



EMPLOYMENT  
LAWYERS  
ASSOCIATION

[www.elaweb.org.uk](http://www.elaweb.org.uk)

Annual Report  
2012 - 2013



Employment Lawyers Association  
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## Honorary Presidents of ELA

The Honourable Mr Justice Langstaff

**President**  
**Employment Appeal Tribunal**  
**England & Wales**

David Latham

**President**  
**Employment Tribunals England & Wales**

Shona Simon

**President**  
**Employment Tribunals Scotland**

Lady Anne Smith (to March 2013)

**Chair**  
**Employment Appeal Tribunal**  
**Scotland**

Lady Valerie Stacey (from March 2013)

**Chair**  
**Employment Appeal Tribunal**  
**Scotland**

## ELA Management Committee 2012 - 2014

**Chair**

Richard Fox

**Deputy Chair**

Richard Linsell

**Treasurer**

Damian Phillips

**Secretary**

Fiona Bolton

**Editor, ELA Briefing**

Anna Henderson

**Chair, Training Committee**

Gareth Brahams

**Chair, Legislative & Policy Committee**

Bronwyn McKenna

## ELA Management Committee 2012 - 2014

### **Chair, International Committee**

Juliet Carp

### **Chair, Pro Bono Committee**

Paul Daniels

### **Representative of the Bar**

Paul Epstein QC

### **In-house Representative**

Alison Leitch (to January 2013)

Mark Hunt (from February 2013)

### **Regional Representatives**

London & South East – Betsan Criddle and Eleena Misra

Midlands – Ranjit Dhindsa

North East – Anjali Sharma

North West – Naeema Choudry

Scotland – Joan Cradden

South Wales – Nick Cooksey

South West – Sean McHugh

### **Members at Large**

Merrill April

Stuart Brittenden

Yvette Budé

Karen Mortenson

Catherine Taylor

### **ELA Law Society Council Seat**

Tom Flanagan

### **Life Vice Presidents**

Dame Janet Gaymer DBE QC

Jane Mann

Fraser Younson

### **Vice President**

Joanne Owers

## ELA Support

### **Head of Operations**

Lindsey Woods

### **ELA Administration - Byword**

Sandra Harris

Charley Masarati

Emily Masarati

Jeanette Masarati

Claire Paley

### **Finance Administrator**

Angela Gordon

### **Website Manager**

Cynthia Clerk

### **Website Support and Maintenance**

Ian Piper, Tellura Information Service Ltd

Bronwen Reid, BR Enterprises Ltd

### **PR Consultants**

Clare Turnbull, Kysen PR

**Chair**

Richard Fox, Kingsley Napley LLP

**Deputy Chair**

Richard Linskill, Ogletree Deakins

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## CHAIR'S REPORT

This has been an extraordinary year for ELA and not just because 2013 marks our 20th Anniversary! Until relatively recently, there was a view that employment law had “plateaued”, and that the rate of change had started to mellow. As things turned out, nothing could be further from the truth. The Government has laid down an enormous gauntlet in terms of its employment law agenda, but ELA has more than risen to the challenge. As a result, and as is clear from Bronwyn’s report, our Legislative & Policy Committee has been as busy as it has ever been. The flow of employment related consultation papers emanating not just from BIS, but also from the MoJ, the GEO, ACAS, and even the MoD has been remorseless. A fortunate consequence has been that we have been able to involve a substantial number of members in preparing our response papers. Many have not previously contributed to our working parties. All of these papers are posted to our website as soon as they have been submitted. As such they are then available to all our members. Since the beginning of 2012, we have made them readily available to non-members as well, so that others can consider our views.

Given what is happening in the world of employment law, it is no surprise that the Training Committee has had a busy year too. In that respect we have been looking at the way in which we deliver our training. For the first time, our ELA Annual Lecture, delivered by Mr Justice Langstaff (“How far do ordinary contractual principles apply to contracts to work”) was broadcast live to 15 locations up and down the country. The streaming did not fail us, and the feedback we had was excellent. We plan to repeat the exercise next year. We have also delivered our first webinar (Paul Epstein QC on E-Disclosure) and we hope to repeat that experiment too. We understand that for those who for reasons of geography, or because of time constraints, find it hard to travel into the local metropolis or into London to receive their training, these are very important developments.

Communication with our members has been absolutely key for us this year. I have visited each of our Regions to talk to members about how they view the services we provide, and their ability more generally to engage with the Association. Our Regional Representatives report all that is happening in their regions on a regular basis to our monthly Management Committee meetings. As a result we feel we have made considerable strides to connect with our members during the course of this year, and it is a process we intend to continue into next.

## CHAIR'S REPORT cont.

One of the issues that emerged during the course of our last member survey was the fact that you would like to see ELA adopt more of a “high profile”. In particular you would like us to be seen as the “voice of employment law”. This has therefore been an area of focus for us this year. With the help of our PR consultants, Kysen, we have published articles extensively. We have appeared in publications such as the Financial Times, Workplace Law, HR Review, HR Magazine, The Law Society Gazette, People Management, Solicitors’ Journals, Employment Law Journal, HR Magazine, The Times Online, Local Government Lawyer and the Huffington Post. The full range of our press coverage is contained in Bronwyn’s L&P Committee report (see page 10). We have had many meetings with Government teams responsible for employment law throughout the year. This applies particularly to BIS, but also to the GEO, the MoJ and ACAS. I believe in a “first” for ELA, on 27 November, Jemima Coleman and Brona Reeves represented us in giving oral evidence before the BIS Select Committee on Women in the Workplace.

Social media has not escaped our attention. We have set up LinkedIn groups on a Regional basis and we have established our own Twitter account. We appreciate social media can increasingly be used to disseminate information to members who may prefer this mode of communication to our more traditional channels. We recognise it is important for us to engage with our members in whatever way works best for them.

In another “first” for ELA, just before Christmas, Bronwyn and I participated in Radio 4’s “Unreliable Evidence”. The programme was chaired by Clive Anderson, and together with two other distinguished panellists (Christopher Jeans QC and Pam Locke of The British Chamber of Commerce) we discussed in detail the Government’s employment law reform agenda, and tested, in particular, whether we are moving towards a US style “fire at will” culture. I believe the fact that half the panellists came from ELA shows just how far we have come in terms of being seen to be the “voice” of employment law.

Having a high profile in the world of employment law has other advantages. It gives us the ability to attract the very best speakers to our events. I have already mentioned that the incoming President of the EAT (Mr Justice Langstaff) gave our Annual Lecture this year.

CHAIR'S REPORT cont.

We have also been able to attract eminent Court of Appeal Judges to speak at a regional level. This is so important to those who find it difficult to travel to London for such events. So, for example, Lord Justice Elias spoke to our members in Cardiff on the eve of the Wales v England rugby match on 15 March. Lord Justice Mummery spoke to South West Region in Bristol on 17 April and Lord Justice Elias will be speaking to members in Scotland Region (in a joint meeting with ELBA) on 23 May.

