



GARDEN COURT CHAMBERS

Oscar Davies

YEAR OF CALL: 2018



PRO BONO
RECOGNITION
LIST
ENGLAND & WALES

Oscar is an award-winning barrister and is ranked as a Tier 1 'Rising Star' in the Legal 500.

Oscar undertakes a range of civil and public law work, including employment, education, human rights, commercial and property/housing.

Oscar won 'LGBTQ+: Champion of the Year' at the Legal 500 ESG Awards 2024. Oscar was also nominated for 'DE&I: Rising Star of the Year' at the Legal 500 ESG Awards 2024.

Oscar was a finalist for 'Young Pro Bono Barrister of the Year' at Advocate's Bar Pro Bono Awards 2024.

Oscar has appeared in the Court of Appeal, High Court and County Court in a number of varied cases. They are experienced in drafting pleadings and other documents on urgent and non-urgent matters.

Oscar also has an international practice, and as a fluent French speaker, is the recipient of the Paris-London Bar Scholarship 2023 (Pegasus Foundation), and the Sir John Priestley

Award 2018 (Inner Temple) having worked in Luxembourg at the European Court of Justice.

Oscar is authorised to accept instructions directly from lay clients, under the Bar Council's public access scheme.

"Oscar is very knowledgeable about employment appeal procedures, and is warm and empathetic. They are particularly good with vulnerable clients."

LEGAL 500, 2024 (EMPLOYMENT)

If you would like to get in touch with Oscar please contact the clerking team:

contactmyclerks@gclaw.co.uk | +44 (0)20 7993 7600

You can also contact Oscar directly:

civillibertiesclerks@gclaw.co.uk

CLIMATE JUSTICE AND ENVIRONMENT

Oscar has a developing practice in climate change litigation and environmental law, with a focus on the international angle of disputes and extra-territorial jurisdiction.

Oscar is particularly interested in corporate accountability in fossil fuel emissions and newly developing causes of action surround this.

COMMERCIAL

Oscar previously worked at a commercial/civil chambers and has drafted skeleton arguments for the Court of Appeal, appearing as a junior in a matter on appeal concerning injunctive relief against persons unknown.

Oscar is also familiar with and drafting freezing injunctions which require speed and efficiency.

Oscar has appeared as sole counsel in numerous High Court commercial claims and multi-track disputes.

Oscar was led as a junior in the Commercial Court in the group action of *Barelay-Watt & Ors v Alpha Panareti Public Ltd & Ors* [2021] EWHC 1327 (Comm), representing some 280 claimants who were subject to misrepresentation when purchasing properties abroad.

Oscar is happy to advise on contractual claims, misrepresentation, guarantees, supply of goods and services, finance and credit transactions, company and partnership disputes.

Oscar regularly provides advice on the directors' duties and the mechanisms contained within the various Companies Acts. Oscar can advise throughout the insolvency process including in relation to statutory demands as well as final petitions both for creditors and debtors.

COURT OF PROTECTION

Oscar is accepting instructions in all areas of Court of Protection work including in deprivation of liberty and health and personal welfare cases, utilising their housing and discrimination expertise to give holistic advice.

EDUCATION LAW

Oscar acts for children, young people and families in all forums where education law issues arise, including the First-tier Tribunal, the Upper Tribunal, the Administrative Court, university panels, governing body disciplinary committees and independent review panels.

Oscar recently [successfully represented](#) a non-binary secondary school student with special educational needs to have his permanent exclusion overturned (he was reinstated in time to take his GCSEs).

Oscar also frequently represents students in higher education/university who are facing sanctions for their beliefs or identity, and students involved with sexual misconduct allegations. Oscar recently spoke on a panel about new developments in belief discrimination in higher education, which can be viewed [here](#).

EMPLOYMENT AND DISCRIMINATION LAW

Oscar is ranked as a Tier 1 Rising Star in the Legal 500 2024 for employment law matters. “Oscar is very knowledgeable about employment appeal procedures, and is warm and empathetic. They are particularly good with vulnerable clients.”

They appear frequently in the Employment Appeal Tribunal (EAT) and employment tribunals, often with top KCs as opposing counsel. Oscar provides advice, written or oral, on all aspects of employment law, including unfair dismissal, victimisation and different types of discrimination.

