

# Navid Pourghazi

*"Navid is extremely bright and proactive; he gets completely engaged in the litigation and works well with the wider legal team. He always seems to be one step ahead and will flag any issue. He is a very strong advocate."*

– CHAMBERS & PARTNERS, 2024

Year of call: 2015  
Degree: BA: Philosophy, Politics and Economics, University of Oxford (1st Class), MPhil: Political Theory, University of Oxford, GDL: City Law School, BPTC: City Law School (Outstanding)  
Languages: Farsi (fluent), French (some knowledge)



Navid Pourghazi's practice spans employment and discrimination law, civil liberties & human rights, sports law, group litigation, commercial law and claims relating to breach of confidence, professional discipline and regulation, and independent investigations. He is routinely instructed in heavy commercial employment litigation, as well as public interest litigation on behalf of claimants. He has been instructed in significant cases before the EAT, High Court, Court of Appeal and CJEU, as well as numerous professional regulatory tribunals. His experience includes multi-day discrimination and whistleblowing claims, sexual harassment claims, employment status cases, restrictive covenant cases, and high-value bonus claims.

Navid has particular expertise in complex group litigation, acting for both claimants and respondents in cases concerning equal pay, worker status, holiday pay, and national minimum wage rights.

Navid is a member of the Equality & Human Rights Commission's Panel of Counsel, was included in International Employment Lawyer's 2024 Tomorrow's Leaders thought-leadership survey, and is ranked as a highly-rated practitioner in the Chambers UK Bar Guide and Legal 500. Recent quotes include:

- "Navid is incredibly impressive. His advocacy is superb – clear, calm and compelling."- Legal 500, 2024
- "Navid is extremely bright and proactive; he gets completely engaged in the litigation and works well with the wider legal team. He always seems to be one step ahead and will flag any issue. He is a very strong advocate."- Chambers & Partners, 2024
- "Navid is technically brilliant, incredibly meticulous, great with clients and commercially savvy."- Chambers UK, 2023

## EXPERIENCE

### Employment

Navid is recommended in both the Chambers UK Bar Guide and Legal 500 as a highly rated employment practitioner.

He has extensive experience across a wide range of employment matters. His clients include large commercial entities such as banks, major airlines, and businesses in the platform economy; and non-commercial organisations such as Universities, schools, and local authorities. Navid also acts for an array of individuals such as brokers and bankers, academics, lawyers, television presenters, directors of artistic institutions, headteachers, individuals who work in service, retail, and public sector jobs, and people engaged in precarious forms of work. He has been instructed in numerous multi-day whistleblowing claims, employment status cases, restrictive covenant cases, and equal pay claims.

For details of sub-areas of work within employment law, see the sections titled “Discrimination”, “Whistleblowing”, and “Employee Competition” below.

**“Navid is technically brilliant, incredibly meticulous, great with clients and commercially savvy.”**

— CHAMBERS UK, 2023

### Cases

#### **Uber Rides - Group claims for holiday pay and national minimum wage**

2022 - 2024

Acting as junior counsel for Uber in the group litigation that followed the widely publicised Supreme Court decision in 2021 which found that drivers providing private hire vehicle services via the Uber app are workers. The group litigation in which Navid is acting concerns matters such as when the worker contract comes into (and out of) existence, and the nature and scope of Uber's resulting holiday pay and national minimum wage obligations. Navid has acted in group claims arising out of these issues spread across both the employment tribunal and civil courts. The claims continue to receive considerable national media attention; see for, example, [here](#) and [here](#). The outcome of the case could affect the legal framework under which many household platform-economy operators work.

#### **Mass equal pay claim against Co-op supermarket**

2022 - 2024

Acting as junior counsel for a group of approximately 4,000 claimants bringing equal pay claims against the Co-op supermarket. The case is part of a slew of long-running and complex equal pay claims being brought predominantly by female shop-floor workers seeking equal pay with predominantly male distribution centre workers. The case against Co-op has received considerable national media attention - for example, see [here](#) and [here](#).

### **Gig-economy worker status claims and advisory work**

2021 - 2024

Long-standing advisor to, and junior counsel representing, one of the largest gig-economy platform operators in relation to numerous employment tribunal claims in which the worker status of those working via its platform are being challenged. Also advising the operator on the potential employment status impact of new commercial products and updates to its methods of working, against the ever-present backdrop of existing and potentially further group litigation.

### **Freedom of speech and belief discrimination claims by academics against their Universities**

2022 - 2024

Part of a team of lawyers advising and representing academics at various universities in the UK bringing claims against their employing universities concerning their dismissal or detriments to which they have been subjected on the basis of their speech. The claims raise issues of what qualifies as a protected belief, as well as issues of Articles 9 (freedom of thought, conscience, and religion) and 10 (freedom of speech) ECHR.

### **Artificial Intelligence and Facial Verification Technology**

2022 - 2024

Acting as junior counsel to Uber Eats in a series of cases concerning the lawfulness of the facial verification technology which Uber uses to confirm the identity of those performing services using its platform. The cases have received considerable media attention (e.g. [here](#) and [here](#)) and are supported by the Equality & Human Rights Commission.

### **BBC equal pay litigation**

2020 - 2021

Acting as sole counsel for claimants in three separate equal pay claims against the BBC, one brought by a senior television news reporter, another by a senior journalist, and another by an employee in a Finance position. The claims were listed for 4-week, 1-week, and 2-week hearings respectively in the Employment Tribunal but settled before trial.

### **Whistleblowing complaint against global financial services group**

2023

Represent a managing director of a trading desk who alleges that he was dismissed and subjected to detriments by the global financial services group that employed him on the grounds that he made protected disclosures that revealed serious criminal conduct and breaches of legal obligations.

## **Challenging a multi-national e-commerce company's use of unknown targets to discipline workers**

2022 - 2023

Advising on prospective claims against a multi-national e-commerce company challenging, among other things, the practice of disciplining warehouse workers for failing to meet unknown targets, which the company monitors using digital surveillance.

## **Legal issues arising out of "Covid status certification" / "Vaccine Passports"**

2021

Advising a leading NGO as part of a four-person team of counsel on the legal issues arising out of Covid status certification / 'vaccine passports' being used by proprietors of premises to decide who can enter and by employers to make employment-related decisions. This issue generated significant media and Parliamentary attention.

## **Victimisation claim against a global law firm**

2022

Acting as junior counsel for a senior partner in a high value victimisation claim against a global law firm, raising complex issues concerning the territorial jurisdiction of the Employment Tribunal.

## **Senior consultant and academic in Faculty of Medicine alleges disability discrimination against University**

2023

Acting for a leading UK research university defending multiple claims of disability discrimination brought by a senior consultant and academic in medicine

## **Race harassment claim against global sports apparel company**

2023

Advising a global sports apparel company in relation to a race harassment claim

**B v Yodel Delivery Network Ltd – Reference to CJEU**

2020 - 2021

Acting as junior counsel for Yodel following a reference by Watford ET under the Preliminary Reference Procedure to the CJEU, leading to a Reply by Reasoned Order concerning the meaning of 'worker' under the Working Time Directive in the context of the 'gig economy'. A link to the CJEU's Reply by Reasoned order can be found [here](#). Media coverage of the case can be found [here](#).

**EAT: Rule 3(10) hearing - Mischaracterising claim and imposing deposit order**

2022

Representing the appellant (claimant below) in a Rule 3(10) hearing. The appeal concerned, among other things, whether the Employment Tribunal had mischaracterised the claimant's claim as direct, rather than indirect, discrimination and proceeded wrongly to impose deposit orders following that mischaracterisation.

**Whistleblowing on the UK Government's withdrawal from Afghanistan**

2021

Advising an ex-FCO worker who blew the whistle on the Government's allegedly mismanaged withdrawal from Afghanistan. The ex-FCO worker gave evidence to a Parliamentary select committee, which received widespread media attention.

