Robert Moretto KC

SILK: 2026 | CALL: 2000

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Overview

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Robert Moretto KC is an expert in employment and discrimination law, public law and human rights.

Chambers and Partners has described him as "**a trusted advocate who has an excellent eye for detail**" and a "**devastating cross-examiner**".

The Legal 500 says that he "**has as lovely manner with clients and is very approachable**"; "**has an ability to understand the issues quickly and to focus on the key areas of importance in the case**" and is "**a credit to the profession**".

He has been involved in numerous high-profile and ground-breaking cases, in particular in cases of discrimination under the Equality Act 2010 and the European Convention on Human Rights.

Recent and ongoing cases include:

- *Evans v Prospect, Certification Office, ACAS and Department for Business and Trade* [2026] IRLR 47, EAT, representing the DBT
- *Foat v Department of Work and Pensions* [2026] UKEAT 61, April 2026
- R (LXR) v *First-tier Tribunal, CICA & Secretary of State for Justice* [2025] EWCA Civ 1608, Court of Appeal
- *Sullivan v Isle of Wight* [2025] ICR 1299, Court of Appeal, February 2025
- *Thomas v Judicial Appointments Commission* [2025] ICR 1635, Court of Appeal, July 2025 (led by Sir James Eadie KC)
- *Oni & Others v London Borough of Waltham Forest & Others (Secretary of State for Education intervening),* EAT, 2025
- *R (ZX) v CICA & Secretary of State for Justice* [2024] EWHC 1703 (Admin), High Court
- *William v Lewisham and Greenwich NHS Trust* [2024] EAT 58, EAT
- *R (Peiris) v First-tier Tribunal, CICA & Secretary of State for Justice* [2023] EWCA Civ 1527, Court of Appeal
- *Kholi v Department for International Trade* [2023] EAT 82, EAT
- *Mackereth v Department for Work and Pensions* [2022] ICR 1609, EAT (unled)
- *A & B v CICA* [2021] 1 WLR 3746, Supreme Court (led by **Ben Collins KC**)
- *NUPFC v Certification Officer and Others* [2021] IRLR 588, Court of Appeal (led by **Ben Collins KC**)
- *McNeil & others v HMRC* [2020] 2 All ER 33, Court of Appeal (led by Tom Linden KC)
- *Gourlay v Parole Board* [2020] 1 WLR 5344, Supreme Court (led by **Ben Collins KC**)
- *Gilham v Ministry of Justice* [2019] 1 WLR 5905, Supreme Court (led by **Ben Collins KC**)

Before taking silk, Robert was a member of the Attorney General's Panel of Counsel for 20 years. He represents and advises an extensive range of government departments and agencies, as well as appearing on behalf of trade unions and trade union-funded clients.

Appointments

Recorder, Crown Court (Midlands Circuit), January 2022 –

Expertise

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

Recommendations

"Robert Moretto is meticulous and extremely bright. He carries the confidence of the courts and tribunal while providing a first-class service for his clients." Chambers & Partners 2026

"Robert is a tremendous barrister who is very easy to work with. He explains complex issues in a digestible way for clients." Chambers & Partners 2026

"Robert is a brilliant barrister and devastating in his cross-examination." Chambers & partners 2026

"He is a highly experienced employment lawyer. He is measured and careful, excellent in tribunal, and in dealing sensitively with litigants in person." Legal 500 2025

Key contacts

William Meade

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Junior Counsel to the Crown (A Panel), September 2015 – March 2026

Junior Counsel to the Crown (B Panel), March 2010 – August 2015

Junior Counsel to the Crown (C Panel), February 2006 – March 2010

Memberships

Administrative Law Bar Association

Employment Lawyers Association

Employment Law Bar Association

Industrial Law Society

ELAAS Scheme

Employment & Discrimination

Robert represents and advises clients across a whole range of employment matters, but his particular expertise is in equal pay, discrimination, whistleblowing and claims relating to cross-workforce issues. Reported cases include:

Discrimination/European Law

- *Wilson v Health and Safety Executive* [2010] 1 CMLR 24, Court of Appeal; service-related pay schemes.
- *Attridge Law v Coleman* [2007] 2 C.M.L.R. 24, [2007] IRLR 88, EAT; associative discrimination.
- *Allonby v Accrington & Rossendale College* [2004] 1 C.M.L.R. 35, [2004] ICR 1324, European Court of Justice: comparators in equal pay claims and access to occupational pension schemes.