Oscar has considerable experience in belief claims. Oscar represented a claimant where the tribunal found that his political belief could be considered a protected characteristic under the Equality Act 2010 (*Moore v Southern Housing Group Limited* ET 2301442-2020). Oscar recently wrote [an article](#) for the New Law Journal and the Discrimination Law Association entitled 'Gender critical cases: making bad law?'.

They also have particular expertise in Covid-19 related cases. Oscar acted in the EAT case [1\) Miss G Masiero 2\) Mrs J Hussain 3\) Miss S Chadwick 4\) Ms G Dimitrova v Barchester Healthcare Ltd: \[2024\] EAT 112](#) representing care home workers dismissed for not taking the vaccine. The EAT provided guidance on the correct approach when dealing with competing Convention rights (under the European Convention of Human Rights (ECHR) and Human Rights Act 1998) in the context of unfair dismissal claims, in this case with care home workers who were dismissed for not taking the Covid-19 vaccine.

Oscar represents claimants in all areas, though particularly those with disabilities, or bringing sexuality or gender reassignment-related claims.

Oscar is particularly adept at dealing with costs points in the employment tribunal (see *Mr R Clarke v Bristol Sport Ltd*: ET 1403993/2021).

They also have experience in pensions work. During pupillage, Oscar assisted in the *Safeway Ltd v Newton* [2018] appeal, following its reference to the ECJ on the retrospective levelling down and equalisation of pension benefits. They have worked on a case involving the Pension Protection Fund and its operation vis-à-vis EU law.

GARDEN COURT INTERNATIONAL

Oscar often deals with matters that contain an international element. Before coming to the Bar, Oscar assisted Judge Christopher Vajda at the European Court of Justice (Luxembourg), working on complex cases involving the right to be forgotten, public procurement and the presumption of innocence. More recently, Oscar also

worked in Paris thanks to the Paris-London Bar Scholarship, funded by the Pegasus Foundation, assisting on cases in different Parisian courts and law firms in French.

Oscar has drafted multiple applications to the European Court of Human Rights and frequently deals with competing Convention rights cases.

Oscar was instructed as second junior in a group action brought by some 280 claimants for negligent misrepresentation/negligent misstatement (UK residents buying holiday homes in an EU country), which included preparation for and participating in a 6 week trial in the Commercial Court (*Barclay-Watt & Ors v Alpha Panareti Public Ltd & Ors* [2021] EWHC 1327 (Comm)).

Oscar has drafted freezing injunctions, an application to set aside English bankruptcy proceedings pending international proceedings, and an application for recognition of an international judgment.

Oscar also assisted a KC to advise on a multi-million dollar claim brought under the tort of deceit. This involved complex issues of jurisdiction and serving the defendant outside of England and Wales using the various jurisdictional gateways.

MEDIA AND ENTERTAINMENT

Oscar has appeared in the High Court as sole counsel for defamation and privacy proceedings.

Oscar previously trained at a boutique media law firm, where they worked on matters including the *Hewson v Times Newspapers* [2019] litigation. They are happy to advise on cases involving defamation, privacy, data protection, harassment and injunctive relief.

Oscar has drafted contracts and advised in settlement for people working in creative industries such as musicians, record labels and fashion brands.

NON-BINARY AND TRANS RIGHTS

Oscar is the first [publicly recognised](#) non-binary barrister in the UK. Oscar has lots of experience representing trans and non-binary clients in a number of areas in civil and public law.

Oscar won 'LGBTQ+: Champion of the Year' at the Legal 500 ESG Awards 2024. Oscar was also nominated for 'DE&I: Rising Star of the Year' at the Legal 500 ESG Awards 2024. Oscar was recently featured in [Evening](#)

[Standard Magazine](#) as an ‘Unsung Hero’ of the LGBT+ community.

Oscar is a contributor to the second edition of ‘A Practical Guide to Transgender Law’ by Robin Moira White & Nicola Newbegin, writing the chapter on Convention rights. Oscar co-wrote an article on the Elan-Cane case for the New Law Journal which can be read [here](#).

