

Paras Gorasia

CALL: 2005

Email Clerk:

Telephone Clerk:



Overview

Paras is a senior junior barrister specialising in Employment, Investigations and Privacy Law. Paras has been recognised by the relevant practitioner directories as a leader in the field of Employment Law since 2012 featuring consistently since that date and has recently been recognised by Chambers and Partners UK Bar 2024 for his work undertaking Independent Investigations. Paras has over 18 years' experience advising and representing both Claimants and Respondents before the Employment Tribunal, Civil Courts and Appellate Courts. He was formerly a Judicial Assistant to the then Master of the Rolls (now Lord Clarke) at the Court of Appeal, a member of the Attorney General's Regional Panel of Junior Counsel to the Crown (2012-2018), a member of the Welsh Assembly Government's Panel of Junior Counsel in Employment Law (2012-2021) and Approved Counsel for the Equality and Human Rights Commission (2011-2015). He is regularly instructed on strategically important, high value, complex and reputationally sensitive disputes involving leading corporates, NGO's, senior executives and other high net worth individuals. He is particularly known for his ability as a cross-examiner, technical ability, commercial nous, responsiveness and client care. He has also built up particular expertise in group litigation before the employment tribunals concerning TUPE transfers, mass redundancy situations, equal pay and other associated issues affecting heavily unionised workforces. He is rapidly developing his Media and Data Protection/Information Law practice and spent 8 weeks seconded to the Times Newspapers Ltd (TNL)'s legal department to develop his expertise in this area.

In recent years he has been instructed to advise on and/or bring claims against Respondents such as **Apple, Google, West Ham United FC, Yorkshire County Cricket Club, Marks & Spencer, News UK, CNN, BBC, London School of Economics, Telefonica, HSBC, AA, Health Education England, Home Office and Capita.**

A sample of his Claimant clients have included:

Premier League Football Manager, Professional Cricketer, Professionals working in the Financial Sector (Including Investment Banks and Hedge Funds), CEO's, CFO's, Managing Directors, Consultant Surgeons, GPs, Teachers, University Professors, Solicitors, Mineworkers, Charity Workers, Accountants, Fashion Designer, Insurance Brokers, Journalists, Finance Managers, HR Managers, Actuaries, Police Officers, Oil Rig Workers, Sales Directors, Hairdressers, Bus Drivers, Catering Staff, Nurses, Dentists, IT Professionals, Management Consultants, Paralegals and Office Cleaners.

A sample of his Respondent clients have included:

A member of the UAE Royal Family, Amnesty International, European Space Agency, ActionAid, BASF, RAC, RSA, Cambridge University Press, Oxford Brookes University, Direct Line Insurance, AMEC Foster Wheeler, Parker Hannifin, Saipem, Infosys, Michelin Tyres, Adidas, JD Sports, Jaeger, Edinburgh Woollen Mill, CBRE, Manchester City FC, Manchester United FC, Liverpool FC, Wolverhampton Wanderers FC, Leicester Football Club, Virgin Active, AstraZenica, Unilever, Johnson & Johnson, Reckitt Benckiser, Smith and Nephew, UK Biocentre, Superdrug Stores, Randstad, Air France, British Airways, Balfour Beatty, Network Rail, Weetabix, UK Coal, DHL, BT, British Gas, BOC Limited, TalkTalk, BSKyB, Brewdog, Molsen Coors, Marriott Hotels, McDonalds, Fortnum and Mason, Pret a Manger, Domino's Pizza, McCain Foods, HelloFresh, Casual Dining Group, Big Table Group, Tesco, Costco, Sainsbury's, DSG

Expertise

- Commercial Law
- Data Protection & Information Law
- Employment & Discrimination
- HR Professional Support
- Investigations
- Media and Entertainment
- Sport

Recommendations

"He has great depth of experience and knowledge combined with an approachable manner and the ability to quickly build rapport with clients." Chambers and Partners 2024

"He is a highly skilled and technical advocate...is great with clients and gets on top of particularly complex matters." Chambers and Partners 2024

"He has a great ability to cut through complicated scenarios and focus on the issues which really matter, and explain complex issues in simple terms." The Legal 500 2024

Key contacts

Samantha Jones

Deputy Senior Clerk

Phone: 020 7269 0307

Email: sjones@oldsquare.co.uk

Jordan Bater

Team Leader Assistant

Phone: 020 7269 0300

Email: bater@oldsquare.co.uk

William Meade

Senior Clerk

Phone: 020 7269 0360

Email: wmeade@oldsquare.co.uk

Retail, John Lewis, Barclays Bank, Santander, Royal Bank of Scotland, NatWest, Lloyds Bank, Standard Life, Co-operative Bank, General Medical Council, Ministry of Justice, Ministry of Defence and Solicitors Regulation Authority.

Memberships:

- Honourable Society of the Inner Temple
- Employment Law Bar Association (ELBA)
- Employment Lawyers Association (ELA)
- Industrial Law Society (ILS)
- Member of the Chartered Institute of Arbitrators (MCIArb)
- Mentor for the Social Mobility Foundation
- Employment Panel Reviewer for Advocate
- Employment Lawyers Appeals Advice Scheme (ELAAS)

Appointments:

- Attorney General's Regional Panel of Junior Counsel to the Crown (2012-2018)
- Approved Counsel for the Equality and Human Rights Commission (2011-2015)
- Appointed by the Bar Standards Board as an External Examiner for Employment Law
- Convenor and Lecturer on the LLM Employment Law Module at BPP Law School
- Judicial Assistant to the Master of the Rolls at the Court of Appeal (Civil Division)
- Associate Lecturer at the Open University
- Visiting Tutor in Employment Law at University of Reading
- Examiner in Land Law at Queen Mary, University of London
- Visiting Tutor in EC Law at Hertford College, Oxford University
- Visiting Lecturer in Land Law at Birkbeck College, London
- Visiting Tutor in Land Law at Queen Mary, University of London
- Visiting Tutor in Land Law at the University of Leicester
- Visiting Tutor in Contract and Company Law at the University of Buckingham

Awards:

- Pegasus Scholarship to Hong Kong (Pegasus Scholarship Trust)
- Major Scholarship (Inner Temple)
- Leonard Woodley Scholarship (Inner Temple)
- Bar European Group Phoenicia Scholarship
- Faculty of Law Graduate Scholarship for MPhil (Oxford University)
- Kent Law School Prize for Academic Performance
- Kent Law School Mooting Prize

Education:

- Bachelor of Laws (LLB) (First Class Honours) at University of Kent
- Bachelor of Civil Law (BCL) at Exeter College, Oxford
- Master of Philosophy (MPhil) in Law at Exeter College, Oxford
- Master of Laws (LLM) at King's College London
- Bar Vocational Course (BVC) at ICCL

Restraint of Trade, Harassment and Employment Related Litigation

Paras is regularly instructed to advise upon disputes in respect of the enforceability of restrictive covenants and the use of confidential information by ex-employees. He has particular experience in respect of applications for and against injunctive relief and is well versed in dealing with disputes concerning the fiduciary duties of directors and senior employees. He is frequently instructed in litigation in areas as diverse as bonus claims, pensions related disputes, harassment, professional regulatory hearings, employee incentive/share schemes and negligent misstatement claims.

Significant Cases

- Instructed on behalf of an international casino operator to advise on a high value contractual dispute arising out of the supply of maintenance and monitoring of electronic security services;
- Instructed (with Rabah Kherbane) to advise a medical practice on recovery of over £1 million allegedly fraudulently diverted by a former employee in both civil and criminal proceedings, also instructed to defend claims for unfair dismissal advanced by the former employee whilst concurrent criminal proceedings are ongoing;
- Instructed on behalf of a group of police officers to advance claims against their Constabulary under the Protection from Harassment Act 1997 for damages including personal injury as well as concurrent

- associated claims before the tribunal;
- Instructed to represent a nurse before the NMC at an interim order hearing in respect of regulatory proceedings concerning her fitness to practice, persuaded NMC to impose conditions on practice as opposed to suspension;
- Instructed to defend an oleochemical business in a high court claim, cumulatively worth approximately £1 million from group claimants alleging entitlement to enhanced redundancy terms;
- Instructed on behalf of a Premier League Manager to advise on a £2.5 million contractual matter arising out of the termination of his employment;
- Instructed on behalf of an Insurance Broker for proceedings against an ex-employee for breach of non-solicitation and non-competition covenants;
- Instructed on behalf of a European Chemical Distributor to advise upon proposed injunctive relief proceedings against senior ex-employees for breach of fiduciary duties and misuse of confidential information;
- Instructed on behalf of a former CEO and Director of a professional accountancy body to advise upon proposed injunctive relief proceedings against his former legal advisers for misuse/breach of confidential information;
- Instructed on behalf of a Director of a large facilities management company to advise on concurrent claims for unfair dismissal and unpaid bonus worth £500,000;
- Instructed on behalf of a doctor in proceedings before the GMC to resist suspension/conditions placed on his licence;
- Instructed on behalf of a Defendant to defend claims of alleged misuse of confidential information, breach of restrictive covenants, breach of contract and breach of fiduciary duties including the diversion of corporate opportunities with a pleaded value of £1.65 million;
- Instructed on behalf of a Claimant for proceedings against 3 ex-employees of a financial advisory firm for breach of contract, breach of fiduciary duties and diversion of corporate opportunities.

Public Interest Disclosure (Whistleblowing) Detriment and Dismissal

Public Interest Disclosure claims feature heavily in Paras' caseload and he has acted in numerous claims involving both detriment and dismissal acting on behalf of both Claimants and Respondents. Paras is regularly instructed in multiday claims and is frequently sought out for his expertise in this area by senior executives and large corporate employers across the spectrum of economic activity on a national basis. Paras has been involved in litigation involving disclosures of the utmost severity involving inter alia serious financial misfeasance, tax fraud, avoidable deaths and serious health and safety breaches. Such disclosures having been raised internally as well as to relevant external bodies such as regulators, prescribed persons and other responsible persons. He has been frequently instructed in litigation where the nature of the disclosures would cause significant reputational and financial damage and is well versed in dealing with the unique issues that cases of this type raise.

Significant Cases

- Instructed by a former Oxford Professor in respect of high value victimisation, public interest disclosure detriment and unfair dismissal claims against a prominent American biopharmaceutical company;
- Instructed by the former Chairman of a prominent Islamic charity to pursue claims of public interest disclosure detriment and unfair/wrongful dismissal arising out of internal and external disclosures concerning misuse of charity funds (including funding provided to proscribed organisations) in respect of overseas projects in Tanzania and Pakistan;
- Instructed on behalf of a Surgeon (backed by the British Medical Association) in a hearing listed for 10 days involving claims of whistleblowing and multiple allegations of substandard clinical care including a disclosure to the CQC in respect of an avoidable death;
- Instructed on behalf of a Claimant in respect of the quantification of remedy against an investment house based in the Isle of Man as a result of a successful claim for automatic unfair dismissal due to a protected disclosure, recovered £590,000 + which is the highest award made by the Isle of Man ET;
- Instructed on behalf of a Premiership Football Club to defend claims of whistleblowing, race discrimination and constructive unfair dismissal arising out of protected disclosures alleging various breaches of transfer regulations;
- Instructed on behalf of a Microbiological company to defend complex and voluminous claims of whistleblowing, disability discrimination, harassment, and constructive unfair dismissal by a Claimant, listed for 7 days and successfully resolved after day 5 following substantial legal argument;

- Instructed on behalf of a former Managing Director of a prominent transport company for claims of detriments and dismissal due to protected disclosures involving health and safety issues in a claim worth in excess of £250,000;
- Instructed on behalf of multiple Claimants in a 25 day case involving claims of whistleblowing and multiple allegations of serious financial impropriety against a prominent public body with the pleaded quantum of the claims exceeding £200,000;
- Instructed on behalf a Surgeon (backed by the British Medical Association) to pursue a claim of unfair dismissal and protected disclosure detriment against an NHS Trust, successful in recovering over £112,000 in compensation.

