

Richard O'Dair

Year of Call: 1987

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Practice Summary

Richard O'Dair is a highly experienced barrister specialising predominantly in employment law, with deep expertise in complex discrimination, whistleblowing, TUPE (transfer of undertakings), restrictive covenants and immigration-related workplace matters. He appears regularly before the Employment Tribunal, Employment Appeal Tribunal, High Court, Court of Appeal and Supreme Court.

He is particularly sought after for advice on discrimination law and TUPE. As a trial lawyer, he is recognised by clients to be an incisive cross-examiner (one grateful client spoke of him "annihilating" the other side's witnesses). He has therefore been very effective in highly contentious whistleblowing cases.

Richard practices employment law in all of its various forms, including complex discrimination and whistleblowing cases in the ET. And, in addition, High Court litigation arising from employee competition (team moves, breach of restrictive covenant and breach of confidentiality claims). He recently represented 10 former employees who had allegedly conspired to move en masse to new employment. One recent whistleblowing claim lasted three weeks and involved a claim for £1.5million on compensation.

Employment disputes often lead to employer referrals to the professional regulator such as the GMC or the NMWC. Richard recently brought about the dismissal by the NCTL of some very serious charges against a teacher.

Richard is recognised for incisive advocacy and robust cross-examination, particularly in highly contentious and high-stakes cases. He has acted for both employees and employers, including in noteworthy appellate decisions and major tribunal litigation.

In 2025, he was shortlisted for Barrister of the Year at both the Legal 500 Bar Awards and Legal Business Awards, reflecting his standing in the profession.

Areas of Expertise

Employment Law:

Discrimination law (including sex, race, disability and other protected characteristics)

Whistleblowing and detriment claims

TUPE issues and employee transfers

Restrictive covenants, confidentiality and team moves

Unfair dismissal and redundancy disputes

Employment status and agency worker status cases

Commercial & Regulatory:

Contract and restitution law

Representation before professional and regulatory bodies

Notable Cases & Contributions

Richard has been counsel in several influential and high-profile employment law cases, including:

Brook Street UK Ltd v Dacas — Court of Appeal decision on employment status and worker rights.

Seldon v CJW — Employment status of agency workers, with leave to appeal to the Supreme Court.

Orr v Milton Keynes DC — Court of Appeal case on employment issues.

He also regularly advises on complex regulatory intersection issues — for example, cases involving freedom of religion and belief at work.

Career & Accomplishments

Called to the Bar (Gray's Inn): 1987

Attorney-General's Regional Panel: Appointed December 2007

CEHR Specialist Panel of Approved Counsel: Appointed January 2011

Former Senior Lecturer, Faculty of Laws, University College London

Regular contributor to legal seminars and professional training

Author of Legal Ethics: Cases and Materials (Butterworths, 2001/2003)

Professional Memberships

Employment Lawyers Association

Employment Law Bar Association

Personal Injury Bar Association

Education & Qualifications

Richard was educated at Repton School before reading law at St John's College, Oxford, where he graduated first-class and earned his BCL and MA degrees. He was also awarded scholarships at Gray's Inn early in his career.

Why Instruct Richard O'Dair?

Clients and solicitors value Richard's strategic insight, forensic advocacy, and ability to achieve results in complex and high-value employment disputes. His blend of tribunal, appellate and regulatory experience makes him a trusted choice in both contentious and advisory mandates.

Areas of Expertise

- Employment