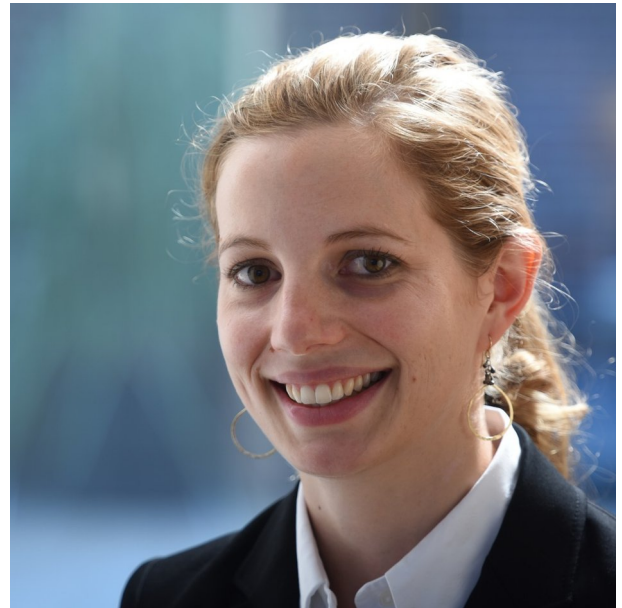


# Natasha Simonsen

Year of call: 2016  
Degree: B Ec (Soc Sci), LLB (University of Sydney), BCL (Dist.), MPhil, DPhil (Oxon) (Rhodes Scholar)



Natasha has a broad practice across all Chambers' main areas of work.

Her recent work has included applications for judicial review (claimant and respondent), jurisdictional challenges, data protection claims, and a range of other commercial, sports and employment disputes. She is currently instructed in cases pending before the High Court, Court of Appeal and Supreme Court as well as in a number of tribunal matters.

From September to December 2018, Natasha completed a secondment at the Office of Gas and Electricity Markets (OFGEM) where she advised on possible competition law challenges to the next price control and on responding to applications for judicial review.

Before coming to the Bar, Natasha lectured in law at the University of Oxford, King's College London and at the Faculté Libre du Droit Paris. She has also previously worked as a consultant on human rights issues for the United Nations Children's Fund (UNICEF), the Office of the Federal Ombudsman of Pakistan, and (with Baroness Helena Kennedy QC) for AMAR International Charitable Foundation in Iraq.

Natasha was admitted to practise as a lawyer in New South Wales, Australia in 2009, where she appeared for the Office of the Director of Public Prosecutions in a range of matters in the Local and District Courts, and acted as instructing solicitor in several District and Supreme Court criminal trials.

Natasha is a member of the Attorney General's C Panel of Counsel.

## EXPERIENCE

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### Public & Regulatory

Natasha accepts instructions in all areas of Chambers' public law and regulatory practice.

In addition to her academic work on public law and human rights, Natasha has worked on a number of public and regulatory law cases before the High Court, Court of Appeal and Competition Appeals Tribunal, for both claimants and respondents.

Natasha is a member of the Attorney General's C Panel of Counsel.

## Cases

### **R (Reprieve & Ors) v Prime Minister**

[2020] EWHC 1695 (Admin)

Acting for the Claimants in this judicial review challenge to the Prime Minister's decision not to order an independent judge-led inquiry into UK complicity in torture and rendition (led by Ben Jaffey QC). Judgment was handed down by the Divisional Court on a preliminary issue (the appropriate standard of disclosure in closed material proceedings concerning national security) and an application for permission to appeal to the Court of Appeal is outstanding. The substantive hearing is listed in January 2020.

### **Advising techUK on data protection and data sharing**

Advising techUK and some of its member entities on data protection obligations and the legal gateways to data sharing, including in relation to the Data Protection Acts and the GDPR

### **R(Coughlan) v Minister for the Cabinet Office**

[2020] EWCA Civ 723; [2019] EWHC 641 (Admin)

Acted for the Claimant, Mr Coughlan, in a judicial review of the government's pilot schemes for voter identification in the May 2019 local government elections. The Claimant contended that the voter ID scheme was ultra vires the Representation of the People Act 2000 and did not reflect the constitutional significance of the right to vote. Natasha was led by Michael Fordham QC (as he then was) in the High Court proceedings in March 2019, and by Anthony Peto QC in the Court of Appeal in April 2020. An application for permission to appeal to the Supreme Court remains outstanding.