During the course of this year we sadly lost one of our stalwart members, and a recognised expert on discrimination law, Alison Wetherfield. She was a former Chair of our Legislative & Policy Committee and for many years chaired countless working parties on subjects in this field. Tragically she died suddenly, aged 50, on 31 July 2012. We are holding a Memorial Lecture in her honour on 9 July 2013 at Gibson Hall in London, which will be delivered by Baroness Hale. We are expecting a large number of members to join Alison's family and former colleagues for this important occasion.

Finally, may I end this report by paying tribute to our professional staff. The team at Byword, headed by Charley Masarati, Angela Gordon and Cynthia Clerk are absolutely key to the smooth running of the Association, and at its helm, indeed at the helm of all our activities, is Lindsey Woods, our Head of Operations, without whose help none of what we do could be achieved. Our heartfelt thanks to all of them from all of us.

Richard M Fox  
ELA Chair

Treasurer

Damian Phillips, Darwin Gray LLP

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## TREASURER'S REPORT

My predecessor, Jane Amphlett, left ELA's finances in a healthy state. I am pleased to report that, despite the continuing difficult economic times, ELA's financial affairs remain solid. A budgeted deficit of £15,500 actually resulted in a net surplus of £8,478 at year end.

Membership subscription income continued its increasing trend during 2012. It was up a little over £12,000 on 2011, totalling £332,053. Training income recovered some of the fall experienced in 2011. It totalled £472,000, being £22,000 over budget and £15,400 up on 2011. This was primarily the result of high attendance at the ELA Conference, which was due to it being held in London. Total income increased by some £13,500 on 2011, which is despite the fact that sponsorship was not secured for the 2012 ELA Conference.

Expenditure has remained stable. It is very similar to 2011 in most areas. The only exceptions are "Room hire & catering", which increased by £36,000 - a reflection of increased training attendance - and "Web-site hosting & maintenance", which on the face of it doubled to £29,209. However, this is distorted by the fact that much of 2011 website maintenance costs were contained within the £60,000 spent on the development of the new administrative and finance system. Otherwise, there were no "exceptional items", such as the aforementioned expenditure in 2011 on the new admin and finance system.

The Management Committee is delighted that ELA's healthy financial state meant that it was possible to continue with pro-bono funding of £20,000 to each of the Free Representation Unit and Bar Pro-Bono Unit, whose resources are in ever increasing demand.

As at 31 December 2012, ELA's reserves totalled £486,255. This comprises the Emergency Fund of £250,000 and the Development Fund of £236,255. These funds help to ensure that ELA's future remains bright. They enable future management committees to plan for the growth of existing membership services and also allow innovation of new services and one-off projects. They also provide a financial cushion against a significant drop in income, as was experienced several years ago.



## TREASURER'S REPORT cont.

One administrative change to report is that Jayne Jefferson ceased acting as ELA's Book-keeper at the end of 2012. It was decided that it would be sensible for Angela Gordon to assume this function, with Bartfields, our accountants, as a backstop. Angela is central to ELA's financial administration. Amongst her many duties she is responsible for managing payroll, maintaining income and expenditure accounts, managing VAT records/returns and credit control. This arrangement offers us greater support and flexibility. I should like to take this opportunity to thank Jayne on behalf of the Management Committee for her work over the last 12 years.

I am also very grateful to the following for their help during the year:

- Byword, who are responsible for dealing with and managing all income received by ELA;
- Bartfields (UK) Ltd, our auditors;
- Angela Gordon, our financial administrator; and
- Lindsey Woods, who among other things, manages and verifies all of ELA's expenditure.

Damian Phillips

Treasurer

## SUMMARY OF ACCOUNTS

### Income & expenditure account for the year ended 31 December 2012

	2012	2011
	£	£
<b>Income</b>		
Subscriptions	332,053	319,761
Training and annual events	471,997	456,659
Other income	1,055	13,000
Bank interest	675	2,842
	<u>805,760</u>	<u>792,262</u>
<b>Expenditure</b>		
Training		
Room hire & catering	264,522	228,721
Speakers' expenses	13,094	11,656
Other training costs	69,016	73,610
Administration expenses and staff costs	145,348	141,909
Social Events	10,612	8,141
PR	16,150	5,500
Professional and consultancy fees	84,234	78,673
Web-site hosting & maintenance	29,209	14,514
Web-site development	-	60,134
Auditors remuneration	5,549	5,600
Publishing	116,770	119,107
Pro bono project	40,000	40,000
Bank charges	2,643	2,363
	<u>797,147</u>	<u>789,928</u>
<b>Excess of Income over Expenditure (before taxation)</b>	<u>8,613</u>	<u>2,334</u>

Secretary

Fiona Bolton, Eversheds LLP

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## SECRETARY'S REPORT

The membership figures for the year to December 2012 show an increase to 6,068 (made up of 5,702 Full members and 366 Associate members), from the previous all-time record of 5,981 as at December 2011 (made up of 5,681 Full members and 300 Associate members).

Since last year's report, there have been no changes to the constitution and no further changes are currently proposed.

However, since the last election, some discussion has taken place about regional representatives. The Management Committee has agreed that South Wales region should be expanded at the next election to include the whole of Wales, notwithstanding that training/events in all regions are available to all members. It has also been suggested that the London & South East representation could be re-visited, perhaps at the next election, to take account of the long-standing input of the, currently unelected, sub-regional reps in Thames Valley, Solent and Cambridge.

ELA has also launched its presence on Twitter this year. I would like to thank Sean Jones QC for his help with this initiative.

As the new ELA Secretary, I would also like to take the opportunity to thank Richard Linskell, the previous Secretary, for his assistance in making the transition as smooth as possible and to Head of Operations, Lindsey Woods, for her hard work and support.

Fiona Bolton

Secretary

Legislative & Policy Committee Chair  
Bronwyn McKenna, UNISON

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## LEGISLATIVE & POLICY COMMITTEE REPORT

### Committee

Elaine Aarons, Withers LLP

Sue Ashtiany, Ashtiany Associates

Trevor Bettany, Speechly Bircham LLP

Emma Burrows, Trowers & Hamlins LLP

James Davies, Lewis Silkin LLP

Robert Davies, Dundas & Wilson LLP

John Evason, Baker & McKenzie LLP

Richard Fox, Kingsley Napley LLP

Peter Frost, Herbert Smith Freehills LLP

Dame Janet Gaymer, DBE QC

Sarah Gregory, Baker & McKenzie LLP

Howard Hymanson, Harbottle & Lewis LLP

Anthony Korn, No5 Chambers

Paul McFarlane, Weightmans LLP

Joanne Owers, Fox Williams LLP

Brona Reeves, Barclays Plc

Stephen Levinson, RadcliffesLeBrasseur

Paul Statham, Pattinson & Brewer

Caroline Stroud, Freshfields Bruckhaus Deringer LLP

Ellen Temperton, Lewis Silkin LLP

Maeve Vickery, Pardoes LLP

Peter Wallington QC

James Warren, Field Fisher Waterhouse LLP

David Widdowson, Abbiss Cadres LLP

John Wiggins, Mary Ward Legal Centre

Fraser Younson, Berwin Leighton Paisner LLP

The pace and scale of employment law reform has intensified during the past 12 months. As always, Committee members and volunteers from the wider ELA membership rose to the challenge. Since last April, L&P has contributed to 24 separate consultation exercises contrasting with 19 consultations during 2011-2012 and 17 in 2010-2011.

