

Mohinderpal Sethi QC

Silk: 2019 | Call: 1996

Queen's Counsel

Email: MoSethiQC@littletonchambers.co.uk

Email Clerk: jason@littletonchambers.co.uk

Telephone Clerk: +44 (0)20 7797 8623



Barrister of the Year Finalist (The Lawyer Awards 2022), Mohinderpal Sethi QC MA (Oxon) is Chair of the Employment Law Bar Association and the immediate past Head of the Employment Team.

His expertise spans the full range of commercial, employment, discrimination, partnership and sports disputes in the High Court, employment tribunals and on appeal up to and including the Supreme Court. He is ranked as a **Tier 1** Commercial Silk by Legal 500 EMEA 2021 for his offshore work in the DIFC and ADGM Courts. He is highly ranked in his areas of practice by Chambers & Partners, Legal 500 and Who's Who Legal.

Before taking silk, Mohinderpal was shortlisted for **Employment Junior of the Year** at the Chambers UK Bar Awards. He was consistently ranked in **Band 1** (the top 10 leading juniors in the country) by the main legal directories. Exceptionally, he was appointed by the Attorney-General 'directly' to the top **A Panel** of Junior Counsel to the Crown to undertake the highest profile Government work.

He has over 25 years' experience of acting for a wide spectrum of clients ranging from multinational corporations, international banks and foreign governments to high profile public figures, ultra-high net worth individuals, boardroom executives, gig-economy workers and pro bono clients in often high value, market sensitive or politically charged matters.

Work highlights include the following reported cases:

- **Landmark diplomatic immunity appeal victory:** Acted for a senior foreign diplomat in the first ever leapfrog appeal from the EAT directly to the Supreme Court (*Basfar v Wong* [2020] ICR 1185, [2020] IRLR 248). Awaiting Supreme Court judgment.
- **Landmark pro bono appeal victory for working mothers:** leading case on indirect sex discrimination arising from 'the childcare disparity' suffered by working mothers (*Dobson v North Cumbria Integrated NHS Foundation Trust* [2021] IRLR 729).
- **Leading case on identity of employer:** offshore partnership dispute (*Clark v Harney Westwood & Riegels* [2021] IRLR 528).
- **High profile sports investigation:** appointed by British Gymnastics to conduct independent investigation into high profile complaints brought by Olympians [2021].
- **Brexit, State Immunity and Discrimination Law:** First case to consider whether a claimant can rely on the EU Charter of Fundamental Rights despite provisions of the EU (Withdrawal) Act 2018 which confirms the Charter is no longer part of UK law since the end of the UK-EU transition period (*Fenniche v Kuwait Health Office* [2021]).
- **Business protection injunction and speedy trial:** Represented Quilter in multi-week High Court trial involving breaches of fidelity, misuse of confidential information and restrictive covenants (*Quilter Private Client Advisers Ltd v Falconer* [2020] EWHC 3294 QB).

- **Committal for contempt:** successfully obtained permission to bring committal proceedings against former CEO for making false statements and breaching an injunction order (*Advetec Holdings Ltd v Shaw* [2020] EWHC 2660 QB).
- **Gig economy test cases:** acted for CitySprint in 5 worker status test cases concerning cycle couriers (*O'Eachtiarnaors v CitySprint (UK) Ltd* [2020]).
- **Ground-breaking offshore business protection injunction:** Appeared in the first ever restrictive covenant and confidentiality injunction in the Dubai International Financial Centre (DIFC) Courts (*ED&F Man Capital Markets MENA Ltd & anor v Hussain, RJ O'Brien MENA Capital Ltd & anor*).
- **Leading case on apparent bias:** race discrimination, victimisation and unjustifiable union discipline (*Bhardwaj v FDA* [2016] IRLR 789 Court of Appeal).
- **Diplomatic immunity and modern slavery:** International Law, Human Rights and EU Law (*Al-Malki v Reyes* [2014] ICR 135, [2013] IRLR 929).
- **Landmark pro bono dual indirect discrimination appeal victory:** first ever case of indirect discrimination arising from combined protected characteristics (*MOD v DeBique* [2010] IRLR 471). Front page headline of the Daily Mail, 13 April 2010.
- **Leading case on discrimination compensation:** leading authority on causation and foreseeability of loss in discrimination cases (*Essa v Laing Ltd* [2004] ICR 746, [2003] IRLR 346 Court of Appeal).
- **High profile race discrimination case:** successfully acted in series of race discrimination claims brought by highly ranked police officers against the Metropolitan Police Commissioner (eg, *Virdi v Comr of Police* [2007] IRLR 24).