**University, international law firm, and 18 other respondents defending vexatious claim**

2021 - 2022

Acting as sole counsel for a world-renowned University, an international law firm, and 18 individual respondents defending approximately 1000 claims of unlawful conduct, including discrimination, whistleblowing detriments, and breaches of the HRA 1998, brought by a current employee. The case raises complex issues of law relating to vexatious claims, and the handling of multi-party litigation brought by a current employee who also has multiple concurrent and overlapping internal grievances.

**Case against the Greek National Tourism Office**

2022 - 2023

Representing a senior employee bringing claims against the Greek National Tourism Office (GNTO) concerning whether the GNTO's use of consecutive part-time employment contracts gives rise to a permanent employment relationship pursuant to the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002. The case raises issues around the interplay between Greek national laws and UK employment protections.

**Tweets, freedom of speech and protected philosophical beliefs**

2023 - 2024

Advising an employee in relation to claims of belief discrimination, and issues around freedom of speech and freedom of thought, conscience and religion, after she was subjected to a disciplinary process for publishing tweets of a political nature.

**Whistleblowing claim against global bank**

2023 - 2024

Acting as junior counsel for a global bank in a complex whistleblowing claim brought by a senior employee who was allegedly dismissed and subjected to detriments for making protected disclosures about the bank misrepresenting its risk and capital positions to regulators and attempting to cover up its wrongdoing.

**Constructive dismissal of an EFL Championship football manager's coaching staff**

2021

Acting as sole counsel for an ex-member of the coaching staff of a leading English Football League (EFL) Championship club in relation to a claim for constructive dismissal.

**Advising Local Authority on whether withdrawing special responsibility allowances could be discriminatory**

2017

Advising a local authority on whether a proposal to withdraw special responsibility allowances from local councillors when they are temporarily unable to perform their duties would be discriminatory. This advice is potentially applicable across a large number of local authorities nationally.

**Orthodontist's claim of worker status and infringement of associated rights**

2021

Acting for a senior orthodontist working at a boutique dental clinic in London challenging her classification as a self-employed independent contractor and raising complaints of discrimination and whistleblowing detriment.

**Stephens v Qatar Airways**

2022

Defending Qatar Airways against a claim of unfair dismissal brought by an Airport Services Manager following redundancies brought about by the Covid-19 pandemic. The judgment can be found [here](#).

**Trading Desk Head brings whistleblowing claim against global bank**

2022

Representing a senior Trading Desk Head bringing claims against a global bank for whistleblowing detriment and automatic unfair dismissal.

**Age Discrimination against police authority**

2019

Acting as sole counsel for a police authority in a claim brought by a former employee alleging direct age discrimination and constructive dismissal.

**Advising the director of Manchester art gallery**

2022

Advising Alistair Hudson - the Director of the Manchester Art Gallery and Whitworth Art Gallery, and an employee of the University of Manchester - regarding a series of legal issues arising after an exhibition entitled "Cloud Studies" by Forensic Architecture was displayed in the Whitworth Art Gallery. The case engaged issues around, among other things, the right to freedom of expression under Article 10 ECHR; the right to freedom of thought, conscience and religion under Article 9 ECHR; discrimination under the EqA 2010; and the scope and nature of a University's obligation to respect academic freedom under the Education (No.2) Act 1986. The case has received considerable national media interest e.g. [here](#) and [here](#). Mr Hudson's alleged treatment reportedly led to more than 100 University staff signing a letter in protest and numerous artists withdrawing from the Manchester leg of the touring exhibition British Art Show (see reports [here](#)).

**Award-winning headteacher claims lawful means conspiracy against National Education Union**

2022

Advising the National Association of Headteachers regarding the merits and quantum of a claim brought by one of their members - an award-winning headteacher of a primary school - against the National Education Union and one of its officers arising out of highly critical and damaging comments allegedly published in private and public forums, and via the media. The claims include unlawful means conspiracy, lawful means conspiracy, and breaches of the Protection from Harassment Act 1997 - which involves a balancing of Art 8 and Art 10 ECHR rights. The case has received considerable local and national media attention e.g. [here](#) and [here](#).

**High value sex discrimination claim by female commodities trader**

2022

Acting as junior counsel for a female commodities trader in a high value sex discrimination & victimisation claim against her employer potentially worth over a hundred million pounds.

**Primary school head teacher facing safeguarding allegations**

2021 - 2022

Acting as sole counsel for a primary school head teacher defending allegations of unacceptable professional conduct concerning a safeguarding incident. Also representing the head teacher in related Employment Tribunal proceedings in a claim for unfair dismissal.

**Educational institution defending an unfair dismissal claim by former employee accused of domestic assault**

2021

Acting as sole counsel for an educational institution providing programmes of study for vulnerable students defending a claim of unfair dismissal brought by a former employee who had been accused of domestic assault. The case raised complex issues concerning whether the former employee had been dismissed or whether his contract of employment had been frustrated and came to an end by operation of law, without a dismissal on the part of the employer.

**Sex discrimination claim against global investment firm**

2021

Acting as junior counsel to the former Head of HR of a global investment firm alleging sex discrimination against her former employer, which in turn accuses the former employee of having committed fraud.

**Former head teacher allegedly making inappropriate comments about paedophilia on internet chat room**

2021

Acting as sole counsel for a former head teacher who was referred to the Teaching Regulation Agency for comments he posted on an internet chat room about paedophilia.

**Advising on an appeal to the EAT**

2021

Advising a post-doctoral research scientist on the merits of a potential appeal to the EAT against the Employment Tribunal's decision to dismiss claims of direct sex and disability discrimination.

**Detriment and automatic unfair dismissal claims arising out of Covid-19 issues against luxury travel company**

2021

Acting as sole counsel for a luxury travel services company defending a series of claims of detriment and automatic unfair dismissal arising out of the alleged risk to the health and safety of the claimant of travelling to work during the Covid-19 pandemic.



### **Discrimination claims following Covid-19 redundancy process**

2021

Acting as sole counsel for a multi-national consumer technology company defending claims of direct and indirect age discrimination and unfair dismissal arising out of a redundancy process following the Covid-19 pandemic.

### **Race discrimination claim against a major bank**

2020

Representing a major bank as sole counsel defending numerous allegations of race discrimination in a claim listed over 7-days in the Employment Tribunal.

### **Reasonable adjustments claim against global sports apparel retailer**

2020 - 2021

Representing one of the world's largest sports apparel retailers defending a complex claim of failure to make reasonable adjustments and discrimination arising from disability.

### **Roaf v Howman t/a Ashmere Fisheries**

2020

Acting as sole counsel in a two-day preliminary hearing for a commercial fishery defending a series of employment law claims brought by a groundsman where the preliminary issue concerned the claimant's purported worker / employee status.

### **Sexual harassment claim in the aviation industry**

2020

Representing the claimant in a sensitive claim of sexual harassment, direct sex discrimination and victimisation.

### **Solicitation scheme and conspiracy claims**

2020 - 2021

Representing a claimant insurance company in a case against 3 former employees and their new employer in which it is alleged that the defendants have been involved in an unlawful solicitation scheme of the claimant's clients, and in both unlawful and lawful means conspiracy.

### **Unfair dismissal claim following school's employment of someone subject to a TRA prohibition order**

2021

Acting as sole counsel for a claimant head teacher bringing an unfair dismissal claim arising out of the head teacher's decision to employ someone who had been the subject of a prohibition order by the Teaching Regulation Agency

### **University Professor accused of harassment**

2020

Representing a senior Professor at one of the UK's foremost universities in an internal appeal against a finding of harassment against three former students.

### **Whistleblowing re: Covid-19**

2021

Acting for an employer defending a whistleblowing claim, and a claim for automatic unfair dismissal (health and safety), where the employee alleged that she was dismissed and subjected to detriments for raising health and safety concerns in respect of the Covid-19 pandemic.

### **EAT time limits for lodging Notice of Appeal**

2020

Acting for the respondent – a multi-national medical technology company – in a hearing before the EAT concerning the time limits for lodging a Notice of Appeal.

