

Kawsar Zaman

Employment

Year of Call: 2018

Email Clerks: employment@no5.com



Kawsar Zaman is a highly-respected and experienced barrister enjoying a diverse practice with particular expertise in Employment, Regulatory and Public Law. He has appeared before a range of courts and specialist tribunals and is regularly instructed in complex matters - beyond his level of call – both as an advocate as well as in an advisory and investigatory capacity.

Before becoming a Barrister, Kawsar was a solicitor at ‘Magic Circle’ law firms Clifford Chance LLP and Allen and Overy LLP in London, where he specialised in Financial Services Regulatory Law acting for some of the world’s largest corporate and financial institutions on a range of high-profile matters. He also worked on high-value International Commercial Arbitration and Mediation matters, complex Banking and Finance transactions, and in forming Private Funds.

Kawsar graduated with a First-Class law degree from the London School of Economics, before reading for the BCL at Oxford University as an OCIS Scholar, and then the LLM at Harvard Law School, where he was Fulbright Scholar. In 2009, he was a Global Fellow of the Prime Minister.

He is currently a senior publicly elected official as an Alderman of the City of London.

Kawsar is accredited to accept direct instructions from members of the public where appropriate.

Practice and Experience

Kawsar has advised and acted for both claimants and respondents on the full range of statutory employment law matters. He frequently appears before the Employment Tribunal including in matters involving: unfair dismissal; direct and indirect discrimination; redundancy; equal pay; harassment; victimisation; whistleblowing; employment status issues; and specific disclosure. He has a particular interest in discrimination cases and those involving a financial and/or corporate element.

Recent instructions have included:

- Successfully representing, as sole junior, a group of 74 claimants in a class action against Carillion plc, in a 10-day preliminary hearing. The compulsory liquidation of Carillion plc is described by the Insolvency Service as the largest and most complex trading liquidation in the UK. Kawsar's oral advocacy and submissions were praised by co-counsel as "very persuasive and attractive".
- Successfully representing the respondent, senior Labour MP Sir Tony Lloyd MP, in an unfair dismissal claim. Following cross-examination of the claimant and arguments in respect of limitation, the claim was struck out. Instructed by Clyde & Co.
- Successfully representing the respondent, Derby City Council, on a complex 10-day pregnancy and maternity discrimination, victimisation and sexual harassment case.
- Successfully representing the claimant, a gas engineer, in a 7-day unfair dismissal, disability discrimination and holiday pay claim against British Gas.

In addition to court work, Kawsar provides training and seminars to law firms, corporate and financial institutions as well as charities on a range of employment matters. He is instructed in pre-litigation matters including advising on: settlement and compromise agreements; handling internal grievance and disciplinary proceedings; and drafting policy documents.

Kawsar is a CEDR Accredited Mediator, internationally recognised as the standard of excellence for mediators. He accepts instructions to act as a Mediator or as a Mediation Advocate, from both professional clients and on a direct access basis.

Employment Related Investigations

Kawsar is a very experienced investigator and has led, as sole investigator, internal investigations and inquiries in the corporate, public and charitable sectors, including those involving multiple jurisdictions. He is adept at interviewing witnesses and producing reports with findings and recommendations.

For three years, Kawsar investigated the actions of senior and junior undercover police officers as a security-cleared counsel to the Public Inquiry into Undercover Policing. As a result, he has good knowledge and experience of handling complex investigations and dealing with related legal issues arising, including public disclosure, privilege and security matters.

Recent instructions have included, investigating:

- a 70-page employment related grievance from two employees within a major charity requiring interviews with 10+ individuals;
- a complex and sensitive race discrimination grievance at a mainstream school requiring interviews with numerous staff; and
- allegations of improper conduct against a senior employed solicitor at a regional law firm.

As a senior public official holding the office of an Alderman of the City of London, he is highly respected and sought-after counsel for investigations.

Other Related Practice Areas

Kawsar is also regularly instructed in professional discipline proceedings. He has acted for doctors, osteopaths and nurses in full and interim order hearings before the Medical Practitioners Tribunal Service, General Osteopathic Council's Professional Conduct Committee and the Nursing and Midwifery Council's Fitness to Practise Committee.

In Public Law, as an education law specialist he has appeared in specialist tribunals in a number of complex and important cases concerning Education, Health and Care Plan appeals and disability discrimination claims. Kawsar is also instructed to advise and appear in judicial review claims, and has experience in civil claims against educational institutions and regulators, and advises institutions on issues of governance and safeguarding. He has also appeared before, and/or acted as a clerk to, a range of ad hoc decision-making bodies in respect of school admissions, exclusions, and transport.

As a member of the Attorney General and Government Legal Department's 'Junior Junior' Panel, he enjoys a busy public sector practice in all types of Employment, Regulatory and Public Law proceedings.

Previous Experience

- Associate (Lawyer), Allen and Overy LLP
- Trainee Solicitor, Clifford Chance LLP

Sector Experience

Banking, Finance, Leisure, Healthcare, Education, Social Care, Local Government, Police, Fire and Rescue and the NHS.

Testimonials

"You have represented Mark magnificently. You have my future recommendations" Steve Price-Hunt, Fire Brigades Union from a complex 7-day victimisation and harassment (associative) claim acting for the claimant, instructed by Thompsons Solicitors LLP.

Legal Appointments

- Counsel, Public Inquiry into Undercover Policing (2019 - 2022)
- Guest Teacher in Law, London School of Economics & Political Sciences
- Visiting Lecturer in Law, University in Law
- JJ Counsel, Government Legal Department / Attorney General's Civil Panel Counsel
- Level 1 Prosecutor, Crown Prosecution Service Advocate Panel
- Judge, Women & Diversity in Law Awards

Other Appointments

- Elected Alderman of the City of London
- Honourary Member, Honourable Artillery Company
- Governor, Morpeth Secondary School
- Trustee, Wembley Stadium Foundation

Awards

- Ann Goddard Scholarship, Gray's Inn (2019)
- Prime Minister's Global Fellow (2009)
- Shortlisted, Junior Lawyer of the Year, Law Society of England and Wales (2018)
- Excellence in Advocacy, Criminal Bar Association Award (2018)
- Tun Mahathir Scholarship OCIS, University of Oxford (2012-13)
- 2HC Scholarship, London School of Economics (2009-12)
- Fulbright Scholarship, Harvard Law School (2013-14)

Memberships

- Roll of Solicitors, Law Society of Ireland (2018)
- The Honourable Society of Gray's Inn
- Accelerated Postgraduate Diploma in Legal Practice (LPC), University of Law (2014-15)
- Roll of Solicitors, Law Society of England and Wales (2017)
- Member, City of London Law Society
- Member, City of London Solicitors' Company

Qualifications

- Harvard Law School, Master of Laws (LLM), Fulbright Scholar (2013-14)
- University of Oxford, Bachelor of Civil Law (BCL), Tun Mahathir Scholar OCIS (2012-13)
- London School of Economics, Bachelor of Laws (LLB), First Class Honours, 2HC Scholar (2009-12)

Languages

- English
- Bengali