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Paul Goulding KC

"Paul Goulding is an absolute star of the Bar and in employee competition work."

— CHAMBERS AND PARTNERS, 2026

Year of call: **1984**
Appointed to silk: **2000**
Degree: **MA (Oxon, First Class), BCL (Oxon)**

Paul is widely recognised as one of the top silks in employment law. He regularly appears in the High Court, Employment Tribunal, the appellate courts and arbitrations (both as arbitrator and advocate). He has been involved in many of the leading cases involving restrictive covenants and team moves, whistleblowing, discrimination, employment status and bonus claims. He recently successfully defended a global bank in the leading case on an employer's duty of care and duty to indemnify an employee.

Much of Paul's practice concerns disputes involving financial institutions and professional service firms, often with a regulatory dimension, as well as cross-border disputes. He has appeared in cases arising out of regulatory investigations into LIBOR, FX and sanctions breaches.

Paul is also highly experienced in sports law, and is a member of the Football Association's Judicial Disputes Panel. Paul was appointed to the Sports Resolutions Panel for 2024-2027.

Paul won the Employment Silk of the Year 2023 at the Chambers & Partners Bar Awards and was nominated for Senior Counsel of the Year 2023 at the International Employment Lawyer Awards.

Paul is highly recommended in both of the leading independent legal directories, Legal 500 and Chambers and Partners, in which he is ranked as a 'Star Individual' for Employment Law.

Recent key quotes include:

- "Paul Goulding is an absolute star of the Bar and in employee competition work."- Chambers UK, 2026
- "Paul is the simply the best practitioner in the employee competition arena. His legal ability and attention to detail are second to none." - Legal 500, 2026
- "He is regarded as being the leading silk on tricky matters. His preparation is meticulous and his cross-examination is brutal." - Chambers UK, 2025

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- "Paul's advocacy is extremely strong. He is an impressive and formidable lawyer." - Legal 500, 2025
- "Paul is the acknowledged master in employee competition and restrictive covenant disputes – his knowledge of the law is unparalleled and he is a tactical wizard. He is a forensic and persuasive advocate and has the respect of the court." - Legal 500, 2024

Previous quotes include:

- "He combines an enviable grasp of the detail with excellent tactical nous and very strong advocacy." - Chambers UK
- "He's absolutely phenomenal." - Chambers UK
- "He is also meticulous in his preparation for trial – a true professional." - Legal 500
- "He has a fantastic reputation and is a man of formidable expertise." - Chambers UK

EXPERIENCE

Employment

Paul's pre-eminence in the Employment field is endorsed by his 'star' ranking in Chambers UK for many years. His practice covers the most demanding cases in this field and the extensive nature of his practice is demonstrated in the more detailed breakdown given in the sections below, Employee Competition, Whistleblowing, TUPE, Discrimination & Equal Pay, Bonus & Remuneration, and Employee Status & Contracts. A small sample of cases from his entire practice is given here.

"Paul Goulding is the best in the business. He's very good at navigating restrictive covenants."
— CHAMBERS AND PARTNERS, 2026

Cases

Benyatov v Credit Suisse Securities (Europe) Limited

[2023] EWCA Civ 140; [2023] ICR 534; [2023] IRLR 381; [2022] EWHC 135 (QB), [2022] 4 WLR 54

Acted for Credit Suisse in successfully defending a former employee's claim for over $86m loss of earnings after his conviction in Romania following his work on privatisation of a utility company. Listed as one of The Lawyer's Top 20 Cases of 2020, the Court held that (1) the employer did not owe the employee an implied contractual duty to indemnify him against loss of earnings arising from the performance of his duties (the indemnity claim), and (2) the employer did not owe the employee a duty of care not to expose him to the risk of criminal conviction and resulting financial losses in the performance of his duties, and did not breach any such duty of care in any event (the negligence claim). Further, the employee's negligence claim was out of time. In February 2023, the Court of Appeal dismissed the employee's appeal. In July 2023, the Supreme Court dismissed the employee's application for permission to appeal.