Our task has been made more difficult by changes to consultation timescales. In July 2012, the Government published new guidelines for public consultation which dispensed with the standard twelve week consultation period. We made representations on the reduction in consultation periods which resulted in our obtaining a meeting with the Rt Hon Oliver Letwin MP.

The truncation of consultation periods presents us with real difficulties. Assembling a representative working party, convening telephone meetings, examining pages and pages of technical legal proposals and preparing and then refining a response was demanding enough given the then standard 12 week consultation period. Completing this process in say the bare 2 weeks allotted for the employee shareowner consultation and the 4 weeks set aside for the current MoJ consultation on fee remissions is a virtual impossibility. Nonetheless, no consultation deadlines were missed.

## LEGISLATIVE & POLICY COMMITTEE REPORT *cont.*

The quality of responses submitted bears testament to the vast array of knowledge, expertise and experience to be found among ELA members. Our responses have borne fruit in terms of some proposals being revised. On occasion, ELA responses have been quoted in Parliament. Two members, Brona Reeves of Barclays plc, and Jemima Coleman of Herbert Smith Freehills were invited to give oral evidence to the BIS Select Committee on Women in the Workplace.

Sincere thanks are due to all ELA members who have taken part in consultation responses and to Lindsey Woods who always ensures that responses remain on track.

Our connection with BIS has remained strong with regular meetings taking place during the year. Links have been forged with other Whitehall departments including the MoD, DWP, the Cabinet Office and the Government Equality Office.

ELA played a role in Mr Justice Underhill's review of ET rules. Joanne Owers of Fox Williams, our former Chair, represented ELA on the expert users group. Twenty members worked together to formulate our response. Given the far reaching impact of this work on all employment law practitioners, updates were sent to the wider membership. The ELO committee, under the energetic chairmanship of Stephen Levinson of RadliffesLeBrasseur, continues to identify areas of employment law which are ripe for tidying up. The Employment Minister has issued an invitation to meet ELO members in order to hear our ideas for non-partisan employment law reform.

The L&P Committee has been joined by Paul McFarlane of Weightmans, Joanne Owers, Caroline Stroud of Freshfields Bruckhaus Deringer, James Warren of Field Fisher Waterhouse and Peter Wallington QC. Invitations to join the full committee are issued to members who have made significant contributions to a number of working parties.

L&P is always keen to involve members who are based outside London and all such members are strongly encouraged to volunteer for working parties. Please look out for our regular newsletters inviting volunteers to get involved in new consultations.

## LEGISLATIVE & POLICY COMMITTEE REPORT *cont.*

Thanks to ELA's PR consultants, Kysen, and Lindsey Woods, L&P responses have been featured in a wide range of publications. Richard has already referred in his report to the diverse press coverage we have achieved this year. A full list of the journals and papers who have covered ELA stories is set out below:

Changeboard (blog)  
Defence Management Journal  
Employment Law Journal  
HR Director  
HR Magazine  
Huffington Post  
Local Government Lawyer  
People Management  
Personnel Today  
Solicitors Journal  
The Barrister  
The Financial Times  
The Lawyer  
The Law Society Gazette  
The Times  
Workplace Law

The coverage included fees in employment tribunals, gender, equality and pay, employee shareholders, settlement agreements, future reservists (following the MoD consultation) and TUPE.

Bronwyn McKenna  
[Chair, Legislative & Policy Committee](#)

## ELA Consultation Submissions: May 2012 to April 2013

### ELA's response to BIS Consultation on reforming the regulatory framework for employment agencies and employment businesses

11 April 2013

#### Working Party

##### Co-Chairs

Robert Davies, Dundas & Wilson LLP

Trevor Bettany, Speechly Bircham LLP

##### Members:

Anne-Marie Balfour, Speechly Bircham LLP

Phillippa Canavan, Squire Sanders (UK) LLP

Susan Fanning, DLA Piper UK LLP

Emma Harvey, Gorvins Solicitors

John Hayes, Irwin Mitchell LLP

Louise Lightfoot, Eversheds LLP

David Ludlow, Barlow Robbins LLP

### ELA's response to ACAS consultation on the Draft Code of Practice on Settlement Agreements

9 April 2013

#### Working Party

##### Co-Chairs:

Stephen Levinson, RadcliffesLeBrasseur

Maeve Vickery, Pardoes LLP

##### Members:

Emma Clark, Abbiss Cadres LLP

Felicia Epstein, Pattinson & Brewer

Andrew Firman, Carter Lemon Camerons LLP

David Green, Charles Russell LLP

Chris Goodwill, Clifford Chance LLP

Jo Hale, Collinson Grant SA

Alan Jones, Averta Employment Lawyers LLP

Anne Mannix, Kervin and Barnes Limited

Özlem Mehmet, Fox Williams LLP

Catherine Ridd, Morgan Denton Jones LLP

Tamsin Wallace, Eversheds LLP

ELA Consultation Submissions: May 2012 to April 2013

[ELA's response to Transfer of Undertakings \(Protection of Employment\) Regulations 2006: Consultation on Proposed Changes to the Regulations](#)

8 April 2013

Working Party

[Chair:](#)

Fraser Younson, Berwin Leighton Paisner LLP

[Members:](#)

Shantha David, Unison

Adam Leith, Suffolk County Council

Adrian Martin, Burges Salmon LLP

Grant Spooner, Barclays Bank plc

Caroline Stroud, Freshfields Bruckhaus Deringer LLP

Mark Taylor, Jones Day

[ELA Response to DWP Public consultation on proposed changes to the Transfer of Employment \(Pension Protection\) Regulations 2005 \(si 2005/649\)](#)

7 April 2013

Working Party

[Chair:](#)

Robert Davies, Dundas & Wilson LLP

[Members:](#)

