



Caspar Glyn QC

Year of Silk/Call: 2012/1992

Call Clerk on 020 7827 4000

PRACTICE AREAS

Arbitration & Mediation | Commercial Law | Discrimination & Equality |
Employment | Human Rights | Professional Discipline | Sport & Entertainment

HIGHLIGHTS

"He can break down complex problems into something simple and he is really easy to work with." "He is really accessible and always seems to be available. He always knows the case inside out and he is really client-focused." "He is personable: so easy to work with and clients love his relaxed and friendly manner." **Chambers & Partners 2022** (Employment)

"He has an impressive ability to find solutions. You always want him in your corner." **Chambers & Partners 2022** (Sport)

"Always brilliantly prepared and a commanding force in the court room. Clients love his forceful and challenging approach - win or lose, clients feel their case

OVERVIEW

"ONE OF THE FOREMOST EMPLOYMENT SILKS AT THE BAR"

Caspar is recognised as one of the “foremost employment silks at the Bar” (Who's Who) Chambers 2020 says that he is a “well established silk...who is a highly capable barrister with exceptional court presences. He commands tribunals and courtrooms, is a highly effective cross-examiner, and fills his clients with confidence.” He advises on contentious disputes and is a trial lawyer with a national reputation. Caspar is variously described by previous editions of Chambers as a “Scintillatingly good QC with a razor sharp brain and by Chambers 2020 as “extremely knowledgeable and down to earth.” He is ranked by all 3 of the leading Directories as a Leading Silk in both of his primary fields of Employment and Sports' law.

APPELLATE QC

Caspar also has a busy and flourishing appellate practice. In 2019 he appeared before the Court of Appeal as lead counsel in three leading cases: constructive dismissal and suspension (*Lambeth v Agoreyo*), Agency workers (*Kocur v Royal Mail*) and part-time / zero hours holiday pay (*Harpur*). In the previous year he appeared again before the Supreme Court where his submissions were accepted so that a new term was implied into all contracts of employment in respect of dismissal notice (*Newcastle NHS v Haywood*), he was lead counsel for an appellant in the pending Supreme Court judgment on the National Minimum Wage (*Mencap*) which was heard in the Supreme Court in 2020. He is acting for the Harpur Trust on their appeal which will be heard by the Supreme Court in 2021.

A COURT QC

All the Directories speak with one voice of Caspar's courtroom skills describing him in 2020 Chambers as "a very strong court presence" with "a rare charm which sets him apart as an advocate" and as a "well-established silk recognised

for his effective cross-examination and courtroom presence." the 2017 Who's Who Legal described him as one of the 10 most highly regarded employment QCs in England and Wales. 2017 Chambers described Caspar as "a highly capable barrister who has exceptional court presence, he commands the courtroom" and is someone who has "outstanding cross examination skills" and in the 2016 Chambers and Partners not only as "a formidable court performer" but also as being "Well known for his imposing courtroom presence and the skill he displays when on his feet". This builds on previous descriptions of Caspar as "a masterful courtroom lawyer who excels when handling difficult litigation" (Chambers & Partners 2015) and Chambers and Partners 2014 which includes a testimonial that "I regard him as one of the best trial advocates I've ever used. He's incredibly difficult to beat in court." and confirm that he is an "acclaimed trial lawyer."

A LEADING EMPLOYMENT QC

In respect of his Employment Sports' work Chambers has said that he is a "fantastic contractual lawyer" and confirmed his "adeptness in high profile discrimination cases" with the Directories having described him as an "intellectual heavyweight", "consistently brilliant", "scintillatingly intellectual", "fiendishly brilliant" and "a superb all rounder". He "offers excellent analytical skills and attention to detail", is a "stickler for detail" leading one edition to call him "The amazing Caspar Glyn". Caspar has "particular expertise in defending very lengthy, complex discrimination claims" and a "particular expertise in complex and high-value discrimination claims involving race, sex and disability, as well as unfair dismissal matters" whose "high-profile cases include those relating to age, sexual orientation, disability, sex and race discrimination." Chambers & Partners has described him as "a clever man, who is very diligent" and the Legal 500 described him as "very hardworking, tenacious and analytical." The Directories have noted that Caspar "is acknowledged by sources for his burgeoning employee relations practice". As a past Chair of the Industrial Law Society with its constituency of trades unions, employing organisations, lawyers representing both employees and employers, judges and academics Caspar is one of the very few lawyers is retained both by unions and employers in industrial disputes - which has been confirmed by Chambers which has variously said of him that "He is admired for his industrial relations work, representing both employers and trade unions" and noted that Caspar "has expertise in industrial relations and is regularly instructed by both trade union and employers" - which can often lead to favourable outcomes.