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Joseph v Deloitte NSE LLP

[2020] EWCA Civ 1457; [2019] EWHC 3354 (QB); [2021] 1 BCLC 325

A limited liability partnership was not obliged to convene a partners' meeting pursuant to a partner's request to do so, as his request fell beyond the time permitted under the LLP agreement and the partnership was entitled to rely on the time limit in the relevant clause. The case raises issues of the interpretation of express terms in an LLP agreement, the implication of implied terms, promissory estoppel, estoppel by representation and estoppel by convention. The Supreme Court dismissed the partner's application for permission to appeal against the Court of Appeal's decision.

Expert witness on bonus discretion

(2020)

Instructed as an expert witness on English law relating to the exercise of a discretion to award a bonus for the purpose of legal proceedings brought against a global bank in the Royal Court of Jersey.

Shearwood v C&J Clark International Ltd

(2019)

Appeared for the respondent retailer in successfully resisting a whistleblowing claim from its former CEO in which the Employment Tribunal ordered the claimant to pay the respondent's costs.

ICAP Management Services Ltd v Berry & Another

[2017] EWHC 1321 (QB); [2017] IRLR 811

Acted for second defendant in successfully defending claim of inducement of breach of contract arising out of the acquisition by Tullett Prebon of ICAP's global broking business. Issues included whether (i) a share acquisition gave rise to a TUPE transfer; (ii) garden leave of 12 months should be enforced by injunction; (iii) the claim of inducement of breach of contract was established.

Hoodless v Citigroup

(2016)

Acted for Citigroup in defending claims of unfair dismissal brought by a former fx trader. The claims arose out of regulatory investigations into fx trading and the dismissal of several fx traders. The result was a significant victory for Citigroup.

Cassidy & Ors v Sports Direct

2016

Acted for Sports Direct in defending High Court claims brought by 188 zero hours workers.

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Clark v Barclays Capital Services Ltd

2016

Acted for bank in successfully defending unfair dismissal claim brought by former foreign exchange trader.

Ashton v Barclays Capital Services Ltd

Employment Tribunal Case No: 3202066/15

Successfully defended whistleblowing and unfair dismissal claims made by former Head of Bank's FX desk.

Petter v EMC Corporation

[2015] EWCA Civ 828; [2015] IRLR 847

Acted for employee domiciled in England who was sued in Massachusetts by the US parent of his UK employer pursuant to the terms of a stock plan containing a Massachusetts law and exclusive jurisdiction clause. The Court of Appeal granted an anti-suit injunction, restraining the US parent from pursuing the Massachusetts proceedings, in order to protect the employee's rights under the Brussels I Recast Regulation on Jurisdiction. Case settled shortly before Supreme Court appeal hearing in 2016.

Willis Ltd v Jardine Lloyd Thompson Group

[2015] EWCA Civ 450; [2015] IRLR 844

Acted in team move case where the Court of Appeal granted an urgent interim springboard injunction.

Sunrise Brokers LLP v Rodgers

[2014]

Acted for appellant in obtaining permission to appeal to Court of Appeal in garden leave case.

Baker Tilly UK Holdings Ltd v Clough

[2013] EWHC 3616 (QB)

Acted for group of employees who moved to new employer. Issues included the assignability of restrictive covenants following objection by employees to a TUPE transfer.

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Fahim Imam-Sadeque v BlueBay Asset Management (Services) Ltd

[2013] IRLR 344, [2012] EWHC 3511 (QB)

Acted for the defendant in case in which the High Court decided that (1) the claimant employee acted in repudiatory breach of his employment contract in assisting the set up and launch of a competitive business, assisting in the recruitment of a fellow employee by that business, and disclosing documents to that business; and (2) a condition in a compromise agreement whereby the claimant would be deemed to be a Good Leaver for the purpose of unvested deferred remuneration provided he did not commit a repudiatory breach of his employment contract prior to its termination, was not an unlawful penalty.

Employee Competition

For many years Paul has specialised in the law relating to restrictive covenants, confidentiality, garden leave, and the duties of employees, directors and partners not to compete unfairly. He recently appeared in Imam-Sadeque v BlueBay (a case involving garden leave and team moves), and is currently instructed in Petter v EMC which is due to be heard in the UK Supreme Court in November 2016 (a cross-border dispute involving forfeiture of deferred stock for competition giving rise to proceedings in Massachusetts and England).

Paul is the Editor of the leading textbook Employee Competition: Covenants, Confidentiality, and Garden Leave (3rd ed, 2016), and a contributor to the American Bar Association publication, Restrictive Covenants and Trade Secrets in Employment Law: An International Survey.