Adrian Barnes, DBS Law Limited

Gemma Brown, TPP Law

Imogen Clark, Clifford Chance LLP

Catherine Drinnan, Latham & Watkins

Hywel Griffiths, Ashton KCJ

Tessa Livock, Lawrence Graham LLP

Susan Mayall, Pearson Hinchliffe

Mark Walker, Dundas & Wilson CS LLP



## ELA Consultation Responses May 2011 to May 2012

### ELA response to ICO consultation on draft Subject Access Code

21 February 2013

#### Working Party

##### Chair:

Jonathan Chamberlain, Wragge & Co LLP

##### Members:

James English, Samuel Phillips Solicitors

Suzanne Horne, Paul Hastings LLP

Marc Jones, Turbervilles Solicitors

Rebecca Kershaw, Barlow Robbins LLP

Timothy Pitt-Payne, 11 KBW

Daniel Pollard, Macfarlanes LLP

Anya Proops, 11 KBW

Stephen Ratcliffe, Baker & McKenzie LLP

Khurram Shamsee, DAC Beachcroft LLP

Anna Shelley, Simmons & Simmons LLP

Caroline Stroud, Freshfield Bruckhaus Deringer LLP

### Early Conciliation: BIS consultation on proposals for implementation

14 February 2013

#### Working Party

##### Co-Chairs:

Stephen Levinson, RadcliffesLeBrasseur

Maeve Vickery, Pardoes LLP

##### Members:

Adele Aspen, Eversheds LLP

Emma Clark, Abbiss Cadres LLP

Chris Goodwill, Clifford Chance LLP

Felicia Epstein, Pattinson & Brewer

Andrew Firman, Carter Lemon Camerons LLP

David Green, Charles Russell LLP

Jo Hale, Collinson Grant SA

Alan Jones, Averta LLP

Anne Mannix, Kervin and Barnes Limited

Özlem Mehmet, Fox Williams LLP

Catherine Ridd, Morgan Denton Jones LLP

ELA Consultation Submissions: May 2012 to April 2013

[Ministry of Defence Consultation - Future Reserves 2020: Delivering the Nation's Security Together - November 2012](#)

14 January 2013

Working Party

**Chair:**

Paul McFarlane, Weightmans LLP

**Members:**

Bronwyn McKenna, Unison

Simon McMenemy, Signet Partners LLP

Emma Cross, Pannone

Ben Collins, Old Square Chambers

Emma Harvey, Gorvins

Justin Beevor, Barclays Plc

Hywel Griffiths, Ashton KCJ

[ELA's response to Migration Advisory Committee: Call for evidence on the review of the shortage occupation lists for the UK and Scotland and creative occupations](#)

30 November 2012

Working Party

**Chair:**

Robert Davies, Dundas & Wilson LLP

**Members:**

Kate Gamester, Squire Sanders LLP

Stephen Hall, Kingsley Napley LLP

Elaine McLroy, Dundas & Wilson LLP

Georgina Porter, Weightmans LLP

## ELA Consultation Submissions: May 2012 to April 2013

### ELA response to BIS consultation ET Rules Review

23 November 2012

#### Working Party

##### Co-Chairs:

Jonathan Chamberlain, Wragge & Co LLP

Bronwyn McKenna, Unison

Joanne Owers, Fox Williams LLP

##### Members:

Andrew Berk, Lovell Chohan Solicitors

Helen Brooks/Felicity Staff, Charles Russell LLP

Simon Cheetham, Old Square Chambers

Sian Davies, Capital Law LLP

Margaret Davis, Field Fisher Waterhouse LLP

James English, Samuel Phillips

Tessa Fry, GSC Solicitors LLP

Simon Henthorn, Reynolds Porter Chamberlain LLP

Dominic Holmes, Olswang LLP

Anthony Korn, No5 Chambers

Paul McGrath, McDermott Will & Emery UK LLP

Helen Rice-Birchall, Eversheds LLP

David Scott, Minster Law Ltd

Caroline Stroud, Freshfields Bruckhaus Deringer LLP

David Tyme, Johns and Sagar

Edward Wheen, Moorhead James LLP

### ELA response to BIS consultation Ending the Employment Relationship

23 November 2012

#### Working Party

##### Co-Chairs:

Stephen Levinson, RadcliffesLeBrasseur

Maeve Vickery, Pardoes LLP

Ellen Temperton, Lewis Silkin LLP

##### Members:

Adele Aspen, Eversheds LLP

Rachel Broughton, Averta Employment Lawyers LLP

Emma Burns, Hugh James

## ELA Consultation Submissions: May 2012 to April 2013

### Members contd:

Emma Clark, Abbiss Cadres LLP  
Jo Davis, B P Collins LLP  
Sarah Edwards, Minster Law Ltd  
Felicia Epstein, Pattinson & Brewer  
Andrew Firman, Carter Lemon Camerons LLP  
David Green, Charles Russell LLP  
Chris Goodwill, Clifford Chance LLP  
Emma Harvey, Gorvins  
Jo Hale, Collinson Grant SA  
Alan Jones, Averta Employment Lawyers LLP  
Nigel Mackay, Leigh Day  
Anne Mannix, Kervin and Barnes Limited  
Özlem Mehmet, Fox Williams LLP  
Ann Munro/Michael Powner, Charles Russell LLP  
Catherine Ridd, Morgan Denton Jones LLP  
David Sorensen, Morrish Solicitors  
Nicola Walker, Taylor Wessing LLP

### ELA's response to BIS consultation Implementing Employee Owner Status

8 November 2012

#### Working Party

##### Chair:

James Warren, Field Fisher Waterhouse LLP

##### Members:

Stephen Levinson, RadcliffesLeBrasseur  
Paul Brown, DWF Biggart Baillie  
Lucy Bone, Littleton Chambers  
Jemima Coleman, Herbert Smith Freehills LLP  
Joanna Cowie, HR Insight  
Jonathan Chamberlain, Wragge & Co LLP  
Alice Greenwell, Freshfields Bruckhaus Deringer LLP  
Karen Plumbley-Jones, Bond Pearce LLP

## ELA Consultation Submissions: May 2012 to April 2013

### [ELA's response to House of Commons Select Committee inquiry: Women in the Workplace](#)

4 October 2012

#### Working Party

##### Chair:

Jemima Coleman, Herbert Smith Freehills LLP

##### Members:

Marian Bloodworth, Berwin Leighton Paisner LLP  
Patrick Brodie and Kelly Chapman, RPC LLP  
Jonathan Chamberlain, Wragge & Co LLP  
Helen Colquhoun, Withers LLP  
Val Dougan and Eilidh Wiseman, Dundas & Wilson LLP  
Sarah Henchoz, Allen & Overy LLP  
Lucy Hollis and Richard Woodman, Royds LLP  
Rebecca McAlees, Lewis Silken LLP  
Catrina Smith, Norton Rose LLP  
David Widdowson, Abbiss Cadres LLP

### [ELA's response to BIS consultation Directors' Pay: Revised Remuneration Reporting Regulations](#)

24 September 2012

#### Working Party

##### Co-Chairs:

Clare Fletcher, Slaughter and May  
Julian Roskill, Slater & Gordon (UK) LLP

##### Members:

Paul Harrison, Baker & McKenzie LLP  
Sinead Hall, BG Group Plc  
Jean Lovett, Linklaters LLP  
Clare Peake, Linklaters LLP  
Caroline Stroud, Freshfields Bruckhaus Deringer LLP  
Andrew Taggart, Herbert Smith LLP  
Alistair Woodland, Clifford Chance LLP