### **Employment status advice in hospitality sector**

2021

Advising a nationwide hospitality business on whether its core business model - which involves contracting with self-employed individuals and independent companies - could be found by an Employment Tribunal, Court, or relevant tax body to give rise to employment or worker relationships.

### **Paul v Mitie Security Ltd**

2020

Acting as sole counsel for the respondent in a two-day Employment Tribunal hearing concerning claims of direct discrimination, harassment and constructive unfair dismissal. A link to the judgment can be found [here](#).

### **Constructive unfair dismissal**

2020

Acting as sole counsel for a former employee claiming constructive unfair dismissal against his former employer which was a legal expenses insurer.

### **Group claim against national high street retailer**

2019

Acting as sole counsel for a group of over 20 claimant employees bringing breach of contract claims against their former employer – a major high street retailer – concerning the number of holiday days the claimants were permitted to take each year.

### **Wrongful dismissal & breach of contract**

2019

Acting as junior counsel for a former CEO of an investment management firm in High Court proceedings. The claim includes allegations of wrongful dismissal, failure to pay bonuses, and breach of a share option agreement.

### **Unfair redundancy dismissal**

2019

Acting as sole counsel for a senior lecturer bringing claims of unfair redundancy dismissal against his former university employer.

### **Unfair misconduct dismissal of senior lecturer**

2019

Acting as sole counsel for a senior lecturer at a world renowned university bringing a claim of unfair dismissal following allegations that the lecturer had discriminated against one of his own students.

### **Rees v Vale of Glamorgan Council**

2019

Acting as sole counsel for a Welsh local authority in a 4-day Employment Tribunal hearing concerning the alleged unfair dismissal of a refuse lorry driver. A link to the judgment can be found [here](#).

### **Mensah v Governing Body of the John Roan School**

2019

Acting as sole counsel for the governing body of a secondary school in a 1-day Employment Tribunal hearing defending a claim of breach of contract. A link to the judgment can be found [here](#).

### **Unfair dismissal claim against cathedral**

2018

Advising an ex-employee in a potential unfair dismissal claim following a dismissal for misconduct that allegedly gave rise to safeguarding risks for child choristers.

### **Wrongful dismissal, holiday pay & employment status**

2018

Acting as sole counsel for a company manufacturing props and scenic embellishments for major high street retailers in a County Court matter concerning alleged wrongful dismissal and failure to pay contractual holiday pay. The claim was struck out on the basis of a one-day hearing which established that the claimant was neither an employee nor a worker and had no contractual holiday pay entitlements.

## Penalty clauses in settlement agreements

2018

Advising a senior former employee who worked for a corporate finance and capital markets boutique on (a) whether a term in a settlement agreement that requires his former employer to pay a fixed settlement sum by a certain date, or to pay a higher fixed sum in the event that payment is not made by that date, is an unenforceable penalty clause, and (b) whether breach of that clause amounts to a repudiatory breach which might entitle the former employee to treat themselves as released from further obligations under the agreement, including the waiver of claims relating to unpaid deferred bonuses.

## Internal disciplinary proceedings against senior lecturer at leading university

2017

Acting as junior counsel for a senior university lecturer at a leading UK university in internal disciplinary proceedings defending allegations of “immoral, scandalous or disgraceful” behaviour.

## Discrimination

Navid has a very busy discrimination practice acting for both claimants and respondents in all spheres regulated by equality laws, such as employment, the provision of goods and services, the exercise of public functions, the provision of education, and the operation of associations. He is often instructed in protracted and complex matters, including as sole counsel against KCs. He has a particular interest and expertise in equal pay claims, sensitive claims of sexual harassment, and claims arising out of the use of artificial intelligence in the workplace. He is a member of the Equality & Human Rights Commission's Panel of Counsel, and has been instructed in high-profile cases, including the mass equal pay litigation against the Co-op supermarket, Royal Mail v Efobi in the Court of Appeal, BBC equal pay litigation, and claims challenging the use of facial verification technology by a major business operating in the platform economy.

Further information on Navid's discrimination practice outside the employment/work context can also be found below under the section “Civil Liberties & Human Rights”.

## Cases

### Advising the EHRC on updates needed to the Statutory Code of Practice for Services, Public Functions and Associations

2023 - 2024

Advising the Equality and Human Rights Commission (EHRC) on key developments in the law relating to the Equality Act 2010 as part of the EHRC's work on revising the Statutory Code of Practice for Services, Public Functions and Associations.

## **Mass equal pay claim against Co-op supermarket**

2022 - 2024

Acting as junior counsel for a group of approximately 4,000 claimants bringing equal pay claims against the Co-op supermarket. The case is part of a slew of long-running and complex equal pay claims being brought predominantly by female shop-floor workers seeking equal pay with predominantly male distribution centre workers. The case against Co-op has received considerable national media attention - for example, see [here](#) and [here](#).

## **Legal issues arising out of "Covid status certification" / "Vaccine Passports"**

2021

Advising a leading NGO as part of a four-person team of counsel on the legal issues arising out of Covid status certification / 'vaccine passports' being used by proprietors of premises to decide who can enter and by employers to make employment-related decisions. This issue generated significant media and Parliamentary attention.

## **BBC equal pay litigation**

2020 - 2021

Acting as sole counsel for claimants in three separate equal pay claims against the BBC, one brought by a senior television news reporter, another by a senior journalist, and another by an employee in a Finance position. The claims were listed for 4-week, 1-week, and 2-week hearings respectively in the Employment Tribunal but settled before trial.

## **Artificial Intelligence and Facial Verification Technology**

2022 - 2024

Acting as junior counsel to Uber Eats in a series of cases concerning the lawfulness of the facial verification technology which Uber uses to confirm the identity of those performing services using its platform. The cases have received considerable media attention (e.g. [here](#) and [here](#)) and are supported by the Equality & Human Rights Commission.

## **Advising the EHRC on the special provisions relating to political parties under the Equality Act 2010**

2023

Advising the EHRC on the correct interpretation of s.104 Equality Act 2010 which provides a special exemption for the selection of candidates by relevant political parties.

**Efobi v Royal Mail Group Ltd**

[2019] ICR 750 (CA); [2018] ICR 359 (EAT)

Acting as junior counsel for Mr Efobi in the Court of Appeal and EAT. The case concerned the proper interpretation of the burden of proof under s.136 EqA in all discrimination claims. Links to the EAT and CA judgments can be found [here](#) and [here](#).

**Senior consultant and academic in Faculty of Medicine alleges disability discrimination against University**

2023

Acting for a leading UK research university defending multiple claims of disability discrimination brought by a senior consultant and academic in medicine

**Freedom of speech and belief discrimination claims by academics against their Universities**

2022 - 2024

Part of a team of lawyers advising and representing academics at various universities in the UK bringing claims against their employing universities concerning their dismissal or detriments to which they have been subjected on the basis of their speech. The claims raise issues of what qualifies as a protected belief, as well as issues of Articles 9 (freedom of thought, conscience, and religion) and 10 (freedom of speech) ECHR.

**Tweets, freedom of speech and protected philosophical beliefs**

2023 - 2024

Advising an employee in relation to claims of belief discrimination, and issues around freedom of speech and freedom of thought, conscience and religion, after she was subjected to a disciplinary process for publishing tweets of a political nature.

**Race harassment claim against global sports apparel company**

2023

Advising a global sports apparel company in relation to a race harassment claim

**Editor-in-chief alleges disability discrimination and constructive unfair dismissal against media platform**

2023

Advising the former Editor-in-chief of a major media platform in relation to claims of disability discrimination and constructive unfair dismissal

**EAT: Rule 3(10) hearing - Mischaracterising claim and imposing deposit order**

2022

Representing the appellant (claimant below) in a Rule 3(10) hearing. The appeal concerned, among other things, whether the Employment Tribunal had mischaracterised the claimant's claim as direct, rather than indirect, discrimination and proceeded wrongly to impose deposit orders following that mischaracterisation.

