

Iris Ferber

Call 2005

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Introduction

Iris is an established Housing and Employment Law specialist, with a particular interest in discrimination law, including disability discrimination law. She is listed in both the UK Bar legal directories (The Legal 500 and Chambers UK), for both her Employment work and her Housing work.

Solicitors say that she is “*extremely good, very self-assured and in complete command of the case*” (Chambers UK 2020). They also say that she “*has an excellent breadth of legal knowledge which she applies in a practical and effective manner*” (The Legal500 UK 2020).



Employment

Iris conducts the full range of Employment Tribunal and appellate work, acting regularly for both employees and employers.

She works with a wide range of employers, from public sector employers and national companies with thousands of employees, to small businesses and individuals.

She has also represented claimants in many different types of case, from simple unfair dismissal claims, to complex, multi-day trials involving a variety of different legal claims.

As a barrister who spends much of her working time in the Employment Tribunal, Iris is familiar with the way the system works, and can advise clients not only on the legal issues in their dispute, but also on practicalities, and litigation and appeal tactics. She undertakes drafting and advisory work in all aspects of Employment Law.

Iris provides regular training to solicitors and companies: both seminars on current legal issues, and practical workshops on employee management and litigation.

Recent Work

Iris is currently dealing with a large number of disability discrimination claims, many of them involving the full range of employment claims available under the Equality Act. She recently succeeded on behalf of a respondent in arguing that an employee with bouts of back pain was not disabled, thereby bringing his claim to an end.

Selected Employment Cases

- *Keeping Kids Company (in compulsory liquidation) v Smith* [2018] IRLR 484: The EAT upheld the ET's majority decision that the former employees of Kids Company were entitled to protective awards due to the charity's failure to consult prior to redundancy; there were no special circumstances justifying the lack of consultation
- *Watkins v HSBC Bank plc* [2018] IRLR 1015: The EAT overturned the ET's decision striking out a disability discrimination claim as being out of time; although the allegations ranged back to the time of coming into force of the Disability Discrimination Act 1995, the Claimant alleged that they constituted a continuing course of conduct, and the ET was wrong to reject that argument at a preliminary hearing
- *Hartley v Foreign and Commonwealth Office Services* [2016] ICR D17: Successful EAT appeal in harassment claim; the ET had fallen into error by mistakenly focusing on the perception of those making the harassing remarks, rather than on the correct legal test of harassment

Professional memberships

- Discrimination Law Association
- Employment Lawyers Association
- Employment Law Bar Association

Housing

Iris has been a Housing specialist throughout her time at the Bar, ever since she completed her pupillage in Housing law in 2006.

She deals with all aspects of Housing law, and has long experience in dealing with complex anti-social behaviour cases, including mental health issues, on behalf of both landlords and tenants.

She is particularly good at dealing with vulnerable clients and witnesses, and managing the complex legal arguments involved in Equality Act and Human Rights cases. Her expertise in discrimination law generally

(including her Employment Law practice) makes her particularly adept at handling Equality Act defences.

Iris has extensive experience of homelessness litigation, including s204 appeals in the County Court, judicial review in the High Court, and appeals to the Court of Appeal. She regularly trains local authorities on homelessness law and procedure.

Iris also delivers very popular workshops in Chambers, and in-house, on all aspects of Housing litigation, and writes regularly for 42BR's Housing Bulletin.

Recent Work

Iris has recently been dealing with a number of complex possession claims involving mental health issues and Equality Act defences. She has both argued, and defended, counterclaims under sections 15 and 20 of the Equality Act, and is familiar with the difficulties faced by both parties in arguing such cases in the County Court.

Selected Housing Cases

- R (Sambotin) v Brent LBC [2018] EWCA Civ 1826: Appeal against a JR decision about a local authority's power to reconsider a homelessness decision already communicated to an applicant, but still subject to an incomplete local connection referral
- R (Farah) v Hillingdon LBC [2015] 1 WLUK 650: High Court decision, upholding local authority's decision to refuse an extension of time for requesting a s202 review
- Link Lending Ltd v Bustard [2010] EWCA Civ 424: The Court of Appeal considered actual occupation of a property under paragraph 2 of schedule 3 to the Land Registration Act 2002, where the occupier was involuntarily resident in a care home

Professional memberships

- Social Housing Law Association
- Discrimination Law Association
- Chancery Bar Association
- Property Bar Association

Qualifications and Appointments

- MPhil (Cantab), Selwyn College, Cambridge
- Richard Isaacson Memorial Scholarship 2005