A LEADING SPORTS' QC

Of his Sports work the 2018 Chambers writes that "He had a really good understanding of the area of law and what the tribunal needed, and he had a good advocacy style". 2018 Who's Who Legal that he has an impressive sports law practice and is renowned for his exceptional work in relation to wrongful dismissal and damages claims. 2017 Chambers wrote that "he really is rising fast" and that he is "well regarded for his work on employment contract disputes for clubs and individuals". Legal 500 writes that he "gives confident and clear advice" "Highly regarded for cases involving an employment, contractual or regulatory element." The Directories write that Caspar "is well regarded by peers for his employment expertise, especially in relation to football. He specialises in acting on regulatory and contractual disputes for managers, players and senior executives" "is developing a considerable following in the sports field" and has "strong technical analysis". The 2014 Chambers said that "he doesn't just bring grit and determination to a case, he also brings innovative and highly effective argument". The Directories have said that "he is a lively and knowledgeable advocate, and brings a practical real-world view, which is important in sport", "has a tremendous grasp of the subtleties of the football world, and understands perfectly how to translate his legal advice to that world". His approach is described as this "most effervescent of individuals is a lawyer who brings real brio to a case" and who is "hard-fighting, yet honourable and courteous."

AN ADVOCATE QC

As to his advocacy the Directories have written that Caspar is "a tenacious advocate", "a great cross-examiner", "an excellent and skilled cross-examiner", "exudes authority and impresses sources with his forceful and well-prepared approach", that he is "fearsome in court", "superlative in his presentation and his cross-examination is masterful", "demonstrates cross-examination skill worthy of Rumpole of the Bailey" is "wholly reliable and formidable in trials, especially during cross-examination" and is "an excellent cross-examiner." Caspar has conducted appeals as lead or sole counsel at every level including before the Supreme Court. Underhill LJ described his submissions as "sophisticated and lucid." Chambers has noted his "outstanding cross examination skills" and Legal 500 that Caspar is "never fazed and is very calm under pressure."

A FIGHTING QC

The Directories reflect the value that Caspar places, subject to his duty to the Court, of fighting his clients' corner. The Directories have rated him "for his tenacity" and have described him as "tenacious and dogged not mincing his words and fighting hard in court", "a tenacious barrister", "a tenacious advocate", "a real fighter", "good for a fight" and "good for a case with fight" and "extremely robust". Chambers said that "He is pugnacious. Suitably aggressive, he will fight his client's corner, and won't be cowed by names on the panel."

A COLLABORATIVE QC

In terms of his approach to clients and working as part of a team Chambers has written that "He is a pleasure to work with" and that he is "a very engaging and responsive silk who is constructive and helpful in all situations" and put it very simply that "Clients love him" but then goes on to say that "clients laud his high level of service and his approachability especially valuing his pragmatic approach to difficult cases" and that he "fills the client with confidence" and that he is "enthusiastic, intelligent and great to work with". The Directories have also said that Caspar is "a pleasure to work with", "is liked by clients", is "great with clients", "offers superb client service", is "shrewd and client-friendly", that he makes "a worthy contribution to any legal team", is "responsive to solicitors' demands" and is "transparent on fees". Your client can be reassured that he is a barrister who "gets stuck in". The Chambers & Partners has also set out the benefit of involving Caspar early in litigation as "He is such a great trial lawyer that right from the outset the advice is focused on obtaining a favourable outcome."

PRACTICE

His practice covers the whole width of the employment relationship, contractual (including injunctive relief) and regulatory sports' disputes and other linked contractual and commercial claims including civil fraud and breach of fiduciary duty. His work generally affects hundreds / thousands of employees, sets national precedents, are test cases, are of very high value, seriously affect the reputations of other employees or owners or the business itself or are a combination of these. Examples of the type of cases that Caspar has acted in are set out below.

CLIENTS

Caspar works for both employers and employees. He has worked for

organizations such as large FTSE Plcs, banks, international partnerships, hedge funds, Premier League and Championship football clubs, shipping lines, multinational oil companies through to family businesses. His individual clients include Financial Services Professionals, Premier League footballers and coaches, Chief Executives and main Board members, partners in professional sector firms such as lawyers and accountants all the way through to catering workers on the minimum wage and cycle couriers. Caspar also fulfils a pro-bono commitment - in 2017 representing a Union in a worker test case in the "gig economy".