> ***"Paul is the simply the best practitioner in the employee competition arena. His legal ability and attention to detail are second to none."***
>
> — LEGAL 500, 2026

Cases

Insurance Broker

2020

Acting for an insurance broker in claim for damages arising out of the recruitment of brokers from another firm. The case raises issues of unlawful means conspiracy, inducement of breach of contract, duty of disclosure and fiduciary duties.

ICAP Management Services Ltd v Berry & Another

[2017] EWHC 1321 (QB); [2017] IRLR 811

Acted for second defendant in successfully defending claim of inducement of breach of contract arising out of the acquisition by Tullett Prebon of ICAP's global broking business. Issues included whether (i) a share acquisition gave rise to a TUPE transfer; (ii) garden leave of 12 months should be enforced by injunction; (iii) the claim of inducement of breach of contract was established.

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Petter v EMC Europe

[2015] EWCA Civ 480

Acted for employee where Court of Appeal refused employer's appeal against an order for a speedy trial of the employee's claim for a declaration as to the non-enforceability of restrictive covenants in employee's contract.

Petter v EMC Corporation

[2015] EWCA Civ 828; [2015] IRLR 847

Acted for employee domiciled in England who was sued in Massachusetts by the US parent of his UK employer pursuant to the terms of a stock plan containing a Massachusetts law and exclusive jurisdiction clause. The Court of Appeal granted an anti-suit injunction, restraining the US parent from pursuing the Massachusetts proceedings, in order to protect the employee's rights under the Brussels I Recast Regulation on Jurisdiction. Case settled shortly before Supreme Court appeal hearing in 2016.

Willis Ltd v Jardine Lloyd Thompson Group

[2015] EWCA Civ 450; [2015] IRLR 844

Acted in team move case where the Court of Appeal granted an urgent interim springboard injunction.

Sunrise Brokers LLP v Rodgers

[2014]

Acted for appellant in obtaining permission to appeal to Court of Appeal in garden leave case.

Fahim Imam-Sadeque v BlueBay Asset Management (Services) Ltd

[2013] IRLR 344, [2012] EWHC 3511 (QB)

Acted for the defendant in case in which the High Court decided that (1) the claimant employee acted in repudiatory breach of his employment contract in assisting the set up and launch of a competitive business, assisting in the recruitment of a fellow employee by that business, and disclosing documents to that business; and (2) a condition in a compromise agreement whereby the claimant would be deemed to be a Good Leaver for the purpose of unvested deferred remuneration provided he did not commit a repudiatory breach of his employment contract prior to its termination, was not an unlawful penalty.

Space Airconditioning Plc v Guy

[2013] 1 WLR 1293 (CA), [2012] EWCA Civ 1664

Acted for the appellant in a confidential information case in which the Court of Appeal allowed the appeal and (unusually) ordered a re-trial on the basis that the judge's error in relation to the contents of a document rendered the decision wrong or unjust as a result of an irregularity.

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Baker Tilly UK Holdings Ltd v Clough

[2013] EWHC 3616 (QB)

Acted for group of employees who moved to new employer. Issues included the assignability of restrictive covenants following objection by employees to a TUPE transfer.

Enforcement of Restrictions in LLPs, LPs, Hedge Funds & Private Equity Firms

Advising in a variety of matters concerning the enforceability of restrictive covenants in the context of LLPs, LPs, hedge funds and private equity firms involving litigation in the UK and Jersey, as well as arbitration.

Pre-Action Disclosure Application

Acted for investors in opposing pre-action disclosure application in the Commercial Court in case involving alleged misuse of confidential information.

Employee Restrictive Covenants (Singapore)

Advising in relation to litigation in Singapore regarding the enforceability of employee restrictive covenants.

Team moves litigation in High Court

Acted for Singapore-based global business engaged in litigation in the High Court in London regarding a team move and confidential information.

Dismissal of Quantitative Traders from Hedge Fund

Acted for hedge fund in proceedings in several jurisdictions, including the High Court (Queen's Bench Division and Technology and Construction Court) concerning claims relating to negligence, constructive dismissal, bonuses, confidential information, surveillance, privacy, data protection.