### **R (ENRC) v Director of the Serious Fraud Office**

(Administrative Court, 2019)

Acted for the claimant in this application for judicial review of the decision of the SFO to suspend an independent investigation (with Michael Fordham QC, Jason Pobjoy and Hollie Higgins).

### **Judicial review of the Government's refusal to hold an inquiry into UK complicity in torture and rendition**

Natasha is instructed (led by Ben Jaffey QC) to act for Reprieve, David Davis MP and Dan Jarvis MP in an application for judicial review of the Government's decision not to order an independent judge-led inquiry into UK complicity into torture and rendition post 9/11.

## **R (Shropshire & Wrekin Fire Authority) v Secretary of State for the Home Department**

[2019] EWHC 1967 (Admin)

Acted for the Defendant (led by David Pievsky) in an application for judicial review of the Secretary of State's decision to transfer governance from the claimant Fire Authorities to the local Police and Crime Commissioners. The Court found in favour of the Defendants and refused permission to appeal.

## **Christchurch Borough Council v Secretary of State for Housing, Communities and Local Government**

[2018] EWHC 2126 (Admin)

Acted for the Claimant in an application for judicial review of a proposal for local government reorganisation in Dorset under the Local Government and Public Involvement in Health Act 2007.

## **ARM Investors Help Group v Financial Services Compensation Scheme**

High Court, 2017

Application for judicial review of a decision of the FSCS denying compensation to victims of mis-selling of ARM bonds (assisting Ben Jaffey QC)

## **Advising on potential JR of Financial Ombudsman Service**

(Led by Andrew Green QC) advised a prospective commercial claimant on the prospects of successfully challenging a determination of the Financial Ombudsman Service

## **BT & Ors v Ofcom**

[2017] CAT

Competition Appeal Tribunal trial concerning BT's challenge to Ofcom's business connectivity market review (assisting Tristan Jones, Mark Vinall and Daniel Cashman).

## **Privacy International v Security Services**

Investigatory Powers Tribunal, 2017

Challenge to the lawfulness of the Security Services' collection and retention of bulk data (assisting Thomas de la Mare QC, Ben Jaffey QC and Daniel Cashman)

## **UKRS Training Limited v NSAR Limited**

[2017] CAT 14

Trial of preliminary issue as to whether a railway training accreditation body is an "undertaking" for the purposes of s 18 of the Competition Act 1998 (assisting Tristan Jones)

### **Volkswagen Emissions Group Action**

High Court, 2017

Group action by consumer who purchased or leased vehicles manufactured by VW, Audi, Škoda and SEAT which contained "defeat devices" to reduce NOx emissions during engine testing (assisting Thomas de la Mare QC and Ben Jaffey QC)

### **Camelot UK Ltd**

Successfully defended Camelot UK Ltd (the administrator of the National Lottery) in a claim for judicial review.

### **Assisting on potential claims against the Secretary of State for Health**

Assisting on potential claims against the Secretary of State for Health in respect of the conduct of the Medicines and Health Products Regulatory Agency.

## **Civil Liberties & Human Rights**

Natasha accepts instructions in all areas of Chambers' civil liberties and human rights practice. Since joining Chambers, she has worked on cases concerning human rights and civil liberties in the Investigatory Powers Tribunal, the High Court, Court of Appeal, Supreme Court and European Court of Human Rights.

Natasha has published widely on human rights and civil liberties, and taught human rights law at undergraduate and graduate levels at the University of Oxford from 2012-2016.

Natasha is a member of the Attorney General's C Panel of Counsel.

