
- Acted for UNISON in successful judicial review challenge to regulations permitting employers to engage agency workers to replace those taking lawful strikes: ***R (ASLEF) v Secretary of State for Business and Trade***;
- Instructed in judicial review claim which led to revocation of the regulations imposing a cap on public sector exit payments, the Public Sector Exit Payment Regulations 2020;
- Instructed by FDA (with Tom Hickman KC) in judicial review challenging the decision of the Prime Minister not to sanction Priti Patel under the Ministerial Code in relation to complaints of bullying: ***R (FDA) v Prime Minister***;
- Instructed by PCS in case challenging non-payment of benefits under Civil Service Compensation Scheme to civil servants on fixed term contracts (case ultimately succeeded after DWP agreed to test case proceeding in employment tribunal);
- ***R (Chief Constable of Dorset) v Police Appeals Tribunal***, High Court and CA: acted in judicial review challenging reinstatement of police officer by Police Appeals Tribunal;
- ***Gibb v Maidstone and Tunbridge Wells NHS Trust***: instructed in CA on leading authority on legality of termination payments to public sector employees;
- ***Austin v Chief Constable of Surrey Police***: decision to dispense with services of probationary constable held to be unlawful because decision should have been taken by Chief Constable;

- **R (Chief Constable of Avon and Somerset Constabulary) v Police Appeals Tribunal**: the Court accepted the argument that the Home Office Guidance as to the scope of an appeal to the Police Appeals Tribunal was incorrect;
- **R (South Wales Police Authority) v Morgan**: police pensions;
- **Clinch v Dorset Police Authority**: injury awards and police pensions;
- **R (Stunt) v Mallet**, CA: the leading authority on the meaning of execution of duty for the purpose of the Police Pensions Regulations.

Health & Safety

For over a decade Michael was the editor (with **Jonathan Clarke**) of *Redgrave's Health and Safety* (Butterworths), the leading text on the regulation of health and safety of workers. He was formerly the co-author (with **John Hendy KC**) of *Munkman on Employer's Liability* (Butterworths).

He has been listed as a leading junior in health and safety in *Chambers & Partners*.

Inquests & Public Inquiries

Michael was instructed as junior counsel for the bereaved and injured in two major railway public inquiries – *the Southall Rail Inquiry*, chaired by John Uff KC, and the *Ladbroke Grove Rail Inquiry* (Parts 1 and 2), chaired by Lord Cullen.

Environment

Michael has a particular expertise in wildlife law, both domestic and European. For nine years he was a trustee of the Bat Conservation Trust and frequently advised it in relation to wildlife conservation law, including on issues such as the implementation of the Habitats Directive and the effect of domestic legislation. His cases in this area include:

- **Department of Transport v Williams**: Twyford Down injunction, in which Michael acted for the protestors;
- **Chambers and Edwards v DPP**: Public Order Act and application to M11 protestors.

Recent and current work

To view a list of Michael's reported cases, please [click here](#).

Professional Recommendations



"A master of labour law. His intelligence is off the charts and he always thinks ten steps ahead. Watching him cross examine on his feet in court is magical – he has the judges dancing to his tune and responds eloquently to challenging questions."

The Legal 500 2025

"Michael has an encyclopaedic knowledge of employment law, able to track the historical development of a particular legal concept, and explain it in simple terms."

The Legal 500 2025

"He is a pre-eminent employment silk. There is nothing he doesn't know. He has incredible attention to detail but what we really love is the fact that when he

speaks, the judges listen.”

Chambers & Partners 2025

“Michael is simply the best.”

Chambers & Partners 2025

“For my money, Michael is the leading silk on trade union law”

Chambers & Partners 2025

“Michael is the outstanding trade union silk of this generation.”

Chambers & Partners 2025

“He has a super brain and is incredibly clever. He lives employment law and loves the academic side of things but in a down-to-earth way. He can ruthlessly deploy arguments in pursuit of a win.”

Chambers & Partners 2024

“He’s an exceptional barrister working on matters that have great ramifications. He has an encyclopedic knowledge of the law and is by far the best European employment law specialist.”

Chambers & Partners 2024

“He combines academic knowledge with a great work ethic and attention to detail.”

Chambers & Partners 2024

“Michael is incredibly clever and lives employment law. He can ruthlessly deploy arguments in pursuit of a win.”

Chambers & Partners 2024

“Michael is razor-sharp, fantastic on his feet, and has an encyclopedic knowledge of industrial relations and employment law. His advice is clear and practical and he is excellent with clients. You want him on your side.”

The Legal 500 2024