PARTICULAR EXPERTISE

Caspar has a particular experience in claims involving the financial sector for both sides which engage and touch on FCA / PRA matters (he is described by Who's Who Legal 2015 as an "expert on claims in the financial sector"). He has represented institutions facing the largest single employment claim in the UK (more than £30 million) and, on the other side has represented senior bankers involved in LIBOR and other claims including bonuses and options achieving six and seven figure settlements. Caspar also has a special interest in injuries arising from the employment relationship such as psychiatric / stress claims or other occupational diseases caused by asbestos, ergonomics, work equipment and co-authors the personal injury pleadings in Bullen & Leake.

Caspar has been active in and has developed a specialism in respect of Covid19 Employment issues. He Coordinated and part-authored "The Four Silks" paper on the Coronavirus Job Retention Scheme in April 2020 and editing the first editions of the Cloisters Covid-19 Back to Work Toolkit in May 2020. He is acting for and has advised various groups of employees, Unions, employers (both large and small) and Government Departments in respect of pandemic related matters.

Caspar also has particular expertise in respect of working time and the national minimum wage.

AN ACKNOWLEDGED EXPERT

Caspar is frequently invited to lecture at National Conferences throughout England, Wales and Scotland as well as to Employment Judges in Scotland. He lectures on a wide variety of topics which reflect his deep knowledge of and passion for the law as it applies to work. In 2020 he was elected to the Chair of

the Employment Lawyers' Legislative and Policy Committee. In 2017 he was asked to give the legal perspective on the "gig economy" to the plenary session of the Employment Lawyer's Association Annual Conference which built upon his 2016 lectures at the Employment Lawyers' Association Annual Conference 2016 on Employment Status on the "gig economy. Also in 2016 he gave a plenary lecture as well as a lecture on Employment Status to the Industrial Law Society Annual Conference. He is acknowledged as having a special interest in working status and gig economy cases. Last year he also delivered a legal update to the Scottish Discrimination Law Association conference, whistleblowing lectures both to the Employment Law Group and also to the Society of Writers to Her Majesty's Signet. In 2015 he delivered lectures on Working Time in the 22QCs lecture series, Holiday Pay to the Scottish Employment Judges as well as a myriad of other national conferences such as SJ Live 2015. He has spoken previously to the Employment Lawyers Association Annual Conference 2014, the Scottish Discrimination Law Association 2014, the Equality and Human Rights Commission Discrimination Law in 2013 and the Justice Human Rights Law Conference 2012. Caspar has had a longstanding expertise in Working Time / Holiday Pay and the National Minimum Wage which was noted by Chambers and Partners 2016. It is reflected by invitations from Michael Rubenstein to speak on the subject in the 22 QCs lecture series from 2012. Caspar's expertise on the national minimum wage / working time and the linked issue of holiday pay is recognised by the Employment Lawyers' Association who invited him to address their Annual Conference on the Topic in 2014 and to a plenary London meeting in 2015.

PRESS AND TELEVISION

His views on employment and sports' issues are also sought by news organisations from the BBC to Sky where he has appeared on BBC One main news bulletins, The BBC News Channel, BBC Radio 4 The Today Programme, BBC Radio 4 The World at One, BBC Radio 4 Unreliable Evidence with Clive Anderson, BBC Radio 5 Live, BBC Radio 2 Jeremy Vine Show as well as the Sky News channel.

AWARDS

The Manchester University SJ Berwin Scholarship

REFERENCES

Chambers & Partners 2021: (Employment) "He can break down complex problems into something simple and he is really easy to work with." "He is really accessible and always seems to be available. He always knows the case inside out and he is really client-focused." "He is personable: so easy to work with and clients love his relaxed and friendly manner."

(Sport) "He has an impressive ability to find solutions. You always want him in your corner."

Legal 500 2021: "Always brilliantly prepared and a commanding force in the court room. Clients love his forceful and challenging approach - win or lose, clients feel their case was fully argued." Legal 500 2022

Chambers & Partners 2021: "He's incredibly intelligent and a fantastic litigator." "He's a superb tactician." "He gives excellent service."

Legal 500 2021: "A robust and confidence-inspiring approach, exhaustive preparation and supreme mastery of advocacy and its tactics." "So many strengths: Confident, lots of energy, leadership, fantastic technical knowledge. Noted for contractual and employment disputes."

Chambers & Partners 2020: "Caspar is a highly capable barrister with exceptional court presence. He commands tribunals and courtrooms, is a highly effective cross-examiner, and fills clients with confidence." "Extremely knowledgeable and down to earth." "Caspar has a very strong court presence and a rare charm which set him apart as an advocate. He is a pleasure to work with."

