

Amy Stroud

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Introduction

Highly experienced in employment, property and trusts law, Amy appears in courts and tribunals and the High Court, as well as at appellate level in the Employment Appeal Tribunal and Court of Appeal. She advises and acts for the full spectrum of claimants and respondents/defendants. Her clients range from individuals to local authorities, local government bodies, private companies, charities, a wide variety of educational bodies, police constabularies as well as national chains and statutory corporations.

Amy is an adjudicator for airline disputes involving claims for the delay and cancellation of flights, discrimination of persons of restricted mobility, denial of boarding, lost luggage and other financial claims governed by *Regulation (EC) No 261/2004*, the *Montreal Convention 1999* and *Regulation (EC) No 1107/2006*.

Amy gives in-house talks and seminars on a breadth of topics and is a trained mediator. She is a member of the Gibraltar Bar.

Property Law

Amy has expertise in both commercial and residential property and housing work, appearing in the High Court, county courts and First Tier Tribunal. She has acted for clients in landlord and tenant matters, mortgage disputes, boundary and easement disputes, nuisance and right to light cases, disrepair and breach of covenant claims, forfeiture actions, business tenancy and residential possession proceedings, TOLATA proceedings, lease extension and enfranchisement proceedings as well as unlawful eviction and *devastavit* claims. She has advised on numerous disputes involving the misrepresentation of property to purchasers as well as cases involving trees. She has also advised extensively on a range of property disputes in Gibraltar and appeared in the courts in that jurisdiction.

Recent cases

Amy recently secured a finding of harassment on behalf of a Crown prosecutor suffering from PTSD and is also

acting for a company in a long-running dispute faced with claims of race discrimination and harassment. She obtained costs against a manager who had been dismissed by a pub chain for recruiting bar staff without following the proper procedures. In terms of her property work, she advised recently on the viability of obtaining relief against forfeiture of an apartment block at the centre of a proposed construction project in Gibraltar and, in the UK, on the enforceability of land options affecting neighbouring land subject to an easement.

Reported cases

- *Wardle v Credit Agricole Corporate and Investment Bank* [2011] ICR 1290 – representing the employee in the tribunal and EAT, and led by Simon Cheetham (now QC) in the Court of Appeal. Claim for discrimination on grounds of nationality, unfair dismissal, victimisation and whistle-blowing. Succeeded in the discrimination and unfair dismissal. Proceedings before the EAT and Court of Appeal concerned the tribunal's award, in particular the claimant's award for future loss of earnings and the calculation of career-long loss of earnings.
- *Valley Grown Salads v Bassini* [2013] EWHC 1304 – led by Nicholas Stewart QC, acting for the claimant in securing £4.2 million and a worldwide post-judgment freezing order. The proceedings concerned a dispute over whether monies paid by the claimant to the defendant had been loans or shares in Watford FC.
- *Caterham School Ltd v Rose* UKEAT/0149/19 – the respondent's appeal of the tribunal's ruling at a preliminary hearing that a sequence of pre-dismissal discriminatory allegations was in time despite hearing no evidence. Cross-appeal on the tribunal's failure to acknowledge the existence of a harassment claim.
- *Dr L Tarn v Dr N Hughes & Others* UKEAT/0064/18 – concerning an interlocutory decision to require the claimant to restrict her claim to a certain number of allegations. The EAT considered the broad discretion of the tribunal judge to manage the case and the overriding objective as against the claimant's fundamental right to prosecute her case.
- *Tan v Solihull Community Housing Ltd* UKEAT/0050/14 – concerning the impact of a debilitating road traffic accident on the claimant's claim for loss of future earnings and the deficiencies in the tribunal judge's consequent findings on the claimant's future loss of earnings and pension loss.