

# Kawsar Zaman

Call: 2018

"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.



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.

## Expertise

### Employment

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.

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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.

## Notable Cases

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Successfully representing the claimant, a gas engineer, in a 7-day unfair dismissal, disability discrimination and holiday pay claim against British Gas.

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## Injunctions

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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.

He is currently developing a practice in injunctions. Recent instructions have included:

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## 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.

## Discrimination

Kawsar has a particular interest in discrimination matters. He has acted in a range of matters across the range of protected characteristics with a particular focus on disability, race and religious discrimination cases.

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## Unfair Dismissal & Redundancy

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Kawsar has frequently acted in claims relating to unfair dismissal and redundancy for a range of clients from corporate and commercial companies to public sector bodies (including local authorities) and government departments.

## Settlement Agreements & NDAs

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Kawsar has advised a range of clients (employee and employer) in drafting and concluding settlement agreements across a range of sectors principally in a corporate and commercial context.

## Employment Related Investigations

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## Mediation

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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.

Kawsar's wide legal knowledge and experience is supplemented by a firm understanding of what is required of mediators, including: a commitment to putting parties back in control; a detailed understanding of the facts and key issues; an ability to build rapport with and listen to all participants; an appreciation of the need to maintain momentum; and an ability to explore practical solutions to problems. Ultimately, Kawsar recognises that mediation is designed to resolve disputes to avoid costly and protracted litigation. Kawsar is acknowledged in his leadership and dispute resolution qualities as a current and former director, trustee, and governor of various national and international charities and organisations. These are invaluable skills in reaching successful outcomes in mediations.

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## Public Law

Kawsar Zaman is a specialist education, equality, and public law barrister.

He regularly acts on behalf of children and young people, vulnerable adults, parents and carers, schools, local authorities, charities / NGOs, government departments, students, and universities.

Kawsar has significant experience in working with children and young people with disabilities, mental health conditions, and special educational needs. He appears frequently before the First-Tier Tribunal in disability discrimination claims and appeals relating to the contents of Education, Health and Care Plans.

As a secondary school governor for the past 8 years and as a visiting member of the teaching staff at two leading universities in London, Kawsar has a very strong understanding of all aspects of issues and policies concerning educational establishments from safeguarding to school exclusions.

With a significant related practice in Employment Law and Investigations, Kawsar has substantial experience in discrimination matters, particularly those arising under the Equality Act 2010.

In addition to court work, Kawsar provides training and seminars to clients on a range of regulatory matters ranging from safeguarding to GDPR implications. He is instructed in pre-litigation matters including advising on: policy reviews; handling internal grievance and disciplinary proceedings; and drafting policy documents.

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## Education

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In addition to court work, Kawsar provides training and seminars to clients on a range of regulatory matters ranging from safeguarding to GDPR implications. He is instructed in pre-litigation matters including advising on: policy reviews; handling internal grievance and disciplinary proceedings; and drafting policy documents.

## Regulatory

Kawsar has advised and acted for clients on a range of professional discipline matters.

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

## Inquests, Public Inquiries & Coronial Law

Kawsar is an 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 complex and sensitive race discrimination grievance at a mainstream school requiring interviews with numerous staff;
- a 70-page employment related grievance from two employees within a major charity requiring interviews with 10+ individuals; 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.

## Business & Property

Kawsar practices the following areas:

### Mediation

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.

Kawsar's wide legal knowledge and experience is supplemented by a firm understanding of what is required of mediators, including: a commitment to putting parties back in control; a detailed understanding of the facts and key issues; an ability to build rapport with and listen to all participants; an appreciation of the need to maintain momentum; and an ability to explore practical solutions to problems. Ultimately, Kawsar recognises that mediation is designed to resolve disputes to avoid costly and protracted litigation. Kawsar is acknowledged in his leadership and dispute resolution qualities as a current and former director, trustee, and governor of various national and international charities and organisations. These are invaluable skills in reaching successful outcomes in mediations.

## Sports

Kawsar has a keen interest in all aspects of Sports Law.

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He has represented a client (registrant) of the British Horseracing Authority (BHA) in a Sports Arbitration matter during a two-day final hearing held at the International Dispute Resolution Centre in Holborn, London. The BHA were represented by Kate Gallafent QC of Blackstone Chambers.

Kawsar is also a trustee / director of the Wembley Stadium Foundation, a charitable grant-making trust, distributing funding received from Wembley Stadium to support community sports initiatives.

## Professional Misconduct

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Kawsar has advised and acted for clients on a range of professional discipline matters.

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

## Accreditations

- 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)

## Appointments

### 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

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## 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)

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