Legal 500 2020: "Gets to the heart of the issues in the case quickly and has really strong drafting skills." "Instructed in sports employment disputes."

Chambers & Partners 2019: (Employment) "Well-established silk recognised for his effective cross-examination and courtroom presence. He is admired for his industrial relations work, representing both employers and trade unions. He

also has expertise relating to other matters, including discrimination and employee benefits." "User-friendly and fantastic in front of clients." "An excellent and well-versed employment lawyer who takes a hands-on approach. He is good on tactics and good with clients."

(Sports) "He continues to be active and well regarded for his work on employment disputes in the sport sector, often representing football clubs against former managers. He frequently takes on dismissal and discrimination cases." "He has a very strong court presence and a rare charm which sets him apart as an advocate."

Chambers & Partners 2018: Caspar manages to combine supreme intelligence with an ability to work collaboratively

Who's Who Legal 2018: One of the foremost employment silks at the Bar

Chambers & Partners 2017: Scintillatingly good QC...commands the courtroom..highly effective cross-examiner..clients love him

The following quotations are all from the two leading Directories: the Legal 500 and Chambers and Partners

THE LAW

"Scintillatingly good QC with a razor sharp brain"

"he had a really good understanding of the law and what the tribunal needed, and he had a good advocacy style"

He is a fantastic contractual lawyer"

"Intellectual heavyweight" "Consistently brilliant"

"Scintillatingly intellectual"

"Fiendishly brilliant"

"Expert on claims in the financial sector"

"He has expertise in industrial relations issues and is regularly instructed by both trade union and employers"

"He has an intellectual and commercial grasp of matters that is rarely surpassed" "A superb all rounder"

"Offers excellent analytical skills and attention to detail"

"Stickler for detail"

"Analytical"

"Gives confident and clear advice"

"he is admired for his industrial relations work, representing both employers and trade unions"

IN TRIAL

"I regard him as one of the best trial advocates I've ever used. He's incredibly difficult to beat in court"

"he has a very strong court presence and a rare charm which sets him apart as an advocate"

"He is a highly capable barrister who has exceptional court presence, he commands the courtroom"

"He is a highly effective cross-examiner"

"Well-established silk recognised for his outstanding cross-examination skills and his adeptness in high profile discrimination cases"

"He is a highly capable barrister who has exceptional court presence, he commands the courtroom. He is a highly effective cross-examiner and fills the client with confidence"

"Well known for his imposing courtroom presence and the skills he displays when on his feet"

"The amazing Caspar Glyn"

"A masterful courtroom lawyer who excels when handling difficult litigation"

"A formidable court performer" "

Acclaimed trial lawyer"

"He is a tenacious advocate"

"Particular expertise in defending very lengthy, complex discrimination claims"

"Particular expertise in complex and high-value discrimination claims involving race, sex and disability, as well as unfair dismissal matters"

"High-profile cases include those relating to age, sexual orientation, disability, sex and race discrimination"

"He gets stuck in and likes to be in complete control of a case"

"He is such a great trial lawyer that right from the outset the advice is focused on obtaining a favourable outcome"

"An excellent and skilled cross-examiner"

"Exudes authority and impresses sources with his forceful and well-prepared approach"

"Fearsome in court"

"Superlative in his presentation and his cross-examination is masterful"

"Demonstrates cross-examination skill worthy of Rumpole of the Bailey"

"Wholly reliable and formidable in trials, especially during cross-examination"

"An excellent cross-examiner."

"he is never fazed and is very calm under pressure"

FIGHTING YOUR CORNER

Rated "for his tenacity"

"Tenacious and dogged not mincing his words and fighting hard in court"

"A tenacious barrister"

"A real fighter"

"Good for a fight"

"Good for a case with fight"

"Extremely robust"

"He is pugnacious. Suitably aggressive, he will fight his client's corner, and won't be cowed by names on the panel"

"tenacious"

TEAMWORK

"He is a pleasure to work with"

"Caspar manages to combine supreme intelligence with an ability to work collaboratively"

"a very engaging and responsive silk who is constructive and helpful in all situations"

"Clients love him"

"fills the client with confidence"

"Clients laud his high level of service and his approachability especially valuing his pragmatic approach to difficult cases"

"Enthusiastic, intelligent and great to work on employment matters"

"a pleasure to work with and is liked by clients"

"great with clients"

"Very hardworking"

"Offers superb client service"

"Shrewd and client-friendly"

"A worthy contribution to any legal team"

"Responsive to solicitors' demands"

"Transparent on fees".