## ELA Consultation Submissions: May 2012 to April 2013

### [ELA's response to Collective Redundancies: BIS Consultation on changes to the rules](#)

18 September 2012

#### Working Party

##### Co-Chairs:

John Evason, Baker & McKenzie LLP  
Paul Harrison, Baker & McKenzie LLP

##### Members:

Sue Ashtiany, Ashtiany Associates  
Sophia Catchpole, Suffolk County Council  
Emma Clark, Abbiss Cadres LLP  
Felicia Epstein, Pattison & Brewer  
Philip Farrar, Hill Dickinson LLP  
Siobhan Bishop, Wragge & Co LLP  
Amanda Steadman, Addleshaw Goddard LLP  
Richard Kenyon, Field Fisher Waterhouse LLP  
Nigel Mackay, Leigh Day  
Chris Thompson, Gateley LLP  
Charles Urquhart, Clyde & Co  
Alistair Woodland, Clifford Chance LLP

### [ELA's response to GEO Consultation on Equality Act 2010: consultation on employer liability for harassment of employees by third parties](#)

7 August 2012

#### Working Party

##### Co-Chairs:

Emma Burrows, Trowers & Hamblins LLP  
Robert Davies, Dundas & Wilson LLP

##### Members:

Sue Ashtiany, Ashtiany Associates  
Kiran Daurka, Slater & Gordon (UK) LLP  
Esther Fagbemirol, Abbey Legal  
Jeffery Jupp, 9 Bedford Row  
Shona Newmark, Ayers Newmark  
Pauline Roberts, Cardiff Law School  
Nick Shepperd, G4S Care and Justice Services (UK) Limited

## ELA Consultation Submissions: May 2012 to April 2013

ELA's response to GEO Consultation on the Equality Act 2010, removing:  
(a) employment tribunals' power to make wider recommendations in discrimination cases;  
(b) the procedure for obtaining information

7 August 2012

### Working Party

#### Chair:

Sarah Gregory, Baker & McKenzie LLP

#### Members:

Emma Bartlett, Speechly Bircham LLP

Simon Cheetham, Old Square Chambers

Adam D Crème, Unison

Laurence G Cunningham, Westwater Advocates

Susan Doris, Freshfields Bruckhaus Deringer LLP

Charlotte Elwes, Baker & McKenzie LLP

Tessa Fry, GSC Solicitors LLP

Mugni Islam-Choudhury, No5 Chambers

Nigel Mackay, Leigh Day

Louise Taft, Prolegal Ltd

John Wiggins, Mary Ward Legal Centre

Barbara Zeitler, Dr Johnson's Buildings

ELA's Response BIS Call for evidence on EU proposals for a Posting of Workers Enforcement Directive

26 July 2012

### Working Party under ELA International Committee

#### Chair:

Juliet Carp, Speechly Bircham LLP

#### Members:

Duncan Bain, Morgan Cole LLP

Chris Bracebridge, Covington and Burling LLP

Alain-Christian Monkam, Monkam Solicitors

Henry Clinton-Davis, Arnold & Porter LLP

Jonathan Exten-Wright, DLA Piper LLP

## ELA Consultation Submissions: May 2012 to April 2013

### ELA's response to Call for evidence to the Public Scrutiny Committee in respect of the Enterprise and Regulatory Reform Bill 2012-13

16 July 2012

#### Working Party

##### Co-Chairs:

Paul McFarlane, Weightmans LLP  
David Widdowson, Abbiss Cadres LLP

##### Members:

Jonathan Chamberlain, Wragge & Co LLP  
Rachel Dineley, DAC Beachcroft LLP  
Felicia Epstein, Pattinson & Brewer  
Chris Goodwill, Clifford Chance LLP  
Sean Jones QC, 11 KBW  
Stephen Levinson, RadcliffesLeBrasseur  
Brona Reeves, Barclays Plc  
Phillip Paget, Gordons LLP  
Paul Statham, Pattinson & Brewer  
Douglas Styles, McGuire Woods LLP  
Maeve Vickery, Pardoes LLP  
Nichola Walker, Taylor Wessing LLP  
Emma Wilkinson, Citizens Advice  
Fraser Younson, Berwin Leighton Paisner LLP

### ELA's response to Call for Evidence EU Women on Boards Proposals

10 July 2012

#### Working Party

##### Chair:

Brona Reeves, Barclays Bank Plc

##### Members:

Jemima Coleman, Herbert Smith LLP  
Rachel Crasnow, Cloisters  
Catrina Smith, Norton Rose LLP  
Victoria von Wachter, 5 Essex Court  
Eilidh Wiseman, Dundas & Wilson LLP  
Richard Woodman, Royds LLP



## ELA Consultation Submissions: May 2012 to April 2013

### Observations on the proposed changes to the Employment Appeal Tribunal Rules

4 July 2012

Working Party (joint with The Law Society)

