



# Andrew MacPhail

**Year of Call:** 2007

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## Investigations

Andrew is content to accept instructions in respect of internal workplace processes such as grievances, disciplinaries and appeals.

Investigations undertaken by Andrew to date include:

- A grievance investigation into an existing employee's allegations of direct race discrimination.
- A grievance investigation into an existing employee's allegations of direct sex discrimination.
- A grievance investigation into an existing employee's allegations of direct sex discrimination and victimisation.
- An investigation into the appeal of an ex-employee against the outcome of a complaint he had submitted post termination.
- A grievance investigation into an existing employee's allegations of mistreatment by management and unpaid wages.
- The conduct of an appeal process further to an appeal against dismissal.

The format tends to involve receipt of terms of reference, the conduct of interviews and the gathering of evidence, followed by the production of a Report.

## Recommendations

Andrew MacPhail garners praise as 'an excellent advocate whose written arguments are formidable' and provides 'practical and sound advice' on matters spanning whistleblowing, discrimination and harassment.

Andrew was nominated for "Employment Junior of the Year" at the 2024 Legal 500 Bar Awards.

'Andrew is a very experienced advocate, deals with the most complex of cases with a logic and unfaltering rationality that is exceptionally calming to nervous clients.'

### **Legal 500 2025/Employment/Leading Juniors/South Eastern Circuit – Tier 1**

'Andrew is an excellent advocate. He is clear, concise, and always able to get to the bottom of any issue. He is knowledgeable and provides practical guidance and support when dealing with tricky matters.'

## **Legal 500 2025/Employment/Leading Juniors/Western Circuit – Tier 2**

'A measured and methodical advocate.'

## **Legal 500 2025/Employment/Leading Juniors/London Bar –Tier 5**

Andrew MacPhail acts for private companies, public bodies and individuals in Employment Tribunal claims. He is adept at handling a range of employment matters including unfair dismissal, discrimination and whistle-blowing detriment claims.

Strengths: "Andrew is very commercial and relates well to clients. He fully masters complicated matters and adopts an understated advocacy strategy that resonates very well."

"Andrew's advocacy and cross-examination is extremely strong. He is able to adapt quickly as cases progress at pace and prepares comprehensive documents at speed as and when needed."

## **Chambers UK 2025/Employment/South Eastern Bar – Tier 2**

Strengths: "Andrew provided excellent representation throughout." "He brought a hearing listed for many days to an abrupt and early end by demolishing the claimant with his cross-examination." "Andrew is fastidious in attention to detail. He is very thorough and well prepared."

## **Chambers UK 2024/Employment/South Eastern Bar – Tier 2**

Andrew MacPhail's employment practice often focuses on complex multi-day discrimination and whistle-blowing hearings. He also has experience of TUPE and breach of contract work.

## **Legal 500 2024/Employment/Leading Juniors/South Eastern Circuit – Tier 1**

'Andrew is a very strong and commanding advocate, able to put forward his arguments in a clear and concise manner even when addressing matters which have litigants in person. His knowledge of the law and how to get the best out of any situation is second to none.'

## **Legal 500 2024/Employment/Leading Juniors/Western Circuit – Tier 2**

'An accomplished advocate with an incisive approach.'

## **Legal 500 2024/Employment/Leading Juniors/London Bar – Tier 5**

Andrew MacPhail acts for private companies, public bodies and individuals in Employment Tribunal claims. He is adept at handling a range of employment matters including unfair dismissal, discrimination and whistle-blowing detriment claims.

Strengths: "He gives incredible confidence to clients in his demeanour, and persistently pushes clients' agendas in hearings. He is fastidious, comprehensive and highly attentive to detail."

"We appreciate Andrew's ability to think of technical arguments to cover all eventualities and scenarios, giving clients a 360-degree view of the situation."

## **Chambers UK 2023/Employment/Western Bar – Tier 2**

"Andrew MacPhail is an outstanding employment lawyer and a safe pair of hands on any matter."

Strengths: "His ability to review papers and to understand not only the legal issues in the case but also the commercial aspects and implications, in a very short time, has been astounding. Andrew has an eye for detail and nothing is lost on him. He has made himself available to assist us with ongoing work on the case as needed. His calm and confident manner has been of great reassurance to the client."

Recent work: Successfully defended Swalecliffe Pharmacy in a claim for age-related harassment concerning the alleged use of the phrase 'stropky child'.

## **Chambers UK 2023/Employment/South Eastern Bar – Tier 2**

'He is fastidious, comprehensive and highly attentive to detail.'