SPORTS

"He really is rising fast"

"Highly regarded for cases involving an employment, contractual or regulatory element"

"Well regarded for his work on employment contract disputes for clubs and individual"

"Well regarded by his peers for his employment expertise, especially in relation to football"

"Specialises in acting on regulatory and contractual disputes for managers, players and senior executives"

"He is a lively and knowledgeable advocate, and brings a practical real-world view, which is important in sport"

"Is developing a considerable following in the sports field"

“Strong technical analysis”

"He doesn't just bring grit and determination to a case, he also brings innovative and highly effective argument"

“Has a tremendous grasp of the subtleties of the football world, and understands perfectly how to translate his legal advice to that world”

This “most effervescent of individuals is a lawyer who brings real brio to a case”

"Hard-fighting, yet honourable and courteous.”

APPOINTMENTS AND MEMBERSHIPS

Caspar is authorised to sit as a High Court Judge in the Queen's Bench Division as a Deputy High Court Judge, is a Recorder of the Crown Court.

He was elected Chair of the Employment Lawyers' Association Legislative and Policy Committee in 2020 which responds to consultations and calls for evidence from Government in the Employment law field as well as dealing with Employment law policy.

He served as Chair of the Industrial Law Society 2013-2015 and prior to that was on the Executive Committee for 8 years.

Caspar sits as a Chairman of The Football Association Arbitration panels.

He was a member of the Working party that devised the Code of Guidance for Experts under the Civil Procedure Rules.

He is a member of the Employment Law Bar Association, undertakes both ELAAS work at the Employment Appeal Tribunal and work for the Bar Pro Bono Unit. Caspar is an Advocacy Trainer for Inner Temple.

PUBLICATIONS AND TRAINING

Caspar's expertise on Working Time, National Living Wage, Employment Status and the Gig Economy has formed a large part of his practice as the issues are increasingly litigated and clients look for developed advice. The Employment Lawyers' Association recognise this expertise by, in the past three years regularly publishing his articles in their journal on Working Time, Holiday Pay, Employment Status and the National Minimum Wage. Caspar also writes for Funding for Independent Schools and for Bullen & Leake (the practitioner's work for statements of case). Examples of his work are set out below. Caspar accepts work directly from both members of the public and companies.

Caspar sat on the Editorial Board of the Industrial Journal from 2013-2015. He is a co-author of Sweet & Maxwell's "Bullen and Leake", "The Fast Track Practice" and the "Personal Injury Handbook." Caspar also writes specialist legal contributions for publications such as Funding for Independent Schools.

Caspar is frequently invited to lecture at National and Judicial Conferences throughout England, Wales and Scotland. He lectures on a wide variety of topics which reflect his deep knowledge of and passion for the law as it applies to work.

In 2018 he has given several lectures including to the Employment Lawyers Association in Manchester, in 2017 he spoke at the plenary session of the Annual Employment Lawyers Association Annual Conference and delivered a talk to the Society of Writers to Her Majesty's Signet. In 2016 he delivered two lectures at the Employment Lawyers' Association Annual Conference on Employment Status, a Legal Update to the Scottish Discrimination Law Association conference, whistleblowing lectures both to the Employment Law Group and also to the Society of Writers to Her Majesty's Signet. In 2015 he delivered lectures on Working Time in the 22QCs lecture series, Holiday Pay to the Scottish Employment Judges as well as a myriad of other national conferences such as SJ Live 2015. He has spoken previously to the Employment Lawyers Association Annual Conference 2014, the Scottish Discrimination Law Association 2014, the Equality and Human Rights Commission Discrimination Law in 2013 and the Justice Human Rights Law Conference 2012.

Caspar has had a longstanding expertise in National Minimum Wage / Working Time / Holiday Pay which was noted by Chambers and Partners. It is reflected by invitations from Michael Rubenstein to speak on the subject in the 22 QCs lecture series in from 2012 to the present day. Caspar's expertise on working time and the linked issue of holiday pay is recognised by the Employment Lawyers' Association who invited him to address their Manchester meeting in 2018, their Annual Conference on the Topic in 2014 and a plenary London meeting in 2015.

His views on employment and sports' issues are also sought by news organisations from the BBC to Sky where he has appeared on BBC One main news bulletins, The BBC News Channel, BBC Radio 4 The Today Programme, BBC Radio 4 The World at One, BBC Radio 4 Unreliable Evidence with Clive Anderson, BBC Radio 5 Live, BBC Radio 2 Jeremy Vine Show as well as the Sky News channel.

Caspar is an Advocacy Trainer for the Inner Temple.