**Chair:**

Stephen Levinson, RadcliffesLeBrasseur - ELA

**Members:**

Daniel Aherne, Olswang LLP - The Law Society

Sundeeep Bhatia, Beaumonde Law Practice - The Law Society

Iain Birrell, Thompsons Solicitors LLP - The Law Society

Jennifer Eady QC, Old Square Chambers - ELA

Emily McCarron, Policy Adviser - The Law Society

Michael Reed, Free Representation Unit - ELA

Peter Wallington QC, 11KBW – ELA

### ELA Response to BIS Call for Evidence: ACAS Code of Practice on Discipline and Grievance Procedures

8 June 2012

Working Party

**Chair:**

Ellen Temperton, Lewis Silkin LLP

**Members:**

Gemma Brown, TPP Law

Anya Duncan, Raeburn Christie Clark & Wallace

Rebecca Johns, Fasken Martineau LLP

Jennifer McGrandle, Mayer Brown International LLP

Rebecca McGuirk, Trowers & Hamlins LLP

Susan Thomas, Charles Russell LLP

Helen Rice- Birchall, Eversheds LLP

## ELA Consultation Submissions: May 2012 to April 2013

### ELA Response to BIS call for evidence: Compensated No Fault Dismissal

7 June 2012

#### Working Party

##### Co-Chairs:

Howard Hymanson, Harbottle & Lewis LLP

James Davies, Lewis Silkin LLP

##### Members:

Claire Birkinshaw, Abbey Legal

Alan Bishop, 11 Stone Buildings

Paul Brown, Biggart Baillie LLP

Simon Brown, Crown Office Chambers

Katie Clark, McDermott Will & Emery LLP

Nick Corney, Prime Law

Esther Fagbemi, Abbey Legal

Adish Farkhad, Twenty Twenty Law

Lucile Foster, Lyons Davidson Solicitors

Tony Greenstein, Brighton & Hove Unemployed Workers Centre

Jon Heuvel, Penningtons Solicitors LLP

Rachel Harrop, Edwin Coe LLP

Rebecca Lake, Davenport Lyons

Fiona Martin, Martin Searle Solicitors

Nicola Quinlan, Quinlan Solicitors

Louise Randall, Shoosmiths LLP

David Sillitoe, Lyons Davidson Solicitors

Paul Strelitz, East Anglian Chambers

Elizabeth Stephenson, Pattinson and Brewer

Julie Taylor, Gardner Leader

## ELA Consultation Submissions: May 2012 to April 2013

### ELA's Response to the Consultation on the Scottish Government's Proposals for a New Tribunal System for Scotland

31 May 2012

#### Working Party

##### Chair:

Paul Brown, Biggart Baillie LLP

##### Members:

Stephen Connolly, Miller Samuel LLP

Laurence G Cunningham

Anya D. Duncan, Raeburn Christie Clark & Wallace

Sue Gilchrist, McGrigors LLP

Tony Hadden, Brodies LLP

Alan D Philp, RBS Plc Mentor Services

Dawn E. Robertson, Murray Beith Murray Solicitors

H. Stuart Robertson, Paull & Williamsons LLP

### ELA's response to Gender imbalance in corporate boards in the EU

28 May 2012

#### Working Party

##### Chair:

Brona Reeves, Barclays Bank Plc

##### Members:

Anna Birtwistle, CM Murray LLP

Patrick Brodie, RPC LLP

Jemima Coleman, Herbert Smith LLP

Helen Colquhoun, Withers Bergman LLP

Rachel Crasnow, Cloisters

Ranjit Dhindsa, Hill Hofstetter LLP

Sarah Henchoz, Allen & Overy LLP

Rachel Irwin, Leigh Day

Catrina Smith, Norton Rose LLP

Victoria von Wachter, 5 Essex Court

Eilidh Wiseman, Dundas & Wilson CS LLP

Richard Woodman, Royds LLP

## Chair

Paul Daniels, Slater & Gordon (UK) LLP

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## PRO BONO COMMITTEE REPORT

### Committee

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Cyril Dennemont, Harold Benjamin Solicitors

Emily Gibbs, North Kensington Law Centre

Sally Gill, The College of Law

Nicola McMahon, Charles Russell LLP

Katharine McPherson, Lewis Silkin LLP

Lisa Moses, LawWorks

Lindsey Poole, Free Representation Unit

Victoria Speed, BPP Law School

John Wiggins, Mary Ward Legal Centre

Emma Wilkinson, Citizens Advice

Rebecca Wilkie, Bar Pro Bono Unit

This year has been a year of reasonable progress for pro bono activity by ELA.

We have launched, recently, a project called "One Case" where some of the larger more experienced Firms have kindly signed up to do one pro bono case in the year. This could be a day in tribunal, attending a mediation or a case review to knock a person's case into shape, whether by one enthusiastic team member or via a collaboration of team members.

The 10 firms who have already signed up are:

Clifford Chance LLP

Mishcon de Reya Solicitors

CMS Cameron McKenna LLP

Simmons and Simmons LLP

Burges Salmon LLP

CM Murray LLP

Simons Muirhead and Burton Solicitors

Freshfields Bruckhaus Deringer LLP

Dundas and Wilson LLP

Mishcons and Dundas and Wilson have already performed their cases as promised: thanks!

## PRO BONO COMMITTEE REPORT cont.

Please contact Lindsey Woods or me if your firm can join the "One case" list. We would really like to get a lot more Firms onto this valuable project.

We have also worked further on launching a new mentoring project for 100 days' volunteers, and hope to launch this shortly. By this project we will link up volunteers with experienced advocates to mentor them on the case they work on. This should give even more lawyers the confidence and the support to volunteer.

In the period to March 2013 we have records already indicating 43 days of 100 days' representation, advice and support on a pro bono basis, with more data to come in soon. 35 ELA members have very generously given their support, so far, as volunteers on a variety of worthy cases. The volunteers are listed at the end of the report as a thank you for their fantastic efforts.

We have focussed more this year on specific working groups and project work to advance ELA's pro bono work. This work has included strong contributions in the course of the year from a number of agencies, in particular BPBU, CAB and FRU. We are particularly pleased to welcome a good stream of new pro bono cases from CABx this year. This project based approach has enabled our role to be more effective and targeted within the existing pro bono landscape.

In the next twelve months we intend to implement the mentoring scheme for volunteers, increase the number of cases of one day or so hearings offered to members and involve more ELA members, across the country, in helping ELA's pro bono work have more impact. If you are interested in helping us on a strategic level please let me know. We would welcome your input.

Finally, an enormous thank you to Cynthia Clerk at ELA for her truly outstanding help in running the 100 Days Project this year.

Paul Daniels  
Chair, Pro Bono Committee

## 100 Days Pro Bono Scheme

We are grateful to the following ELA members who have undertaken pro bono work under the 100 Days Pro Bono scheme between March 2012 – April 2013

Naveen Agnihotri, Chambers of Nicholas Haggan QC  
Andrew Berk, Lovell Chohan Solicitors  
Lucy Bone, Littleton Chambers  
Colin Bourne, Kings Chambers  
Deborah C. Casale, Slater & Gordon (UK) LLP  
Francis Cassidy, 42 Bedford Row  
Grant Goodlad, Farrers Buildings  
Lee Harding, Field Fisher Waterhouse LLP  
Mark Hosking, Nabarro LLP  
Kate Howitt, Slater & Gordon (UK) LLP  
Shobana Iyer, Swan Chambers  
Laura Jamieson Dundas & Wilson LLP  
Grenville Jay, Regent Chambers  
Paul Jennings, Bates Wells & Braithwaite LLP  
Bethan Jones, Michelmores LLP  
William Josling, No37 Chambers  
Andrew Lee, Hoffman-Bokaei Solicitors  
Stephanie McKeon, Working Families  
Hari Menon, Parklane Plowden  
Jennifer Millins, Mishcon de Reya Solicitors  
Shona Morton, Wilkin Chapman LLP  
Annie Noble, Harrowells LLP  
Angela Omerhi  
Simon Purkis, Pump Court Chambers  
Allan Roberts, Guildhall Chambers  
Paul Sangha, EAD Solicitors LLP  
Verity Saxon, Doyle Clayton Solicitors  
Andrew Smith, Matrix Chambers  
Sarah Stanzel, Tanfield Chambers  
Robert Talalay, 5 Essex Court  
Ian Taylor, Burges Salmon LLP  
Lisa Torrance, Dundas & Wilson LLP  
Alex Ustych, 5 Essex Court  
Will Young, Outer Temple Chambers  
Barbara Zeitler, Three Dr Johnson's Buildings

Editor / Chair, Publishing Committee

Anna Henderson, Herbert Smith Freehills LLP

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## PUBLISHING COMMITTEE REPORT

### Editorial board

Susan Belgrave, 9 Gough Square

Bernadette Daley, Mayer Brown International LLP

Ginny Harrison, Ginny Harrison Legal Ltd

Clive Howard, Slater & Gordon (UK) LLP

Mark Hunt, BNY Mellon

Marc Jones, Turbervilles

Douglas Leach, Guildhall Chambers

Stephen Levinson, RadcliffesLeBrasseur

Richard Linskill, Ogletree Deakins

Camilla Palmer, Leigh Day

Roseanne Russell, Cardiff University

Tariq Sadiq, St Phillips Chambers

Mohinderpal Sethi, Devereux Chambers

ELA publishing committee has had a busy year.