Equal Pay

- *McNeil & others v HMRC* [2020] 2 All ER 33, Court of Appeal (led by Tom Linden KC) (2014 – 2021) – multi-party claim considering the correct approach to establishing particular disadvantage in equal pay claims
- *Jermin & Williams v DVLA and Department for Transport* (Central London ET) (2007-2013): multi-party equal pay claims brought by claimants working in the DVLA.
- *Highland Council v TGWU and others* [2008] IRLR 272, EAT (Scotland) – multi-party equal pay proceedings concerning the extent to which unions had complied with the requirement to lodge grievances on behalf of their members.
- *Home Office v Bailey & others* [2005] ICR 1057 (2003 – 2006), Court of Appeal: the circumstances in which a Tribunal can determine that there is sufficient disparate impact to require an employer to objectively justify a difference in pay.

Robert also advises numerous government departments in respect of equal pay issues.

Pay Systems

Robert also has extensive experience of public sector pay systems and has advised several government departments and agencies, and NHS Trusts, in respect of large scale pay and grading reviews, and claims relating to terms and conditions.

Professional Discipline

Robert also has experience representing staff and employers in internal disciplinary hearings, including doctors, teachers and police hearings, as well as in injunctive relief proceedings in the High Court. E.g. *Sarker v Worcester Acute Hospitals NHS Trust* [2015] EWHC 165 (QB)

Administrative & Public Law

Robert appears in both the High Court and Upper Tribunal, particularly in matters relating to human rights, employment, the Parole Board and the Criminal Injuries Compensation Scheme. Recent cases include:

- *CVP v First-Tier Tribunal and CICA* [2023] UKUT 145 (AAC) – challenge to the Criminal Injuries Compensation Scheme rule excluding claims for pre-1964 criminal injuries (unled).
- *MP v First-Tier Tribunal and CICA* [2022] UKUT 91 (AAC) – Upper Tribunal challenge to criminal injuries compensation provisions for relatives of

deceased victims of crime (unled).

- *Morris v Parole Board*, Divisional Court [2020] ACD 119 – challenge to Parole Board's Guidance on Allegations published following the Worboys proceedings (unled).
- *JT v CICA*, Court of Appeal [2019] 1 WLR 1313 (led by Ben Collins KC) – whether the same roof rule provisions of the Criminal Injuries Compensation Scheme breached the Article 1, Protocol 1 rights (possessions) and Article 14 rights of victims of childhood sexual abuse.
- *DSD, NVB & Mayor of London v Parole Board & John Worboys* [2019] QB 285 (led by Ben Collins KC) – judicial review of Parole Board's decision to release taxi cab rapist John Worboys.
- *Criminal Injuries Compensation Authority v First-Tier Tribunal* [2018] EWCA Civ 1175 (unled): Judicial review of award of First-Tier Tribunal to firefighter injured whilst fighting a fire.
- *VG v First-Tier Tribunal and CICA* [2017] UKUT 49 (AAC): Art 2 (right to life) challenge to a criminal injuries compensation decision (unled).
- *RT v First-tier Tribunal and CICA* [2016] UKUT 306 (AAC)(29 June 2016). Judicial review of First-Tier Tribunal decision to reduce award where applicant has criminal convictions and/or fails to co-operate with police (unled).
- *DT (Afghanistan) v Secretary of State for the Home Department [*2014] EWCA 259, Court of Appeal. Appeal against the Upper Tribunal's judgment that an asylum seeker was not at risk on return to Kabul (unled).

Robert has also advised a union on employment and human rights implications of the Prevent Duty under the Counter Terrorism and Security Bill 2015. The advice was reported in The Independent and The New Statesman, and referred to in debate in the House of Lords. He has also advised the Government on human rights implications of proposed legislation.

Professional Recommendations





Robert Moretto KC

"He is a highly experienced employment lawyer. He is measured and careful, excellent in tribunal, and in dealing sensitively with litigants in person."

The Legal 500 2025

"Robert is an outstanding advocate with exceptional skills in cross-examination."

Chambers & Partners 2025

"Robert is brilliant at getting to grips with complex matters and difficult claimants."

Chambers & Partners 2025

"Robert is excellent."

Chambers & Partners 2025

"Robert is a very able advocate who is commercially minded and pragmatic."

Chambers & Partners 2024

"He takes a meticulous approach which gives a great sense of security prior to the hearing. He is responsive to queries in preparation and has excellent cross-examination skills."

Chambers & Partners 2024

"Robert is a hugely talented barrister in every way. He is meticulously prepared in all cases and an outstanding advocate on his feet."

Chambers & Partners 2024

"Robert is a methodical and diligent advocate."

The Legal 500 2024