

Simon Forshaw KC

Silk: 2024 Call: 2004

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Simon is an experienced practitioner 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 "supremely intelligent and brilliant", as taking "a robust stance in combative situations" 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.



His drafting is clear and concise, and he picks up the most complex facts and legal issues very quickly.

CHAMBERS & PARTNERS

Expertise

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.



Simon is excellent to work with. He was responsive, thorough and helpful throughout our case.

CHAMBERS & PARTNERS

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 and 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).

Holman Fenwick Willan LLP v Samady

Indemnity contract

D v. P

injunctive relief

Halcyon House Limited v. Baines

harassment and confidential information

Merlin Financial Consultants Ltd v. Cooper

restrictive covenants

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.

R (Kilroy) v. Governing Body of Parrs Wood High School

judicial review of a decision to suspend a school governor

R (Gurung) v. Secretary of State for Defence

judicial review of decisions taken in relation to Gurkha pensions

Kangol v. Toll

multi-million pound fraud claim arising out of a business sale

D v. P

injunctive relief

Merlin Financial Consultants Ltd v. Cooper

restrictive covenants

Aon Limited v. JLT Reinsurance Brokers Limited

interim disclosure orders

Booth v. Oldham MBC

local government pension scheme

Recent cases

Holman Fenwick Willan v Samady

[2023] EWHC 125 (KB), KBD, FEBRUARY 6 2023,
[2023] COSTS LR 195

The requirements in respect of solicitor's invoices in the Solicitors Act 1974 did not apply to an indemnity agreement entered into by the solicitors and an individual whereby the solicitors waived a portion of their fees, in exchange for an agreement by the individual to pay by instalments.

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

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

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.

Bishopsgate Contracting Solutions v O'Sullivan

[2021] EWHC 2628 (QB), [2021] COSTS LR 1357, QBD,
SEPTEMBER 16 2021

The conduct of an unsuccessful claimant warranted an order that it pay the costs of the defendant on an indemnity basis

Sattar v Citibank NA

[2020] IRLR 104, [2019] EWCA CIV 2000, CA,
NOVEMBER 19 2019

Guidance on operating disciplinary procedure.

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

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.

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.

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.

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.

Achievements

News, Articles & Publications

Blackstone's Employment Practice (Contributor)

Tolley's Employment Handbook (Contributor)

Education

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.

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.

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.

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.

MA (Oxon), First Class, Jurisprudence

St. John's College, University of Oxford

Littleton Chambers Award for Labour Law 2000



Amazing on his feet and fantastic on paper.

CHAMBERS & PARTNERS



He manages his clients very well and shows fantastic attention to detail.

CHAMBERS & PARTNERS



He is supremely intelligent and brilliant in tribunal.

CHAMBERS & PARTNERS



Very detailed and not afraid to challenge strategy.

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



Highly rated

LEGAL 500



An intellectual titan. Extremely responsive and hard-working.

CHAMBERS & PARTNERS



Extremely impressive both on the technicalities of the law and on his feet.

CHAMBERS & PARTNERS



An extremely bright, robust and effective advocate.

LEGAL 500