The main role of the committee is to review and discuss all copy received for each edition (there are 10 a year), applying a qualitative threshold for publication and suggesting amendments where needed. The best contributions are topical, well researched, well reasoned and well written. We are keen to encourage a broad and diverse authorship. Very few contributions are commissioned directly, so we rely very much on members putting forward suggestions and delivering on time!

As many members now receive their employment law news by email or social media updates, there is no longer a place for the simple case report. The production process for each edition lasts almost a month, so we concentrate less on 'news' and more on insight and analysis, comment and opinion, practical guides and topic overviews. Insights and tips based on practical experience are always welcome, as these are rarely found in textbooks and yet of such value to practitioners.

## PUBLISHING COMMITTEE REPORT cont.

One recent initiative has been to create a list of willing contributors whom we can approach with a topic in mind. I am always happy to add interested potential authors to this list, but please do contribute even if you are not on it. Some chambers and firms are notable by their absence from the pages of ELA Briefing, and I wonder why. There is no closed shop here.

I am well aware of the sacrifice involved in giving up free time - and sometimes giving away your specialist insights - to write an article, but what is ELA for if not for sharing expertise? Members' feedback consistently suggests that ELA Briefing is regarded as one of the key benefits of membership; but to retain this good standing, we need supply as well as demand.

Another initiative has been to increase the level of communication from ELA, with a monthly news report from our Chair and periodic reports from ELA committee heads, and we continue to publish updates from ELA working parties commenting on proposed legislation. We are keen to maintain this in future editions, as it is important that members know what great work is being done by so many people, and are encouraged to get involved themselves. If you have selflessly devoted time and effort to providing ELA training or to an L&P working party, why not consider adapting your output for inclusion in a future edition of ELA Briefing and capitalising on all that hard work!

The design of ELA Briefing was refreshed at the end of 2012. This involved a great deal of work, principally by an external graphic designer, Teresa Monachino. I am pleased and grateful that, judging from your feedback, the changes have been greeted with widespread approval. I hope that this will continue to be the case as the new colours complete their annual rotation through the spectrum!

So far, most authors have made gallant attempts to comply with the new copy guidelines, which has helped to reduce the need for intrusive editing. Further suggestions for improving ELA Briefing will always be welcome.



## PUBLISHING COMMITTEE REPORT cont.

The next major initiative recently endorsed by the Management Committee is to explore the feasibility of an app or other means of enabling the Briefing to be read on tablets. We don't currently envisage this replacing the hard copy version. As always, cost will play a part in any decision, but we have created a little leeway by moving delivery of ELA Briefing to DX where possible.

Natasha Joffe and Ralph Nathan both stepped down from the committee this year, and have my thanks for their thoughtful and much-valued contributions. Likewise Clare Primett, who stepped down as Information Services Officer after many years of sterling service.

New committee members have also joined: Mark Hunt, Camilla Palmer and Tariq Sadiq. It is pleasing that the makeup of the committee is more or less representative of ELA's membership, with a good spread of counsel, claimant solicitors, respondent solicitors, academics, and in-house lawyers.

Those committee members who are based outside central London (around 25%) can dial in to meetings, ensuring that geographical distance is no impediment to their participation. We currently have one vacancy. Anyone who feels they have something valuable to contribute – especially from an under-represented group or region – is welcome to put their name forward.

Finally, my sincere thanks go to all committee members for their support, acumen and commitment, and to everyone who has contributed material during the year. I would also like to thank the team at IDS for their hard work in producing each edition and in adapting to the new design. Without you all, there is no ELA Briefing.

Anna Henderson  
Chair, Publishing Committee

### Training Committee Chair

Gareth Brahams, Brahams Dutt Badrick French LLP

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## TRAINING COMMITTEE REPORT

### Committee

Paul Bennett, Bennett's Legal Limited  
Marian Bloodworth, Berwin Leighton Paisner LLP  
Harriet Bowtell, Slater & Gordon (UK) LLP  
Jo Broadbent, Hogan Lovells International LLP  
Patrick Brodie, RPC LLP  
Emma Clark, Abbiss Cardres LLP  
Naeema Choudry, Eversheds LLP - North West Rep  
Anthea Christie, Pattinson & Brewer  
Nick Cooksey, Rivers Chambers - South Wales Rep  
Joan Cradden, Brodies LLP – Scotland Rep  
Betsan Criddle, Old Square Chambers - London and SE Rep  
Ranjit Dhindsa, Hill Hofstetter LLP, Midlands Rep  
Sam Gage, PLC  
Lisa Lewinsohn, Withers LLP  
Louise Hall, A O Hall, Guernsey – Channel Islands Rep  
Judith Harris, Baker McKenzie LLP  
Paul Hayward, Cater Leydon Millard Ltd – Thames Valley Rep  
Ellie Hibberd, Winckworth Sherwood LLP  
Gary Hodkinson, Lamb Building  
Penny Hunt, Bird & Bird LLP  
Paul Jennings, Bates Wells Braithwaite LLP  
Mhairi Letcher, British Museum

Oliver Loach, John Lewis Partnership  
Nigel Mackay, Leigh Day  
Adrian Martin, Burges Salmon LLP  
Sean McHugh, Queen Square Chambers – South West Rep  
Jonathan Maude, McGuireWoods LLP  
Alice Mayhew, Devereux Chambers  
Claire Merritt, Paris Smith Randall LLP – Solent Rep  
Eleena Misra, Littleton Chambers - London and SE Rep  
Alexandra Mizzi, HowardKennedyFsi LLP  
Catriona Moffatt, Olswang LLP – Thames Valley Rep  
James Morris, Department for Business, Innovation & Skills  
Charles Pigott, Mills & Reeve LLP – Cambridge Rep  
Georgina Rowley, Dechert LLP  
Diya Sen Gupta, Blackstone Chambers  
Anjali Sharma, DAC Beachcroft LLP – North East Rep  
Nicholas Squire, Freshfields Bruckhaus Deringer LLP  
Nicola Tager, Harbottle & Lewis LLP  
Susan Thomas, Charles Russell LLP  
James Warren, Field Fisher Waterhouse LLP  
Kathryn Weaver, Lewis Silkin LLP  
Anna West, Travers Smith LLP

The Training Committee has continued this year with its philosophy of achieving year on year improvement in the quality and relevance of its output. This is not an easy task when each year we generally have excellent feedback, but we cannot stay where we are unless we keep moving, developing, taking on board suggestions in the feedback forms, finding new speakers etc.

## TRAINING COMMITTEE REPORT cont.

At the highest level, the Training Committee is charged with developing the best quality and best value training programme for employment lawyers.