Group Litigation and Collective Labour Disputes

As a result of his focus on high value and complex claims, Paras has been frequently instructed on group claims for both Respondents and Claimants and is usually instructed in an early stage of proceedings to provide his view on liability, quantum and litigation strategy (including appropriate settlement parameters). He has particular experience in litigating collective claims involving protective awards, claims dependent upon worker/employee status as well as claims involving a breach of Regulation 13 TUPE and is used to dealing with claims cumulatively valued in the £millions. Paras was heavily involved in litigation arising out of the closure of the Deep Mining Industry in the UK, including the closure of Daw Mill, Thoresby Colliery and Kellingley Colliery and associated claims for protective awards by affected workers. Paras is open to considering instructions on a DBA basis in appropriate cases.

Significant Cases

- Instructed on behalf of a Respondent manufacturer to defend group claims by 58 Claimants for unlawful deduction from wages and breach of the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 concerning holiday pay entitlement;
- Instructed on behalf of 20 Claimants to pursue group claims for unfair dismissal, redundancy payments, unlawful deduction for wages, wrongful dismissal and holiday pay, listed for a 4 day PH in Bristol ET in Feb 2021 with the pleaded cumulative value of the claim exceeding £800k, claim settled on highly confidential terms;
- **National Union of Mineworkers v UK Coal Kellingley Ltd & Anor ET 1800370/2016**- Instructed on behalf of UK Coal Kellingley to defend claims for a protective award pursuant to s188 TURL(C)A 1992 arising out of the closure of the last deep mine in the UK, the total cumulative value of the claim being in excess of £1million (against John Hendy QC);
- **Union of Democratic Mineworkers v UK Coal Thoresby Ltd ET 2600271/2015**- Instructed on behalf of the UDM to pursue claims on behalf of over 100 Claimants for a protective award pursuant to s188 TURL(C)A 1992 arising out of the closure of Thoresby Colliery, the cumulative value of this successful claim being worth in excess of £1.25 million;
- **(1) Union of Democratic Mineworkers; (2) National Association of Colliery Overmen, Deputies and Shotfirers v (1) Ocanti Opco Ltd (in liquidation); (2) SoS BIS ET 1323059&60/2013**- Instructed on behalf of the First Respondent to defend claims for a protective award and failure to consult under regulation 13 TUPE involving a potential liability of over £4 million arising out of the fire at Daw Mill;
- **V Brown and Others v 1) London General Transport Services Ltd 2) Blue Triangle Buses Ltd UKEAT/0136/16/RN**- Instructed (with Louise Mankau) by the Claimants (circa 50 bus drivers) in an appeal concerning non-payment of allowances following a TUPE transfer;
- **Blatherwick & Ors v FW Farnsworth Ltd T/A Pizza Factory ET 2600957/2017**- Instructed by the Respondent to strike out claims asserted by group claimants of individual unfair dismissals on the basis of sham redundancies and inadequate consultation (collective and individual), successful in striking out all claim.

TUPE and Trade Union Litigation

Paras has extensive experience dealing with TUPE and Trade Union disputes on behalf of both Claimants and Respondents on a national basis. He has particular experience in advising upon the extraterritorial application of the TUPE regulations and is often instructed to deal with crossover issues across the entire spectrum of employment disputes and TUPE transfers. He is also frequently instructed in protective award claims, collective contractual claims, collective bargaining disputes and union recognition claims.

Significant Cases

- Instructed on behalf of a Respondent operating in the facilities

management sector in respect of a high value claim brought by a corporate Claimant concerning an alleged breach of Regulation 11 TUPE 2006;

- Instructed on behalf of a local authority to advise on the transfer of collective bargaining liabilities under TUPE and Equal Pay risks arising out of an in-sourcing situation from the private sector;
- Instructed on behalf of a group of Claimants pursuing claims for a protective award and failure to consult in respect of outsourced TUPE transfer from a client to a 3rd party telecommunications provider;
- Instructed on behalf of a group of Claimants pursuing claims for a protective award, unfair dismissal and failure to consult under regulation 13 TUPE in respect of the insolvency of a law firm specialising in personal injury against another prominent law firm;
- Instructed on behalf of a nightclub operator to advise on TUPE liabilities arising out of an administration process pertaining to a discretionary bonus scheme operated by the transferor, the cumulative value of the potential liability being in excess of £400,000;
- Instructed on behalf of multiple Claimants in a 3 day case against multiple Respondents to determine whether a TUPE transfer occurred, along with associated claims of unfair dismissal, breach of contract, unlawful deduction of wages, and failure to consult under TUPE or TULR(C)A;
- Instructed on behalf of a prominent Coal Operating Company in administration to defend claims for a protective award and failure to consult under regulation 13 TUPE involving a potential liability of over £4 million;
- Instructed by a Respondent in a 5 day case to defend claims brought by a Claimant alleging, inter alia, automatic unfair dismissal by virtue of the TUPE regulations, involved a novel point on what impact a non-effective TUPE transfer has on a contract of employment with a transferee;
- Instructed on behalf of a Claimant in a 4 day case involving a consideration of whether a TUPE transfer could be effected in circumstances where the closure of a business occurred by way of forfeiture;
- Instructed by a Local Authority to advise them upon the applicability of the TUPE regulations in relation to a proposed change of contractor involving a potential liability of circa £100,000.

Equal Pay, Discrimination and Equality Law

Throughout his career at the Bar, Paras has been involved in a multitude of lengthy and complex multiday discrimination cases acting and advising both Claimants and Respondents nationally. He has built up particular expertise in high value, complex and reputationally sensitive disputes and has acted for some of the largest and most prominent employers in the country across the entire spectrum of claims arising out of these areas, as well as associated claims in the Civil Courts. Paras is also very experienced in bringing claims on behalf of high net worth Claimants and has a very successful record in concluding such matters against high profile organisations including a number of FTSE 100 corporates as well as financial institutions.