What others say about him:

High Court business protection and injunctions:

- *"Frequently acts for some of the biggest clients in the financial services industry. He is particularly knowledgeable about restrictive covenants and specialises in complex international business protection litigation in the context of restraint of trade and team moves."* (Chambers & Partners 2022)
- *"Very hands-on, very tactical and a strategic team player. An advocate with stacks of experience of handling High Court injunctions, he knows what the objectives are in a case and how to get there."* (Chambers & Partners 2021)

High profile employment disputes:

- *"A hugely impressive barrister. Outstanding at every turn."* (Chambers & Partners)
- *"A talented barrister who often appears as lead counsel in high-profile employment disputes, particularly those involving clients in the financial services. Sources applaud his clever and insightful handling of complex whistleblowing matters. He is clear-sighted on discrimination issues and clients note his clear understanding of trade union matters."* (Chambers & Partners)
- *"Stands out for his top-tier work in commercial, employment, equality and partnership disputes."* (Who's Who Legal 2019)

Partnership and LLP disputes:

- *"He provides substantial experience in partnership disputes arising from team moves, discrimination claims and whistle-blowing. He is also notable for his experience in the enforcement of restrictive covenants, representing both firms and individuals. He is very highly rated by partnership solicitors. He has an incisive legal mind: he simplifies problems and explains them clearly. Partnership clients love him for it."* (Chambers & Partners 2022)
- *"Acted in cross-border partnership litigation, defending claims in the UK brought by a senior partner under Cayman Islands partnership law against the global equity partners of an offshore magic circle firm."* (Chambers & Partners 2022)

International and Offshore (including DIFC and ADGM):

- *"A go-to employment barrister – he exudes confidence and is extremely knowledgeable. His workload has included a number of highly sensitive cases concerning the DIFC and ADGM's most prestigious financial and professional services firms."* (**Tier 1** Commercial Silk, Legal 500 EMEA 2021)
- *"He is increasingly well known in the UAE market for his regular engagements on DIFC employment cases. Commentators note his expertise in restrictive covenant work, further mentioning that he's fantastic with clients and he's able to explain things to them in an easy manner."* (Chambers & Partners Global 2021)
- *"He represented a senior energy broker in ED&F Man Capital Markets v Hussain & RJ O'Brien MENA Capital, the first restrictive covenant injunction case in the DIFC."* (Legal 500 EMEA 2020)
- *"He is a significant player when it comes to litigious employment issues in the UAE. He is prominent in the DIFC courts, and sources speak highly of their experiences working with him, with one mentioning: 'He is fantastic. If people have*

knotty DIFC matters he is the go-to'. One commentator enthused that 'he is excellent, very well prepared and a very effective advocate.'" (Chambers & Partners Global 2020)

Outstanding trial and appellate advocacy:

- *"His advocacy is beguilingly simple and judges love him."* (Chambers & Partners 2022)
- *"A punchy and clear advocacy style."* (Legal 500 2022)
- *"He's an absolutely fantastic advocate."* (Chambers & Partners 2021)
- *"A strong advocate and it's clear the judges respond well to him."* (Legal 500 2021)
- *"Equally charming and ferocious, he is impressive on his feet."* (Legal 500 EMEA 2020)
- *"A very skilled and persuasive barrister."* (Who's Who Legal 2019)

Technical excellence:

- *"Frighteningly clever. Very highly rated by instructing solicitors. He has an incisive mind: he simplifies problems and explains them clearly. Clients love him for it."* (Chambers & Partners 2022)
- *"Terrifically bright."* (Chambers & Partners 2021)

Strategic, tactical and commercial acumen:

- *"Very hands-on, very tactical and a strategic team player."* (Chambers & Partners 2021)
- *"An excellent choice, particularly if you want someone who is strong on tactics and strategy."* (Chambers & Partners 2020)

A real team player:

- *"He is very good with clients and is very technical but presents everything in a very user-friendly way. He is incredibly sympathetic with witnesses, whom he prepares excellently."* (Chambers & Partners 2022)
- *"Great team player – engenders a team approach with solicitors and clients, excellent communicator, strong advocate and it's clear the judges respond well to him. Very strategic and technically excellent. My go to for key clients as I know they will get excellent client service and feel well looked after."* (Legal 500 2021)
- *"Has the ability to gain the trust and confidence of his clients; has an authoritative manner and focuses on the detail."* (Legal 500 2021)
- *"He's just fantastic with clients."* (Chambers & Partners Global 2021)
- *"Very personable."* (Chambers & Partners 2021)

RECOMMENDATIONS

"He is incredibly hard-working, he is frighteningly clever, his advocacy is beguilingly simple and judges love him." "He is very good with clients and is very technical but presents everything in a very user-friendly way. He is incredibly sympathetic with witnesses, whom he prepares excellently."

Chambers & Partners 2022

"Very highly rated by instructing solicitors." "He has an incisive mind: he simplifies problems and explains them clearly. Clients love him for it."

Chambers & Partners 2022

"A hard-working and energetic advocate, who is able to deal with claims ranging from discrimination and restrictive covenants to complex jurisdictional points with a punchy and clear advocacy style. Great client care skills and easy to work with."

Legal 500 2022

"He frequently acts for some of the biggest clients in the financial services industry. He is particularly knowledgeable about restrictive covenants and specialises in complex international business protection litigation in the context of restraint of trade and team moves."

Chambers & Partners 2020

"Equally charming and ferocious, he is impressive on his feet. A fearless advocate but one with court instincts."

Legal 500 UK and Middle East 2020

"An excellent choice, particularly if you want someone who is strong on tactics and strategy."

Chambers & Partners 2020

"A significant player who is prominent in the DIFC courts. He is fantastic. If you have knotty DIFC matters, he is the go-to."

Chambers & Partners Global 2020

"Stands out for his top-tier work in commercial, employment, equality and partnership disputes. A very skilled and persuasive barrister."

Who's Who Legal 2019

AREAS OF LAW

Injunctions

Mohinderpal has a strong practice in High Court injunctions and speedy trials to enforce directors' and fiduciaries' duties, restrictive covenants, trade secrets and confidentiality, database rights, garden leave and economic torts (often involving team moves). His City clients include investment banks, private equity firms, hedge funds, inter-dealer brokers, insurance brokers, senior executives and equity partners. He is co-author with Selwyn Bloch QC of *Springboard Injunctions* (PLC).

- **Business protection injunction and speedy trial:** Represented Quilter in multi-week High Court trial involving breaches of fidelity, misuse of confidential information and restrictive covenants (*Quilter Private Client Advisers Ltd v Falconer* [2020] EWHC 3294 QB).
- **Committal for contempt:** successfully obtained permission to bring committal proceedings against former CEO for making false statements and breaching an injunction order (*Advetec Holdings Ltd v Shaw* [2020] EWHC 2660 QB).
- **Team Move Injunction:** *Arthur J Gallagher Insurance Brokers Ltd & ors v Aston Scott Group Ltd & ors* [2016] EWHC QB - resisted insurance industry team move conspiracy injunction.
- **Garden leave injunction:** *Autoneum GB Ltd v Gilbert and HP Pelzer Holding GmbH* [2016] EWHC QB - successfully obtained international garden leave and restrictive covenant injunction.
- **Non-Compete Injunction:** *EG Solutions Ltd v Hughes and Nice Systems UK Ltd* [2016] EWHC QB - resisted non-competition, confidentiality and non-inducement injunction brought by AIM listed software company.
- **Springboard Injunction:** *Doncasters Limited v Smith & ors* [2016] EWHC QB - acted for a US industrial client in successfully obtaining a springboard injunction restricting, as part of a cross-border team move conspiracy, the alleged transfer of trade secrets of military application to a foreign superpower in breach of export controls.
- **Recruitment Industry Team Move:** *Search Consultancy Ltd v Kirk & ors* [2016] EWHC Ch - springboard and client non-solicitation injunction arising from a team move.
- **Breach of Director's and Fiduciary Duties:** *Livingstone Holdings Ltd & ors v Allaway & ors* [2016] EWHC QB - injunction to prevent breaches of fiduciary duties and team move conspiracy in the software industry.
- **International Restrictive Covenants:** *RFIB Group Limited v Willis Bermuda Limited & ors* [2015] EWHC QB - successfully obtained a cross-border non-competition and non-inducement injunction against a rival international specialist insurance and reinsurance broker arising from its recruitment in Bermuda of the President of RFIB's Bermuda domiciled subsidiary, one of RFIB's highest paid executives.
- **Large Team Move:** *Spark Response Ltd v Wigham and others* [2013] EWHC QB - account of profits claim arising from a 25 person team move and breaches of fiduciary duties and conspiracy.
- **Anti-Strike Injunction:** *Balfour Beatty Engineering Services Ltd v Unite the Union* [2012] EWHC 267 QB, [2012] ICR 452, [2012] IRLR 452 Eady J.
- **International Team Move:** *BGC Capital Markets (Switzerland) LLC v Tullett Prebon plc and others* [2011] EWHC 2009 QB Jack J - Injunction and multi-week High Court trial relating to high value claim for breach of international restrictive covenants, confidential information, and Wrotham Park damages under Swiss law and inducement under English law.

