

1.5 CPD
HOURS
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Indirect discrimination: Dress codes and appearance at work — 14th & 15th March 2017

Speakers: Jane McNeill QC (Chairperson), Deshpal Panesar, Cyril Adjei and James Chegwiddden

Venue: Old Square Chambers, 10-11 Bedford Row, London WC1R 4BU

Seminars to be held on 14th March 2017 from 5.45pm and 15th March 2017 from 8.30am. Registration will begin 30 minutes prior to the talks commencing. Please advise your preferred date when booking.

The recent high profile debate about the requirement to wear high heels at work and the forthcoming Parliamentary debate on the issue revealed that there are concerns that some workplace rules are discriminatory.

In this seminar, chaired by Jane McNeill QC, Deshpal Panesar, Cyril Adjei and James Chegwiddden will examine these issues and explain what workplace dress codes and appearance rules are currently permissible and which are likely to be found to be indirectly discriminatory. It will look at what problems have been thrown up by particular requirements such as headscarves, tattoos, piercings, hairstyles and what is sometimes called “aesthetic labour” (being required to “look good and sound right”).

There will be a discussion of how the courts and tribunals have tried and are still trying to resolve these issues, particularly in the light of the eagerly awaited CJEU decisions of *Achbita v G4S Secure Solutions NV* and *Boungaoui v Micropole SA* and the conflicting opinions of the Advocates General in each.

The two cases recently argued before the Supreme Court of *Home Office (UK Border Agency) v Essop* and *Naeem v Secretary of State for Justice*, may fundamentally alter what is indirect discrimination and so these cases will be also be examined.

This seminar will offer practical guidance to lawyers and HR professional advisors who may often be asked to provide advice in this difficult area.

Seminars at Old Square Chambers are free of charge, qualify for CPD points and offer high-quality training in recent legal developments and other topical issues. They are open not only to our clients but also to their colleagues and other contacts. All events are designed to be friendly and interactive. We would also be delighted if you would join us afterwards for drinks so that everyone gets a chance to meet and to talk to each other informally.

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The speakers



Jane McNeill QC

Jane McNeill QC specialises in employment and discrimination law. She has appeared in many leading and well-known cases in these fields (*Preston v Wolverhampton*; *Joss v Cumbria*; *Yapp v FCO*; *Dr Michalak v Pontefract*; *Dr Mattu v UHCW*; *Dr Chhabra v West London MNHS Trust*) and has appeared in the Supreme Court and in the European Court of Justice, as well as in the Court of Appeal and Employment Appeal Tribunal. She is a member of the Council of ACAS; an accredited mediator; a fee-paid Employment Judge and a Civil Recorder.

Jane has chaired a number of disciplinary and grievance panels in the higher education and schools sectors.

Jane has been ranked as a leading silk in the directories for many years. In *Chambers and Partners*, she has been described as “*very user-friendly and very focused...*” and as “*someone you want on your side, a fearsome opponent.*”

She also practises in the fields of personal injury and clinical negligence.



Deshpal Panesar

Deshpal Panesar is a supremely effective advocate both in the employment tribunal and appeal courts in all aspects of employment and discrimination law. He is consistently praised for his sure handling of clients, his firm grasp on a case and above all his ability to achieve excellent results in court. He works closely as a team with solicitors and lay clients, bringing exceptional commitment and experience to each case.

Described as “*the barrister of choice for a complex and lengthy case,*” he is widely praised for his formidable grasp of the issues in employment cases. Sources emphasise his mastery of discrimination legislation and describe him as razor sharp, exceptionally well prepared, and a ruthless cross examiner who is ever responsive and ready to assist. (*Chambers and Partners/Legal 500*).

The speakers

Cyril Adjei



Cyril Adjei joined Old Square Chambers in 2016 and previously practised at Five Paper, where he was head of the Employment Team. He practices exclusively in the following areas:

- Employment
- Health and safety
- Professional regulatory & disciplinary

He is regarded as a persuasive and approachable advocate and is qualified to accept instructions directly from members of the public.

He has expertise in the full range of traditional employment law areas, but his practice has a particular emphasis on discrimination, whistleblowing and restraint of trade. He is instructed by a broad range of private and public sector clients, particularly in the logistics, health and education sectors.'

James Chegwidan



James Chegwidan practices in employment, judicial review, the regulation of professional misconduct and general commercial instructions. He has worked as a lawyer in London, Strasbourg, Australia and in delegations to the United Nations. James was appointed as Attorney General's Counsel to the Crown in 2013 (C Panel) and again in 2016 (B Panel).

James has represented a wide variety of claimants and respondents in employment and discrimination disputes, including surgeons, board directors, the Ministry of Justice and the Home Office. He has conducted litigation involving allegations of race, sex, age, sexual orientation, disability, religious belief and pregnancy discrimination, and additionally acted in an unusual claim of nationality (as opposed to race) discrimination in *Ségor v Goodrich Actuation Systems* [2012] EAT.