
GAVIN MANSFIELD

Call: 1992



Overview

Known for being “wonderfully client-friendly,” Gavin Mansfield specialises in employment and discrimination law, with an emphasis on the commercial aspects of the employment relationship. He has a keen interest in employee competition and confidentiality disputes, where he has acted in many leading cases.

Gavin’s modern, no-nonsense approach combined with outstanding advocacy skills developed since his call to the Bar in 1992 has seen him feature prominently in all the legal directories. For many years he has been recommended as a leading junior in Chambers and Partners, Legal 500 and Legal Experts. . Legal 500 praise his “clear, concise and innovative advice”. He is lauded by Chambers and Partners for his “skilled cross-examination”.

Gavin’s clients show a great loyalty to him, saying that he “picks things up fantastically quickly” with a “dynamic approach to litigation.” Opponents concede he will “pursue points aggressively and relentlessly, but also sensibly.” He is recognised for his ability to “cut to the chase in the courtroom”. In the employment sphere, Gavin focuses on High Court disputes, particularly those involving restrictive covenants, garden leave, team moves and wrongful dismissal. He is praised for his ability to “think around corners”.

While undertaking a broad range of commercial litigation, Gavin has particular experience in director’s duties and confidentiality disputes arising out of business sales and joint ventures.

Professional Experience

Notable recent cases have included complex team move cases in the insurance and stockbroking sectors. His expertise in restrictive covenant, fiduciary duty and confidentiality cases has seen him instructed by clients across a wide range of business sectors including ship broking, electronic retail, financial journalism, recruitment consultancy, marketing consultancy, talent agency and engineering.

Gavin’s long experience of discrimination claims in the employment tribunal has seen him advising and representing clients at the cutting edge of discrimination law. For example, acting for ICI in one of the first EAT cases dealing with the principles of justification in the field of age discrimination.

Recent Case Work

Gavin’s recent cases include (*denotes client)

Standard Life Health Care Ltd* v Gorman [2010] IRLR 233, principles for garden leave injunction

May & Baker Ltd. v Okerago [2010] IRLR 394

MacCullough v ICI* [2008] IRLR 846, an age discrimination challenge to ICI’s contractual redundancy scheme.

UBS Wealth Management* v Scott, Vestra and others [2008] IRLR 965 springboard injunction obtained in large scale team move of stockbrokers

Corries and Hayes and others v Peters Fraser and Dunlop* highly publicised dispute between rival talent agencies (<http://www.independent.co.uk/news/media/literati-be-afraid-andrew-neil-is-spoiling-for-a-fight-851837.html>)

Gavin was also instructed in the following notable cases:

Samengo-Turner and others* v Guy Carpenter [2008] ICR 18

Benfield* v Richardson and others [2007] EWHC 171

Gillen v Taunton & Somerset NHS Trust* [2005] All ER(D) 10 EAT (unfair dismissal: principles for fair investigation in case of sexual misconduct involving patients)

Edworthy* v YMCA South Devon Ltd. [2004] All ER(D) 94 EAT (disability discrimination)

Maguire v BAe Systems (Defence Systems) Ltd.* [2004] All ER(D) 99 EAT (redundancy)

Stephenson v Delphi Diesel Systems Ltd. [2003] ICR 471 EAT (employee status)

Moneygram International* v Davar [2003] EWHC 2368 [2003] All ER(D) 59 QBD (restrictive covenants, fiduciary duties, confidential information)

Campbell v Union Carbide Ltd.* [2002] All ER(D) 143 (incorporation of collective redundancy terms into contract of employment)

Mediation

Gavin is an accredited mediator, accredited through ADR Group.

Recent Publications

General Editor of "Blackstone's Employment Law Practice" (OUP) (co-author) (formerly Employment Tribunal Practice and Procedure, Bowers, Brown and Mansfield, Sweet & Maxwell)

Contributor to "Brearley and Bloch: Employment Covenants and Confidential Information" 3ed (Tottel 2009)

"Disabled Persons under the Disability Discrimination Act 1995" Comparative Labor Law & Policy Journal (2003) Vol 24 p.631.

Gavin lectures and leads seminars widely on employment law topics, both on public courses and in-house for solicitors.

Pro Bono Work

Gavin is committed to Pro Bono work, and undertakes cases through the Bar Pro Bono Unit, and through the ELAAS scheme at the Employment Appeal Tribunal.

Education

Called 1992 (Middle Temple)

Jesus College, University of Cambridge MA (law), Foundation Scholar

Nottingham High School

Memberships

Member of the management committee of the Employment Law Bar Association

Employment Lawyers Association

Industrial Law Society

Commercial Bar Association

London Common Law & Commercial Bar Association

Member of Equality and Human Rights Commission panel of approved counsel