

Matthew Bignell

CALL 2021



Areas of Expertise

- Employment • Dismissals & Employment Rights • Tax • Judicial Review • Personal Injury • Clinical Negligence • Commercial Litigation and Disputes • Insurance & Reinsurance • Sports Law
- Administrative and Public Law

Matthew has a wide-ranging practice across Chambers' main areas of work, with a particular emphasis on employment and tax law. He appears regularly in courts and tribunals and has a busy appellate and advisory practice.

Matthew is ranked as a 'Rising Star' in employment law in the Legal 500. He is the editor of the 'Harassment' chapter of 'Discrimination Law' published by Bloomsbury.

Matthew is a member of the Attorney General's C Panel of Counsel, having been appointed in 2024.

Recent highlights of Matthew's practice include acting for:

- An international security services company in an appeal to the Employment Appeal Tribunal concerning the conduct of a grievance procedure during a dismissal.
- A number of taxpayers in appeals to the Upper Tribunal relating to the high-income child benefit charge and the proper construction of s.97(5) of the Finance Act 2022 (led by Marika Lemos KC).
- A Roman Catholic primary school in an appeal to the Employment Appeal Tribunal concerning the correct application of the tests for extending time limits in respect of unfair dismissal and discrimination claims.
- The Revenue in an appeal to the Upper Tribunal concerning the causative link required for the purposes of determining whether a taxpayer has brought about a loss of tax carelessly (led by Sadiya Choudhury KC).

Before coming to the Bar, Matthew tutored at Queen Mary University of London and worked for the Metropolitan Police.

Expertise

Employment

Matthew's practice covers all aspects of employment law. He regularly appears in the civil courts and the employment tribunals. He also carries on a busy advisory practice. He represents both employers and employees and has particular experience of contractual disputes, discrimination, whistleblowing, and employee status.

Recent highlights include:

- **Amedzo v Bidvest Noonan:** Acting for the employer in an ongoing appeal to the Employment Appeal Tribunal relating to the procedural fairness of a dismissal, having successfully resisted a claim of constructive unfair dismissal at first instance.
- **Dolan v Governing Body of Our Lady of Victories:** Acting for the employer in an ongoing appeal to the Employment Appeal Tribunal relating to extensions of time limits, having successfully resisted claims of unfair dismissal and sexual orientation discrimination at first instance.
- **Gregory v P&O Ferries Ltd:** Acting for the employer in an ongoing appeal to the Employment Appeal Tribunal on the grounds that the tribunal at first instance erred in giving inadequate reasons for its conclusions and/or reaching perverse conclusions.
- **Shevlin v Wiley & Sons Ltd:** Acting for the employer in successfully obtaining a costs order against an employee in the sum of £20,000, having successfully resisted the employee's claims of disability discrimination in the underlying proceedings. See press coverage [here](#) and [here](#).
- **Simon-Hart v Metlife Europe Services Ltd:** Acting for the employer in successfully applying for strike out of claims of unfair dismissal, pregnancy and maternity discrimination, race discrimination, and sex discrimination.
- **Shenton v Stonegate Pub Company Ltd:** Acting for the employer in successfully resisting claims of direct disability discrimination, failure to make reasonable adjustments and unfair dismissal.
- **Newlyn-Jones v Herongrange Direct Manpower Ltd:** Acting for the employee and succeeding in claims of direct age discrimination and automatic unfair dismissal. The tribunal made an award of over £130,000.
- **Framjee v Crowe UK LLP & Ors:** Acting for the employer in resisting various claims including whistleblowing and age discrimination claims. The matter settled prior to a final hearing (led by Jesse Crozier).

Tax

Matthew acts for both taxpayers and HMRC. He regularly appears in the First-tier Tribunal and the Upper Tribunal. He also carries on a busy advisory practice. He has recently advised taxpayers on the applicability of the agency and IR35 regimes to various working arrangements and on the tax treatment of settlement sums.

Recent highlights include:

- X (a taxpayer) v HMRC: Acting as sole counsel in an ongoing appeal of VAT assessments with tax at stake of over £500,000.
- Niewiarowski & Anor v HMRC: Acting for taxpayers in ongoing appeals to the Upper Tribunal concerning the high income child benefit charge and the proper construction of s.97(5) of the Finance Act 2022 (led by Marika Lemos KC).
- HMRC v Breen: Acting as sole counsel in an ongoing application for costs on the basis of unreasonable conduct of the underlying proceedings.
- X (a taxpayer) v HMRC: Acting for the taxpayer in an ongoing appeal concerning the capital gains tax treatment of distributions made by a partnership (led by Marika Lemos KC)
- Delphi Derivatives Ltd v HMRC: Acting in an appeal to the Upper Tribunal concerning the causative link required for the purposes of determining whether a taxpayer has brought about a loss carelessly (judgment awaited – led by Sadiya Choudhury KC).
- Cogefin v HMRC: Acting in an appeal of corporation tax assessments and penalties centring on the corporate residence of an investment company incorporated offshore (judgment awaited – led by Akash Nawbatt KC, Kate Balmer, and Max Schofield).
- X (a taxpayer) v HMRC: Acting in an ongoing appeal of income tax determinations and NICs decisions centring on the employment status of workers (led by Adam Tolley KC and Marika Lemos KC).
- X (a taxpayer) v HMRC: Acting in an ongoing appeal relating to the availability of sideways loss relief in respect of farming activities (led by Marika Lemos KC).

Commercial Litigation and Disputes

Matthew welcomes instructions in all areas of commercial litigation.

Recent highlights include:

- Representing a large multinational company successfully resisting claims brought by a former client for breach of contract and disability discrimination under the Equality Act 2010.
- Representing a claimant bringing claims of bribery and an unfair relationship under the Consumer Credit Act 1974 in respect of secret commissions taken by a third party.
- Representing a law firm resisting a claim for breach of contract turning on the construction of an agreement for the provision of recruitment services.
- Advising debtors on potential claims against a large multinational bank for breach of

contract, misrepresentation and an unfair relationship arising out of a credit agreement.

- Representing a major energy company resisting a claim for breach of contract involving implied terms under the Consumer Rights Act 2015.
- Representing debtors alleging an unfair relationship with banks in respect of undisclosed commissions.

Appointments

Attorney General's C Panel of Counsel (effective from 2024).

Academic

University of Bristol, LLB (Hons): First Class Honours.

University of Oxford, BCL: Distinction.

City Law School University of London, BPTC: Outstanding.

Awards and Scholarships

Gray's Inn: Bedingfield Scholarship.

City Law School, University of London: Postgraduate Scholarship.

University of Oxford: Law Faculty Prize for Criminal Justice, Security, and Human Rights.

University of Bristol: Oxford University Press Prize.

Memberships and Associations

ELBA, COMBAR

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