**Advising the director of Manchester art gallery**

2022

Advising Alistair Hudson - the Director of the Manchester Art Gallery and Whitworth Art Gallery, and an employee of the University of Manchester - regarding a series of legal issues arising after an exhibition entitled "Cloud Studies" by Forensic Architecture was displayed in the Whitworth Art Gallery. The case engaged issues around, among other things, the right to freedom of expression under Article 10 ECHR; the right to freedom of thought, conscience and religion under Article 9 ECHR; discrimination under the EqA 2010; and the scope and nature of a University's obligation to respect academic freedom under the Education (No.2) Act 1986. The case has received considerable national media interest e.g. [here](#) and [here](#). Mr Hudson's alleged treatment reportedly led to more than 100 University staff signing a letter in protest and numerous artists withdrawing from the Manchester leg of the touring exhibition British Art Show (see reports [here](#)).

**Refusing services to members of the Irish traveller community**

2022 - 2023

Acting for members of the Irish traveller community following a service provider's refusal to hire them a function room for a christening. The case raises issues of direct race discrimination, victimisation and harassment arising out of unwanted and insulting comments about traveller communities in general. The case is supported by the Equality & Human Rights Commission. It has attracted significant media attention, including [here](#) and [here](#).

**Advising Local Authority on whether withdrawing special responsibility allowances could be discriminatory**

2017

Advising a local authority on whether a proposal to withdraw special responsibility allowances from local councillors when they are temporarily unable to perform their duties would be discriminatory. This advice is potentially applicable across a large number of local authorities nationally.

## **Orthodontist's claim of worker status and infringement of associated rights**

2021

Acting for a senior orthodontist working at a boutique dental clinic in London challenging her classification as a self-employed independent contractor and raising complaints of discrimination and whistleblowing detriment.

## **Inaccessible correspondence from local authority**

2020

Acting for a blind claimant in relation to a local authority's failure to provide her with accessible correspondence. The case was widely reported by local and regional media e.g. [here](#).

## **High value sex discrimination claim by female commodities trader**

2022

Acting as junior counsel for a female commodities trader in a high value sex discrimination & victimisation claim against her employer potentially worth over a hundred million pounds.

## **Victimisation claim against a global law firm**

2022

Acting as junior counsel for a senior partner in a high value victimisation claim against a global law firm, raising complex issues concerning the territorial jurisdiction of the Employment Tribunal.

## **University, international law firm, and 18 other respondents defending vexatious claim**

2021 - 2022

Acting as sole counsel for a world-renowned University, an international law firm, and 18 individual respondents defending approximately 1000 claims of unlawful conduct, including discrimination, whistleblowing detriments, and breaches of the HRA 1998, brought by a current employee. The case raises complex issues of law relating to vexatious claims, and the handling of multi-party litigation brought by a current employee who also has multiple concurrent and overlapping internal grievances.

## **Allegations of victimisation against head of a leading university institution**

2021 - 2022

Acting as an independent investigator considering allegations of victimisation against the head of a leading university institution accused of sexual harassment.



**Judicial review re: Prisoner transfers**

2021 - 2022

Advising on a judicial review raising issues of discrimination and public law illegality concerning the lawfulness of the entire system by which prisoners are transferred from one prison to another in the UK. This work may affect any of the approx. 83,000 prisoners currently in detention in the UK.

**Advising on an appeal to the EAT**

2021

Advising a post-doctoral research scientist on the merits of a potential appeal to the EAT against the Employment Tribunal's decision to dismiss claims of direct sex and disability discrimination.

**Discrimination claim against software company**

2021

Acting as sole counsel defending a software company against an age, race and sex discrimination and harassment claims worth approx. £2m.

**Sex discrimination claim against global investment firm**

2021

Acting as junior counsel to the former Head of HR of a global investment firm alleging sex discrimination against her former employer, which in turn accuses the former employee of having committed fraud.

**Assessing reoffending risks & sexual orientation discrimination**

2021

Advising a prisoner who is serving a sentence for sexual offences on whether the criteria by which his risk of reoffending was measured directly or indirectly discriminated against him on the grounds of sexual orientation.

**Gender reassignment discrimination**

2021

Advising a prisoner in a complex transsexual discrimination and HRA 1998 claim (relying on Articles 8 and 14 ECHR) relating to the shower facilities made available to the prisoner.

**Prisoner prevented from observing Ramadan**

2021

Advising on a claim for indirect discrimination and breaches of HRA 1998 brought by a prisoner who was refused the option of having his medication in his possession, or administered after iftar, so as to enable him to keep his fast during Ramadan of 2020.

### **Discrimination claims following Covid-19 redundancy process**

2021

Acting as sole counsel for a multi-national consumer technology company defending claims of direct and indirect age discrimination and unfair dismissal arising out of a redundancy process following the Covid-19 pandemic.

### **Race and religious discrimination claims against private school**

2021

Advising the daughter of one of the UK's leading sports stars about her potential claims of racial and religious discrimination against her private school.

### **Race discrimination claim against a major bank**

2020

Representing a major bank as sole counsel defending numerous allegations of race discrimination in a claim listed over 7-days in the Employment Tribunal.

### **Reasonable adjustments claim against global sports apparel retailer**

2020 - 2021

Representing one of the world's largest sports apparel retailers defending a complex claim of failure to make reasonable adjustments and discrimination arising from disability.

### **Representing disabled prisoner in discrimination claim**

2020

Acting as sole counsel for a disabled prisoner claiming failure to make reasonable adjustments in relation to his cell, toilet and shower facilities against the Ministry of Justice.

### **Sexual harassment claim in the aviation industry**

2020

Representing the claimant in a sensitive claim of sexual harassment, direct sex discrimination and victimisation.

### **Race & sex discrimination against luxury fashion retailer**

2020

Acting as sole counsel for a luxury fashion retailer in a 4-day Employment Tribunal hearing concerning claims of direct race and sex discrimination, race and sex related harassment, victimisation and unfair dismissal.

**Discrimination & breach of Working Time Regulations**

2020

Acting as sole counsel for one of the world's largest suppliers of sports apparel in a claim of disability discrimination, constructive unfair dismissal, and breach of the Working Time Regulations.

**Disability discrimination claim against solicitors firm**

2020

Acting as sole counsel for a former employee in an 8-day Employment Tribunal hearing against a solicitors firm and lead partner concerning allegations of direct disability discrimination, discrimination arising from disability, failure to make reasonable adjustment, harassment and victimisation.

**Sex discrimination & unfair dismissal**

2020

Acting as sole counsel for a retail and commercial bank defending allegations of sex discrimination and unfair dismissal in a hearing listed for 4-days in the Employment Tribunal.

**Advising the Local Authority on pregnancy, maternity and disability discrimination**

2020

Advising a local authority on whether a proposal to withdraw special responsibility allowances from local councillors when they are temporarily unable to perform their duties could be discriminatory.

**Sexual harassment claim against global retailer**

2020

Acting as sole counsel for one of the world's largest suppliers of sports apparel in a claim of sexual harassment.

**EAT challenge to remedy decision**

2019

Acting as sole counsel for an appellant in EAT proceedings challenging various aspects of an Employment Tribunal's remedy decision, including how to make awards for loss of earnings for dismissals which are both discriminatory and unfair, the category of claims to which a 25% increase on awards can be made pursuant to s.207A TULRCA 1992, and whether Tribunals ought first to increase discrimination awards by 25% pursuant to s.207A before making an award for interest or vice versa. The case settled after exchange of skeleton arguments.

### **Potential race discrimination claim against British Army**

2019

Advising a former soldier about potential race discrimination and victimisation claims against the British Army.