Computer Systems Plc v Ranson

Acted for appellant seeking permission to appeal to Supreme Court in employment dispute concerning duty to disclose competitive threat.

Application for search order

Acted for employer relating to application for search order against employee misusing confidential information.

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Aon Ltd v JLT Reinsurance Brokers Ltd

[2010] IRLR 600

Acted for defendants in team move case where Court refused claimant's application for early disclosure on affidavit by defendants of steps taken to recruit fellow employees.

Whistleblowing

Paul regularly advises on whistleblowing claims which, by their nature, are highly commercially sensitive. Often whistleblowing claims arise in a regulatory context, and are made alongside other claims, such as for discrimination, unfair dismissal or unpaid bonuses. Some whistleblowing cases go to trial; many settle before trial.

Cases

Bank Whistleblowing

2020

Acting for a bank in defending multi-million pound whistleblowing claim following US regulatory investigation.

Shearwood v C&J Clark International Ltd

(2019)

Appeared for the respondent retailer in successfully resisting a whistleblowing claim from its former CEO in which the Employment Tribunal ordered the claimant to pay the respondent's costs.

Global Bank Whistleblowing

Instructed by global bank defending whistleblowing claims brought by ex-employee dismissed following FX investigation.

Global Corporation Whistleblowing

Acted at trial for global corporation defending employee whistleblowing claims in the employment tribunal.

Bank Whistleblowing & Disability Discrimination

Appeared for a bank in defending whistleblowing and disability discrimination claims. Case involved unsuccessful application by claimant for interim relief in relation to his whistleblowing claim.

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Hedge Fund Whistleblowing

Acted for US-based hedge fund defending a multi-million pound whistleblowing claim in the London employment tribunal.

Ashton v Barclays Capital Services Ltd

Employment Tribunal Case No: 3202066/15

Successfully defended whistleblowing and unfair dismissal claims made by former Head of Bank's FX desk.

TUPE

Throughout his career, Paul has appeared in many TUPE cases. Some of these involve the preliminary question of whether there was a TUPE transfer. Others include claims of failure to consult, dismissal following a transfer or the enforcement of restrictive covenants post-transfer.

Cases

ICAP Management Services Ltd v Berry & Another

[2017] EWHC 1321 (QB); [2017] IRLR 811

Acted for second defendant in successfully defending claim of inducement of breach of contract arising out of the acquisition by Tullett Prebon of ICAP's global broking business. Issues included whether (i) a share acquisition gave rise to a TUPE transfer; (ii) garden leave of 12 months should be enforced by injunction; (iii) the claim of inducement of breach of contract was established.

Baker Tilly UK Holdings Ltd v Clough

[2013] EWHC 3616 (QB)

Acted for group of employees who moved to new employer. Issues included the assignability of restrictive covenants following objection by employees to a TUPE transfer.

Astle v Omnisure & Cheshire CC

[2005] IRLR 20

Dispute about whether there was a TUPE transfer in relation to local authority outsourcing.

NUMAST v P&O Scottish Ferries

[2005] ICR 1270 (EAT)

The principal issue was whether there was TUPE transfer of the northern isles ferry service.

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Discrimination

Paul has appeared in many sex, race, disability and religious discrimination and equal pay cases in employment tribunals. These have included the leading Court of Appeal cases of Bahl v The Law Society and Madarassy v Nomura.

Cases

Tradition Securities and Futures v X & Y

[2009] ICR 88

A case involving the territorial reach of UK discrimination laws.

Tradition Securities & Futures v Times Newspapers

[2009] IRLR 354

A case involving restricted reporting orders in a discrimination case.

Madarassy v Nomura

[2007] ICR 867 (CA)

Leading case that interpreted the burden of proof in discrimination cases.

Bahl v The Law Society

[2003] IRLR 640 (EAT) and [2004] IRLR 799 (CA)

Leading case that explained the drawing of inferences in discrimination cases.

Disability Discrimination

Acted at trial for employer in defending disability discrimination claim.

BBC Employment Tribunal

Acted for the BBC when an employment tribunal held that the BBC was not an emanation of the state for the purpose of the direct effect of EC directives.

Discrimination & Maternity Rights

Acted on a reference to the ECJ concerning discrimination and maternity rights in relation to occupational pensions.

Sexual Harassment

Undertook an investigation into allegations of sexual harassment in a City law firm.

