

Lawyer of the week Gareth Mitchell

Gareth Mitchell, a partner at Deighton Pierce Glynn, acted for Denise Brewster in the Supreme Court, where the five justices ruled unanimously that, as a cohabitee, she was entitled to her late partner's pension and that the refusal to pay her was discriminatory and unlawful.

What were the main challenges? Discrimination law is difficult. Demonstrating that there is a difference in treatment is not enough; only if the difference in treatment is disproportionate is it unlawful. We won because our opponents could not provide a coherent



explanation of the need for Denise to produce a piece of paper signed by her late partner, Lenny McMullan, when in any event she had to prove the existence of a long-term cohabiting relationship.

What's the best decision you've taken? I went to university on a full grant, so the financial security of working for a big commercial law firm was tempting. However, I don't think I would have found it nearly as engaging and rewarding as the judicial review and human rights work I specialise in.

Who has inspired you?

My dad for his resilience. My colleagues at this firm for their commitment to access to justice.

What's the funniest/oddest thing that has happened to you? Watching two posh barristers practising imaginary golf swings before going into court to oppose a carbon monoxide poisoning claim for four children who had found themselves in appalling, sub-standard housing. It was both funny and odd. They lost.

What's the best advice you've received? Persuade, don't argue. Good advice for life, as well as for litigators.

Which three qualities should a lawyer have? To be inquisitive, versatile and have a strong sense of

justice; the last is often undervalued.

What law would you enact? A funding regime that makes judicial review accessible to people with modest resources. Denise Brewster should not have had to risk losing her home to vindicate her rights.

How would you like to be remembered? I am most proud of the case *Jones v Southwark*, which last year resulted in £28.6 million in overpaid water charges being refunded to 74,000 low-income tenants. But more importantly, as a loving partner to Mary and father to Maya.

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