Oscar advocates for trans and non-binary rights and legal change in this area and creates resources via their [social media](#). Oscar is often asked to interview, speak on panels and seminars regarding developments in areas that affect trans and non-binary people. Oscar was nominated for the 2022 British LGBT Awards in the category ‘Outstanding Contribution to LGBT+ life’ for their work in this field.

Oscar is currently writing a book on non-binary recognition and how the law may better convey and deconstruct the gender/sex binary. Oscar recently wrote an article for i news on this topic that can be read [here](#).

PUBLIC LAW AND HUMAN RIGHTS

Oscar has drafted applications to the European Court of Human Rights and has undertaken judicial reviews in a number of public law cases.

Oscar is particularly knowledgeable on the applicability of Convention rights in different types of cases. Oscar recently wrote a chapter on the applicability of Convention rights in domestic and international cases for the second edition of ‘A Practical Guide to Transgender Law’ by Robin Moira White & Nicola Newbegin.

Further, Oscar has co-written an article on the Elan-Cane judicial review case, ‘Elan-Cane: has the Supreme Court created a two-tier system between binary & non-binary genders?’ for the New Law Journal and the UK Supreme Court Blog which can be read [here](#).

BACKGROUND

Oscar provides advice and representation pro bono via Advocate, the Bar’s national charity that helps members of public find free legal help from barristers. Oscar was a finalist for ‘Young Pro Bono Barrister of the Year’ at Advocate’s Bar Pro Bono Awards 2024. Oscar is committed to enabling social mobility at the Bar. They are a mentor at Bridging the Bar, an organisation which helps those from under-represented backgrounds gain access the Bar.

Oscar is also a committee member of FreeBar, an organisation which aims to promote diversity and inclusivity of LGBT+ members and staff at the Bar.

Prior to commencing pupillage, Oscar worked in Luxembourg at the European Court of Justice as a trainee/stagiaire to Judge Christopher Vajda, with the assistance of the Sir Joseph Priestley Award from Inner Temple.

Oscar was also previously a paralegal in a boutique law firm so understands the needs and pressures of solicitors in their practice.

PUBLICATIONS

'Gender critical cases: making bad law?', originally published as an April 2024 cover story in New Law Journal, was also featured in DLA Briefings' July 2024 issue.

'A Practical Guide to Transgender Law' by Robin Moira White & Nicola Newbegin, second edition (to be released).

'I'm the UK's first non-binary barrister – 30,000 non-binary Brits like me need legal protection', the i newspaper (Independent), July 2023.

'Default setting in the county courts: Have we learnt nothing from lockdown? A plea for defaults to be set on remote/in-person hearings in county', Counsel Magazine, April 2023.

'GENDER IDENTITIES: A TWO-TIER SYSTEM?', New Law Journal (February 2022).

AWARDS

'LGBTQ+:?Champion of the Year' (Winner) Legal 500 ESG Awards (2024)

'DE&I: Rising Star of the Year' (nominated) Legal 500 ESG Awards (2024)

'Young Pro Bono Barrister of the Year' (finalist) Advocate's Bar Pro Bono Awards (2024)

Paris-London Bar Scholarship, Pegasus Foundation, Inner Temple (2023)

Sir Joseph Priestley Award, Inner Temple (2018)

Daniel Lett Scholarship, Christ's Hospital (2016 and 2017)

John Taylor Book Prize, King's College London (2014)

TRAINING, SEMINARS AND INTERVIEWS

Oscar is happy to deliver seminars on any of the above-mentioned areas of law. They are often asked to speak on panels regarding discrimination and diversity and inclusion issues.

Oscar is a trainer at [Edge Training](#), providing seminars on discrimination-related matters.

Interviews:

[Interview, Need to Know](#)

[Interview, KCL Alumni](#)

[Interview, Legal Business](#)

[Interview, the Student Lawyer](#)

[Interview, Evening Standard Magazine](#)

[Legally Speaking Podcast](#)

[Humans of Law Podcast](#)

[SRA Panel](#)

[Interview, Reuters \(Openly\)](#)

[Interview, Times](#)

EDUCATION

BPTC LLM (Very Competent) – City, University of London

GDL (Commendation) – City, University of London

French and History BA (First Class Honours with Distinction in spoken French) – King's College London, with an exchange in Paris at the Ecole Normale Supérieure, and in Quebec at the Université Laval.

LANGUAGES

French (fluent)

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