

## Professor Sandra Fredman KC

SILK: 2012 | CALL: 2002

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### Overview

Sandra Fredman KC (Honoris Causa) joined Chambers as an academic tenant in 2004. She is Professor of Law at Oxford University as well as a Fellow of the British Academy and a Fellow of Gray's Inn. She began her legal career as a trainee solicitor at Lawford and Co, where she was involved in several prominent trade union cases, foremost amongst them the CCSU case, in which Lawfords, acting on behalf of the Council of Civil Service Unions, challenged the banning of national trade unions at GCHQ. Subsequently, she embarked on an academic career, before being called to the Bar in 2002.

She is an expert on discrimination law, having published widely in the area. She has written one of the leading monographs on discrimination law in the prestigious Clarendon series (*Discrimination Law (OUP, 2002)*). She has also written *Women and the Law (OUP, 1997)* as well as numerous articles on the subject, particularly on equal pay law and flexible working. She has particular expertise in EU discrimination law: she has been a scientific director of the EU Network of Legal Experts in the Non-Discrimination Field and teaches a graduate course in EU Employment and Equality Law in Oxford. She is a co-editor of the forthcoming OUP looseleaf on discrimination law, to which several Old Square members are contributing. This is planned as the leading authority for practitioners on discrimination law and in particular on the new Equality Bill.

Her practice has included advising the government on the compatibility with EU law of parental leave proposals (with Jenny Eady KC), as well as advising the Equal Opportunities Commission on aspects of the Equality Bill. Most recently, she was instructed by the South African government to provide expert advice on the compatibility of affirmative action policies with bilateral investment treaties. In 2001, she ran a large project on age discrimination, jointly with Sarah Spencer and the Institute of Public Policy Research, culminating in one of the first books in the UK on age discrimination (S Fredman and S Spencer (eds) *Age as an Equality Issue (Hart, 200)*).

She also specialises in human rights law, particularly in their application to collective labour law. Her practice has included a successful challenge of Jersey employment law on behalf of the TGWU before the ILO, as a breach of the rights to freedom of association and collective bargaining (with [John Hendy KC](#)). Also with [John Hendy KC](#), she has acted for the Prison Officers Association, in an application to the ILO challenging the ban on industrial action and the inadequacy of alternative procedures. She has also written widely on the Human Rights Act 1998, and on social rights more generally, culminating in her book *Human Rights Transformed (OUP, 2008)*. She is also an expert in labour law more generally, particularly in the public sector, having written *The State as Employer (Mansell, 1988)* with Gillian Morris; and *Labour Law and Industrial Relations in Great Britain (2nd ed, Kluwer, 1992)* with Sir Bob Hepple KC.

She has been active in policy-making. She acted as an expert adviser to the Equality Review, chaired by Trevor Philips and was one of three experts advising on Single Equality legislation in Northern Ireland. She also contributed to the Arthurs Commission on reform of labour legislation in Canada. She has been asked to give evidence on a number of occasions to the Joint Committee on Human Rights, and was commissioned by the EOC to write *'The Future of Equality in Great Britain'*.

She is South African and worked as a journalist covering labour and political issues under the apartheid regime. Since coming to Britain, she has been active in trade union and equality issues. She has been active for many years in the Institute of Employment Rights. In Oxford, she has helped establish and run the

### Expertise

- Administrative & Public Law
- Civil Liberties and Human Rights
- Employment & Discrimination

### Recommendations

"First port of call for employment barristers; it has excellent strength in depth from juniors to seniors."  
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### Key contacts

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## Employment & Discrimination

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As well as her academic work, she has been active in the field of policy-making. She made a major contribution to the Independent Review of Enforcement of Anti-Discrimination Law chaired by Bob Hepple and Mary Coussey. She has been asked on several occasions to contribute to the work of the Northern Ireland Equality Commission, and has evidence on the European Charter of Fundamental Rights to the House of Lords Committee on the European Union. She has contributed to the debate on the establishment of a Human Rights Commission, giving a paper at a seminar run by the Joint Committee on Human Rights. In addition, she has worked with JUSTICE on the campaign for the ratification of Protocol 12.

She has recently been very active in the process of drawing up new equality legislation on age, sexual orientation and religion. In 2001, she ran a large project on age discrimination, jointly with the Institute of Public Policy Research. The results of the project are incorporated into policy document, co-authored with Sarah Spencer of IPPR, and an edited book.

She was commissioned by the Equal Opportunities Commission to prepare a report entitled the *'Future of Equality in Great Britain'* as a direct contribution to the debate about the proper implementation of new anti-discrimination law covering sexual orientation, religion and age. She was invited by the Norwegian equivalent of the Commission for the Racial Equality to present a key-note speech in Norway in October as part of the development of new discrimination law in Norway. She also participated in the expert committee advising the CEDAW Committee on the updating of the affirmative action provisions in CEDAW (Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)).

She has close links with the Gender and Race Equality Unit at the University of Cape Town, and the Centre for Applied Legal Studies at the University of the Witwatersrand, both of which have been active in the rapidly developing discrimination and human rights law in South Africa. She also has links with members of the judiciary and the human rights bar in South Africa. She has also worked closely with academics in other jurisdictions, and has extensive knowledge of comparative law in the equality and human rights field.

## Notable Cases

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- [Prison Officers Association and others v. United Kingdom](#)

[John Hendy KC](#) & Sandy Fredman KC for the Applicants. Section 127 of the Criminal Justice and Public Order Act 1994 makes it an offence to induce prison officers to...