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Bonus & Remuneration

Much of Paul's work involves disputes about pay, especially in financial institutions. These include bonus claims, forfeiture of deferred pay, and the application of malus and clawback provisions.

Cases

Expert witness on bonus discretion

(2020)

Instructed as an expert witness on English law relating to the exercise of a discretion to award a bonus for the purpose of legal proceedings brought against a global bank in the Royal Court of Jersey.

Fish & Ors v Dresdner Kleinwort Ltd

[2009] IRLR 1035

Application for summary judgment for payment of bonuses.

Deferred Remuneration Schemes

Advised in a variety of cases involving bonus clawback and malus provisions.

Deferred Remuneration & Restrictive Covenants

Acted for hedge fund in defending High Court proceedings in which former employee alleged that he was constructively dismissed and that restrictions in a deferred remuneration scheme were an unreasonable restraint of trade, an unlawful penalty and were rendered unenforceable by the employer's alleged repudiation. Expert evidence adduced on Jersey law and market practice regarding deferred remuneration schemes.

Employee Incentive Plan & Restrictive Covenants Arbitration

Acted in arbitration conducted under the London Court of International Arbitration (LCIA) Rules and the Arbitration Act 1996 concerning the enforceability of restrictive covenants in an employee incentive plan governed by foreign law.

Forfeiture of Unvested Stock

Acted for asset manager in relation to forfeiture of employee's unvested stock under deferred remuneration plan.

Profit Share

Acted for a bank in defending profit share claims brought by employees following losses made by the bank in 2008.

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Employment Status & Contracts

Many of Paul's cases concern contractual disputes in employment including disputes about the status of workers, the duties owed by of employees, directors or partners, and whether they have been breached.

Cases

Benyatov v Credit Suisse Securities (Europe) Limited

[2023] EWCA Civ 140; [2023] ICR 534; [2023] IRLR 381; [2022] EWHC 135 (QB), [2022] 4 WLR 54

Acted for Credit Suisse in successfully defending a former employee's claim for over $86m loss of earnings after his conviction in Romania following his work on privatisation of a utility company. Listed as one of The Lawyer's Top 20 Cases of 2020, the Court held that (1) the employer did not owe the employee an implied contractual duty to indemnify him against loss of earnings arising from the performance of his duties (the indemnity claim), and (2) the employer did not owe the employee a duty of care not to expose him to the risk of criminal conviction and resulting financial losses in the performance of his duties, and did not breach any such duty of care in any event (the negligence claim). Further, the employee's negligence claim was out of time. In February 2023, the Court of Appeal dismissed the employee's appeal. In July 2023, the Supreme Court dismissed the employee's application for permission to appeal.

Cassidy & Ors v Sports Direct

2016

Acted for Sports Direct in defending High Court claims brought by 188 zero hours workers.

Zero-hours contract claim

Acting for company defending bonus claims brought by zero-hours contractors.

Partner Departures

Acting in relation to various disputes in LLPs and partnerships, especially regarding partner departures.

Fulham FC v Tigana

[2005] EWCA Civ 895

Acted for sacked football manager in his claim for damages.

Neary v Dean of Westminster

[1999] IRLR 288

Acted for Dean and Chapter of Westminster Abbey in defending claim brought by former Organist.

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Coker v Diocese of Southwark

[1998] ICR 140

Acted for defendants in test case concerning the employment status of Church of England curate.

Financial Services & Banking

A large part of Paul's practice involves disputes relating to financial services, often with regulatory aspects, such as disciplinary action taken by banks following regulatory investigations.

Cases

LIBOR & FX Benchmarks

Acting in relation to various employment tribunal and regulatory (FCA) proceedings related to investigations into LIBOR and FX benchmarks.

US Sanctions Violations

Acted in relation to employment claims following investigation into alleged violations of US sanctions.

Sport

Paul has advised and appeared in a number of sports law cases, covering a range of sports and he is recognised as a leading silk in this field in Chambers UK 2016.

