

Rebecca Tuck QC

SILK: 2020 | CALL: 1998

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Overview

Rebecca was appointed Queen's Counsel in 2020; she is an employment and discrimination law specialist and is head of the Employment Group in Old Square. She appears regularly in the Employment Tribunal, EAT, High Court and appellate courts. She has particular expertise in industrial relations, acting in injunction proceedings when industrial action is proposed. She is also frequently instructed outside the litigation process, as an investigator, advisor, mediator or to determine grievance or disciplinary issues.

Rebecca is an experienced fee paid employment judge, and wrote for Harvey for 12 years. She regularly lectures on employment law.

She has been recognised as a leading practitioner in *Chambers & Partners*, *The Legal 500* and *Who's Who Legal* for many years. This year she was noted as **"an extremely knowledgeable and tenacious barrister, with a confident engaging delivery [who] really deserved her elevation to QC"**.

Publications:

- Editor of *Harvey on Industrial Relations and Employment Law* from 2008 until 2020
- Co-author of *Employment Tribunal Procedure* (published by LAG); 2nd and 3rd
- Co-author of practice notes on EAT Procedure for PLC (Practical Law Company)
- Since 2000, author of an *Annual Labour Law Highlights*, published by Institute of Employment Rights

Appointments and memberships:

- Fee-paid employment judge sitting in the Watford Employment Tribunal
- Qualified mediator
- NMC legal assessor
- Gray's Inn Advocacy trainer
- Member of the Industrial Law Society (former chair)
- Member of the Council of Employment Judges
- Member of Employment Law Association
- Member of Employment Law Bar Association
- Participates in the ELASS scheme.
- Member of the Institute of Employment Rights

Employment & Discrimination

Rebecca is instructed on behalf of private individuals, corporate clients, trade unions, local authorities, NHS Trusts, police forces, charities and clients in the education sector in all aspects of employment law and discrimination, principally in and around London. She has a particular interest and experience in discrimination claims and undertakes work in the ET and EAT, before the Certification Officer and Central Arbitration Committee as well as in civil and appellate courts.

Rebecca is an experienced mediator who both conducts mediations, and also

Expertise

- Investigations
- Employment & Discrimination
- HR Professional Support
- Professional Regulatory & Discipline

Recommendations

"She knows employment law inside out and is a very engaging barrister." "She's always able to distil quite complicated matters and make them sound very simple." *Chambers & Partners* 2021

"An extremely knowledgeable and tenacious barrister, with a confident, engaging delivery. She really deserved her elevation to QC." *The Legal 500* 2021

Key contacts

Graham Smith

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Lee Jennings

Junior Team Leader

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represents clients at both judicial and privately funded mediations.

Rebecca is regularly instructed at stages prior to litigation. She frequently conducts investigations (usually involving very senior individuals within an organisation), and is instructed to act as a legal adviser to decision making panels detailing with grievances or disciplinary proceedings, or to determine issues by making recommendations to decision makers.

In appropriate cases Rebecca will accept instructions under the [Bar Council's Public Access Scheme](#).

Rebecca undertakes work across an enormous variety of industries and sectors including acting for companies or individuals within telecommunications, transport, management consultancy, healthcare, higher education and law. She has particular experience in the following:

Financial Sector

Rebecca has extensive experience of dealing with claims within the [financial sector](#), having acted on behalf of – and on occasion against – a number of domestic and overseas banks. The claims have frequently involved allegations of whistleblowing as well as discrimination, and Rebecca works closely with those instructing her (often including both the employment and regulatory teams) from the earliest stages of litigation, frequently being involved in negotiating settlements and avoiding litigation entirely.

Education

Frequently acting for universities, Rebecca has a wealth of experience in higher education cases, from equal pay to discrimination to whistleblowing. She has also been instructed to conduct sensitive investigations, to advise formally constituted panels and to determine appeals and make appropriate recommendations. Rebecca is also instructed by schools and colleges, often when there are complex surrounding facts such as safeguarding concerns.

Law

When a law firm itself is being sued, Rebecca is frequently the go-to counsel of choice.

Healthcare

Rebecca has a wealth of experience of acting for NHS Trusts, GP practices, dental practices and other healthcare providers, and is also frequently instructed to act for practitioners. She is instructed not only in proceedings before the Employment Tribunal, but also in appearing before internal disciplinary panels, or before regulatory bodies such as the GMC (excluding the NMC, as Rebecca sits as a legal assessor in that jurisdiction).

Police

Rebecca is often instructed on complex multi day discrimination cases by the “Met” as well as other Chief Constables/ forces.

Construction

Within the construction sector, Rebecca has dealt with numerous redundancy cases, and also TUPE issues, as well as, recently, issues of whether redundancy selection criteria were indirectly discriminating on grounds of age.

Healthcare (Including Regulatory & Disciplinary)

Rebecca has a wealth of experience of acting for NHS Trusts, GP practices, dental practices and other healthcare providers, but is also frequently instructed to act for practitioners. She is instructed not only in proceedings before the Employment Tribunal, but also in appearing before internal disciplinary panels, or before regulatory bodies such as the GMC (excluding the NMC, as Rebecca sits as a legal assessor in that jurisdiction).

HR Professional Support

Rebecca is a part-time fee-paid employment judge and accredited mediator. Her experience includes:

- Advising grievance and disciplinary panels – many within universities – at the conclusion of which she ensures the decision makers address the relevant issues and drafts the outcome document.
- Presenting the employer's case at disciplinary hearings – including liaising with the employee or their representative in compiling documents and clarifying issues.

- Conducting investigations.
- Sitting as an appeal decision maker.

Recent and current work

- [National Union of Rail, Maritime and Transport Workers \(RMT\) \(appellant\) v Lloyd \(respondent\) – \[2019\] IRLR 897;](#)
- [Secretary of State for Justice v Prison Officers Association \[2018\] EWHC 2897;](#)
- [Saad \(appellant\) v Southampton University Hospitals NHS Trust \(respondent\) – \[2018\] IRLR 1007;](#)
- [Advisory Conciliation and Arbitration Service \(ACAS\) \(appellant\) v Public and Commercial Services Union \(PCS\) \(respondent\) – \[2018\] IRLR 1110;](#)
- [Kidd v Commissioner of Police of the Metropolis \[2018\] 2WLUK100, EAT.](#)

Notable Cases

- **[Campbell v. Public and Commercial Services Union](#)**

Lorna Campbell was employed by PCS as an equality officer, mainly dealing with race equality issues. She is of black Afro-Caribbean heritage and was secretary of the union's National Black Members Committee (NBMC)....

- **[The Learning Trust & Others v. Marshall](#)**

The Learning Trust and other respondents were found by the tribunal to have discriminated against the Claimant on the grounds of her sex, race and disability, and on the basis...

- **[Paul Talbot v. \(1\) General Federation Of Trade Unions \(2\) Michael Bradley](#)**

The High Court has handed down judgment in Talbot v. GFTU, in which John Henty QC led Rebecca Tuck and Ben Cooper, acting for the Defendants. The case involves...

- **[Secretary of State for the Department of Work and Pensions v. Alam](#)**

The Employment Appeal Tribunal gave guidance on the correct application of the provisions of the Disability Discrimination Act 1995 s.4A(3)(b) when determining whether an employer qualified for an exemption from...

- **[Dizaei v. Commissioner of Police of the Metropolis & Others](#)**

Rebecca Tuck was instructed to represent former Assistant Commissioner of the Met, Mr Andrew Hayman, in litigation being pursued by former Commander of the Metropolitan Police, Ali Dizaei. ...