

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 Legal 500 and Chambers UK for her employment work, and in the Legal 500 for her housing work.

Solicitors say that “she is outstanding and has an excellent manner with clients” (Legal 500 2018). They also say that she “can be dropped in at the deep end at the last minute and come out on top”, and that she is “extremely professional and gives clear, reasoned advice” (Chambers UK 2018).



Housing Profile

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 is particularly experienced 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.

Employment Profile

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

She has 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.

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

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 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. She is a regular contributor to 42BR's Employment Newsletter.

Recent Cases

Iris has recently been dealing with a number of homelessness cases involving vulnerability and out-of-borough placements. She is currently involved in an appeal to the Court of Appeal on the question of whether a local authority can reconsider a homelessness decision before a local connection referral has been resolved.

Iris also continues to be instructed by the majority of the claimants in the ongoing litigation against the liquidators of the charity Kids Company, which is currently in the Employment Appeal Tribunal.

Reported Housing and Commercial Cases

- *R (Sambotin) v Brent LBC* [2017] EWHC 1190 (Admin): Judicial review decision of Sir Wyn Williams, on a local authority's power to reconsider a homelessness decision already communicated to an applicant, but still subject to an incomplete local connection referral (reported at [2017] HLR 31, and currently subject to an appeal to the Court of Appeal)
- *R (Farah) v Hillingdon LBC* (2015 unreported, but judgment on Westlaw): High Court decision upholding local authority's decision to refuse an extension of time for requesting a s202 review
- *Your Response Ltd v Datateam Business Media Ltd* [2014] EWCA Civ 281: The Court of Appeal considered the law of liens, as applied to an electronic database (reported at [2015] QB 41)
- [Piper v Hales](#) [2013] EWHC B1 (QB): Causation of loss in a breach of contract claim, relating to the driving of a Porsche 917 under race conditions
- *Regis Direct Ltd v Hakeem* [2012] EWHC 4328 (Ch): Decision of Norris J on the correct way to deal with an appeal from a bankruptcy order, where the basis for the order was wrong at the time it was made, but had since been corrected
- *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

Reported Employment Cases

- [Smith v Keeping Kids Company](#) (in compulsory liquidation) [2016] UKET 2302881/2015: The former employees of Kids Company were entitled to the maximum protective award of 90 days' pay, due to the charity's failure to consult prior to redundancy; there were no special circumstances justifying the lack of consultation (currently subject to an appeal to the EAT)
- *Hartley v Foreign and Commonwealth Office Services* [2016] ICR D17: Appeal in disability discrimination / harassment claim, based on the ET's mistaken focus on the perception of those making the harassing remarks
- [Tabinas v KUSCO](#) UKEAT/0349/14/BA: Application of the correct test for strike-out of a claim for not being actively pursued, under para. 37(1)(d) of the ET Rules
- *Stephens v Kingston University* UKEAT/0288/13/GE: EAT refused to overturn an ET's decision that unfair dismissal and fixed-term detriment claims, brought six years after expiry of limitation, should be struck out (see [http://www.bailii.org/...](http://www.bailii.org/))

Employment

Iris undertakes the full range of Employment Tribunal work and High Court employment work, including

- Unfair dismissal (including constructive dismissal)
- Redundancy
- Public Interest Disclosure (Whistleblowing)
- Equality Act claims, including direct discrimination, indirect discrimination, victimisation, harassment, disability discrimination, and pregnancy and maternity-related discrimination
- Detriment claims of all kinds
- TUPE
- Restrictive covenants
- Employment-related breach of contract and wages claims
- Iris regularly acts for both employees and employers. She has 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.

Iris also works with a wide range of employer respondents, from public sector employers and national companies with thousands of employees, to small businesses and individual employers.

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 tactics. She undertakes drafting and advisory work in all aspects of Employment Law.

Related accreditations

- Knowledgeable employment law barrister who specialises in disability discrimination claims. She acts for both employers and employees in the public and private sectors.
Strengths: "Outstanding. She has an excellent manner with both clients and the tribunal. She can be

dropped in at the deep end at the last minute and come out on top. She is extremely professional and gives clear, reasoned advice.”

Recent work: Successfully acted for multiple claimants in Anderson v Kids Company, a case concerning the special circumstances of the charity’s demise and whether this relieved the charity from redundancy consultation. Chambers and Partners 2018

- “Iris’s success is based on prompt, thorough paperwork, and great effectiveness on her feet”

Related professional memberships

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

Related selected cases

- Stephens v Kingston University UKEAT/0288/13/GE
- Unfair dismissal and fixed-term detriment claims brought six years after expiry of limitation

Qualifications and Appointments

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