Significant Cases

- Instructed on behalf of a large infrastructure Respondent to defend claims for equal pay, race discrimination and victimisation brought by a senior male manager in a claim listed for 10 days;
- Instructed on behalf of a Respondent to defend an equal pay claim advanced on the basis of equal value brought by a senior female manager in the infrastructure, energy and aviation sector;
- Instructed on behalf of a Fortune 50 Respondent (with Cormac Devlin) in a complex race/disability discrimination, harassment, victimisation and unfair dismissal claim, Claimant asserting a pleaded value of the claim at circa £24 million;
- Instructed by a large multinational manufacturer to defend an equal pay claim advanced on the basis of equal value brought by a female manager; Claimant asserting a six figure sum in respect of her alleged underpayment;
- Instructed on behalf of a prominent male strip show business to resist claims advanced by an ex-operations manager for automatic unfair dismissal and pregnancy/maternity discrimination, all claims being successfully resisted;
- Instructed (with Caragh Nimmo) to pursue a claim against an NHS Trust for racial harassment and victimisation in respect of the provision of services to a patient who was the subject of racist abuse under Part 3 of the Equality Act 2010;
- Instructed on behalf of a Respondent in a disability discrimination claim pleaded at £1.6million at remedy stage (having not been instructed at the liability hearing), successfully reduced liability to circa £30.5k (inclusive of interest);
- Instructed on behalf of a Chief Coroner and District Council to resist a

claim for a judicial pension pursuant to the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, brought by a fee-paid coroner;

- Instructed on behalf of a female associate solicitor to pursue an equal pay claim against her previous law firm on account of a systemic history of underpayment vis-à-vis a male colleague;
- Instructed on behalf of a female University Professor to pursue a high value and complex claim of race/sex discrimination, harassment, victimisation and unfair dismissal against her former employer. The claim was listed for 20 days and involved highly damaging allegations of discrimination against the Respondent;
- Instructed on behalf of multiple Respondents in a highly sensitive case listed for 10 days to defend claims of sex discrimination, harassment, victimisation, wrongful and unfair dismissal;
- Instructed on behalf of a government department to defend claims of sex discrimination with the Claimant asserting the pleaded value of his claim at £1.2 million;
- Instructed on behalf of a top 35 law firm in a case listed for 9 days to defend multiple allegations of direct disability discrimination, indirect disability discrimination, discrimination arising out of a disability and failures to make reasonable adjustments;
- Instructed on behalf of multiple Respondents in a 5 day case involving highly sensitive allegations of sex and race discrimination, including an allegation of racially aggravated assault. The Tribunal agreed with Paras' submissions that the Claimant's claims were **"baseless, misconceived, vexatious and unreasonable"** and that the Claimant was **"illegitimately attempting to use this tribunal to achieve a pay off and that her claim was an abuse of process"**. The Tribunal made two adverse costs Orders against the Claimant totalling £18,100.

Privacy and Confidential Information

Paras' rapidly developing practice in this area stems from his extensive experience in conducting employment law disputes and his focus on high-value, complex whistleblowing and discrimination disputes for both leading corporates and high-net value individuals. Due to the nature of his practice and the issues arising therefrom, he has advised Respondents and Claimants on confidential information and privacy issues arising out their employment disputes, much of his work has the potential for significant reputational damage and his practice in this area stems from adjacent issues stemming from his work as an employment practitioner. His developing practice encompasses a range of confidential information and privacy issues, including privacy, misuse of confidential information, database right claims and social media issues.

Significant Cases

- Instructed on behalf of two junior female employees to advise on the enforceability of confidentiality/NDA clauses contained within their settlement agreements compromising egregious allegations of sexual assault/harassment (including grooming) and their ability to disclose aforesaid allegations to a major daily newspaper;
- Instructed on behalf of a major bank to advise upon restricted reporting orders in respect of an extant claim before the Tribunal involving an ongoing police investigation into fraudulent behaviour and the protection of commercially sensitive information;
- Instructed on behalf of a Managing Director and majority shareholder of an estate agent on obtaining a privacy Order in respect of an extant employment dispute involving allegations of sexual misconduct by a former employee where a romantic relationship had broken down;
- Instructed on behalf of a Claimant pursuing whistleblowing allegations against his former employer for advice on potential defamatory statements made during the course of employment tribunal proceedings to external parties;
- Instructed to advise a recruitment consultancy on potential claims for misuse of confidential information and infringement of database rights against departing employees involved in a team move to a rival employer;
- Instructed on behalf of a FTSE 100 corporate in an unfair dismissal claim involving reputational damage and misuse of social media by an employee before the Employment Tribunal. Claimant contending that their Article 10 rights impacted upon the Tribunal's approach to the band of reasonable responses test established in unfair dismissal claims;
- Instructed on behalf of a Claimant seeking to void a clause of a settlement agreement pertaining to the non-institution of legal proceedings in discrimination proceedings on the basis of unconscionability and/or restraint of trade.

Media, Defamation and Open Justice

Paras has gained wide ranging experience of media, defamation and open justice issues throughout his secondment at The Times/Sunday Times and has been involved in, *inter alia*, drafting and negotiating book serialisation agreements, pre-publication libel reading, working on open justice issues (including anonymity and reporting restrictions) across both criminal and civil courts, assisting with IPSO Arbitration claims/ complaints, providing legal advice to investigative journalists in their investigative activities including stories about sexual misconduct/bullying and harassment, trademark infringement complaints, post-publication complaints (including defamation, privacy, breach of confidence and subterfuge), contempt of court issues as well as examining requests by the police for access to journalistic material including source identification. Paras was involved in a number of matters concerning public interest reporting and the application of Section 4 of the Defamation Act 2013, which added an additional dimension to his expertise and experience of conducting whistleblowing claims as part of his employment practice.

Significant Cases

- Instructed to advise a prominent journalist and author on an imprint agreement with a prominent publishing house;
- Instructed (with Claire Overman) to advise a senior employee employed in the financial services sector on the employment implications of proposed proceedings for misuse of private information, harassment and data protection breaches alleged to have arisen out of a “catfishing” incident;
- Instructed in various employment claims to make/resist applications for Restricted Reporting Orders and/or anonymity;
- Instructed on behalf of the Welsh Assembly Government to advise on the applicability of Statutory Qualified Privilege in respect of a class of documents publishable online;
- Instructed on behalf of an author to undertake pre-publication libel reading in respect of a forthcoming book;
- Instructed on behalf of a Claimant pursuing whistleblowing allegations against his former employer for advice on potential defamatory statements made during the course of employment tribunal proceedings to external parties;
- Instructed on behalf of a Claimant to advise on the prospects of defamation proceedings made in respect of reputationally harmful remarks concerning an ex-employer.

