
ANTHONY SENDALL

Call: 1984



Overview

An acknowledged leading practitioner in Employment and Sports Law, Antony's practice is set firmly in a background of commercial litigation, with a strong emphasis on restrictive covenant, confidential information and garden leave injunctions. He is also an Accredited Mediator and undertakes some Professional Negligence litigation.

Antony combines excellent advocacy and advisory skills with sound commercial common sense and a generous helping of good humour, to provide a service that is professional and user-friendly. Highly rated as a cross-examiner, he particularly enjoys trial advocacy, but is equally at home persuading High Court Judges to grant injunctions or debating the fiendish intricacies of statutory instruments in the Court of Appeal. He also has excellent negotiating and mediating skills, crucial items in the toolkit of a successful litigator.

The directories and legal press describe him as "an excellent advocate", with "a sharp intellect and sound knowledge of law", "tenacious and well-prepared", "one of the most incisive ... give him a pile of papers and he will cut through to the core". He is also "bright, decisive and commercial", "a pleasure to work with and a great person to have on the team". He "really works hard to make a difference to a case".

Employment

Long regarded as a leading practitioner and appearing in numerous reported cases, Antony has a huge breadth of experience in almost all aspects of Employment Law. In addition to the innumerable unfair/wrongful dismissal, redundancy and discrimination cases, he has developed particular expertise in restraint of trade, garden leave and confidential information injunctions, TUPE and strike injunctions.

He has undertaken many different TUPE matters for transferors, transferees and affected employees, including some sports-related cases. He was involved with John Bowers QC in *Celtec -v- Astley* drafting the petition to the House of Lords and the Observations for the ECJ.

Antony has extensive experience of sex, race and disability discrimination, has advised in various age discrimination cases, successfully defended in *Swann -v- GHL Insurance Services* (age discrimination in provision of flexible benefits) and has undertaken complex equal pay and fixed term workers discrimination cases.

Antony has been involved in industrial dispute injunctions in various industries, including railways, buses, print media, aviation, and fire and postal services. He has also defended a multi-claimant dispute alleging dismissal for trade union reasons arising out of a long industrial dispute in the steel industry.

Antony also lectures widely on employment law.

Restraint of Trade, Garden Leave and Confidential Information

Always willing to test the boundaries of the law, Antony has appeared in a number of the leading cases, including *TFS Derivatives Ltd -v- Morgan* (construction, interpretation and enforceability of covenants and the interplay between garden leave and restraint of trade), *William Hill Organization Ltd -v- Tucker* (right to work and need for express garden leave clauses) and *Rock Refrigeration Ltd -v- Jones* (raised a question mark over the effect of a repudiatory breach on post-termination restrictions which has yet to be fully resolved).

He appears regularly in the High Court both making and resisting injunction applications to restrain alleged unlawful activities of current and former employees, company directors and partners. His long experience encompasses a wide range of business sectors and the cases often involve complex mixtures of restrictive covenants, garden leave and confidential information. He is able to respond quickly and effectively, often at short notice. Excellent IT knowledge and internet skills mean that he has a good grasp of technical issues that arise and the tactical importance of good forensic computing evidence. His experience often enables him to direct clients to new lines of inquiry to demonstrate that unlawful activity has occurred.

Sports Law

A recognised expert in Sports Law, Antony has been involved in a wide range of sporting disputes. Having acted for the Football League in its dispute with Swindon Town in 1987 he was then instructed to act for Tottenham Hotspur when Terry Venables was dismissed. That led to various other football cases, including obtaining the first garden leave injunction involving a manager (Steve Bruce), the dispute when Peter Leaver QC left the Premier League, a TUPE dispute concerning the status of a foreign player whose work permit expired before the transfer of a club in administration to the new owner, various contractual disputes between clubs and managers and recently, advising the liquidators of King's Lynn FC about transfer fees. He has also been involved in a dispute over the broadcast rights to UEFA Cup matches.

Other cases include acting in a former British sprint cycling champion's claim for sex discrimination against the BCF, advising Sport England on TUPE, injunction proceedings between two rugby clubs over rights to sign a rising star of the game, a British Touring Car Championships team sponsorship dispute, a cricketer's playing contract, a claim involving well-known horseracing stables, and a Formula 1 injunction claim.

Mediation

Antony became an Accredited Mediator in December 2008 and has already begun to establish a successful practice in this area. He has conducted 13 mediations up to July 2010, involving various types of claims such as a million pound banking dispute, a restrictive covenant/confidential information claim, a dispute over nurses' training fees, a business tenancy dispute, a workplace bullying claim, a disability discrimination claim and a neighbours' dispute. He also holds a certificate in workplace mediation and has recently completed approximately 60 hours of training for a Certificate in Community Mediation. He is currently chairing a committee for promoting workplace mediation with Mediation Buckinghamshire.

Professional Negligence

Antony has long experience of professional negligence work. He has been involved in advising on and appearing in claims for and against all sorts of professionals, including solicitors, barristers, surveyors and accountants, as well as being involved in the HIV Haemophilia litigation. In recent years, he has been instructed to advise on a significant number of claims involving professional negligence in connection with employment law matters. These have included a very large claim arising out of advice given by a firm of solicitors in a strike injunction case involving two bus companies, a claim against a barrister arising out of a very long and complex discrimination claim and several cases concerning restrictive covenant clauses.