Commercial Dispute Resolution

Mohinderpal has significant experience of the legal issues arising from high value senior executive rewards packages including bonus, share option, PHI, and pension schemes. He has acted in a wide range of disputes arising from domestic and international commercial contracts including partnership and LLP, vendor-purchaser, joint-venture and franchise agreements.

Mohinderpal is a member of the Commercial Bar Association and the Professional Negligence Bar Association.

Employment

Mohinderpal is Co-Head of the Employment Team and Chair of the Employment Law Bar Association. Shortlisted for Employment Junior of the Year at the Chambers UK Bar Awards 2016, Mohinderpal has substantial experience of acting for and against international blue-chip companies and high profile public figures in multi-million pound breach of contract, whistleblowing, discrimination and TUPE claims often involving a considerable degree of market or political sensitivity. He has acted in numerous high profile employment disputes in UK domestic courts and tribunals as well as internationally (for example, the Dubai International Financial Centre Courts and the Abu Dhabi Global Market Courts). He has particular expertise in cross-border employment litigation often involving complex issues of jurisdiction and conflicts of laws.

Mohinderpal is the author of several leading publications including Employment Tribunal Remedies (4th Edition, Oxford University Press) and Termination of Employment (Bloomsbury Professional). He was twice elected as the Representative of the Bar on the Management Committee for the Employment Lawyers Association and is a former Editor of ELA Briefing.

- **Landmark diplomatic immunity appeal victory:** Acted for a senior foreign diplomat in the first ever leapfrog appeal from the EAT directly to the Supreme Court (*Basfar v Wong* [2020] ICR 1185, [2020] IRLR 248). Awaiting Supreme Court judgment.
- **Landmark pro bono appeal victory for working mothers:** leading case on indirect sex discrimination arising from 'the childcare disparity' suffered by working mothers (*Dobson v North Cumbria Integrated NHS Foundation Trust* [2021] IRLR 729).
- **Leading case on identity of employer:** offshore partnership dispute (*Clark v Harney Westwood & Riegels* [2021] IRLR 528).
- **Brexit, State Immunity and Discrimination Law:** First case to consider whether a claimant can rely on the EU Charter of Fundamental Rights despite provisions of the EU (Withdrawal) Act 2018 which confirms the Charter is no longer part of UK law since the end of the UK-EU transition period (*Fenniche v Kuwait Health Office* [2021]).
- **Gig economy test cases:** acted for CitySprint in 5 worker status test cases concerning cycle couriers (*O'Eachtiarnaors v CitySprint (UK) Ltd* [2020]).
- **Leading case on apparent bias:** race discrimination, victimisation and unjustifiable union discipline (*Bhardwaj v FDA* [2016] IRLR 789 Court of Appeal).
- **Disciplinary Procedures:** *Holmes v Qinetiq Ltd* [2016] IRLR 664 EAT Simler P – leading authority on scope of Acas Code of Practice on disciplinary procedures.
- **Large Scale Group Litigation:** *Humphryes & ors v Lafarge, Amey, Ringway, Balfour Beatty* [2016] – appeals (to be heard in 2017) against the striking out of 1,000 claims and the making of a £1 million wasted costs order.
- **High Profile Whistle-blowing:** *Uppal v Homeserve Plc* [2014] Mohinderpal “successfully defended Homeserve Plc in a significant whistle-blowing claim brought by a former senior executive, alleging deliberate mis-selling by call centre staff employed by the company” (Chambers & Partners 2016).
- **Border Checks Scandal:** *Brodie Clark v Home Office* [2012] – Mohinderpal “represented the former head of the UK Border Force in his High Court and employment tribunal claims against the Home Secretary” (Chambers & Partners 2013).
- **Business Protection and Social Media:** *Crisp v Apple Retail UK Ltd* [2011] – Mohinderpal successfully protected the brand and business reputation of Apple in this high profile and commercially sensitive case involving the misuse of online social media.
- **TUPE Group Litigation:** *Communication Workers Union v Royal Mail Group Ltd* [2010] ICR 83, [2009] IRLR 1046 Court of Appeal. “Recent notable cases include *CWU v RMG*, a multi-million pound class action in the Court of Appeal” (Legal 500 2009).
- **High Profile Dismissal:** *ASLEF v Brady* [2006] IRLR 576 Elias J – a leading authority: Mohinderpal “was successful in *Aslef v Brady*, otherwise known as ‘the battle of the barbecue case’ which involved the employer’s burden of proving