## **Cases**

### **Shagang Shipping Company Ltd (in liquidation) v HNA Group Company Ltd**

[2020] UKSC 34

Acted for Liberty (as intervener) in a case about the proper approach, in the context of a commercial dispute, to evidence which may have been obtained by torture (with Ben Jaffey QC and George Molyneaux).

### **R (Reprive & Ors) v Prime Minister**

[2020] EWHC 1695 (Admin)

Acting for the Claimants in this judicial review challenge to the Prime Minister's decision not to order an independent judge-led inquiry into UK complicity in torture and rendition (led by Ben Jaffey QC). Judgment was handed down by the Divisional Court on a preliminary issue (the appropriate standard of disclosure in closed material proceedings concerning national security) and an application for permission to appeal to the Court of Appeal is outstanding. The substantive hearing is listed in January 2020.

### **Prevention of torture**

Delivering training in Lebanon to two Lebanese Bar Associations on international and domestic law standards prohibiting torture and the role of human rights lawyers in upholding those standards (with Timothy Otty QC and Isabel Buchanan)

### **Judicial review of the Government's refusal to hold an inquiry into UK complicity in torture and rendition**

Natasha is instructed (led by Ben Jaffey QC) to act for Reprieve, David Davis MP and Dan Jarvis MP in an application for judicial review of the Government's decision not to order an independent judge-led inquiry into UK complicity into torture and rendition post 9/11.

### **R (Bashir) v Secretary of State for the Home Department**

Supreme Court, 2017

Acting pro bono for the AIRE Centre, intervening in a case about whether refugees in the UK's sovereign base areas in Cyprus have the right to enter the metropolitan UK (with Mike Fordham QC, Katie O'Byrne and Natasha Simonsen).

### **Privacy International v Security Services**

Investigatory Powers Tribunal, 2017

Challenge to the lawfulness of the Security Services' collection and retention of bulk data (assisting Thomas de la Mare QC, Ben Jaffey QC and Daniel Cashman)

### **Belhaj & Ors v Straw & Ors**

[2017] UKSC 3; [2017] 2 WLR 456

Claims by Libyan/Moroccan family against MI5 and MI6 for complicity in their unlawful abduction in Thailand, rendition to Libya, detention and torture (assisting Ben Jaffey QC)

### **Catt v United Kingdom**

2017, European Court of Human Rights

Application to the Strasbourg Court challenging the compatibility of the Metropolitan Police's retention of personal information about peaceful protestors with Article 8 of the European Convention on Human Rights (assisting Ben Jaffey QC)

### **Reich v Ministry of Justice**

Court of Appeal, 2017

Appeal by a prisoner against the dismissal of his claims under Articles 3 and 8 ECHR and for disability discrimination in relation to sanitation arrangements in a high-security prison (assisting Ben Jaffey QC)

## Public International Law

Natasha accepts instructions in all areas of Chambers' public international law practice. Since joining Chambers, she has worked on public international law issues in cases before the Supreme Court and the European Court of Human Rights. Natasha's doctoral thesis at the University of Oxford was on the definition of torture in public international law. She has worked as a consultant on public international law issues including the rights of the child, refugee law, and international humanitarian law.

## Cases

### Advising on legal effect of Security Council Resolutions

Advising an international corporation working in responsible sourcing of natural resources on the legal effect of Security Council Resolutions (including e.g. in relation to conflict diamonds)

### Prevention of torture

Delivering training in Lebanon to two Lebanese Bar Associations on international and domestic law standards prohibiting torture and the role of human rights lawyers in upholding those standards (with Timothy Otty QC and Isabel Buchanan)

### R (Bashir) v Secretary of State for the Home Department

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### Judicial review of the Government's refusal to hold an inquiry into UK complicity in torture and rendition

Natasha is instructed (led by Ben Jaffey QC) to act for Reprieve, David Davis MP and Dan Jarvis MP in an application for judicial review of the Government's decision not to order an independent judge-led inquiry into UK complicity into torture and rendition post 9/11.