The standing remit of the committee is to plan the following events:

- The annual conference – typically comprising a plenary and 18 break out sessions
- The Introductory programme for new employment lawyers (including the multi day introduction to employment law, TUPE and discrimination courses)
- Several national courses (some of which change from year to year and others of which are regular courses but need to be refreshed)
- 10 expert level live breakfast/evening sessions in London
- Regional representatives drive the region-specific training events often feeding off the training programme developed by the committee. These have stepped up hugely in recent years thanks to the hard work of regional representatives and increased central resource, led by Charley Masarati, to assist.

In addition, it is clear, as with much of the world, a good part of employment law training is moving on line. Although webinars have been on our agenda for many years, they have not been a priority for us for a number of reasons.

1. Commercial providers proliferate and (in contrast to their face to face programmes) offer reasonable value for money compared to what we can achieve.
2. Philosophically, ELA is about enabling employment lawyers to associate and learn off each other. That is hard to do if training is delivered from a screen rather than in a more communal environment.
3. Commercial providers have in-house technological facilities to produce webinars whereas we need to arrange this bespoke.

That said, we have for the first time this year dipped our toe in the water with Paul Epstein's webinar on e-disclosure. With 313 bookings, this clearly meets a demand and we will be expanding our programme as a result.

## TRAINING COMMITTEE REPORT cont.

The face to face programme still remains crucial though. We continually review the feedback to ensure that we improve the quality of each session over the last. One of the themes for this year has been about how we can ensure that sessions are chaired really well too and we ran some specific training on that subject as good chairing can make the difference between a good and an excellent experience. We want everyone's experience of our events to be outstanding.

Whether for face to face or on-line presentations, two questions that I am frequently asked are how do we choose our speakers and how can I speak for ELA? We are always looking for new top quality speakers so I am only too pleased to answer this question here. I firmly believe that the best speakers on employment law are within our membership so do put yourself forward. If you have not spoken for us before, the best way to get on the slate is if you have a unique reason to be covering a particular subject, for example because you were the solicitor who acted on a particular leading case or were the first person to advise on a new piece of law. Perhaps you have written an article or a book on a subject? Of course, expert speakers are not necessarily engaging ones so if you can accompany any offer to speak with feedback from client or commercial seminars you have given that is great.

If you do get offered a speaking slot and you are intending for it not just to be your first and last, then do put the effort in to give an engaging, practical and informed presentation. We do maintain and regularly revise a "star speaker" list and very often draw our speakers for the highest profile slots from those who receive the best feedback from the audiences they have spoken to.

As I have said previously, we rely on volunteers for so much of what we do. Hard working volunteer members of this committee, generous firms that allow us to use their facilities and conscientious speakers who prepare written and oral material to the highest standards are all vital pillars of the infrastructure. We are very grateful to them.

TRAINING COMMITTEE REPORT cont.

We are also hugely indebted to Lindsey Woods, Charley Masarati and the ELA team. The reality is that if it were not for them, all we would have is a few ideas for training and some people wanting to do talks. It is Lindsey and her team who join the many dots in between to make the events happen, which they invariably do with an efficiency which belies the huge amount of work that goes into them. Like swans, they glide across the water but beneath the surface they are paddling incredibly hard.

Gareth Brahams  
Chair, Training Committee

**International Committee Chair**  
Juliet Carp, Speechly Bircham LLP

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## INTERNATIONAL COMMITTEE REPORT

### Committee

Alison Brown, Google  
Henry Clinton-Davis, Arnold & Porter LLP  
Adam Crème, Unison  
David Cubitt, Osborne Clarke LLP  
Robert Davies, Dundas & Wilson LLP  
Susanne Foster, CM Murray LLP  
Edward Gelsthorpe, BAE Systems  
Michael Grisenthwaite, Fidelity  
Ming Henderson-Vu Thi, Seyfarth Shaw LLP  
Monica Kurnatowska, Baker & Mckenzie LLP  
Stephen Levinson, RadcliffesLeBrasseur  
Toni Lorenzo, Lewis Silkin LLP  
Frank Morton, Burges Salmon LLP  
Declan O'Dempsey, Cloisters  
Emmanuelle Ries, Miller Rosenfalck LLP  
Nicolas Robertson, Mayer Brown International LLP  
Hilary Schrader, NBC Universal  
Fraser Younson, Berwin Leighton Paisner LLP  
Chris Walter, Covington & Burling LLP

This year has been another busy year for the international committee.

### Transatlantic Conference

The highlight of this year will be our biennial joint conference with the ABA to be held on Monday 7 October 2013. We have a fantastic programme and very high quality speakers from both sides of the Atlantic lined up for the event. Clare Murray initiated the first of these conferences. Special thanks are due this year to Ming Henderson and Susanne Foster for all their hard work in developing the programme and dealing with all the behind the scene things that make a conference successful. Most of the hard work has been done and we have great expectations for October!

## INTERNATIONAL COMMITTEE REPORT cont.

### Other training

In addition to the key note Transatlantic conference we have organised a number of smaller “think tank” sessions, focusing particularly on individual countries that members may be interested in learning more about. These have included Russia, Germany and PRC. Thanks to Monica Kurnatowska, Jude Harris, Emmanuelle Ries and Chris Walter for organising these sessions and to our speakers.

### International employment law

Fraser Younson, Ming Henderson, Stephen Levinson and Juliet Carp will make a further visit to the European Commission in Brussels for ELA on 3 June 2013 to discuss European employment law-related policies and potential future developments. Insight from these meetings will be shared with ELA members via ELA Briefing. These meetings involve a great deal of preparation by participants and by Fraser Younson and Lindsey Woods in particular in setting up the meetings.

A response to the BIS consultation on amendments to the Posted Workers Directive was led by the Committee for ELA.

### Developing relations with other employment lawyers associations

The Committee has continued to work hard to develop stronger relationships between employment lawyers’ associations, particularly within Europe and the US.

In addition to our joint conference with the ABA’s Labor & Employment International Committee, we have been working with the ABA and other associations to develop an online directory of national and international employment lawyers associations. This has now been launched and can be accessed at:

[http://www.americanbar.org/groups/labor\\_law/committees/intcom/directory.html](http://www.americanbar.org/groups/labor_law/committees/intcom/directory.html)

Members might find the calendar of international events particularly useful. If members are aware of employment lawyers associations or key events that should be included in this directory please email [juliet.carp@speechlys.com](mailto:juliet.carp@speechlys.com)

## INTERNATIONAL COMMITTEE REPORT cont.

### Participation

We are lucky to have an excellent and hardworking committee, benefiting particularly from the continued participation of a number of former Committee Chairs. Continuity is helpful given the long term nature of many of our projects. From time to time we invite applications for new members. New committee members are agreed by the Committee with a focus on balance, for example we have members who represent employees and employers, in house and private practice lawyers, members of the bar and solicitors etc. If you are interested in joining us do please put your name forward when a request is next sent out to members - and if you have any suggestions about our work going forward (eg training ideas) please do email the Committee via the Chair ([juliet.carp@speechlys.com](mailto:juliet.carp@speechlys.com)).

Finally a big thank you to all our Committee members for their enthusiasm and insight, and particularly for their time.

Juliet Carp  
Chair, International Committee





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