### **Disability discrimination claim brought by choir instructor**

2019

Acting as sole counsel for a former choir instructor bringing claims of disability discrimination, harassment, victimisation and constructive unfair dismissal arising out of an altercation with colleagues after the former choir instructor suffered a mental health breakdown. The employer responded by restricting her teaching responsibilities on the basis of alleged safeguarding concerns. The case settled shortly before the first day of a 10-day hearing.

### **Age Discrimination against police authority**

2019

Acting as sole counsel for a police authority in a claim brought by a former employee alleging direct age discrimination and constructive dismissal.

### **Ex-employee v A supermarket**

2019

Acting as sole counsel for the respondent national supermarket in a 3-day Employment Tribunal hearing to determine allegations of race discrimination and unfair dismissal.

### **Disability discrimination & harassment against global data science company**

2019

Acting as sole counsel for a former employee in a case concerning allegations of disability discrimination, harassment and constructive unfair dismissal brought against her former employer, a global customer data science company. The case settled at judicial mediation.

### **Discrimination claim against FTSE-100 company**

2018

Acting as sole counsel for a former employee against a FTSE-100 telecommunications company in claim of disability discrimination, disability related harassment, unfair dismissal and breach of contract. The claim settled at judicial mediation.

### **Pregnancy & maternity discrimination against global engineering firm**

2018

Acting as sole counsel for a former employee in a pregnancy and maternity discrimination claim against a global engineering and design firm. The case settled shortly before the start of a multi-day hearing.

### **Lewis v Lyreco UK Ltd**

2018

Acting as sole counsel for a claimant in a 2-day liability hearing and 1-day remedy hearing concerning allegations of direct race discrimination. A link to the tribunal judgments can be found [here](#).

### **Mbwete v ASDA**

2017

Acting as sole counsel for a national supermarket in two hearings lasting a total of 5 days defending allegations of victimisation and constructive unfair dismissal. A link to the judgment can be found [here](#).

### **Collins v Compass Group UK Ltd**

ET Case: 1400803/2017

Acting as sole counsel on behalf of a female chef in a 4-day equal pay trial against what is purportedly the largest contract foodservice company in the world. The success of this claim attracted national media attention e.g. [here](#) and [here](#)).

### **Discrimination claim against church**

2017

Acting as sole counsel for a former employee bringing numerous claims against a Christian denomination church of disability discrimination, disability related harassment, victimisation and breach of the National Minimum Wage Regulations. The case settled immediately before the start of a 6-day hearing.

## Unsworth v Stroke Association

2016 - 2017

Acting as sole counsel for a former employee in a 2-day liability and 1-day remedy hearing against the Stroke Association concerning a claim of failure to make reasonable adjustments and unfair dismissal. Navid also acted for the former employee in her reconsideration application concerning the correct approach to calculating future loss of earnings which led to an increase in the final award. A link to the reconsideration judgment can be found [here](#).

## Group Litigation

Navid is a highly experienced junior in employment-related group litigation. His experience includes handling group litigation on behalf of claimants and respondents in the civil courts and employment tribunals. Many of his employment and discrimination cases are now group litigation claims, which are often worth many millions of pounds, can affect the rights of tens of thousands of workers, and could necessitate significant changes to employers' business operations.

Navid is currently acting in group litigation claims concerning worker status, equal pay, holiday pay, and national minimum wage rights. He is regularly instructed to advise in the context of potential group litigation. Several of Navid's group litigation cases have been running for many years, and Navid enjoys the teamwork that comes with group litigation.

Alongside the above, Navid has considerable experience of running smaller scale "group" litigation e.g. cases where he is acting for tens of clients bringing or defending similar claims.

## Cases

### Uber Rides - Group claims for holiday pay and national minimum wage

2022 - 2024

Acting as junior counsel for Uber in the group litigation that followed the widely publicised Supreme Court decision in 2021 which found that drivers providing private hire vehicle services via the Uber app are workers. The group litigation in which Navid is acting concerns matters such as when the worker contract comes into (and out of) existence, and the nature and scope of Uber's resulting holiday pay and national minimum wage obligations. Navid has acted in group claims arising out of these issues spread across both the employment tribunal and civil courts. The claims continue to receive considerable national media attention; see for, example, [here](#) and [here](#). The outcome of the case could affect the legal framework under which many household platform-economy operators work.

### **Mass equal pay claim against Co-op supermarket**

2022 - 2024

Acting as junior counsel for a group of approximately 4,000 claimants bringing equal pay claims against the Co-op supermarket. The case is part of a slew of long-running and complex equal pay claims being brought predominantly by female shop-floor workers seeking equal pay with predominantly male distribution centre workers. The case against Co-op has received considerable national media attention - for example, see [here](#) and [here](#).

### **Gig-economy worker status claims and advisory work**

2021 - 2024

Long-standing advisor to, and junior counsel representing, one of the largest gig-economy platform operators in relation to numerous employment tribunal claims in which the worker status of those working via its platform are being challenged. Also advising the operator on the potential employment status impact of new commercial products and updates to its methods of working, against the ever-present backdrop of existing and potentially further group litigation.

### **Artificial Intelligence and Facial Verification Technology**

2022 - 2024

Acting as junior counsel to Uber Eats in a series of cases concerning the lawfulness of the facial verification technology which Uber uses to confirm the identity of those performing services using its platform. The cases have received considerable media attention (e.g. [here](#) and [here](#)) and are supported by the Equality & Human Rights Commission.

### **Group claim against national high street retailer**

2019

Acting as sole counsel for a group of over 20 claimant employees bringing breach of contract claims against their former employer – a major high street retailer – concerning the number of holiday days the claimants were permitted to take each year.

### **University, international law firm, and 18 other respondents defending vexatious claim**

2021 - 2022

Acting as sole counsel for a world-renowned University, an international law firm, and 18 individual respondents defending approximately 1000 claims of unlawful conduct, including discrimination, whistleblowing detriments, and breaches of the HRA 1998, brought by a current employee. The case raises complex issues of law relating to vexatious claims, and the handling of multi-party litigation brought by a current employee who also has multiple concurrent and overlapping internal grievances.

## Whistleblowing

Navid regularly receives instructions in complex whistleblowing claims, often alongside claims for discrimination, unfair dismissal or unpaid bonuses. He has considerable experience of whistleblowing cases in the financial and legal sector, and a number of his cases have a significant socio-political angle.

### Cases

#### **Whistleblowing claim against global bank**

2023 - 2024

Acting as junior counsel for a global bank in a complex whistleblowing claim brought by a senior employee who was allegedly dismissed and subjected to detriments for making protected disclosures about the bank misrepresenting its risk and capital positions to regulators and attempting to cover up its wrongdoing.

#### **Whistleblowing complaint against global financial services group**

2023

Represent a managing director of a trading desk who alleges that he was dismissed and subjected to detriments by the global financial services group that employed him on the grounds that he made protected disclosures that revealed serious criminal conduct and breaches of legal obligations.

#### **Trading Desk Head brings whistleblowing claim against global bank**

2022

Representing a senior Trading Desk Head bringing claims against a global bank for whistleblowing detriment and automatic unfair dismissal.

#### **Whistleblowing on the UK Government's withdrawal from Afghanistan**

2021

Advising an ex-FCO worker who blew the whistle on the Government's allegedly mismanaged withdrawal from Afghanistan. The ex-FCO worker gave evidence to a Parliamentary select committee, which received widespread media attention.

#### **Detriment and automatic unfair dismissal claims arising out of Covid-19 issues against luxury travel company**

2021

Acting as sole counsel for a luxury travel services company defending a series of claims of detriment and automatic unfair dismissal arising out of the alleged risk to the health and safety of the claimant of travelling to work during the Covid-19 pandemic.



### **Whistleblowing re: Covid-19**

2021

Acting for an employer defending a whistleblowing claim, and a claim for automatic unfair dismissal (health and safety), where the employee alleged that she was dismissed and subjected to detriments for raising health and safety concerns in respect of the Covid-19 pandemic.