Equality & Human Rights

Mohinderpal has appeared in some of the leading discrimination cases in the employment, education, goods and services and public law fields. He has extensive experience of long and complex equal pay, sex, race, disability, sexual orientation, religion or belief and age discrimination claims, as well as claims by part-time workers and fixed-term employees. “He works extensively with a range of clients, from major corporations to high net worth individuals, and is skilled at handling discrimination disputes in particular” (Chambers & Partners). Mohinderpal is ranked in the Equal Opportunities Review of all-time IRLR appearances.

- **Landmark diplomatic immunity appeal victory:** Acted for a senior foreign diplomat in the first ever leapfrog appeal from the EAT directly to the Supreme Court (*Basfar v Wong* [2020] ICR 1185, [2020] IRLR 248). Awaiting Supreme Court judgment.
- **Landmark pro bono appeal victory for working mothers:** leading case on indirect sex discrimination arising from ‘the childcare disparity’ suffered by working mothers (*Dobson v North Cumbria Integrated NHS Foundation Trust* [2021] IRLR 729).
- **Brexit, State Immunity and Discrimination Law:** First case to consider whether a claimant can rely on the EU Charter of Fundamental Rights despite provisions of the EU (Withdrawal) Act 2018 which confirms the Charter is no longer part of UK law since the end of the UK-EU transition period (*Fenniche v Kuwait Health Office* [2021]).
- **Apparent Bias and Waiver:** *Bhardwaj v FDA & ors* [2016] IRLR 789 Court of Appeal (Arden, Jackson LJ and Sir Colin Rimer) – leading authority on the application of the article 6(1) right to an independent and impartial tribunal to cases involving the appearance of bias and the doctrine of waiver. Currently on appeal to the Supreme Court.
- **International Law, Human Rights and EU Law:** *Al-Malki v Reyes* [2014] ICR 135, [2013] IRLR 929 Langstaff J (P) - Mohinderpal successfully safeguarded the national interests of the Kingdom of Saudi Arabia under international law. “He is singled out for his high-profile work on state and diplomatic immunity and is widely viewed as an expert on cases involving these issues” (Chambers & Partners 2015).
- **Landmark Indirect Discrimination Case:** *Ministry of Defence v DeBique* [2010] IRLR 471 Cox J – Front page headline of the Daily Mail 13 April 2010 – first and leading authority on ‘dual indirect’ discrimination.
- **Landmark Compensation Appeal:** *Essa v Laing Ltd* [2004] ICR 746, [2003] IRLR 346 Court of Appeal. Leading authority on causation and foreseeability of loss.
- **High profile discrimination:** *Virdi v Commissioner of Police of the Metropolis* [2007] IRLR 24 (ET, EAT and Court of Appeal) – Mohinderpal “appeared in a number of high-profile cases over the past year, including representing Detective Sergeant Virdi in his successful victimisation claims against the Police Commissioner, Sir Ian Blair” (Chambers & Partners 2009).

