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Zafar Ansari



Year of call: **2021**
Degree: **BA Politics, Psychology and Sociology (Cambridge, Double First), MA History (Royal Holloway, University of London, Distinction), GDL (BPP, Distinction), BPTC (BPP, Outstanding)**

Zafar has a broad practice that spans all of Chambers' main areas of practice and in particular employment, sport, investigations, public/regulatory and human rights. Recent highlights of Zafar's practice include:

- his appointment, in June 2021, as one of four Commissioners on the Independent Commission for Equity in Cricket (ICEC), set up by the England and Wales Cricket Board to investigate issues of inequality and discrimination in the sport. The ICEC's Report 'Holding Up a Mirror to Cricket' was published in June 2023;
- acting for the Open University in a 15-day trial defending a claim of harassment, direct discrimination, victimisation and constructive unfair dismissal by an academic with gender critical beliefs (led by Jane Mulcahy KC);
- his secondment to the UK energy regulator OFGEM between October 2022 and April 2023;
- acting unled in successful disciplinary and safeguarding proceedings brought by UK Athletics;
- acting for a family of a man seeking disclosure from The National Archives of police files concerning his unsolved racist murder (led by Tom Hickman KC);
- conducting highly sensitive investigations into allegations of race discrimination, breaches of confidentiality, unfair recruitment processes, and victimisation (assisting Gemma White KC and David Pievsky KC).

Prior to commencing practice, Zafar played professional cricket for Surrey and England. After retiring from the sport in 2017, Zafar worked as a youth advocate at the charity Just for Kids Law, assisting young people with understanding and claiming their rights in areas including, but not limited to: community care, education, housing, immigration, and criminal justice. Whilst undertaking his legal qualifications, Zafar also spent time volunteering for the Refugee Council and the charity Inquest.

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EXPERIENCE

Employment

Zafar accepts instructions in all areas of employment law. He is recognised by Legal 500 as a "rising star" in employment.

"Zafar has exceptional attention to detail. His written advocacy is of the highest standard, and he is a very safe pair of hands. Zafar has a calm and reassuring manner, and earns the trust of lay clients easily."

— LEGAL 500, 2026

Cases

Joanna Phoenix v The Open University

2024

Defending a claim of harassment, direct discrimination, victimisation and constructive unfair dismissal brought by an academic with gender critical beliefs (led by Jane Mulcahy KC).

Disability Discrimination Claim

Acted for a leading global business defending allegations of direct disability discrimination, discrimination arising from disability, and the failure to provide reasonable adjustments (led by Diya Sen Gupta KC).

Company v Director

Acted for a retired senior executive in a claim for breach of contractual/fiduciary duties and unlawful means conspiracy (led by Thomas Croxford KC).

Millicom Services UK Limited & Others v Clifford

[2022] EAT 74

Zafar assisted Catherine Callaghan QC who acted for the Appellants in this appeal concerning the scope of the ET's power to prohibit the disclosure of information under Rule 50 of the ET Rules of Procedure. The Appellants made an application to prohibit the disclosure of certain information in ET proceedings, relying on all three limbs of Rule 50, namely, the interests of justice, Convention rights and confidentiality. The Appellants successfully argued in the EAT that the proposed derogation from the open justice principle was necessary to protect the safety and security of non-participants in the litigation located outside the UK, in a country that was not a signatory to the ECHR.

Advice on strike out (unfair dismissal and discrimination)

Advised a claimant bringing a number of employment-related claims (including unfair dismissal and disability discrimination) on the prospects of successfully applying to strike out the respondents' defence on the basis of alleged witness intimidation.

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Advice on the application of a settlement agreement

Advised a law firm on whether the terms of a previous settlement agreement prohibited the firm from representing future potential claimants in employment-related claims.

Unfair dismissal (redundancy) claim

Acting for a claimant who had been unfairly dismissed purportedly on the grounds of redundancy.

Sport

Zafar accepts instructions in all areas of sports law.

In July 2021, Zafar was appointed as a Commissioner to the Independent Commission for Equity in Cricket, set up by the England and Wales Cricket Board to examine issues of inequality and discrimination in the sport. The ICEC's Report 'Holding Up a Mirror to Cricket' was published in June 2023.

Cases

The Independent Commission for Equity in Cricket

In June 2021, Zafar was appointed as one of four Commissioners on the Independent Commission for Equity in Cricket, set up by the England and Wales Cricket Board to investigate issues of inequity and discrimination across the sport.

The ICEC's Report 'Holding Up a Mirror to Cricket' was published in June 2023.