Data Protection and Information Law

Paras has significant experience in the use of DSAR’s within the context of his extensive employment practice acting for both Claimants and Respondents across the entire spectrum of employment disputes. During his secondment at The Times/Sunday Times he has gained further expertise in this area, including all aspects of the GDPR/DPA and has responded to a number of DSAR requests from a wide range of complainants. He has gained experience in dealing with “right to be forgotten” complaints, dealing with disputes involving the ICO and with complaints engaging both Art 8 and Art 10 of the European Convention on Human Rights. Paras is developing his expertise in data breach claims as well as the Environmental Information Regulations 2004.

Workplace Stress/Psychiatric Injury

Paras has significant experience of workplace stress/psychiatric injury claims arising out of his extensive employment practice in claims involving discrimination across all protected characteristics, as well as workplace stress/psychiatric injury claims pursued concurrently with employment tribunal proceedings. He is frequently instructed to advise upon such claims on behalf of Claimants and Respondents/Defendants. He has extensive experience dealing with issues concerning *res judicata* and abuse of process and is frequently instructed by Claimants who wish to preserve their ability to bring self-standing claims for stress/psychiatric injury alongside their employment claims before a Tribunal as well as Claimants who wish to claim psychiatric injury arising out of discriminatory treatment. Paras is also frequently instructed by Respondents who are cognisant of the risks of parallel proceedings against them and is sought out for his advice and advocacy services in cases where such a scenario arises.

Significant Cases

- Instructed by a Respondent in a £1.6 million pound disability discrimination claim to resist claims for psychiatric injury arising in employment tribunal proceedings and advise in respect of separate personal injury proceedings in the civil courts;

- Instructed by a Respondent in a multi-million pound race and religious belief discrimination claim to resist claims for personal injury and associated concurrent civil proceedings for personal injury arising from a stress at work claim;
- Instructed by a University Professor to pursue claims for victimisation and psychiatric injury arising out of a workplace dispute in the pharmaceutical industry;
- Instructed (with Christopher Johnson and Jennifer Robinson) to advise a Women's University Cricket Player in respect of claims for sex discrimination, victimisation and personal injury against her Cricket Club;
- Instructed on behalf of a group of police officers to advance claims against their Constabulary under the Protection from Harassment Act 1997 for damages including psychiatric injury as well as concurrent associated claims before the tribunal; and
- Instructed on behalf of a law firm to defend a claim of personal injury arising out of multiple allegations of direct disability discrimination, indirect disability discrimination, discrimination arising out of a disability and failures to make reasonable adjustments.

Unfair and Wrongful Dismissal

Paras enjoys an expansive practice in relation to unfair and wrongful dismissal claims and has particular experience in high value concurrent Tribunal/Civil claims. His practice is balanced in respect of Claimant and Respondent work and he is regularly instructed on advisory matters pertaining to liability and quantum in the more complex claims. Paras has substantial experience dealing with unfair/wrongful dismissal claims involving senior executives/employees and has advised and regularly represents directors and high net worth individuals in their employment disputes.

Significant Cases

- Instructed by a former senior executive in a prominent UK based law firm over high value claims of unfair/wrongful dismissal, whistleblowing detriment and breach of contract in respect of share options;
- Instructed by a Respondent who had admitted to fabricating documentary evidence to support an extension of time to file an ET3. Paras was successful in persuading the employment tribunal to exercise its discretion to extend time to allow the defence of the unfair dismissal claim, despite the Respondent's admitted dishonesty;
- Instructed by a law firm to advise on disciplinary and dismissal proceedings against an associate solicitor specialising in employment law on grounds of suspected alcohol misuse and breakdown in working relationships;
- Instructed on behalf a Surgeon (backed by the British Medical Association) to pursue a claim of unfair dismissal and protected disclosure detriment against an NHS Trust, successful in recovering over £112,000 in compensation;
- Instructed on behalf of a Claimant who was an ex-employee of a US oil and gas company based in Nigeria to argue at a preliminary hearing that the Tribunal had jurisdiction to entertain his unfair dismissal complaint. Also instructed in substantive 4 day hearing;
- Instructed on behalf of a Respondent to defend an unfair dismissal claim from their ex-Operations Director on the grounds that he had breached his fiduciary duties and sought to set up a competing business whilst in the Respondent's employment;
- Instructed on behalf of a multinational Respondent to defend a claim brought by a senior ex-employee for unfair dismissal, the case involved allegations of theft and fraudulent accountancy practices;
- Instructed on behalf of an investment banker in one of the pre-eminent global financial services firms in the country to advise on issues arising out of the termination of his employment.

Employment Related Crime

Paras is frequently instructed in employment claims involving criminal acts both in and outside of the workplace for both Claimants and Respondents. He is also regularly sought out by a wide range of clients in advisory capacity where issues concerning concurrent (or likely) concurrent proceedings in the criminal and civil jurisdictions arise for his opinion on merits, litigation strategy and risk mitigation. His experience in this area has seen him attract repeated instructions from firms specialising in criminal litigation who require employment related advice for their clients.

Significant Cases

- Instructed on behalf of a high profile and prominent senior academic on the employment implications of a highly sensitive allegation of

rape/grooming by an ex-student during concurrent criminal investigations;

- Instructed on behalf of a senior civil servant to advise on the employment implications of an allegation of theft by their employer of circa £62,000, successfully resolved the matter with no further action taken by the employer;
- Instructed (with Rabah Kherbane) to advise a medical practice on recovery of over £1 million allegedly fraudulently diverted by a former employee in both civil and criminal proceedings, also instructed to defend claims for unfair dismissal advanced by the former employee whilst concurrent criminal proceedings are ongoing;
- Instructed to advise a Respondent on the employment implications of a highly sensitive allegation of sexual assault/rape by a senior executive against a subordinate in respect of an offsite work event;
- Instructed to advise a law firm representing group litigants in the Employment Tribunal on disclosure obligations in circumstances where it has been alleged that sub-classes of documents have been obtained in contravention of the Computer Misuse Act;
- Instructed on behalf of a Respondent to defend an unfair dismissal claim brought by a Claimant who had been convicted and imprisoned for possessing and distributing paedophilic images on the basis of SOSR and/or frustration of contract;
- Instructed by a large Respondent to defend claims for unfair dismissal and disability discrimination concerning an ex-employee who pleaded guilty in criminal proceedings to drug offences and contended that was due to duress;
- Instructed on behalf of a senior employee accused of inappropriate contact with a minor to advise on internal disciplinary proceedings with criminal proceedings pending as well potential employment claims before the Tribunal; and
- Instructed on behalf of an employee accused of fraud and under police investigation to advise on internal employment proceedings and potential employment claims before the Tribunal.