### Belhaj & Ors v Straw & Ors

[2017] UKSC 3; [2017] 2 WLR 456

Claims by Libyan/Moroccan family against MI5 and MI6 for complicity in their unlawful abduction in Thailand, rendition to Libya, detention and torture (assisting Ben Jaffey QC)

## EU & Competition

Natasha accepts instructions in all areas of EU and competition law. She completed a secondment to the Office of Gas and Electricity Markets (OFGEM) for three months during 2018. Natasha also worked on a number of competition cases during her pupillage, including follow-on and hybrid damages claims in the High Court and Competition Appeals Tribunal, as well as advisory work.

### Cases

#### **BT & Ors v Ofcom**

[2017] CAT

Competition Appeal Tribunal trial concerning BT's challenge to Ofcom's business connectivity market review (assisting Tristan Jones, Mark Vinall and Daniel Cashman).

#### **Peugeot SA & Ors v NSK Ltd & Ors**

Competition Appeal Tribunal & High Court, 2016-17

Follow-on damages claim by purchasers of automobile bearings after the European Commission imposed a €953 million fine in respect of a 7-year cartel (assisting Thomas de la Mare QC, Naina Patel, Tristan Jones and Celia Rooney)

#### **UKRS Training Limited v NSAR Limited**

[2017] CAT 14

Trial of preliminary issue as to whether a railway training accreditation body is an "undertaking" for the purposes of s 18 of the Competition Act 1998 (assisting Tristan Jones)

#### **Deutsche Bahn AG & Ors v MasterCard Inc & Ors**

Competition damages claim relating to the setting of interchange fees, including applicable law and limitation issues (assisting Kieron Beal QC and Tristan Jones)

## Employment

Natasha accepts instructions on all aspects of employment law. She regularly appears in the Employment Tribunal and has acted for both claimants and defendants. She has experience of working on issues relating to sex, race and disability discrimination claims, as well as the issues raised by anonymity and confidentiality applications and proceedings in camera. During her pupillage, Natasha assisted Diya Sen Gupta QC with several high-profile trials in the Employment Tribunal and in the successful defence of an appeal in the Employment Appeal Tribunal.

## Cases

### **Disability discrimination claim in the Employment Tribunal**

August 2017

Acted for a party alleging constructive unfair dismissal, direct discrimination, discrimination arising from disability, victimisation and harassment against her former employer.

### **Madaras v Citibank NA**

East London Employment Tribunal, 2017

Unfair dismissal claim by former FX trader dismissed for disclosure of client confidential information, which came to light following the Forex Scandal (assisting Diya Sen Gupta)

### **Ostendorf v Barclays Capital Services Ltd**

Employment Appeal Tribunal, 22 February 2017

Successfully defending an appeal against the Employment Tribunal's refusal to revise a judgment rejecting a claim for more than £6.4 million in damages for unfair dismissal (assisting Diya Sen Gupta)

### **Ozkaptan v Citibank NA**

Employment Tribunal, 21 February 2017

Defending an application for damages for unfair dismissal and wrongful dismissal by a former FX trader dismissed for sharing client confidential information (assisting Diya Sen Gupta)

### **Clark v Barclays Capital Services Ltd**

Employment Tribunal, 24 October 2016

Successfully defending an unfair dismissal claim by former FX trader dismissed for disclosure of client confidential information, which came to light following the Forex Scandal (assisting Paul Goulding QC and Diya Sen Gupta)

## Commercial

Natasha accepts instructions in all areas of commercial litigation.

## Cases

### **Gerrard v Eurasian Natural Resources Corporation; Diligence International QBD 2019**

Acting for the First Defendant, ENRC in a high-profile claim brought by a partner of Dechert LLP. The claim concerns alleged surveillance carried out by the Second Defendant, Diligence International as part of an investigation into alleged wrongdoing by the partner during the period in which he was retained by ENRC.



### **GGG v GGG**

Commercial Court, 2018

Natasha acted for the Defendant in this high value claim relating to alleged bribery of a foreign public official. Parallel investigation by the Serious Fraud Office. Natasha was led by Tony Peto QC and Peter Head.