UK Athletics Safeguarding Case

Acting for UK Athletics in safeguarding proceedings brought against a coach.

Confidential arbitration

Acting for a Premier League football club in arbitration proceedings.

UK Athletics Disciplinary Case

Successfully acted for UK Athletics in disciplinary proceedings brought against a coach for breaching a term of his suspension.

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Senior sports administrator v International sports governing body

Represented a senior sports administrator in a challenge against the decisions of a foreign domestic sport governing body and the sport's international governing body. The challenge concerned the misapplication of powers by these bodies, and involved a number of complex procedural and jurisdictional questions.

Advice on Race Discrimination

Provided legal and strategic advice to a sports governing body on responding appropriately to an allegation of discrimination by a participant in the sport.

Advice on statutory interpretation

Advised a sports governing body on the interpretation and application of a number of sport-specific legislative provisions.

Public & Regulatory

Zafar accepts instructions in all areas of public law.

Cases

OFGEM

Between October 2022 and April 2023, Zafar was seconded to the UK's energy regulator, OFGEM.

Kelso Cochrane FOIA Appeal

Successfully challenged the decision of The National Archives to withhold police files concerning the unsolved racist murder of a black man, Kelso Cochrane, in 1959 (led by Tom Hickman KC).

Re. Advertising Standards Authority

Acting for a large advertiser in a challenge to an adverse decision by the ASA.

Advice on the provision of Gender Identity Services for children

Advice on the lawfulness of arrangements between NHS England and the Tavistock and Portman NHS Foundation Trust for the provision of Gender Identity Development Services for children (assisting Jason Pobjoy).

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R (TN (Vietnam)) v Secretary of State for the Home Department

[2021] 1 WLR 4902

Assisting Jason Pobjoy who acted for Detention Action intervening in a claim for judicial review concerning the status of asylum appeals which were determined under ultra vires procedural rules.

R (Andrews) v Minister for the Cabinet Office (No. 2)

[2021] EWHC 2233 (Admin)

A claim for judicial review concerning whether the omission to make further provision in legislation to assist blind and partially sighted voters in time for the general election in December 2019 breached human rights (assisting Hanif Mussa).

R (Coughlan) v Minister for the Cabinet Office

[2022] UKSC 11

A claim for judicial review concerning whether the government was permitted to authorise the use of identification requirements at the local government elections in May 2019 (assisting Hanif Mussa).

R (Larkfleet) v Gas and Electricity Markets Authority

(Administrative Court, 2021)

A claim for judicial review concerning the lawfulness of the withdrawal of regulatory accreditation granted to solar photovoltaic generating station, which enabled the station to claim renewable obligation certificates (assisting Hanif Mussa).

Investigations & Inquiries

Zafar has experience conducting highly sensitive investigations. His work includes:

- Acting as one of four Commissioners on the Independent Commission for Equity in Cricket (ICEC), set up by the England and Wales Cricket Board to investigate issues of inequality and discrimination in the sport. The ICEC's Report 'Holding Up a Mirror to Cricket' was published in June 2023.
- Assisting Gemma White KC in an investigation into allegations of race discrimination and the use of racist language by the Chair of a Board.
- Assisting David Pievsky KC in an investigation into complaints of a breach of confidentiality, unfair recruitment processes, and victimisation.

Civil Liberties & Human Rights

Zafar accepts instructions in all areas of civil liberties and human rights law.

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Cases

Asylum application of LGBTQI+ person

Assisting with the asylum application of an individual with a well-founded fear of persecution in the country of her nationality as an LGBTQI+ person.

A Deportation Matter

A first-tier tribunal challenge to the decision by the Secretary of State for the Home Department to issue the Appellant a deportation order under regulation 23(6)(b) of the Immigration (European Economic Area) Regulations 2016 (assisting Jason Pobjoy).

Freedom of Expression Advice

Advice on the application of article 10 of the European Convention on Human Rights in the context of satirical news content (assisting Jason Pobjoy).

R (AB) v Secretary of State for Justice

[2021] UKSC 28

A claim for judicial review concerning whether the solitary confinement of persons under 18 years of age is inherently inhuman and degrading, contrary to article 3 of the European Convention on Human Rights, and whether there must exist “exceptional” circumstances in which such treatment is “strictly necessary” for it to be article 3-compliant (assisting Jason Pobjoy).

R (Andrews) v Minister for the Cabinet Office (No. 2)

[2021] EWHC 2233 (Admin)

A claim for judicial review concerning whether the omission to make further provision in legislation to assist blind and partially sighted voters in time for the general election in December 2019 breached human rights (assisting Hanif Mussa).