International and Offshore

A significant proportion of Paras' practice involves disputes involving other jurisdictions across the entire breadth of his employment practice. Paras' interest in international employment disputes stemmed from his time in Hong Kong as a Pegasus Scholar where he spent some time in the Employment Department of Mayer Brown JSM and through his time marshalling with Mr Justice Reyes in a 10 day employment case involving Cathay Pacific (**John Simpson Warham and Ors v Cathay Pacific Airways Ltd & Anor [2009] HKCU 1746**). He has recently been involved in a number of disputes involving the jurisdiction of the Tribunal over peripatetic workers as well as advising on employment disputes involving the Isle of Man, Jersey, Palestine and Cayman Islands as well as advising on disputes involving issues of state and diplomatic immunity.

Significant Cases

- Instructed on behalf of a high-profile international correspondent's claims for discrimination and unfair dismissal against CNN, successful in establishing territorial and international jurisdiction by the ET at a PH (with Finian Clarke and Jennifer Robinson) (against Paul Nicholls KC);
- Instructed by a former UNICEF employee (EU national based in New York) to advise on claims of sexual harassment/discrimination and wrongful/unfair dismissal claims as well as territorial jurisdiction and immunity issues;
- Instructed (with Rabah Kherbane) by a journalist based in Palestine, formerly employed by a high-profile media organisation based in the UK to advise on claims of unfair/wrongful dismissal arising out of historical social media posts before the ET, including territorial jurisdiction of the ET to consider the claim;
- Instructed by a British Consultant Neonatologist in respect of claims for sex discrimination against a Cayman Island based medical clinic, involving a novel legal argument in support of the ET accepting territorial jurisdiction over the claim;
- Instructed (with Margherita Cornaglia) on behalf of an intergovernmental agency constituted of 20+ sovereign states to dispute jurisdiction in respect of claims of age discrimination and public interest disclosure detriment on the grounds of immunity from suit under the International Organisations Act 1968 as well as territorial jurisdiction;
- Instructed on behalf of a European national working in Dubai as a CFO for a multinational technology company to advise on proceedings for breach of contract, public interest disclosures and various dismissal related claims arising out of the withdrawal of a UK based post, including the jurisdiction of the UK courts over this matter;
- Instructed on behalf of two Iranian nationals (husband and wife) to pursue claims of whistleblowing detriment and dismissal who allege that their employer has been exporting prohibited chemicals to Iran in

- breach of UK Export regulations as well as the multilateral sanctions regime imposed on Iran. The claim involves extremely serious allegations of impropriety by the Respondent including deprivation of liberty, confiscation of passports and direct threats of physical violence;
- Pro Bono advice in respect of a sex and race discrimination claim advanced by a British Algerian dual national employed by a Middle Eastern Embassy involving consideration of the Supreme Court decision in *Benkharbouche* and jurisdictional issues of State and Diplomatic Immunity;
 - Instructed on behalf of an Airline in respect of a claim for disability discrimination brought in the Civil Courts for a purported act of discrimination occurring overseas. The Claim involves jurisdictional issues concerning domestic and European equalities legislation and the exclusivity of jurisdiction conferred by the Montreal Convention 1999;
 - Instructed on behalf of a Claimant in respect of the quantification of remedy against an investment house based in the Isle of Man as a result of a successful claim for automatic unfair dismissal due to a protected disclosure before the Isle of Man Employment Tribunal and Isle of Man High Court. Claimant awarded £590,000+ which is believed to be the highest award made in that jurisdiction for a claim of this type;
 - Instructed on behalf of a Claimant (employed by a UK based entity) wholly based in the USA and responsible for International business development across Asia to pursue claims for breach of contract and unfair dismissal. Successful at Preliminary Hearing in persuading the Tribunal to accept jurisdiction to consider the claim;
 - Instructed on behalf of a Pilot employed by an airline based in Jersey on potential causes of action against his employer for breach of contract and constructive unfair dismissal as well as the jurisdiction of the English Tribunal to consider his claim;
 - Instructed on behalf of a Claimant who was an ex-employee of a US oil and gas company based in Nigeria to argue at a preliminary hearing that the Tribunal had jurisdiction to entertain his unfair dismissal complaint.

Investigations

Paras is frequently sought out by a wide range of clients (including law firms) to conduct complex internal investigations, as well as being instructed in an advisory capacity for wide scale HR issues which raise potential high value liabilities for a range of corporate and non-profit making organisations. He has extensive experience in conducting disciplinary and grievance investigations involving the entire spectrum of employment related issues and in particular is frequently involved in matters pertaining to allegations of public interest disclosures and detriment, breakdown in working relationships, serious misconduct, discrimination and potential criminal acts both in and outside the workplace. He is frequently instructed where allegations of misfeasance or misconduct have been made at senior management/HR level and is able to work to tight timescales at short notice to complete such work.

Significant Cases

- Instructed (with Margherita Cornaglia) to conduct an investigation into allegations of potential criminal behaviour amongst very senior individuals within a high profile organisation;
- Instructed to consider a wide ranging grievance raised by a Director of a health care company against the Managing Director and Senior Management team. The allegations raised were of an extremely serious nature involving sex discrimination, bullying and harassment as well as public interest disclosures and allegations of detriment;
- Instructed to consider a grievance appeal for a FTSE 250 financial services organisation brought by an experienced member of staff involving allegations of disability discrimination and alleged detriment occasioned out of public interest disclosures;
- Instructed by a FTSE 250 company to advise HR on widescale changes to terms and conditions within the organisation and consider whether a repudiatory breach of the implied term of trust and confidence between a group of employees and management may have occurred;
- Instructed to consider numerous allegations of sex discrimination and harassment by an Operations Director against the senior management team of a restaurant group;
- Instructed as a legal advisor to an internal disciplinary panel within a NHS Trust to consider and advise the constituted panel on disciplinary allegations to be levelled at a senior medical professional;
- Instructed by a law firm to advise on an investigation involving a breakdown of working relationship between the senior management team and an experienced fee earner;
- Instructed to advise on a highly sensitive allegation of sexual assault/rape by a senior executive against a subordinate in respect of an offsite work event.