### **Cosmetic Warriors & Anor v Gerrie**

[2017] EWCA Civ 324

Hearing in the Court of Appeal on the proper construction of pre-emption provisions in the articles of association of a private limited company (assisting Mark Vinall)

### **Volkswagen Emissions Group Action**

High Court, 2017

Group action by consumer who purchased or leased vehicles manufactured by VW, Audi, Škoda and SEAT which contained "defeat devices" to reduce NOx emissions during engine testing (assisting Thomas de la Mare QC and Ben Jaffey QC)

### **[International Banks] v [International Banks]**

LCIA Arbitration, 2017

Claim concerning subordinated loans alleged to have been extinguished by operation of Russian law (assisting Andrew Green QC and Robert Weekes)

### **Boxing Arbitration**

2017

Arbitration hearing before the British Boxing Board of Control, raising issues relating to breach of contract and quantum of damages (assisting Robert Weekes).

### **Renova Industries Ltd & ors v Emmerson International Corporation & Ors**

BVI Commercial Court, 2016-17

\$800m+ claim in the BVI Commercial Court concerning a joint venture in relation to various power generation and distribution assets in Russia (assisting Pushpinder Saini QC and Robert Weekes)

### **Quantum Pharma Group Ltd & Anor v Gould & Anor**

High Court, 2016-17

Claim for deceit and breach of warranty relating to a sale and purchase of a pharmaceutical company (assisting Robert Weekes)

### **Barsnes v Ryanair DAC**

Acted for the Defendant in a jurisdiction dispute on the applicability of the recast Brussels Regulation to flight compensation claims pursuant to EC Regulation 261/2004

## Local Government

Natasha is building a strong practice in local government law and has advised a number of local authorities on issues such as local government reorganisation, consultation on governance changes, and other matters.

## Cases

### **Christchurch Borough Council v Secretary of State for Housing, Communities and Local Government**

[2018] EWHC 2126 (Admin)

Acted for the Claimant in an application for judicial review of a proposal for local government reorganisation in Dorset under the Local Government and Public Involvement in Health Act 2007.

## Sport

Natasha has worked on several sports law matters encompassing contract law, disciplinary matters, employment, tort law and competition claims.

## Cases

### **In the matter of Ahmad Al Kamali and the IAAF Code of Ethics**

(2020)

An independent Panel of the IAAF Ethics Board partially upheld charges against the President of the UAE Athletics Federation and former World Athletics (previously IAAF) Council member, Ahmad Al Kamali. The Panel imposed a sanction upon Mr Al Kamali of a ban from the sport for 6 months, fined him €5,000 and ordered him to pay €15,000 in costs. Natasha acted as Legal Secretary to the Panel of the IAAF Ethics Board.

### **Advising players' association on data protection rights**

Advising a professional players' sporting association on the implications of the GDPR and Data Protection Act 2018 for athletes' rights, including in relation to "wearables" generating personal data during sporting competitions.

### **Boxing Arbitration**

2017

Arbitration hearing before the British Boxing Board of Control, raising issues relating to breach of contract and quantum of damages (assisting Robert Weekes).

### **International Association of Athletics Federations**

Natasha serves as one of three Legal Secretaries to the Ethics Board of the International Association of Athletics Federations (IAAF).

## Private International Law

Natasha has worked on a number of matters with private international law aspects, including questions of jurisdiction, applicable law and limitation.

### Cases

#### **[International Banks] v [International Banks]**

LCIA Arbitration, 2017

Claim concerning subordinated loans alleged to have been extinguished by operation of Russian law (assisting Andrew Green QC and Robert Weekes)

#### **Renova Industries Ltd & ors v Emerson International Corporation & Ors**

BVI Commercial Court, 2016-17

\$800m+ claim in the BVI Commercial Court concerning a joint venture in relation to various power generation and distribution assets in Russia (assisting Pushpinder Saini QC and Robert Weekes)

#### **Barsnes v Ryanair DAC**

Acted for the Defendant in a jurisdiction dispute on the applicability of the recast Brussels Regulation to flight compensation claims pursuant to EC Regulation 261/2004

#### **Deutsche Bahn AG & Ors v MasterCard Inc & Ors**

Competition damages claim relating to the setting of interchange fees, including applicable law and limitation issues (assisting Kieron Beal QC and Tristan Jones)

## Data Protection, Freedom of Information & Privacy

Natasha has considerable experience advising on issues relating to data protection, freedom of information and privacy.