R (JS) v Secretary of State for the Home Department

A claim for judicial review of the Secretary of State's ongoing decision that parents and siblings of refugee children are not entitled to family reunion on the same basis as the spouses and children of adult refugees under the Immigration Rules (assisting Jason Pobjoy).

All the Citizens v Prime Minister

A claim for judicial review concerning the UK Government’s decision not to order an investigation into Russian interference in the UK’s democratic processes during and after the EU Referendum in the 2016, and the adequacy of the UK’s legal framework with respect to protecting the electoral process from foreign state interference (assisting Jason Pobjoy).

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Financial Services & Banking

Zafar accepts instructions in all areas of financial services law.

Cases

Unfair Mortgage Agreements Advice

Advising a mortgage provider regarding potential claims by borrowers that terms in their mortgage agreements were unfair (assisting Hanif Mussa).

Advice on LIBOR-linked rate loans

Advising on the impact of LIBOR ceasing to be a representative benchmark rate on a lender's standard mortgage origination documents (assisting Hanif Mussa).

Commercial

Zafar accepts instructions in all areas of commercial law.

Cases

Advice on the Environmental Information Regulations 2004

Advising a company on what constitutes a request for "environmental information" within the meaning of the Environmental Information Regulations 2004 ("EIR") and the circumstances in which exemptions within the EIR apply (assisting Jason Pobjoy).

Norwich Pharmacal Relief

Advising on the merits of an application against a bank for Norwich Pharmacal and/or Bankers Trust relief as part of a push-payment fraud claim (assisting Victoria Windle).

Restitution Advice

Advising a company on the merits of a mistake and/or Woolwich type unlawful demand claim, and any available defences (including passing on and change of position) (assisting Jason Pobjoy).

Company v Director

Acted for a retired senior executive in a claim for breach of contractual/fiduciary duties and unlawful means conspiracy (led by Thomas Croxford KC).

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Quantum Meruit and Breach of Contract Claim

Advising and drafting particulars of claim in respect of a failure to render payment for services provided (assisting Victoria Windle).

PJSC National Bank Trust v Shishkhanov

[2021] EWHC 692 (Comm)

Acting for a Defendant contesting the jurisdiction of the English Court (assisting Victoria Windle).

Brussels and Rome Regulations Advice

Advising on the application of the Rome and Brussels Regulations in a claim for breach of fiduciary duty, unlawful means conspiracy and dishonest assistance (assisting Victoria Windle).

ACHIEVEMENTS

Education

- BPP University (London Holborn). Bar Professional Training Course (full-time): Outstanding
- BPP University (London Waterloo). Graduate Diploma in Law (part-time): Distinction
- Royal Holloway, University of London. MA History (by Research) (part-time): Distinction
- Trinity Hall, University of Cambridge. BA (Hons) Politics, Psychology and Sociology (PPS): Double First.

- 2nd highest mark across cohort in BPTC exams, BPP University, 2020.
- Buchanan Prize for outstanding mark in BPTC exams, Lincoln's Inn, 2020.
- Lord Denning Scholarship, BPTC, Lincoln's Inn, 2019.
- Excellence Scholarship, BPP University, 2019.
- Bowen Scholarship, GDL, Lincoln's Inn, 2017.
- Cohen Award for Outstanding Academic Excellence, BPP University, 2017.
- Career Guarantee Scholarship, BPP University, 2017.

Publications

- Co-author of "Holding Up a Mirror to Cricket: A Report by the Independent Commission for Equity in Cricket" (June 2023).
- Co-author of "Doping" in "Football and the Law" (London 2022).
- Columnist, Wisden Cricket Monthly, July 2019 – Sept 2020.

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- 'Has test cricket had its day?', Prospect Magazine, 21 June 2018.
- 'Calling it a day at 25: Left-field decision', Wisden Cricketers' Almanack 2018 (also published in The Times).
- Contributor to: BBC Radio 5 Live – 'The Friday Sports Panel' and BBC Radio 5 Live Sports Extra – 'The Cricket Social'.

Voluntary Positions

- June 2019 – Sept 2020 Volunteer, Refugee Council (Refugee Cricket Project)
- Sept 2018 – Mar 2019 Family Participation and Advocacy Volunteer, INQUEST
- Jan 2017 – Aug 2017 Player Ambassador and Volunteer, Surrey Cricket Foundation

VAT registration number: 387 4327 62

Barristers regulated by the Bar Standards Board