### **Whistleblowing in 'gig' economy context**

2020 - 2021

Acting as sole counsel for a delivery company in a wide-ranging claim concerning whistleblowing detriment, automatic and ordinary unfair dismissal, and wrongful dismissal.

### **Whistleblowing & unlawful deduction of wages**

2020

Acting as sole counsel for the respondent in a complex 5-day Employment Tribunal hearing defending allegations of whistleblowing detriment and dismissal arising out of alleged disclosures of health and safety issues, as well as claims of unlawful deduction of wages.

### **Dalton v Engie Services Ltd**

2019

Acting for the respondent in a 2-day hearing to determine a former employee's claim for whistleblowing detriment. A link to the judgment can be found [here](#).

### **Whistleblowing claim against global bank**

2018

Acting as junior counsel to Caspar Glyn QC for a senior compliance ex-employee against a multi-national retail and commercial bank in a high-value whistleblowing detriment and dismissal claim.

### **Whistleblowing & discrimination claim**

2018

Acting as junior counsel to Caspar Glyn QC for a senior ex-employee of a global bank working in the financial crime division alleging whistleblowing detriment and dismissal, as well as direct sex and race discrimination.

## Employment Status & Contracts

Navid has acted in, and advised on, a number of the leading employment status cases in recent years. This includes acting as junior counsel in the preliminary reference to the CJEU in the case of *Bridges v Yodel Delivery Network* C-692/19. He is currently acting for one of the largest businesses in the platform economy regarding employment status and related issues.

### Cases

#### **B v Yodel Delivery Network Ltd – Reference to CJEU**

2020 - 2021

Acting as junior counsel for Yodel following a reference by Watford ET under the Preliminary Reference Procedure to the CJEU, leading to a Reply by Reasoned Order concerning the meaning of ‘worker’ under the Working Time Directive in the context of the ‘gig economy’. A link to the CJEU’s Reply by Reasoned order can be found [here](#). Media coverage of the case can be found [here](#).

#### **Uber Rides - Group claims for holiday pay and national minimum wage**

2022 - 2024

Acting as junior counsel for Uber in the group litigation that followed the widely publicised Supreme Court decision in 2021 which found that drivers providing private hire vehicle services via the Uber app are workers. The group litigation in which Navid is acting concerns matters such as when the worker contract comes into (and out of) existence, and the nature and scope of Uber’s resulting holiday pay and national minimum wage obligations. Navid has acted in group claims arising out of these issues spread across both the employment tribunal and civil courts. The claims continue to receive considerable national media attention; see for, example, [here](#) and [here](#). The outcome of the case could affect the legal framework under which many household platform-economy operators work.

#### **Gig-economy worker status claims and advisory work**

2021 - 2024

Long-standing advisor to, and junior counsel representing, one of the largest gig-economy platform operators in relation to numerous employment tribunal claims in which the worker status of those working via its platform are being challenged. Also advising the operator on the potential employment status impact of new commercial products and updates to its methods of working, against the ever-present backdrop of existing and potentially further group litigation.

### **Orthodontist's claim of worker status and infringement of associated rights**

2021

Acting for a senior orthodontist working at a boutique dental clinic in London challenging her classification as a self-employed independent contractor and raising complaints of discrimination and whistleblowing detriment.

### **Employment status advice in hospitality sector**

2021

Advising a nationwide hospitality business on whether its core business model - which involves contracting with self-employed individuals and independent companies - could be found by an Employment Tribunal, Court, or relevant tax body to give rise to employment or worker relationships.

### **Roaf v Howman t/a Ashmere Fisheries**

2020

Acting as sole counsel in a two-day preliminary hearing for a commercial fishery defending a series of employment law claims brought by a groundsman where the preliminary issue concerned the claimant's purported worker / employee status.

### **Wrongful dismissal, holiday pay & employment status**

2018

Acting as sole counsel for a company manufacturing props and scenic embellishments for major high street retailers in a County Court matter concerning alleged wrongful dismissal and failure to pay contractual holiday pay. The claim was struck out on the basis of a one-day hearing which established that the claimant was neither an employee nor a worker and had no contractual holiday pay entitlements.

## **Employee Competition**

Navid has considerable experience in employee competition and business protection matters, spanning restrictive covenants and team moves, breach of confidence, and database rights. He is particularly sought-after for his commercialism, and ability to complement large legal teams.

## **Cases**

### **Team move advice in the insurance market**

2023

Advising a global insurance group in relation to the threat of potential team move proceedings being brought against them, which would raise numerous cross-border and jurisdictional issues.

**Team move case concerning LPA receivers**

2021 - 2022

Acting for 4 LPA receivers defending claims by their former employer concerning an alleged team move, breach of non-solicit and non-deal covenants, and misuse of confidential information.

**Alleged misappropriation of confidential information at a business intelligence provider**

2021

Acting as junior counsel for the former Head of Research & Analytics at a business intelligence provider defending allegations of orchestrating a scheme involving approximately a dozen other former and current employees to misappropriate and misuse his ex-employer's confidential information. The claims included breach of contract, breach of confidence, breach of fiduciary duties, and unlawful means conspiracy.

**Claims arising out of an individual's alleged misappropriation of his former employer's trading domain names**

2021

Acting as junior counsel for a group of claimant companies in the fashion retail, accessory, and homeware industries bringing claims of breach of contract, breach of fiduciary duty and unlawful means conspiracy in the High Court against a former employee and his newly incorporated company following his alleged misappropriation of the claimant companies' domain names. The case also raises issues of trade mark infringement and passing off.

**Solicitation scheme and conspiracy claims**

2020 - 2021

Representing a claimant insurance company in a case against 3 former employees and their new employer in which it is alleged that the defendants have been involved in an unlawful solicitation scheme of the claimant's clients, and in both unlawful and lawful means conspiracy.

**Advising a former government SPAD**

2018

Advising a former senior special advisor ("SPAD") to a former Prime Minister on proposed restrictive covenants in their next employment contract after working in government.

**Non-solicitation clause and breach of confidentiality**

2018

Acting as junior counsel advising a former employee of a large healthcare company on how to respond urgently to threatened High Court proceedings to enforce non-solicitation covenants and confidentiality obligations by way of injunctions.

**Non-compete & non-deal**

2018

Advising a cosmetics company on the enforceability of non-compete and non-deal covenants in the employment contract of a former sales executive and the merits of seeking injunctive relief.

**Atypical restraints of trade and the scope of the Restraint of Trade doctrine**

2018

Advising a former employee working in software development about the enforceability of a clause in his employment contract giving his former employer the option to seek repayment of alleged 'training' expenses because he had not completed a minimum of 5 years of continuous employment. The case raises issues about the scope of the Restraint of Trade doctrine.

**Non-compete clauses**

2018

Advising a former marketing executive on whether her contract of employment had been validly varied so as to include non-compete covenants which her former employer (a global manufacturer and distributor of confectionery) was seeking to enforce.

**Advice on implementing restrictive covenants**

2018

Advising a retailer on implementing restrictive covenants into the employment contracts of its employees and their enforceability.

**Restrictive covenants for a global medical technology company**

2017

Advising a global medical technology company on drafting and inserting restrictive covenants into employees' contracts of employment.

**Confidentiality obligations & social media**

2017

Advising an employer seeking to enforce confidentiality obligations against a former employee arising out of posts made on social media.

**Employment & Data Protection**

Navid frequently advises on breach of confidence and misuse of confidential information claims, including applications for delivery up and other injunctive relief. Many of these claims settle without a hearing.

## Cases

### **Breach of confidence and database rights claims in a case between house developers**

2021 - 2023

Acting as junior counsel in a claim brought by a prominent nationwide house developer against another house developer, alleging, among other things, breach of confidentiality and database rights, seeking injunctions and/or negotiating damages.

### **Team move case concerning LPA receivers**

2021 - 2022

Acting for 4 LPA receivers defending claims by their former employer concerning an alleged team move, breach of non-solicit and non-deal covenants, and misuse of confidential information.