Caspar is always happy to go to clients and lecture and or train on topics of interest to them.

QUALIFICATIONS

LLB (Hons) with higher rights of audience in England, Wales and Northern Ireland.

Caspar was awarded a Scholarship by SJ Berwin and worked in US Attorneys Pettit & Martin in their Summer Associates' programme of 1990 in San Francisco where he worked on the rebuilding and refinancing of Kuwait Airways after the Iraq invasion.

He is a trained mediator.

HIGHLIGHT CASES

- Harpur Trust v Brazel [2019] EWCA Civ 1402 Court of Appeal decision on part time and zero hours holiday pay
- Kocur v Angard Staffing Solutions Ltd [2019] EWCA Civ 1185 - Only Court of Appeal decision on Agency Worker Regulations
- Lambeth v Agoreyo [2019] IRLR 560 - Court of Appeal suspension and constructive dismissal
- Royal Mencap Society v Tomlinson-Blake and Shannon v Rampersad [2018] EWCA Civ 1641 - Court of Appeal decision on sleep-in workers
- Newcastle Upon Tyne Hospital NHS Trust v Haywood [2018] ICR 882 - Supreme Court new implied term in all contracts of employment -
- Brazel v Harpur Trust UKEAT/0102/17/LA - part time / zero hours holiday pay
- Milanese v Leyton Orient Football Club Ltd (Rev 1) [2016] EWHC 1161 - gross misconduct by a football manager
- Milanese v Leyton Orient Football Club Ltd (Rev 1) [2016] EWHC 1263 - successful recovering of costs although payment made by client to claimant
- Will Chudley - Rugby Football Union Disciplinary Panel
- University College Union v Stirling University [2015] UKSC 26, Supreme Court construction of consultation
- Simpson v Hackney UKEAT/0104/12DM
- Corps of Commissionaires Management Ltd v Hughes CA [2011] IRLR 100 A working time authority on Rest breaks and exemptions under the Regulations
- Corps of Commissionaires Management Ltd v Hughes EAT 1 [2009] IRLR 122,
- Corps of Commissionaires Management Ltd v Hughes EAT 2[2011] IRLR 915
- Quashie v Stringfellows UKEAT/0289/11/RN
- Rio Football Services v Sevilla Futball Club Sad
- Kevin Keegan v Newcastle United Football Club [2010] IRLR 94 defending the club against a claim from their former manager for more than £25 Million
- Roman Bachnak v Emerging Markets Patnership UKEAT Whistleblowing authority on meaning of good faith
- Gordon v Nacro UKEAT 0740/03/0711 Amendment of originating application
- Ayobiojo v Camden UKEAT width of discretion in awarding costs
- Irandoust v Hounslow UKEAT date of detriment under PIDA
- Lawal v Northern Spirit UKEAT (ELAAS) post termination victimisation)
- Pinco v Bayliss UKEAT reinforcement of the correct approach to equal pay

cases involving like work

- Breaveglen v Sleeman EWCA contractual indemnities between employers for personal injury
- Sewell v McCowen UKEAT width of ET's discretion Kalam v Post Office UKEAT range of reasonable response

SPORT'S LAW

- acted for Leyton Orient in its successful defence against a wrongful dismissal claim brought by its dishonest Director of Football
- successfully represented Will Chudley of the Exeter Chiefs allowing him to start the Aviva Premiership Final 2016
- acted for Cardiff City in claims involving Malky Mackay and matters involving Ian Moody
- acted for Newcastle United in its defence of Kevin Keegan's £25 million claim. Mr Keegan obtained less damages than had been offered by the club (about £2 million)
- negotiated the compromise agreement for Newcastle over the departure of Chris Hughton
- negotiated and drafted the agreement for Alan Pardew and advised on and drafted an innovative new 8 year contract
- acted for Seville defending a €9.1 Million euro claim arising out of a third party rights agreement from a Hungarian investment vehicle in Luis Fabiano, the Brazilian striker
- advising Premier League club on enforceability of long term contracts in respect of players
- acting for Charlton in respect of claims brought by former senior employees
- represented Tottenham Hotspur in a dispute with Portsmouth 2010 Limited over fees which were paid by Portsmouth
- advised and negotiated the departure of Gus Poyet from Leeds to Spurs
- advised Hull City on the departure of Phil Brown
- advised Norwich City on the move of Paul Lambert
- advised Chelsea on the move of Frank Arnesen from Tottenham
- represented Mike Gregory in a dispute with Wigan
- represented Tottenham in dispute with its former player Sergei Rebrov

