



## Matthew Bignell

Year of Call: 2021

Matthew welcomes instructions in all of Chambers' core practice areas, including employment, tax, commercial litigation, and personal injury. He is regularly instructed in multi-day hearings in the courts and tribunals and has a busy advisory practice.

Before coming to the Bar, Matthew worked as a paralegal in the Metropolitan Police where he was involved in employment litigation and gained particular experience with injunctions. He was also a research assistant at the University of Oxford and a tutor at Queen Mary, University of London.

### Employment

Matthew practises in all areas of employment law. He has experience of a wide spectrum of respondent and claimant work in the employment tribunals and the civil courts. This work has ranged from representing large multinational companies to individual claimants and includes both court advocacy and advisory work on complex legal questions. He has particular experience of contractual disputes, discrimination, unfair dismissal, whistleblowing and employee status.

#### Recent case highlights include:

- *Newlyn-Jones v Herongrange Direct Manpower Ltd & Ors* [2023]. Represented the Claimant in a two day hearing successfully establishing age discrimination and automatic unfair dismissal by reason of a TUPE transfer. The tribunal awarded over £130,000 in compensation. This is more than double the value of the highest age discrimination award in the UK last year.
- *Perera v Stonegate Pub Company Ltd* [2023]. Represented the Respondent in a five day hearing successfully resisting claims of race and religious discrimination and limiting a claim for unlawful deduction from wages to a nominal amount.
- *Macdonald v Milton Keynes Development Partnership LLP* [2023]. Represented the Respondent in a seven day hearing successfully resisting claims of whistleblowing dismissal and detriments. Led by Andrew Burns KC.
- *Amedzo v Bidvest Noonan (UK) Ltd* [2022]. Represented the Respondent in a two day hearing successfully resisting a claim of constructive unfair dismissal.
- *Mallon v Blacktrace Holdings Ltd & Ors* [2022]. Represented the First Respondent in a three day hearing successfully resisting a claim of disability discrimination.
- *X v An Airline Company* [2022]. Represented the Claimant bringing claims of unfair dismissal, disability discrimination and unlawful deduction from wages. Successfully settled the matter on favourable terms prior to a full hearing.

Matthew also has experience of assisting senior members of chambers in respect of a variety of employment matters. This includes:

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- Providing research support to Andrew Burns KC in respect of industrial relations disputes.
  - Assisting Bruce Carr KC in respect of the independent review into the Royal College of Nursing.
  - Assisting Jesse Crozier in responding to claims of age discrimination, whistleblowing detriments and fixed term employee detriments in the employment tribunal and breach of contract in the High Court.
  - Assisting Kate Balmer in an internal investigation into allegations of discrimination and whistleblowing detriments at a large multinational bank.

Matthew has a particular interest in religion and belief discrimination. He recently represented a junior doctor in a successful appeal against his dismissal due to his conscientious objection to the provision of certain treatments founded on his religious beliefs.

## Tax

Matthew acts for both taxpayers and HMRC. He has experience of litigation in the tribunals and advisory work. As a tax and employment practitioner, he is particularly well positioned to advise on issues which clients may face in respect of IR35.

### Recent highlights include:

- *Magic Carpets Commercial Ltd v HMRC* [2023]. Instructed by the Revenue in an appeal concerning careless behaviour and the validity of determinations and penalties. Led by Sadiya Choudhury.
- *Janet Bray Ltd v HMRC* [2023]. Instructed by the Revenue in an appeal concerning careless behaviour and the validity of determinations and penalties. Led by Marika Lemos.
- Junior to Akash Nawbatt KC and Kate Balmer in an appeal relating to company residence for corporation tax purposes.
- Junior to Marika Lemos in an appeal relating to the availability of sideways loss relief in respect of farming activities.
- Advising a healthcare trust on whether a senior employee was entitled to an exemption from income tax on the basis of a change in that employee's residence.
- *Whispering Smith v HMRC* [2022]. Successfully resisted an appeal against two penalties for failure to take corrective action in response to a follower notice. Led by Marika Lemos.
- *Callen v HMRC* [2022]. Successfully established the validity of a discovery assessment due to carelessness by a tax adviser acting on behalf of the taxpayer. Led by Christopher Stone.

Matthew also has experience of assisting senior members of chambers in respect of a variety of tax matters. This includes:

- Assisting Timothy Brennan KC and Aparna Nathan KC in an appeal to the Supreme Court regarding the corporation tax treatment of various components of a hydroelectric power generation scheme.
- Assisting Marika Lemos in advising on the availability of sideways loss relief in respect of farming activities.

Matthew has given a talk on the enforcement of foreign taxes in the United Kingdom as part of the Devereux Chambers Elevenses Webinar series ([click here to watch](#)).

## 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.

## Personal Injury

Matthew regularly appears in fast track trials. He has experience of road traffic accidents involving vulnerable road users.

### Recent highlights include:

- Instructed to represent a family on a multi-day inquest into the occurrence of a road traffic accident involving the deceased.
- Advising on quantum in respect of a number of claims involving injuries to young children.
- Representing multiple occupants of a vehicle in a high value fast track claim with the identity of the defendant driver in dispute.
- Instructed to represent a family on a multi-day inquest into potential failures to properly care for the deceased.
- Representing a motorcyclist struck by a motorist whilst filtering through traffic.

## Academic

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

BCL, University of Oxford – Distinction.

BPTC, City Law School, University of London – Outstanding.

## Awards and Scholarships

Gray's Inn: Bedingfield Scholarship.

City Law School, University of London: Postgraduate Scholarship.

Wadham College, University of Oxford: Award for Outstanding BCL Performance.

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

### **Personal Interests**

Matthew is a keen surfer and kayaker. For better or worse, he follows Swansea City Football Club.