

## Iris Ferber

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## Introduction

Iris is an established Housing and Employment Law specialist, with a particular interest in disability discrimination law.

She is listed in both of the UK Bar legal directories (Legal 500 and Chambers UK), for both her Housing work and her Employment work.

## Employment Law

Iris conducts the full range of Employment Tribunal and appellate work, acting regularly for both employees and employers. She provides advice, and undertakes drafting work, in all aspects of Employment Law.

Iris 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, litigation tactics and appeal tactics.

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

### Recent Cases

- In mid-2022, Iris successfully defended an international corporation against 10 claims brought by a former senior employee, who had been dismissed following a breakdown in the working relationship between him and his managers. The trial took place over 3 weeks, and involved a wide variety of

allegations, from unfair dismissal to disability discrimination and beyond. All the claims were dismissed.

- Through the ELAAS scheme, Iris is representing a Claimant in his ongoing appeal to the EAT against a decision that his capability dismissal was fair. Iris persuaded the EAT to grant permission at a rule 3(10) hearing, based on a proposed expansion of the principles in *Royal Mail v Jhuti / Uddin v LB Ealing*, by arguing that the ET failed to consider whether a capability dismissal decision was tainted by the actions of a former manager.
- Since 2019, Iris has been acting for a nationwide logistics company in a claim of disability discrimination brought by a warehouse employee. The ET decided at a preliminary hearing in 2019 that the claimant was not disabled and struck out his claim. He has now appealed against that decision, and Iris is representing the company in the ongoing EAT proceedings.
- *Kids Company v Smith* [2018] IRLR 484: Iris represented over 100 former employees of the charity Kids Company, seeking protective awards for the failure to consult them on redundancy before the charity's collapse. Iris won at the ET, and then successfully resisted an appeal to the EAT. The EAT decision is now a reported case, dealing with the "special circumstances" defence in protective award claims.
- *Hartley v Foreign and Commonwealth Office Services* [2016] ICR D17: Iris successfully represented the Claimant in an appeal to the EAT. She persuaded the EAT that the ET had been wrong – in a harassment claim – to focus on the perception of the person making the harassing remarks, rather than focussing on the correct legal test of harassment.