NATIONAL MINIMUM WAGE / WORKING TIME / HOLIDAY PAY

- represented an appellant in Court of Appeal groundbreaking case of Mencap
- retained by many multinational firms to advise both on working time and

national minimum wage

- advised national institutions on ramifications of holiday pay and how to deal with the problem going forwards
- advised FTSE100 client on ramifications of holiday pay and how best to deal with the issue
- advised very large public service provider on holiday pay and how best to deal with the issue
- advised Financial Institution on commission and how best to deal with its interrelationship with holiday pay
- advised transport provider in relation to on call commitments and working time running several multiples for Claimant unions
- acted for the Corps of Commissionaires in the leading case on rest breaks which has been to the Employment Appeal Tribunal twice and the Court of Appeal once

BREACH OF DUTY / CIVIL FRAUD

- worked on expedited High Court Trial defending 6 employees who sought to move, with their clients, to a competitor.
- As part of the team Caspar was involved in preparing for a 10 day trial in three weeks which led to a negotiated settlement allowing the team to move
- represented 7 Defendants in an alleged multi million pound fraud arising from the operation of a biotechnology company. The case involved numerous applications from disclosure to strike out leading to an advantageous settlement
- acted for a group of Barristers in respect of matters arising out of a fellow barrister's, su David Friesner, theft from them
- acted for an employee claiming bonus payments and facing a £52 Million claim from his employers for breach of fiduciary and other duties in managing a project costing over £300 million

INJUNCTIONS / RESTRICTIVE COVENANTS

- successfully restrained, without the need to issue proceedings, an agronomist who left for another employer
- injunctions and search orders advised on obtaining a Search Order and subsequent representation to keep it in force and avoid tipping off leading to beneficial confidential settlement
- for client obtaining an injunction and other relief including a modified search order against a disgruntled rogue IT technician
- obtaining injunction against former search consultants who attempted to take

a database to springboard a new start up firm in direct competition with the client

- acted for start up company backed by a multinational hedgefund which was threatened with injunctions by the large organisation from which the founding partners had moved. Fought hard and negotiated a settlement so that the client company was able to trade almost without restriction using injunctions on behalf of employees to restrain dismissals

CONTRACT CLAIMS

- successfully represented employee in the Supreme Court leading to a new implied term in all contracts of employment and an award of about £400,000 to the client
- £400,000 claim for bonus for a Chief Executive pursuing a \$2.4 million "guaranteed" bonus for a banker
- acting for various senior executives in different bonus claims which are discretionary acting for salesmen in respect of withheld commissions developing the use of contractual claims under Geys not to accept dismissals and or restrain them

DISCRIMINATION CLAIMS

- acted for senior banker in the LIBOR fall out achieving settlement and positive outcome in respect of dealing with the FCA
- acted for a senior employee and an NHS Trust against serious accusations of discrimination and harassment. The Claimant abandoned her case after cross examination represented Fire Service against a Claimant who, after cross examination, withdrew his claims and admitted that there was no truth in his allegations
- represented FTSE 250 company against claims of discrimination and structured a creative and innovative settlement which was highly tax efficient thereby avoiding a damaging trial for the Company and allowing a cost effective solution
- representing Chief Executive Officer of FTSE250 summarily dismissed in a case involving both discrimination and whistle blowing. Settled prior to trial preserving confidentiality for all for more than £1 million
- acting for FTSE100 Director summarily dismissed following a grievance in respect of discrimination. Settled the day before trial for high six figure sum
- represented a full member of a large LLP in a discrimination claim at a mediation leading to a structured exit allowing the partner to transfer their

practice elsewhere and them to continue servicing their client without any gap as they moved with some compensation

- represented a full member against a top 30 Solicitor LLP leading to a structured resignation and six figure settlement ran the first ever Fatal Accidents Act claim arising out of the suicide of an employee against a large public sector employee.
- Confidential six figure settlement represented the first intersectional discrimination claim based on disability and age against an NHS Trust leading to a settlement, after 6 days of trial, for a manager of more than £500,000

WHISTLEBLOWING

- successfully represented a drugs' company against a ransom whistleblowing claim brought to extract a settlement leading to dismissal of all claims acting for the BBC in respect of a widely reported claim brought by a former employee
- represented a Chief Executive of a large digital company in a claim that led not only to settlement of the employment claims but also the favourable realisation of options for the Executive leading to a six figure settlement.
- represented a Hedge Fund to defeat a claim of an investment manager and stands as an Employment Appeal Tribunal authority on the question of the burden of proof