Partnership & LLP

Mohinderpal has extensive experience and expertise in disputes regarding partnership and LLP agreements, restrictive covenants and confidentiality, joining and leaving (including team moves), whistleblowing, discrimination, capital contributions, exclusions, termination, retirement provisions, and profit share.

His experience spans a wide range of professional and financial services sectors including hedge funds, lawyers, accountants, surveyors, architects, patent agents, dentists, doctors and limited partnerships. He has advised on the merger of professional firms and the conversion of traditional partnerships into LLPs.

He regularly represents both partnerships/LLPs as well as individuals or teams of partners/LLP members. This experience enables him to not only bring a balanced understanding of often highly charged matters involving career and reputational risk, but also enables him to anticipate the likely response to any issue. Much of his work in this area is highly sensitive and resolved confidentially. He has recently been involved in a number of very high level equity partner exits from ‘magic circle’ law firms in the City.

Mohinderpal is a member of the Association of Partnership Practitioners.

- **Leading case on identity of employer:** offshore partnership dispute (*Clark v Harney Westwood & Riegels* [2021] IRLR 528). “Acted in cross-border partnership litigation, defending claims in the UK brought by a senior partner under Cayman Islands partnership law against the global equity partners of an offshore magic circle firm.” (Chambers & Partners 2022)

- **LLP Restrictive Covenants:** *Miller 2015 Ltd v Clarkson* [2016] EWHC Ch – injunction to prevent breach of LLP Agreement in the insurance industry.
 - **LLP Restrictive Covenants:** *Re X LLP* [2015] – advising leading City solicitors’ firm on conversion to LLP and enforceability of restrictive covenants and confidentiality
 - **Partnership Arbitration:** *X v Y* [2014] – acting in a large arbitration concerning departing members of a finance partnership
 - **Partnership Team Move:** *X LLP v Y and others* [2014] EWHC (QB) – very high value team move claim involving equity and salaried members of a LLP in the financial services sector
 - **Partnership Discrimination:** *Giscombe v Griffins* [2014] ET, EAT & Court of Appeal – complex multi-week discrimination trial involving insolvency partners
 - **Whistleblowing in LLP:** *X v Y LLP* [2014] – acting for a leading firm of accountants in resisting seven figure whistleblowing claims
 - **High Value Breach of LLP Agreement:** *X v Y LLP* [2013] EWHC QB – rights of senior equity partners in large US law firm. Extremely high value and sensitive claim settled on confidential terms
-

Sports

Mohinderpal’s expertise in sports law encompasses the full range of contractual, employment and regulatory disputes. He has extensive experience in conducting independent investigations and chairing reviews at the highest levels of various elite sports.

Recent work includes:

- **Sethi Investigation into Yorkshire County Cricket Club** – appointed to conduct independent investigation into widely publicised allegations of discrimination at Yorkshire County Cricket Club.
 - **Sethi Investigation into British Gymnastics** – Mohinderpal was instructed by British Gymnastics to undertake an independent investigation into complaints of abuse brought by former Olympians against the British Women’s Head National Coach.
-

Investigations

Mohinderpal has extensive experience in leading independent investigations and chairing reviews into high-profile allegations of wrongdoing, particularly in the fields of financial services, sports and employment generally.

He is routinely instructed by leading FTSE 100 blue chip companies to conduct commercially sensitive grievance and disciplinary investigations.

Recent work includes:

- **Sethi Investigation into Yorkshire County Cricket Club** – appointed to conduct independent investigation into widely publicised allegations of discrimination at Yorkshire County Cricket Club.
 - **Sethi Investigation into British Gymnastics** – Mohinderpal was instructed by British Gymnastics to undertake an independent investigation into complaints of abuse brought by former Olympians against the British Women’s Head National Coach.
 - Confidential disciplinary investigation concerning senior members of Oxbridge colleges.
-

Regulatory & Professional Discipline

Mohinderpal is experienced in advising on and appearing before a wide range of regulatory and professional disciplinary bodies, particularly those concerned with financial services, media and sport. He has particular expertise in advising on matters arising from the Libor and FX rate rigging scandals, US sanctions, mortgage-backed securities and the disciplinary and enforcement powers of the FCA. He has been entrusted to conduct a number of high level internal disciplinary and grievance investigations for various FTSE and S&P companies.