Sports

Paras' experience in the sporting sector is derived from his specialist practice areas and in particular the cross-over between his employment and privacy work given the high-profile and complex nature of his work in this sphere and the reputational considerations prevalent. His experience to date has seen him act and/or advise Premiership Football Clubs such as Manchester United FC, Manchester City FC, Liverpool FC and Wolverhampton Wanderers FC in their employment issues as well as a Premier League Football Manager and Professional Cricketer in their disputes with their ex-employers. He has been instructed to deal with various discrimination and whistleblowing claims involving impropriety at senior levels including potential criminal conduct.

Significant Cases

- Instructed on behalf of a Premiership Football Club to defend claims of disability discrimination and unfair dismissal, successful in persuading the Claimant to withdraw his disability discrimination claims at a PH;
- Instructed on behalf of a Premiership Rugby Club to defend claims from a senior manager for unfair dismissal and unlawful deduction from wages with a pleaded value in excess of £200,000;
- Instructed on behalf of a Claimant in respect of his claims for unfair dismissal against a Premiership Football Club;
- Instructed (with Christopher Johnson and Jennifer Robinson) to advise a Women's University Cricket Player in respect of claims for sex discrimination, victimisation and personal injury against her Cricket Club;
- Instructed (with Jennifer Robinson and Margherita Cornaglia) on behalf of a professional cricketer in respect of his claims for race discrimination, victimisation, harassment and detriment occasioned due to protected disclosures against his former club;
- Instructed on behalf of a Premiership Football Club to conduct an internal investigation into allegations of wrongdoing by senior individuals;
- Instructed on behalf of a Premiership Football Club to defend claims of whistleblowing, race discrimination and constructive unfair dismissal arising out of protected disclosures alleging various breaches of transfer regulations;
- Instructed on behalf of a Premiership Football Club to defend claims of unfair dismissal and wrongful dismissal;
- Instructed (with Jennifer Robinson) on behalf of a professional cricketer to advise in respect of an independent investigation conducted by his former club into allegations of racism and institutional racism;
- Instructed on behalf of a Premier League Manager to advise on a £2.5 million contractual matter arising out of the termination of his employment.

Notable Cases

- **MacFarlane v Commissioner of Police of the Metropolis [2023] EAT 111** - Instructed on behalf of the Appellant (Pro Bono) before the EAT (having not appeared previously) to argue that the ET committed an error of law in its approach in refusing the Appellant's application to amend her claim to include whistleblowing detriment and dismissal claims;
- **Salumah v A2 Dominion Housing Group Limited EA-2021-001139-VP**- Successful on behalf of the Respondent in resisting the Appellant's appeal against a Registrar's Order to refuse permission to extend time for an appeal before the EAT;
- **Scheldebouw v Evanson [2022] EAT 157** - Instructed on behalf of the Respondent before the EAT (having not appeared previously) to argue against the Appellant's contention that the ET committed an error of law in the application of without prejudice privilege. Successful in resisting the appeal on all grounds;
- **Sweeney v Merseyside Community Rehabilitation Company Ltd UKEAT/0277/17/JOJ**- Instructed on behalf of the Appellant (Pro Bono) before the EAT (having not appeared previously) to argue that the ET committed an error of law in its approach to the admissibility of evidence at first instance;
- **HMRC v Jayeola UKEAT/0052/19/DA**- Instructed on behalf of the Appellant to contend that the ET erred in law and/or reached perverse conclusions in its construction of a hypothetical comparator and/or drawing of inferences in respect of a claim advanced under s13 Equality Act 2010 on the grounds of race;
- **O'Neill v Jaeger Retail Ltd UKEAT/0026/19/RN**- Instructed on behalf of the Respondent before the EAT (having not appeared previously) to argue that the ET had correctly approached the exercise of its discretion in refusing to extend time for the Appellants claim of discrimination on the just and equitable basis;

- **Eyres v Excel Compressors & Ors UKEAT/0347/16/DA**- Instructed on behalf of the appellant to contend that the ET had erred and/or reached a perverse conclusion in its approach to a primary finding of fact which had not been advanced by either party before it, appellant eventually succeeded in obtaining judgment for £122,000+ ;
- **National Union of Mineworkers v UK Coal Kellingley Ltd & Anor ET 1800370/2016**- Instructed on behalf of UK Coal Kellingley to defend claims for a protective award pursuant to s188 TURL(C)A 1992 arising out of the closure of the last deep mine in the UK, the total cumulative value of the claim being in excess of £1million (against John Hendy QC);
- **Ham v Governing Body of Beardwood Humanities College [2017] EWCA Civ 1629** - Instructed on behalf of the appellant before the Court of Appeal (having not appeared previously) to argue that the ET and EAT had erred in their approach to the application of s98(4) ERA 1996 and the question of whether dismissal fell within the band of reasonable responses, commended by the Court for his “skilful arguments”;
- **V Brown and Others v 1) London General Transport Services Ltd 2) Blue Triangle Buses Ltd UKEAT/0136/16/RN**- Instructed by the Claimants (circa 50 bus drivers) in an appeal concerning non-payment of allowances following a TUPE transfer;
- **West v Royal Bank of Scotland PLC UKEAT/0296/16/BA**- Instructed by the Respondent to resist an appeal on the grounds that the tribunal erred in their approach to the Claimant’s disability discrimination claims;
- **Peters v Rock Chemicals Ltd [2016] EOR 30 (March)**- Instructed by the Claimant and recovered over £182,000 in an age discrimination, breach of contract and unfair dismissal claim. The ET found that the Claimant faced “trumped up” charges and that the “*whole matter was a complete shambles*”;
- **Kenyon Road Haulage v Norman Kingston - A2/2014/3446**- Successfully resisted appeal before Court of Appeal against successful finding of unfair dismissal on the basis that the tribunal substituted their view of reasonableness and failed to follow the Burchell guidelines;
- **Kenyon Road Haulage Ltd v Kingston UKEAT/1238/13/RN**- Instructed to resist appeal against successful finding at first instance of unfair dismissal on the basis that the tribunal substituted their view of reasonableness and failed to follow the Burchell guidelines;
- **Mental Health UK Ltd v Biluan & Ors [2013] All ER (D) 265** - Instructed by the respondents to resist an appeal on the grounds that the tribunal substituted their view of reasonableness in a redundancy exercise and/or reached perverse outcomes;
- **Baskaran v IMTECH Traffic & Infra UK Ltd UKEAT/0018/13/GE**- Instructed to resist appeal against successful order for costs of £10,000 made by ET at first instance (against Paul Epstein QC) and dismissal of claimant’s claims for race and age discrimination;
- **Local Government Yorkshire and Humber v Shah [2012] All ER(D) 20 (Nov)**- Instructed by the appellant and successfully argued before the EAT that any uplift for failing to comply with the ACAS code under s207A TURL(C)A 1992 only applied to employees and not workers;
- **Dixon v Croglin Estate Co Ltd & Ors [2012] EqLR 187**- Instructed on behalf of multiple respondents to defend a high value claim for unfair dismissal and age discrimination;
- **Argyll Coastal Services v Stirling & Ors [2012] IDS Brief 949**- Instructed on behalf of the respondent (led by Nicholas Siddall) in the Scottish EAT to consider, inter alia, the correct interpretation of regulation 3(4)(c) of TUPE 2006;
- **Pybus v Geoquip Limited [2011] All ER (D) 244**- Instructed on behalf of the appellant (led by Nicholas Siddall) before the EAT in an appeal involving a consideration of the correct approach to calculating Polkey deductions in applicable cases;
- Instructed on behalf of the successful claimant at first instance in the case of **Jones and Ors v OCS Group [2009] All ER (D) 138**, which concerned the application of a service provision change as defined within regulation 3(1)(b) of TUPE 2006.