EQUAL PAY

- leading a large team of lawyers including a Junior in dealing with over 500 claims against a large public sector employer leading to a negotiated settlement of some claims at a substantial discount to the employer
- acts for and advises other large public sector employers as to the implementation of Single Status and Equal Pay compliance including audits and the effect of the public sector equality duties from Southampton City Council, Hackney through to Bracknell Forest and Maldon District Councils and others
- representing the BBC in the High Court of Northern Ireland and the Belfast Industrial Tribunal in respect of an equal pay claim by an employee

INDUSTRIAL ACTION AND COLLECTIVE CONSULTATION

- acting for the UCU in 2018 against the Home Office in respect of the right of migrant workers to strike. Threatened JR proceedings
- acting for the University and College Union in their successful appeal to the Supreme Court as to the application of the law to fixed term contractors
- representing two Union members joined to a short notice injunction

successfully extracting them from an anti-picketing

- representing large factory in respect of failure to consult claims against unionised workforce in Gate Gourmet, Caspar represented, 40 workers who were summarily dismissed for taking unofficial strike action who were denied any remedy by the Employment Tribunal
- acted for large employer with Unionised workforce successfully defendant an allegation that a shop steward was dismissed for Union Activities
- Southampton City Council advising on all aspects of the industrial action including smart strikes
- Caspar advises on all aspects of ballots, notices and whether or not, in any one case, an injunction can be obtained against Unions
- acting for employer setting up a Staff Association engaging with recent decisions on Human Rights Act 1998

PROFESSIONAL NEGLIGENCE

- acted for employee against a firm of solicitors which had “edited” Counsel's advice to the employee in order to try and evade a claim on their insurance
- Gate Gourmet advised the Claimants as to a claim against their allegedly negligent Union

TUPE

- acted for large infrastructure client defending SPC claims involving hundreds of employees
- acted for contractors surrounding the outsourcing of contractors at Shakespeare's Globe theatre: “tupe or not tupe” issues
- acted for 8 doctors in a large outsourcing by the Foreign and Commonwealth Office to Capital in a 3 week trial leading to large claims by all the doctors
- acted for executive in a TUPE claim where a settlement was effected after one hour's cross examination of the Respondent's lead witness leading to agreed damages and a share sale as part of the overall agreement for six figure compensation

MEDIATIONS, INTERNAL INVESTIGATIONS AND DISCIPLINARIES

- represents NHS Trust in respect of an internal disciplinary matter where allegations of Gross Misconduct and dishonesty are made against a Surgeon
- prosecuted and defended in a wide variety of regulatory and disciplinary panels and tribunals from sport such as the Rugby Football Union through to the British Psychological Society and the Hearing Aid Council before they were regulated by the Health and Care Professions Council

- trained mediator both at conducting and participating in mediations

PERSONAL INJURY

- represented Defendants' in the largest ever personal injury claim bought in the UK. A stress claim pleaded in excess of £30 million
- experience of litigating tens of mesothelioma and other respiratory injuries arising out of exposure to asbestos particularly to trial where the Defendants contest breach of duty litigating
- various stress at work cases including "first breakdown" case

UNFAIR DISMISSAL

- successfully represented director of an insurance syndicate in respect of his unfair dismissal claim which had huge ramifications for his future career in the market
- acted for large employer with Unionised workforce successfully defendant an allegation that a shop steward was dismissed for Union Activities
- acted for school in successfully resisting a Teacher's claim arising from his dismissal following his conviction for publishing indecent images

GIG ECONOMY

- represented Stringfellows at the Employment Tribunal in its successful defence of an unfair dismissal claim by a dancer. Representing the club on Ms Quashie's subsequent appeal to the Employment Appeal Tribunal that she was an employee rather than a contractor
- represented claimant against Excel couriers and successfully determined claim that was a worker
- represented same worker against CitySprint for TUPE transfer and worker and settled claim.

PERSONAL

Caspar was educated at Ludgrove School, Eton College and at Manchester University where he set up a Debating Society and won the SJ Berwin Law Scholarship.

Before qualifying as a Barrister at 23 he worked as a Summer Associate in a

leading San Francisco law firm, as a bus boy on Miami beach, a labourer on building sites in London, a bar man in a Chinese Restaurant, cared for patients as an auxiliary nurse in Calcutta, sold ice creams in Hyde Park and taught skiing in the Chilean Andes.

Caspar is married to a successful criminal barrister who is also a QC. They have three children. He is a qualified Rugby Union Referee, Coach and former Coaching Coordinator at his Rugby Club. He is a long time season ticket holder at Stamford Bridge.