### **Alleged misappropriation of confidential information at a business intelligence provider**

2021

Acting as junior counsel for the former Head of Research & Analytics at a business intelligence provider defending allegations of orchestrating a scheme involving approximately a dozen other former and current employees to misappropriate and misuse his ex-employer's confidential information. The claims included breach of contract, breach of confidence, breach of fiduciary duties, and unlawful means conspiracy.

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### **Non-solicitation clause and breach of confidentiality**

2018

Acting as junior counsel advising a former employee of a large healthcare company on how to respond urgently to threatened High Court proceedings to enforce non-solicitation covenants and confidentiality obligations by way of injunctions.

## Civil Liberties & Human Rights

Navid has an extensive practice in civil liberties & human rights law, largely focused on claimant work. He has developed particular expertise in claims brought on behalf of prisoners, and on behalf of individuals who are denied goods and services on discriminatory grounds. Many of his claims also concern freedom of speech, the use of Artificial Intelligence, and the non-transparent collection and use of mass data and surveillance systems. A number of his claims are strategic and supported by the Equality & Human Rights Commission.

## Cases

### **Legal issues arising out of "Covid status certification" / "Vaccine Passports"**

2021

Advising a leading NGO as part of a four-person team of counsel on the legal issues arising out of Covid status certification / 'vaccine passports' being used by proprietors of premises to decide who can enter and by employers to make employment-related decisions. This issue generated significant media and Parliamentary attention.

### **Advising the EHRC on updates needed to the Statutory Code of Practice for Services, Public Functions and Associations**

2023 - 2024

Advising the Equality and Human Rights Commission (EHRC) on key developments in the law relating to the Equality Act 2010 as part of the EHRC's work on revising the Statutory Code of Practice for Services, Public Functions and Associations.

### **Artificial Intelligence and Facial Verification Technology**

2022 - 2024

Acting as junior counsel to Uber Eats in a series of cases concerning the lawfulness of the facial verification technology which Uber uses to confirm the identity of those performing services using its platform. The cases have received considerable media attention (e.g. [here](#) and [here](#)) and are supported by the Equality & Human Rights Commission.

### **Judicial review re: Prisoner transfers**

2021 - 2022

Advising on a judicial review raising issues of discrimination and public law illegality concerning the lawfulness of the entire system by which prisoners are transferred from one prison to another in the UK. This work may affect any of the approx. 83,000 prisoners currently in detention in the UK.

### **Freedom of speech and belief discrimination claims by academics against their Universities**

2022 - 2024

Part of a team of lawyers advising and representing academics at various universities in the UK bringing claims against their employing universities concerning their dismissal or detriments to which they have been subjected on the basis of their speech. The claims raise issues of what qualifies as a protected belief, as well as issues of Articles 9 (freedom of thought, conscience, and religion) and 10 (freedom of speech) ECHR.

## **Challenging the removal of artwork from a public institution on equality and freedom of expression grounds**

2023 - 2024

Representing civil society organisations challenging a public institution for removing a display of artwork from a public area of its premises, on the grounds that the removal decision could be in breach of the public sector equality duty, give rise to claims from individuals of harassment and direct discrimination on the grounds of race and/or protected philosophical beliefs, and be in breach of individuals' Art 10 ECHR right to freedom of expression.

## **Challenging a multi-national e-commerce company's use of unknown targets to discipline workers**

2022 - 2023

Advising on prospective claims against a multi-national e-commerce company challenging, among other things, the practice of disciplining warehouse workers for failing to meet unknown targets, which the company monitors using digital surveillance.

## **Refusing services to members of the Irish traveller community**

2022 - 2023

Acting for members of the Irish traveller community following a service provider's refusal to hire them a function room for a christening. The case raises issues of direct race discrimination, victimisation and harassment arising out of unwanted and insulting comments about traveller communities in general. The case is supported by the Equality & Human Rights Commission. It has attracted significant media attention, including [here](#) and [here](#).

## **University student at risk of exclusion for making controversial public statements**

2023 - 2024

Advising a UK-based university student at risk of exclusion from the university for making controversial public statements of a broadly political nature. The case raises issues of freedom of expression, academic freedom, and discrimination on the grounds of protected philosophical beliefs.

## **Tweets, freedom of speech and protected philosophical beliefs**

2023 - 2024

Advising an employee in relation to claims of belief discrimination, and issues around freedom of speech and freedom of thought, conscience and religion, after she was subjected to a disciplinary process for publishing tweets of a political nature.



### **Advising the EHRC on the special provisions relating to political parties under the Equality Act 2010**

2023

Advising the EHRC on the correct interpretation of s.104 Equality Act 2010 which provides a special exemption for the selection of candidates by relevant political parties.

### **Representing a disabled prisoner left bedridden in make-shift cell**

2022

Representing a disabled prisoner, who is a double-amputee and obese, bringing claims under the Human Rights Act 1998 and Equality Act 2010, as well as claims in negligence, against a prison authority and Secretary of State for Justice for leaving him bedridden in a make-shift cell without a shower, wash basin or toilet, and without the necessary equipment and support to enable him to participate in prison life.

### **Advising Local Authority on whether withdrawing special responsibility allowances could be discriminatory**

2017

Advising a local authority on whether a proposal to withdraw special responsibility allowances from local councillors when they are temporarily unable to perform their duties would be discriminatory. This advice is potentially applicable across a large number of local authorities nationally.

### **Failure to transfer a disabled prisoner to another prison to meet his disability needs**

2022

Representing a disabled prisoner in his claims under the HRA 1998 (relying on Articles 8 and 14 ECHR) and EqA 2010 against the prison authority concerning the failure to make reasonable adjustments to ensure his basic needs are met, including the failure to transfer him to a more suitable prison.

### **Award-winning headteacher claims lawful means conspiracy against National Education Union**

2022

Advising the National Association of Headteachers regarding the merits and quantum of a claim brought by one of their members - an award-winning headteacher of a primary school - against the National Education Union and one of its officers arising out of highly critical and damaging comments allegedly published in private and public forums, and via the media. The claims include unlawful means conspiracy, lawful means conspiracy, and breaches of the Protection from Harassment Act 1997 - which involves a balancing of Art 8 and Art 10 ECHR rights. The case has received considerable local and national media attention e.g. [here](#) and [here](#).

## **Advising the director of Manchester art gallery**

2022

Advising Alistair Hudson - the Director of the Manchester Art Gallery and Whitworth Art Gallery, and an employee of the University of Manchester - regarding a series of legal issues arising after an exhibition entitled "Cloud Studies" by Forensic Architecture was displayed in the Whitworth Art Gallery. The case engaged issues around, among other things, the right to freedom of expression under Article 10 ECHR; the right to freedom of thought, conscience and religion under Article 9 ECHR; discrimination under the EqA 2010; and the scope and nature of a University's obligation to respect academic freedom under the Education (No.2) Act 1986. The case has received considerable national media interest e.g. [here](#) and [here](#). Mr Hudson's alleged treatment reportedly led to more than 100 University staff signing a letter in protest and numerous artists withdrawing from the Manchester leg of the touring exhibition British Art Show (see reports [here](#)).

## **Assessing reoffending risks & sexual orientation discrimination**

2021

Advising a prisoner who is serving a sentence for sexual offences on whether the criteria by which his risk of reoffending was measured directly or indirectly discriminated against him on the grounds of sexual orientation.

## **Gender reassignment discrimination**

2021

Advising a prisoner in a complex transsexual discrimination and HRA 1998 claim (relying on Articles 8 and 14 ECHR) relating to the shower facilities made available to the prisoner.

## **Prisoner prevented from observing Ramadan**

2021

Advising on a claim for indirect discrimination and breaches of HRA 1998 brought by a prisoner who was refused the option of having his medication in his possession, or administered after iftar, so as to enable him to keep his fast during Ramadan of 2020.

