
Simon Forshaw

Called to the Bar in 2004, Simon is an experienced junior specialising in the areas of employment, commercial, business protection and public law. He is well regarded and is ranked in all the leading directories. He has recently been described in various directories as “an excellent junior”, as taking “a robust stance in combative situations” as “supremely intelligent and brilliant” and as managing “his clients very well”. He regularly appears in the employment tribunals, the EAT, the county court, the High Court and the Court of Appeal dealing with all stages of litigation.



Professional Summary

Called 2004

Contact Details

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Clerk Martin Pownall

Clerk Harry Gilson

Contact Clerks

Specialisms

Employment

Simon is an experienced, well known and well regarded employment lawyer. He regularly appears in the employment tribunals, the EAT and the Court of Appeal as well as dealing with employment matters in the High Court.

Examples of his work in this field include:

- **Shah v. Insafe International** – employee benefits and tax
- **D v. P** – injunctive relief
- **Suhail v. Barking Havering & Redbridge University Hospitals** – worker status
- **Merlin Financial Consultants Ltd v. Cooper** – restrictive covenants
- **Bon Groundwork Limited v. Foster** – employment tribunal practice and procedure
- **Ashby v. Birmingham City Council** – equal pay

Commercial & Business Protection

Simon has a broad practice in commercial law. He regularly appears in the High Court and county courts dealing with all stages of litigation principally in disputes relating to commercial contract, business sale, commercial agency, partnership and professional negligence. Simon has particular experience in civil fraud claims (including the obtaining of freezing injunctions and search orders).

Examples of his work in this field include:

- **Kangol v. Toll** – multi-million pound fraud claim arising out of a business sale
- **D v. P** – injunctive relief
- **Halcyon House Limited v. Baines** – harassment and confidential information
- **Merlin Financial Consultants Ltd v. Cooper** – restrictive covenants
- **Aon Limited v. JLT Reinsurance Brokers Limited** – interim disclosure orders
- **Capital for Enterprise Fund LP v. Malik** – freezing injunction in the context of a fraud claim

Public

Simon receives regular instructions in the field of public law. Examples of his work in this field include:

- **R (Kilroy) v. Governing Body of Parris Wood High School** – judicial review of a decision to suspend a school governor
- **Booth v. Oldham MBC** – local government pension scheme
- **R (Gurung) v. Secretary of State for Defence** – judicial review of decisions taken in relation to Gurkha pensions

Recommendations

“He’s very practical, responsive and has a wealth of experience.” **Chambers & Partners**

“He’s immensely hard-working and approachable, and always remains calm and composed under pressure.” **Chambers & Partners**

“Incredibly intelligent and hardworking, and incredibly good both on paper and on his feet.” **Legal 500**

“He’s very hard-working and has good judgement, and his technical ability is super strong.” **Chambers & Partners**

“He’s a fantastic team player who is really supportive and has a good instinct for what works in court.” **Chambers & Partners**

“Inspires great confidence in clients and is really impressive in tribunal.” **Legal 500**

“Amazing on his feet and fantastic on paper.” **Chambers & Partners**

“Very clever and very analytical.” **Chambers & Partners**

“An extremely bright, robust and effective advocate.” **Legal 500**

“Extremely impressive both on the technicalities of the law and on his feet.” **Chambers & Partners**

“An intellectual titan. Extremely responsive and hard-working.” **Chambers & Partners**

“Highly rated” **Legal 500**

“An excellent junior who is on the rise. Clients never fail to be impressed by his advocacy.”
“Simon takes a robust stance in combative situations.” **Chambers & Partners**

“Very detailed and not afraid to challenge strategy.” **Legal 500**

“He is supremely intelligent and brilliant in tribunal.” **Chambers & Partners**

“He manages his clients very well and shows fantastic attention to detail.” **Chambers & Partners**

Recent Cases

Alemi v Mitchell

UKEAT/0042/20/AT, EAT, January 8 2021, [2021] IRLR 262
Whether a locum doctor was an ‘employee’ of a medical practice

Sattar v Citibank NA

[2020] IRLR 104, [2019] EWCA Civ 2000, CA, November 19 2019
Guidance on operating disciplinary procedure.

R (Carter) v Crown Court at Chelmsford

[2019] EWHC 1484 (Admin) QBD, June 13 2019 [2019] ICR 1470
Police pensioner and wife challenging fairness of pension provision for wife if pensioner predeceasing her – Whether outside scope of statutory appeal to Crown Court
Simon appeared for the Chief Constable of Essex Police, interested party

A v. B

[2019] EWHC 2089 (Ch) Ch Div, July 25 2019 [2019] 1 WLR 5832
Search and seizure order providing for imaging of defendants' digital devices – Whether claimants or defendants to carry out first inspection of imaged documents

Nicholls v London Borough of Croydon

[2018] IRLR 988
Employment tribunal's decision that the transfer of a public health team from a primary care trust to a local authority did not fall within the TUPE regulations was remitted for reconsideration.

Shah v. Insafe International

[2016] EWHC 1036 (Ch); Ch Div, May 12 2016; [2016] STI 1657
Employee benefits and tax – payments by an employer into employee benefit trusts represented earnings and were therefore liable to income tax and NI.

D v. P

[2016] EWCA Civ 87, [2016] IRLR 355; Times, March 31 2016, CA, February 12 2016
Confidential Information, business protection, remedies – guidance on issuing a prohibitory injunction.

Suhail v. Barking Havering & Redbridge University Hospitals

[2015] UKEAT 0536_13_1106
Employment law, worker status – worker status of a doctor who performed out of hours services on an 'as and when' basis.

Halcyon House Limited v. Baines

[2014] EWHC 2216 (QB)
Business protection, protection from harassment – 11 day trial involving allegations of breach of contract, breach of confidence and harassment.

Merlin Financial Consultants Ltd v. Cooper

[2014] EWHC 1196 (QB), [2014] IRLR 610, HC April 16 2014
Business protection and restrictive covenants – financial advisor had been in breach of restrictive covenant by leaving employer and setting up own business.

Abertawe Bro Morgannwg University Local Health Board v. Korashi

[2012] EWHC 448 (QB)
Confidential information – injunction sought and obtained against a doctor who threatened misuse of confidential information.

Bon Groundwork Limited v. Foster

[2012] EWCA Civ 252, [2012] IRLR 517
Employment law, practice and procedure – whether employee's claims could continue having regard to the principles of res judicata and *Henderson* abuse of process.

Ashby v. Birmingham City Council

[2011] EWHC 424
Employment Law, equal pay – claimants were entitled to pursue equal pay claims in the civil courts where they were out of time to do so in the employment tribunals.

Aon Limited v. JLT Reinsurance Brokers Limited

[2010] IRLR 600
Business protection, team move, interim relief – guidance given as to matters to be considered where a party sought an interim disclosure order.

News, Articles & Publications

Blackstone's Employment Practice (Contributor)

Tolley's Employment Handbook (Contributor)

Education

MA (Oxon), First Class, Jurisprudence

St. John's College, University of Oxford

Littleton Chambers Award for Labour Law 2000



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