



GARDEN COURT CHAMBERS

# David Renton

YEAR OF CALL: 2008



David Renton specialises in employment, housing and discrimination law and has been instructed in some of the leading cases of the past decade in these areas. He acts for employees in cases spanning all aspects of employment law including freedom of speech, for tenants in cases involving discrimination, and for a range of clients in civil discrimination proceedings. He has appeared in courts including the Court of Appeal and the European Court of Human Rights.

"David has an analytical mind and a logical approach to cases."

LEGAL 500, 2024 (HOUSING)

"He has a good bedside manner with clients, and explains complex legal issues in a user-friendly fashion."

LEGAL 500, 2024 (EMPLOYMENT)

"David is a brilliant and formidable advocate. He is able to identify and persuasively argue the strong point, while responding in a measured way to challenging aspects of a case."

LEGAL 500, 2023

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"Willing to go the extra mile for the client and argue complex legal points."

LEGAL 500, 2022 (EMPLOYMENT)

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"Great attention to detail and appreciation of the nuances of each individual and case."

LEGAL 500, 2021 (EMPLOYMENT)

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"Very competent and knowledgeable as well as very committed."

LEGAL 500, 2020

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If you would like to get in touch with David please contact the clerking team:

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You can also contact David directly:

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## DISCRIMINATION

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David represents claimants in claims of discrimination in goods and services and in Education cases.

### NOTABLE CASES

#### ***McCafferty v Miah*, Bow County Court, September 2016**

Damages of £6,750 for discriminatory refusal to serve autistic child with service dog. This case was reported on by the [Evening Standard](#), [Daily Mail](#), [Irish Post](#).

### **Sun Street Properties Ltd v Persons Unknown [2011] EWCA Civ 1672**

David represented one of the two main camps ("the Bank of Ideas") set up by the Occupy Movement in London. They were unsuccessful before the High Court, then granted permission to appeal by the Court of Appeal, and eventually settled the case without an appeal hearing.

## **EMPLOYMENT AND DISCRIMINATION LAW**

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David represents claimants in all strands of discrimination claim at the Tribunal, EAT, Court of Appeal and ECHR, including in lengthy, complex and high value cases. His cases have been at the cutting edge of trade union law, anti-union discrimination, and the protection of free speech.

His clients have included blacklisted construction workers, political activists, and leading figures within the Labour Party and the trade union movement.

### **NOTABLE CASES**

Past notable cases can be viewed below. [Click here to see a list of recent notable cases.](#)

### **London Borough of Hammersmith and Fulham v Keable, UKEAT0333/19**

David represented the Appellant at the EAT in a case concerning a dismissal for political speech outside work in relation to events in Israel and Palestine. The case was covered by the [Guardian](#).

### **Ssekisonge v Barts Health NHS Trust [2017] EAT 0133/16**

David represented the Appellant at the EAT in a case concerning whether an employer can legitimately dismiss an employee after receiving equivocal guidance from the Home Office.

### **Smith v United Kingdom, ECHR application no. 54357/15 [2017]**

The ECHR considered whether a blacklisted construction worker who had no protection in UK employment law ([IRLR \[2015\] 467](#)) and who had succeeded in a breach of contract case in the High Court had been deprived of an effective domestic remedy after his employer had shared information about him illicitly with other construction businesses. The case was covered by the [Guardian](#) and Mirror.

### **Ayoola v St Christopher Fellowship [2014] EAT 0508/13**

Whether costs order can be made without an assessment of whether the work done was reasonably payable.

### **Conway v Community Options Ltd [2012] EqLR 871**

Whether the same test applies in striking out discrimination and ordinary unfair dismissal claims.

### **Ross v Eddie Stobart Ltd [2011] EAT/0085/10**

Reported in Lawtel updates, whether Road Transport Workers are protected against dismissal for refusing to work in excess of 48-hour working week

## **HOUSING LAW**

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David acts for tenants in possession hearings, principally in cases where possession is defended on Equality Act or public law grounds.

David is also occasionally instructed in disrepair cases in the county court and in homelessness appeals under section 204 of the Housing Act 1996.

### **NOTABLE CASES**

Past notable cases can be viewed below. [Click here to see a list of recent notable cases.](#)

### **University of Birmingham v Persons Unknown & Anor [2024] EWHC 1529**

David represented a student occupier from the summer 2024 protests against the Israel-Gaza war, in an Equality Act defence to possession proceedings.

### **Bromford Housing Association Ltd v Nightingale & Anor, Housing Law Week, 14 October 2020**

David represented a family with two disabled children facing multiple allegations of ASB, in a hearing concerning whether evidence can be added after the initial deadline for disclosure.

### **Woldeab v London Borough of Southwark, Legal Action, November 2011**

Successful challenge of finding that homeless person was not vulnerable where LA's own medical officer had advised further enquiries.

## **BACKGROUND**

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Before being called to the bar, David was an author and historian and subsequently a national official of the academics' and lecturers' union UCU specialising in equality law.

David is also a Professor of Practice at SOAS in ICOP and Law and was previously a visiting Professor in Sociology at Johannesburg University.

In his spare time, he has published around 30 books of history and legal and political theory. His books have addressed the history anti-racism and anti-fascism, the nature of populism, authoritarianism and other movement on the right, the impact of Covid on housing and employment law, whether and when it is appropriate to restrict freedom of expression, and how radical movements can prevent discrimination from re-emerging within their own ranks.

## PUBLICATIONS

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### Books (selection)

*Discrimination in Housing Law* (Legal Action Group, 2024).

*Against the Law: Why Justice Requires Fewer Laws and a Smaller State* (London: Repeater Books, 2022).

*Jobs and Homes: Stories of the Law in the Lockdown* (London: Legal Action, March 2021).

*Struck out: Why Employment Tribunals Fail Workers and What Can be Done* (London: Pluto, 2012).

### Articles and book chapters

*Conspiring to unlawfully evict, Landlord and Tenant Review* 19(1) (2015)

*The employment tribunal system at the crossroads*, in N. Busby et al., *Access to justice in employment disputes: surveying the terrain* (London: [Institute of Employment Rights](#)).

David has also written on employment law for *New Law Journal*. Before practising, he was an editor of an annual practitioners' guide to employment law.

## TRAINING AND SEMINARS

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David has addressed employment law courses organised by the Equity, the GMB, RMT, UCU, Unison and Unite trade unions, and events organised by the GFTU, IER, ILS and WEA.

He has given training for housing solicitors on how to bring disrepair claims and on how to bring and defend injunctions and on all aspects of discrimination law. He provides training in housing law for Shelter.

## EDUCATION

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MA (Oxon)

PhD

CPE

Gray's Inn Prince of Wales scholar

## PROFESSIONAL MEMBERSHIP

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The Haldane Society of Socialist Lawyers

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