## **Race and religious discrimination claims against private school**

2021

Advising the daughter of one of the UK's leading sports stars about her potential claims of racial and religious discrimination against her private school.

## **Representing disabled prisoner in discrimination claim**

2020

Acting as sole counsel for a disabled prisoner claiming failure to make reasonable adjustments in relation to his cell, toilet and shower facilities against the Ministry of Justice.

**Inaccessible correspondence from local authority**

2020

Acting for a blind claimant in relation to a local authority's failure to provide her with accessible correspondence. The case was widely reported by local and regional media e.g. [here](#).

**Blind and partially deaf prisoner**

2020 - 2022

Acting as sole counsel in two consecutive claims brought by a blind and partially deaf prisoner against two prison authorities for failure to make reasonable adjustments and breaches of the HRA 1998, relying on Articles 8 and 14 of the ECHR.

**R (Jollah) v SSHD No.2**

2017

Acting as junior counsel in a judicial review claim in the High Court for a claimant who was falsely imprisoned for 891 days by being subjected to an unlawful curfew under Sch 3, para 2(5) of the Immigration Act 1971. A link to the judgment can be found [here](#).

## Sport

Navid accepts instructions across a wide range of sports law matters, including anti-doping, ethics and disciplinary proceedings before sports governing bodies, sports regulation, employment issues, and investigations. He has acted for a wide range of clients, including the Premier League, numerous high profile sports stars, and football clubs.

## Cases

**UKAD Whereabouts case against world-renowned athlete**

2023

Representing a world-renowned professional athlete defending allegations brought by UKAD of a failure to file Whereabouts information

**Investigation for Premier League**

2023

Conducting an investigation for, and advising, the Premier League on whether or not the proposed transfer of a youth player to a "Category 1" academy involved a breach of the Youth Development Rules 2022/2023.

### **Anti-doping case for title-holding professional boxer**

2023

Representing a world-renowned professional boxer in an anti-doping matter brought by UKAD

### **Constructive dismissal of an EFL Championship football manager's coaching staff**

2021

Acting as sole counsel for an ex-member of the coaching staff of a leading English Football League (EFL) Championship club in relation to a claim for constructive dismissal.

## **Investigations & Inquiries**

### **Cases**

#### **Investigation for Premier League**

2023

Conducting an investigation for, and advising, the Premier League on whether or not the proposed transfer of a youth player to a "Category 1" academy involved a breach of the Youth Development Rules 2022/2023.

#### **Allegations of victimisation against head of a leading university institution**

2021 - 2022

Acting as an independent investigator considering allegations of victimisation against the head of a leading university institution accused of sexual harassment.

#### **Chairman of Review Panel for statutory tribunal**

2020

Acting as the chairman of a three-person panel reviewing the decision of a statutory tribunal. The case concerns whether three members of the statutory tribunal breached the Code of Conduct for tribunal members by racially discriminating against and/or victimising another tribunal member.

### **Independent Appeal Investigator**

2019

Conducting an independent investigation in an internal appeal against dismissal brought by the former CEO of a group of property development companies. The matter involved interviewing multiple witnesses in different countries, reviewing thousands of pages of documentary evidence including accounting information, and determining whether the former CEO was dismissed for raising health and safety issues, or because of poor performance and mismanagement as alleged by the shareholders who had dismissed him.

### **Investigation into misappropriation of company funds**

2017

Instructed by an employer to conduct an independent investigation following a former employee's appeal against dismissal for misappropriating a significant amount of the company's funds. The matter involved analysis of large amounts of financial documentation and interviewing witnesses in multiple countries.

## **Professional Discipline**

### **Cases**

#### **UKAD Whereabouts case against world-renowned athlete**

2023

Representing a world-renowned professional athlete defending allegations brought by UKAD of a failure to file Whereabouts information

#### **Primary school head teacher facing safeguarding allegations**

2021 - 2022

Acting as sole counsel for a primary school head teacher defending allegations of unacceptable professional conduct concerning a safeguarding incident. Also representing the head teacher in related Employment Tribunal proceedings in a claim for unfair dismissal.

#### **Safeguarding allegations of a sexual nature against secondary school head teacher**

2021

Advising as sole counsel in relation to potential TRA proceedings concerning a former headteacher of a secondary school regarding safeguarding allegations of sexual nature.

### **Anti-doping case for title-holding professional boxer**

2023

Representing a world-renowned professional boxer in an anti-doping matter brought by UKAD

### **Former head teacher allegedly making inappropriate comments about paedophilia on internet chat room**

2021

Acting as sole counsel for a former head teacher who was referred to the Teaching Regulation Agency for comments he posted on an internet chat room about paedophilia.

### **Unfair dismissal claim following school's employment of someone subject to a TRA prohibition order**

2021

Acting as sole counsel for a claimant head teacher bringing an unfair dismissal claim arising out of the head teacher's decision to employ someone who had been the subject of a prohibition order by the Teaching Regulation Agency

### **Allegations of 'serious professional incompetence' against Further Education Lecturer**

2019

Acting as sole counsel for a Further Education Lecturer accused of 'serious professional incompetence' before the Fitness to Practise Committee of the Education and Workforce Council in a 5-day hearing.

### **Allegations of SATs manipulation & bullying against award-winning head teacher**

2018

Acting as sole counsel for an award-winning head teacher before the Teaching Regulation Agency across multiple hearings lasting two-weeks. The head teacher faced numerous misconduct allegations, including manipulation of SATs results over a 6-year period and bullying her staff. The case received considerable media attention, but links are not included here because this would identify the head teacher and the allegations were all dismissed.

### **Dental nurse accused of fraud**

2018

Acting as sole counsel for a dental nurse in a hearing before the Professional Conduct Committee of the General Dental Council in which the dental nurse admitted to an allegation of fraud and sought to resist the most serious sanctions available to the Committee.

## **Allegations against social worker of failing to recognise risk of child sexual abuse**

2017

Acting as sole counsel for a social worker in two hearings before the Health & Care Professions Council's Conduct & Competence Committee lasting a total of 8 days. The social worker was facing allegations of failure to recognise risks of sexual abuse to a child in protection.

## **ACHIEVEMENTS**

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### **Education**

- BA (Hons): Philosophy, Politics and Economics, Wadham College, University of Oxford, 1st Class
- MPhil: Political Theory, Balliol College, University of Oxford
- GDL: City Law School
- BPTC: City Law School, Outstanding, ranked 5th out of 350 in year

### **Professional awards**

- 2018 – Nominated for the National Bar Pro Bono Award: “Young Barrister of the Year”
- 2017 – Jointly nominated for the National Bar Pro Bono Award (with Tom Coghlin QC)
- 2017 – Bar Pro Bono Unit award for invaluable contribution to pro bono work
- 2016 – Camden Volunteer Award: In recognition of the pro bono representation provided to clients at the Camden Community Law Centre

### **University prizes**

- 2015 – Everard Award for exceptional BPTC results at City Law School
- 2014 – Shortlisted for City Law School Prize for public law coursework
- 2007 – Highest Final Honour School marks in PPE at Wadham College, University of Oxford
- 2007 – Eprime Eshag Award for overall performance in Economics at Wadham College, University of Oxford

### **Inns of Court prizes and scholarships**

- 2015 – Buchanan Prize for outstanding results in the BPTC
- 2015 – Walter Wigglesworth Scholarship
- 2014 – Lord Denning BPTC Scholarship
- 2013 – Lord Bowen GDL Scholarship
- 2013 – Hardwicke Entrance Award

## Memberships

- Employment Law Bar Association (ELBA)
- Employment Lawyers Association (ELA)
- Association of Regulatory & Disciplinary Lawyers (ARDL)
- Human Rights Lawyers Association (HRLA)
- Bar Human Rights Committee (BHRC)
- The Constitutional & Administrative Law Bar Association (ALBA)
- Free Representation Unit (FRU)

## Other relevant information

Navid is an Accredited Civil & Commercial Mediator with ADR Group.

VAT registration number: 447008068

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