#### **Legal 500 2023/Employment/Leading Juniors/Western Circuit – Tier 2**

'Andrew is extremely thorough, knowledgeable, and approaches cases with a holistic approach that benefits all clients. He is excellent with clients providing both honest and pragmatic advice. Andrew MacPhail handles all complex discrimination and whistle-blowing matters with 'a holistic approach that benefits all clients'.

#### **Legal 500 2023/Employment/Leading Juniors/South Eastern Circuit – Tier 1**

'Andrew is meticulous in his approach – no corner is left unturned. He is good at probing questions for the client to consider, so the case strategy is clear; and he is effective in his cross-examination of witnesses, drawing out concessions along the way.'

#### **Legal 500 2023/Employment/Leading Juniors/London Bar – Tier 5**

'Very calm and measured. Never gets flustered. He gets to the heart of a case very quickly.'

#### **Chambers UK 2022/Employment/Western Bar – Tier 2**

Strengths: "Andrew is very technical and really good on equal pay claims."

Recent work: Represented the respondent in *Miss J Shrubsole v Swalecliffe Pharmacy*, in which age-related harassment was alleged by the claimant.

#### **Chambers UK 2022/Employment/South Eastern Bar – Tier 1**

Strengths: "He is very calm but diligent. He goes the extra mile for clients and is a fearless advocate."

Recent work: Acted for the claimant in bringing various claims, including an equal pay claim, against BMC Software.

'Andrew is extremely thorough and knowledgeable, with a forensic eye for detail.'

#### **Legal 500 2022/Employment/Leading Junior/South Eastern Circuit – Tier 1**

'Calm, methodical and extremely approachable for lay clients in conference, and provides clear and practical advice to enable easier decision making for clients.'

#### **Legal 500 2022/Employment/Leading Junior/London Bar – Tier 6**

Strengths: "He is extremely detailed, and really analyses a case down to the finest details."

#### **Chambers UK 2021/Employment/Western Bar – Tier 4**

"He is practical and thorough, and the clients love him."

#### **Legal 500 2021/Employment/South Eastern Circuit – Tier 2**

"Very good with clients." "Andrew MacPhail represented the claimant in Court of Appeal case *BMC Software v Shaikh*, an equal pay claim"

#### **Legal 500 2021/Employment/Western Circuit – Tier 3**

'Andrew is a very strong and commanding advocate. He is able to put forward his arguments clearly and concisely, even when addressing matters. His knowledge of the law and how to get the best out of any situation is second to none.'

#### **Chambers UK 2020/Employment/Western Bar – Tier 4**

"Very good with clients."

#### **Legal 500 2020/Employment/South Eastern Circuit – Tier 3**

"Very good with clients."

## **Legal 500 2020/Employment/Western Circuit – Tier 4**

""Andrew is a very user-friendly barrister"

## **Legal 500 2018/19/Employment**

In Chambers & Partners 2017 UK Bar Directory, Andrew was rated 'Up and Coming barrister' and described as: "Andrew is esteemed for his experience in a diverse array of employment law disputes, ranging from whistle-blowing, discrimination and harassment, to equal pay, unfair dismissal and TUPE ". His strengths were detailed as : "His experience at tribunal covers a wide range of employment law areas. He is often instructed for complex multi-day discrimination and whistle-blowing hearings."

## **Chambers UK 2017/Employment**

"Practical and professional; clients love him"

## **Legal 500 2017/Employment**

In Chambers & Partners UK Bar Directory 2016, Andrew was again rated as an "Up and Coming" barrister for Employment and described as counsel who "has represented both claimants and respondents in matters concerning issues as diverse as whistle-blowing, unfair dismissal, TUPE, equal pay, unlawful deductions and breach of contract. His strengths were described by clients as "He's measured and reassuring, and has a confident approach. He always delivers and always gets good results." "He's sensible, gives the client confidence, and can boil down the information to its essential points."

## **Chambers UK 2016/Employment**

"A pure employment expert"

## **Legal 500 2016/Employment**

In Chambers & Partners K Bar Directory 2015, Andrew was again rated as a top employment barrister and was described by clients as : "He is a thorough and systematic barrister. You always know when Andrew is instructed that he will devote his full care and attention to the case." "He's quite technical but very effective as an advocate, and always invested in his work."

## **Chambers UK 2015/Employment**

# **Academic qualifications**

- MA Hons, Classics, University of Edinburgh
- Graduate Diploma in Law, College of Law
- Bar Vocational Course, College of Law

# **Professional qualifications & appointments**

- Graduate Diploma in Law, College of Law
- Bar Vocational Course, College of Law

# **Professional bodies**

- Employment Law Bar Association
- Employment Law Association