



Albion  
Chambers

## Matt Jackson

**Degree:**

LLB (Hons) Reading

**Year of call and Inn:**

2011; Lincoln's Inn

**Professional Membership:**

Industrial Law Society, Criminal Bar Association, Employment Lawyers Association, Western Circuit, Free Representation Unit, Advocate

**Email:**

matt.jackson@albionchambers.co.uk

**Specialist Areas:**

Crime, including Courts Martial  
Employment and Professional Disciplinary  
General common law including contract and tort, Landlord and Tenant, and other land and property disputes

## Practice Overview:

Matt joined Chambers in March 2020 from 10KBW.

Matt's practice focusses primarily on employment and discrimination, crime and general civil litigation. He has extensive appellate experience up to and including the Supreme Court and is regularly instructed in complex, multi-day cases.

## Areas of Practice

### Employment

As well as appearing regularly in the Employment and Employment Appeal Tribunals (and civil courts), Matt regularly advises on employment and non-employment discrimination cases in the First-tier Tribunal and County Court.

His practice is nationwide and has acted in cases in tribunal cases in Scotland, as well as England and Wales. Matt acts for both employers and employees in multi-day discrimination, TUPE, whistleblowing, restrictive covenant and equal pay cases.

## Cases of interest:

*Royal Mail Group Ltd v Jhuti* [2019] UKSC 55; [2020] IRLR 129 – Junior counsel for the Claimant in the Supreme Court establishing for the first time that the reasons of a person other than a dismissing officer can be attributed to the employer where there are dishonest means employed. Matt remains instructed alone in relation to the ongoing parts of this case.

*Patel v Folkestone Nursing Home Ltd* [2018] EWCA Civ 1689 & 1843; [2019] ICR 273 – Unled in the Court of Appeal. Where an employee appeals against their dismissal in a contractual process, there is an implied term that if the appeal is successful the employer can unilaterally revive the contract. Succeeded in reversing a finding that the Claimant was not unfairly dismissed.

*Jhuti v Royal Mail Group Ltd, the Secretary of State for Business Energy and Industrial Strategy & The Law Society* [2018] ICR 1077 – Leading counsel in the Employment Appeal Tribunal successfully arguing that *Johnson v Edwardian International Hotels Ltd* should be overruled. It was decided that Employment Tribunal did have the power to appoint litigation friends.

*Secretary of State for Business, Innovation and Skills v Knight* [2014] IRLR 605 – Successfully resisted appeal by the Secretary of State against a finding a director was also an employee.

*Vernon v Azure Support Services & Others* [2014] All ER (D) 11 (Dec) – Where liability for discrimination transfers to a new employer via TUPE, time for a non-equal pay Equality Act 2010 claim runs from the date of the act (or continuing act) not the date of the transfer.

*Kelly v Fylde Community Link* [2013] All ER (D) 188 (Aug) – Appeal allowed against decision finding there was “some other substantial reason” for a dismissal.

*Audere Medical Services v Sanderson* [2013] All ER (D) 124 (Sep) – A Polkey or contributory fault reduction can be made in a case of automatically unfair dismissal.

*Jamu v Asda Stores Ltd and Others* UKEAT/0221/15 – Successful appeal against dismissal of claims for failure to make reasonable adjustments. Although decided on different grounds, argument was made on whether the Framework Directive requires there to be a cause of action for associative discrimination.

## Clerk:

Nick Jeanes

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## General Common Law

Matt is often instructed to act and advise in a number of contractual and professional negligence matters. His other experience includes:

- acting for a vendor defending a claim for specific performance;
- acting in a professional negligence matter arising from ancillary relief proceedings;
- advising on the recoverability of a deposit paid for a lease transfer;
- drafting grounds for judicial review and appeal to the Court of Appeal in a leasehold enfranchisement matter;
- advising in respect of removal of a fraudulently obtained mortgage charge;
- defending a claim brought under a CFA and issued without jurisdiction;
- defending a claim under the Protection from Harassment act 1997 brought by a local authority in the High Court.

Matt also has a niche practice in judicial reviews, both in the Upper Tribunal and High Court

particularly against the Department for Work and Pensions, local authorities and the police. The latter of which has included challenges to police policy on cautioning and detained persons.

**Notable cases:**

*R (KR) v Chief Constable of Dyfed Powys Police* – Challenging a caution issued 16 years before proceedings were issued on the basis of improper procedures and uninformed consent being obtained.

*R (GB) v Manchester City Council* – A judicial review on (one of) the first known case(s) on the ability to levy charges against a homeless person under section 211 (4) Housing Act 1996. The local authority conceded the day before the final hearing.

*JS v Secretary of State for Work and Pensions* [2014] UKUT 36 (AAC); [2014] AACR 26 – Meaning of the phrase “exclusive use” in the Housing Benefit Regulations 2006.

*AG v Secretary of State for Work and Pensions* CE/1107/2013 – Appealing a finding in relation to Employment and Support Allowance and misapplication of the 2008 regulations.

**Clerk:**

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**Crime**

Matt is a Grade 2 prosecutor and appears in the criminal courts for both the prosecution and defendants. He is often sought out in cases involving difficult points of law, as well as more straightforward proceedings.

**Notable cases:**

*R v Pogmore* [2017] EWCA Crim 925; [2018] 1 WLR 3237 – Obtained a finding of no case to answer at trial in Bristol Crown Court on the basis of a lack of territorial jurisdiction in a two-week blackmail trial. While this was reversed by the Court of Appeal, the defendant was acquitted at the subsequent retrial. Matt appeared alone in the Crown Court and was led in the Court of Appeal.

*R v SS* – Prosecuted a defendant accused of an ABH against his former father in law by forcing his way into his ex-partner’s property.

*R v KC* – Successful appealed against restrictive terms in a Criminal Behaviour Order including preventing the defendant from using a pedal cycle.

*R v OL and MK* – Defended an allegation of the use of an imitation firearm, offensive weapons and an affray.

*R v BT* – Prosecuted a member of door staff convicted of ABH in an attack leaving the complainant unconscious and with a dislocated shoulder.

**Crime Clerks:**

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