



David Renton

YEAR OF CALL: 2008



David Renton specialises in housing, discrimination and employment law. He acts for vulnerable tenants in disrepair possession hearings, and for employees, principally in cases of ordinary or trade union discrimination.

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

LEGAL 500, 2020

"He has excellent attention to detail and thoroughly analyses the case."

LEGAL 500, 2019

"An up-and-coming junior, who is very thorough and pleasant."

LEGAL 500, 2017

"A wise and clever advocate, who is meticulous in his preparation and

lucid and persuasive on paper."

LEGAL 500, 2016

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

LEGAL 500, 2021 (EMPLOYMENT)

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:

[+44 \(0\)20 7993 7702](tel:+442079937702)

DISCRIMINATION

David represents claimants in all strands of employment discrimination claims in the Tribunal and EAT, including in lengthy, complex and high value cases, and in non-employment discrimination claims in the civil courts.

He represents vulnerable tenants in discrimination claims, principally disability discrimination claims, but also claims related to gender, sexual orientation and gender reassignment.

He also represents claimants in claims of discrimination in goods and services.

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](#).

May v Secretary of State for Transport

Whether a disabled person is protected where the diagnosis of a condition is unclear but there is medical evidence of adverse impact on their ability to carry out normal activities.

Small v Barking and Havering and Redbridge NHS Trust

Operation of burden of proof where a court finds facts which could require a non-discriminatory explanation.

EMPLOYMENT AND DISCRIMINATION LAW

David represents claimants in all strands of discrimination claim at the Tribunal and EAT, including in lengthy, complex and high value cases, and in non-employment discrimination claims in the civil courts.

He particularly specialises in cases involving discrimination against trade unionists or discrimination on grounds of immigration status.

NOTABLE CASES

Smith v United Kingdom

The ECHR considered whether a blacklisted construction worker who had no protection in ordinary UK employment law ([IRLR \[2015\] 467](#)) but who had later succeeded in a (settled) breach of contract case in the High Court had been deprived of an effective domestic remedy. This case was reported on by the Guardian and Mirror.

Ssekisonge v Barts Health NHS Trust

David represented the Appellant in a case concerning the extent of the duties an employer owes to an employee in an SOSR dismissal (for immigration-related identity concerns) and whether this is a higher duty than in a misconduct dismissal.

Ayoola v St Christopher Fellowship

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

Conway v Community Options Ltd

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

Ross v Eddie Stobart Ltd

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

David acts for tenants and mortgagors in possession hearings, mainly where possession is defended on Equality Act, human rights or public law grounds.

David is also regularly instructed in disrepair cases in the county court and magistrates' courts, carrying out work under both legal aid and no-win-no-fee agreements.

He also appears in homelessness appeals under section 204 of the Housing Act 1996, in occupation orders, and in related cases involving an overlap of housing and family law.

NOTABLE CASES

Benchlevel Properties Ltd v B, Wandsworth County Court

Disrepair damages settled for £15,000 at the door of court.

P v Eaglepeak Ltd, Ornbach and Lok, Clerkenwell and Shoreditch County Court

Disrepair damages awarded of 50% of rent for no heating, intermittent hot water, decayed plaster in one room rising to 90% when boiler failed altogether. Total damages £30,800.

Ryan v Hackney, Clerkenwell and Shoreditch County Court

Compensation agreed at £9,500 (51% rent) for 2.5 years of water penetration in one bedroom and cracking in the other.

Mcloughlin v Tower Hamlets

Disrepair damages of £21,700, being 5 years 7 months at 40% of rent, where windows were rotten and water penetration had caused a gas pipe to leak.

Espite v Lambeth LBC

Disrepair settlement of £13,000 for heavy mould in three rooms and some mould in three others.

Addo v Sehmi

David represented a tenant who was awarded £8,100 damages for disrepair (water penetration), being 3/5 of rent for a 15 month period.

Sun Street Properties Ltd v Persons Unknown

David represented occupiers ("the Bank of Ideas") who failed in an article 10 defence to a possession claim, but were granted permission to appeal and non-enforcement, and eventually settled the case two months after their occupation had begun.

Woldeab v London Borough of Southwark

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

BACKGROUND

Before being called to the bar, David was an author and historian and subsequently an official of the academics' and lecturers' union UCU specialising in equality law. He now represents clients who are vulnerable, whether through illness, disability or addiction, and has been on the EHRC's panel of approved counsel.

PUBLICATIONS

Books

Justice Deferred: a critical guide to the Coalition's employment tribunal reforms (IER).

Struck out: Why Employment Tribunals fail workers and what can be done (Pluto).

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

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.

EDUCATION

- MA (Oxon)
- PhD
- CPE
- Gray's Inn Prince of Wales scholar

PROFESSIONAL MEMBERSHIP

- The Haldane Society of Socialist Lawyers

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