### Cases

#### **Gerrard v Eurasian Natural Resources Corporation; Diligence International QBD 2019**

Acting for the First Defendant, ENRC in a high-profile claim brought by a partner of Dechert LLP. The claim concerns alleged surveillance carried out by the Second Defendant, Diligence International as part of an investigation into alleged wrongdoing by the partner during the period in which he was retained by ENRC.

#### **Advising techUK on data protection and data sharing**

Advising techUK and some of its member entities on data protection obligations and the legal gateways to data sharing, including in relation to the Data Protection Acts and the GDPR

### Advising players' association on data protection rights

Advising a professional players' sporting association on the implications of the GDPR and Data Protection Act 2018 for athletes' rights, including in relation to "wearables" generating personal data during sporting competitions.

## ACHIEVEMENTS

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### Education

LLB (Distinction) (University of Sydney); BCL (Distinction) (Oxon); MPhil, DPhil (Oxon)

### Prizes and Scholarships

- Atkin Scholar, The Honourable Society of Gray's Inn, 2017
- Charterhouse European Bursary, University of Oxford/University of Leiden, 2014
- Rhodes Scholar for New South Wales, Australia, 2009-2014
- Scholarship for Outstanding Academic Achievement, University of Sydney, 2003-2007
- Walter Reid Memorial Award for Academic Excellence, University of Sydney, 2006 and 2007
- World Champion, 2007 Phillip C Jessup International Law Moot, Washington DC
- Best Oralist, Australian National Rounds, 2007 Phillip C Jessup International Law Moot, High Court of Australia, Canberra

### Publications

- Simonsen N 'Torture' in Grote R, R Wolfrum and F Lachenmann (eds) Max Planck Encyclopaedia of Comparative Constitutional Law (OUP 2017) (forthcoming)
- Lazarus L and N Simonsen 'Judicial Review and Parliamentary Debate: Enriching the Doctrine of Due Deference', in Hunt M, H Hooper and P Yowell (eds) Redressing the Democratic Deficit on Human Rights (Hart 2015)
- Simonsen N (2011) "'War on Terror": The Oxford Amnesty Lectures 2006 (Book Review)' (2011) European Human Rights Law Review 239
- Chilton, F, Rathmall, A & Simonsen, N (2008) 'Mergers and Acquisitions in Australia' in Lachman, A (ed) Mergers and Acquisitions: A Practical Global Guide, Globe Business Publishing Ltd

Simonsen N 'Torture' in Grote R, R Wolfrum and F Lachenmann (eds) Max Planck Encyclopaedia of Comparative Constitutional Law (OUP 2017) (forthcoming)

Lazarus L and N Simonsen 'Judicial Review and Parliamentary Debate: Enriching the Doctrine of Due Deference', in Hunt M, H Hooper and P Yowell (eds) Redressing the Democratic Deficit on Human Rights (Hart 2015)

Simonsen N (2011) "'War on Terror": The Oxford Amnesty Lectures 2006 (Book Review)' (2011) European Human Rights Law Review 239

Chilton, F, Rathmall, A & Simonsen, N (2008) 'Mergers and Acquisitions in Australia' in Lachman, A (ed) Mergers and Acquisitions: A Practical Global Guide, Globe Business Publishing Ltd

## Volunteering and pro bono

Natasha completed a three-month internship at the United Nations High Commissioner for Refugees in Islamabad, Pakistan in 2008. She has also volunteered for refugee and homelessness charities in Australia and the UK, and in 2012 she and a group of friends swam the English Channel to raise money for the Acid Survivors Foundation Pakistan.

VAT registration number: 447008068

Barristers regulated by the Bar Standards Board