

12

King's Bench Walk

Kweku Aggrey-Orleans

Call: 1998

aggrey-orleans@12kbw.co.uk



AREAS OF EXPERTISE

Personal Injury, Employment & Discrimination, Contract / Commercial, Industrial Disease, Insurance, Product Liability, Credit Hire, Inquests, Aviation

Kweku prides himself on maintaining a successful practice across all the main areas of expertise within chambers. He advises and regularly appears in personal injury, employment and contractual / commercial disputes. He is recognized for his strong client care skills in guiding clients through the litigation process and ability to bring about the pragmatic resolution of disputes.

Kweku regularly advises and represents both Claimants and Respondents before the employment tribunals, the Employment Appeal Tribunal and the county courts, all in matters arising from the employment relationship. His experience encompasses claims for unfair dismissal (redundancy and misconduct), discrimination (particularly race, sex and disability), whistleblowing cases together with claims involving the enforcement of restrictive covenants and anti-competitive behaviour by employers.

Examples of recent court and advisory work include:

- Acting on behalf of insurers to challenge excessive credit hire claims
- Advising insurers on staged road traffic accidents.
- Advising on the construction of hire purchase and lease purchase agreements made with a waste refuse company.
- Advising on the interpretation of the terms of a household contents policy where there had been material non disclosure.
- Advising on the enforceability of restrictive covenants and anti-competition clauses post employment.
- Advising on the standard terms of a contract for the transportation of goods some of which were stolen and damaged in transit.

- Advising on the merits for insurance funding purposes of applications before employment tribunals.
- Advising and acting in age, sex, sexual orientation and disability discriminations claims before the employment tribunals and the EAT.

Kweku's clients have included senior bank executives, police officers, trade union representatives, government workers and individuals working within the financial services sector, banks, local authorities, firms of solicitors and SMEs.

Kweku is also a member of the Bar and Solicitor's roll of the Republic of Ghana, where he continues an active practice. During his time away from chambers he continues to advise clients and undertake any work that does not require his presence in England and Wales.

Employment & Discrimination

Kweku regularly advises and represents both Claimants and Respondents before the employment tribunals, the Employment Appeal Tribunal and the county courts, all in matters arising from the employment relationship. His experience encompasses claims for unfair dismissal (redundancy and misconduct), discrimination (particularly race, sex and disability), whistleblowing cases together with claims involving the enforcement of restrictive covenants and anti-competitive behaviour by employers.

Kweku's Claimant clients have included senior bank executives, police officers, trade union representatives, government workers and individuals working within the financial services sector. His employer clients have included several banks, local authorities, firms of solicitors and SMEs.

Kweku has acted in a number of high profile cases, and of late has been involved in a topical longstanding race and sexual orientation discrimination claim against the Metropolitan police in which he has enjoyed success before the Employment Tribunal and on appeal before the EAT: *Maxwell v The Commissioner of Police of the Metropolis [2013] Eq LR 680*

Further recent cases have involved establishing the extent of a bank's duty to make reasonable adjustments for a long serving manager with a disability and successfully establishing direct age discrimination against Barratt Homes in the conduct of its redundancy procedure.

Kweku provides helpful lectures on the extent of the duty to make reasonable adjustments to employer and solicitor clients. He also frequently lectures on the preparatory steps an employee can undertake to set up in competition with his/ her current employer.

Qualifications

LLB and Maitrise en Droit (King's College London University and La Sorbonne, University of Paris I.)

Kweku is trained to accept direct instructions from the public under the Bar's public access scheme.

Qualified and practicing Barrister and Solicitor in the Republic of Ghana (2010)

Memberships

Member of PIBA, COMBAR (Africa Committee member), ELBA

Cases

Taylor v HR Go (Sandwell) Limited [2009] (Birmingham Employment Tribunal) An unfair dismissal case involving the dismissal of an employee / director primarily for planning to set up a competing business. The case gave rise to

interesting issues as to what amounts to permissible competitive behaviour by an employee / director.

Sujatha v Manwaring (Woburn Place Employment Tribunal [2004]) In that case the tribunal had to decide whether the claimant, a domestic servant living with her employer's family, fell within Regulation 2(2)(a)(ii) of the National Minimum Wage Regulations 1999.

Maxwell v Commissioner of Police of the Metropolis [2013] Eq LR 680 – Discrimination on the grounds of race and sexual orientation

Solanki v Barratt Homes Limited (2015) Age discrimination during the redundancy process.

NML Capital v The Republic of Argentina (2012) (Ghana) – Application for a freezing order seizing a vessel belonging to the Argentinian Navy for a New York Argentinian bond purchasers based on a judgment of the Supreme Court of England and Wales.

Solanki v Barratt Homes Limited (2015) – Age discrimination within the redundancy procedures.

Kilic v O'Connor and UK Insurance Limited (2015) – Credit hire – Reduction of the rate of hire for a taxi from £172 plus VAT to £25 plus VAT.