Mohinderpal is a member of the Association of Regulatory & Disciplinary Lawyers.

- **Landmark appeal:** *Heath v Commissioner of Police of the Metropolis* [2005] ICR 329, [2005] IRLR 270 Court of Appeal - the leading authority on the absolute immunity from suit of quasi-judicial disciplinary bodies regulated by statute.
-

International & Offshore

Mohinderpal is regularly instructed by top ranked DIFC and ADGM law firms in Middle East commercial, employment and partnership matters of legal complexity, ultra-high value and market and reputational sensitivity. He routinely appears against top ranked offshore silks in urgent employment injunctions concerning team moves, restrictive covenants, breaches of confidence, freezing and search orders. Mo has appeared and advised in cases in the Dubai International Financial Centre (DIFC) Courts and the Abu Dhabi Global Market (ADGM) Courts. He is a lecturer and trainer at the DIFC Academy of Law.

Having previously defended the UAE government in *Fotieh v UAE*, in 2021 Mohinderpal appeared in the UK Supreme Court on behalf of the Kingdom of Saudi Arabia in the leading case on diplomatic immunity (*Wong v Basfar*).

- **Ground-breaking offshore business protection injunction:** Appeared in the first ever restrictive covenant and confidentiality injunction in the Dubai International Financial Centre (DIFC) Courts (*ED&F Man Capital Markets MENA Ltd & anor v Hussain, RJ O'Brien MENA Capital Ltd & anor*).
 - **Landmark diplomatic immunity appeal victory:** Acted for a senior foreign diplomat in the first ever leapfrog appeal from the EAT directly to the Supreme Court (*Basfar v Wong* [2020] ICR 1185, [2020] IRLR 248). Awaiting Supreme Court judgment.
 - **Leading case on identity of employer:** offshore partnership dispute (*Clark v Harney Westwood & Riegels* [2021] IRLR 528).
 - **Brexit, State Immunity and Discrimination Law:** First case to consider whether a claimant can rely on the EU Charter of Fundamental Rights despite provisions of the EU (Withdrawal) Act 2018 which confirms the Charter is no longer part of UK law since the end of the UK-EU transition period (*Fenniche v Kuwait Health Office* [2021]).
 - **Diplomatic immunity and modern slavery:** International Law, Human Rights and EU Law (*Al-Malki v Reyes* [2014] ICR 135, [2013] IRLR 929).
-

Awards, Publications & Appointments

Education

- MA Jurisprudence (Wadham College, University of Oxford)
- Langdon Comprehensive School, East Ham, London Borough of Newham

Awards, Scholarships & Prizes

- Chambers UK Bar Awards 2016: Shortlisted for Employment Junior of the Year
- Wadham College: Scholar
- Middle Temple: The Queen Mother's Scholar (the premier Inn scholarship)
- Middle Temple: The Malcolm Wright Prizewinner
- Middle Temple: Harmsworth Major Entrance Exhibitioner

Publications

- Author of *Employment Tribunal Remedies* (Oxford University Press, 4th Edition)
- Editorial Board Member of *ELA Briefing* (the journal of the Employment Lawyers' Association)
- Co-author of *Termination of Employment* (Bloomsbury Publishing)
- Contributing author for *Practical Law*

Appointments

- Chair of the Employment Law Bar Association

- Co-Head of the Employment Team
- Junior Counsel to the Crown (A Panel)
- Registered Practitioner with full rights of audience in the DIFC Court of First Instance and Court of Appeal
- Equality & Human Rights Commission Panel of Preferred Counsel
- Former Elected Representative of the Bar for the Employment Lawyers' Association
- Former Judicial Assistant to senior New York State Supreme Court Justices (Civil Branch)

Memberships

- Commercial Law Bar Association
 - Professional Negligence Bar Association
 - Association of Partnership Practitioners
 - Association of Regulatory and Disciplinary Lawyers
 - Employment Law Bar Association
 - Employment Lawyers' Association
 - Industrial Law Society
-