Professional Recommendations

“Paras Gorasia frequently works on high-value and complex claims involving discrimination, whistle-blowing and TUPE. His clients range from large multinational corporations in the financial, retail and pharmaceutical sectors to government departments... He operates a well-respected employment law practice encompassing the full suite of tribunal claims. Among other notable instructions he has advised Azeem Rafiq in the course of the investigation into racism at Yorkshire County Cricket Club... He is well qualified to conduct and advise on independent investigations. He has been instructed by several high-profile organisations to investigate alleged misconduct and criminal misfeasance. “Paras is very knowledgeable, helpful and supportive.” “He has great depth of experience and knowledge combined with an approachable manner and the

ability to quickly build rapport with clients.” and “possesses a keen eye for detail and has a way of putting a client at ease. He has a no-nonsense approach to matters.” He is “very cool, calm and collected, and technically very good...is reassuring, reliable and approachable. He is a very safe pair of hands who builds an excellent rapport with clients. Above all, he is a highly skilled and technical advocate...is great with clients and gets on top of particularly complex matters.” and “is great to work with because he is legally astute but also great with clients and very committed. He is sensible, focused and never overwhelmed by complexity. He gets to grips with difficult cases and provides fantastic support.”

Chambers and Partners 2024

“Paras is an exceptional barrister and his willingness to provide his views at an early stage is essential to helping shape the defence of a claim and it genuinely feels like he is part of the team. His client handling skills are excellent, he has a great ability to cut through complicated scenarios and focus on the issues which really matter, and explain complex issues in simple terms.” and “Paras is commercially astute, responsive and a clever advocate. Good with clients and judges.”

The Legal 500 2024

Paras Gorasia is a “rising star” and “excellent all-rounder”, is “very personable with clients” yet still “exudes authority”. “Is an excellent barrister and is great to work with.”, “He is a fantastic barrister who is reliable and efficient; he works incredibly hard and he makes clients feel at ease”. Sources are quick to praise his “fantastic cross-examination skills”, that “He is our preferred barrister for pretty much any Employment Tribunal issue; his responsiveness and his skills with clients make him stand out” and “has a broad employment practice which covers a wide range of issues, including restrictive covenants, unfair dismissal, and commercial work with an employment flavour”, “He is always willing to go the extra mile and, although still relatively junior, his discrimination knowledge is far beyond his years”. “He is a very commercial barrister with exceptional legal knowledge” and clients “have been delighted with his detailed approach, thorough preparation and style of cross-examination”. “Paras is unwavering and details-focused, and has a highly personable demeanour” is “great with clients, practical, responsive and extremely approachable” is “a skilled advocate who has developed a far-reaching employment law practice” that “he is very good with the clients; a modern barrister with very good technical abilities” and is “very commercial and savvy”. Paras has further been described as “technically excellent, robust and a strong advocate, yet extremely approachable and easy to work with” and that he is “extremely responsive”, a “persuasive advocate”, “is a very safe pair of hands” and that “He combines his expertise with an excellent manner and responsive approach.” “Very user-friendly.”

Previous editions of Chambers and Partners

Paras is an “exceptional barrister and an expert in all aspects of employment law” as well as a “highly talented barrister who delivers on every level” and been “recommended” noting that he “represents large companies and central government departments in disputes”, that “he instantly puts clients at ease” and is “extremely responsive, efficient and good on his feet”. He “is always on hand to help and provides pragmatic advice”, is “an extremely effective advocate”, who is “down to earth with clients and simplifies complex matters”. Paras has been described as “approachable, knowledgeable, and excellent with clients.”, “an extremely user-friendly barrister” who “has an ability to put witnesses under the necessary amount of pressure on the stand” and that he is “well liked by clients”, “very user-friendly” and “very intelligent and very good with clients”. He is “a leading practitioner who is highly knowledgeable and committed to his field. His advice and approach are concise and commercial, which are what our clients want. Above all, he is incredibly personable and I would not hesitate to recommend him to any client. Client feedback is consistently 100% positive.”. “Paras is an excellent barrister and his responsiveness and client-care skills are second to none”. He “will always give clients a view about a case and will always go the extra mile to respond, whether late in the evening or over the weekend - a genuine employment law expert and a go-to barrister for employment law work”. Those instructing him “are full of praise for ‘the friendly barrister’ Gorasia: ‘First and foremost, Paras is an excellent team player. For instructing solicitors, the fact he always makes himself available at short notice to review a document or provide input, or just to give his view, is priceless and makes him stand out from others.’”

Previous editions of Legal 500