Paul has Chaired FA Commission hearings as a member of the Football Association Judicial Panel. He has undertaken a range of work including advising a football club in defending an unfair dismissal claim brought by a former manager, appeared before a Tribunal in a dispute between a football club and the football manager's representative. He has advised a premiership footballer in a dispute with his football club and advised a number of Premier League clubs, and other football bodies, chaired FA Appeal Boards and advised individual players. These cases have concerned contractual disputes, the application of the Bosman ruling, competition law, restraint of trade, crowd trouble, and general employment matters. His cases include Sheffield Utd FC v The Premier League, "The Tevez case", Fulham FC v Tigana, and Reading FC v Pardew.

In other sports areas he acted in Hendry v World Snooker, and Modahl v British Athletics Federation. He has acted in various disputes involving formula one racing teams and in tennis in cases such as Korda v ITF. He has advised the English Cricket Board and acted for a Director of Rugby in his dispute with his rugby club, and advised other rugby union players on their employment contracts. He has also advised rugby league clubs on constitutional matters.

> ***"Paul is simply superb. His legal knowledge and skills are profound. He is genuinely interested in and knowledgeable about a variety of sports."***
>
> — CHAMBERS AND PARTNERS, 2026

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Paul was appointed to the Sports Resolutions Panel for 2024-2027.

Cases

Impact of COVID-19

2020

Advising a football body in relation to the impact of COVID-19 on contractual and other arrangements involving clubs and players.

Commercial

Paul has advised and appeared, in many commercial cases in the High Court (including QB, Chancery, Commercial Court, TCC and Appellate Courts) and arbitrations (such as LCIA) involving breach of contract, bonus and deferred remuneration claims, team moves, confidential information and trade secrets, restrictive covenants, cross-border disputes, LIBOR setting, quantitative trading in the context of employment disputes.

Many of these cases have an FSA/FCA or other regulatory background, and involve jurisdiction and applicable law issues. He has acted for banks, building societies, hedge funds, asset managers, broking firms and other financial institutions, as well as for senior executives working in the financial services sector.

He has also given expert evidence in foreign proceedings on English contract law and restraint of trade.

Many of these commercial cases appear in the ‘Employment’ section above.

Arbitration

Paul has appeared in arbitrations, both as an arbitrator and as an advocate.

He is a Specialist Member of the Football Association Judicial Panel, and a Member of the Chairman’s Panel of Arbitrators of Sports Resolutions. In these capacities he has conducted many hearings, most notably disciplinary hearings pursuant to the rules of the Football Association.

As an advocate, he has appeared before arbitral tribunals set up by regulatory bodies, private associations, and also under the rules of the London Court of International Arbitration (LCIA).

In 2013, he was appointed as a sole arbitrator to conduct an arbitration under LCIA rules in relation to an employment dispute.

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ACHIEVEMENTS

Publications

- Editor of Employee Competition: Covenants, Confidentiality, and Garden Leave (OUP, 3rd ed, 2016)
- Member of ELA Working Parties on the Government's Call for Evidence on Non-Competes (2016); Consultation on Reform of Non-Competes (2019); Arbitration & ADR (2016); the EU Trade Secrets Directive (2015)
- Chapter on Employment Law in Butterworths' Sport: Law & Practice (4th ed, 2021)
- Contributor to Restrictive Covenants and Trade Secrets in Employment Law: An International Survey (American Bar Association and BNA Books, 2010)
- Contributor to Tolley's Discrimination in Employment Handbook (2nd ed, 2011)

Appointments

- Bencher of Middle Temple (2011)
- Appeal Board Chairman and Specialist Member of the Football Association Judicial Panel (2008-present)
- Member of the Chairman's Panel of Arbitrators of Sports Resolutions (2000-present)
- Chaired numerous Football Association Appeal Boards (2000-2010)
- Member of the Executive Board of the European Employment Lawyers Association (2001-2005)
- Chairman (1998-2000) and Vice-President (2000-2004) of the UK Employment Lawyers Association (1998-2004)
- Taught law at St Edmund Hall, Oxford (1982-1984)

Memberships

- Chairman of the Employment Lawyers Association (ELA) from 1998-2000, and member of its Management Committee from 1992 to 2004
- Member of the European Employment Lawyers Association (EELA) Board 2000-2004. Currently a member of EELA's working party on arbitration
- Member of the Employment Law Bar Association, the Bar European Group and the Industrial Law Society
- Member of the British Association for Sport and Law
- Member of the London Court of International Arbitration

VAT registration number: 397190906

Barristers regulated by the Bar Standards Board