

## Satinder Gill

Called: 1991  
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"Satinder is a genuine expert in business immigration. He combines an excellent knowledge of immigration law with a practical and commercial approach."

The Legal 500 UK 2023



### PROFILE

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Satinder is joint head of the Commercial Division and of the Business Immigration and Regulatory Team.

His practice comprises business immigration, chancery and commercial work, arbitration, and employment.

He is described in the Legal 500 as a business immigration expert and works closely with his solicitors on significant inward investment and migration projects, particularly since Brexit from clients in the EU.

### EXPERTISE

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#### **Business Immigration**

Satinder works for businesses and education providers investing into the UK, including global corporates, professional sports clubs, UK and international universities, professional service providers, investors and senior executives.

Satinder works closely with his solicitors for employers and education providers on all aspects of business immigration, including global corporate immigration planning, sponsor licensing, applications and employer's liability in the prevention of illegal working. His clients include blue chip companies, professional sports clubs, governing bodies for sport in the UK and in Europe, universities and start-ups new to the UK.

He presents seminars on business immigration nationally and is a regular speaker at the annual MBL business immigration conference. Satinder is on the consultation board for PLC's business immigration

content and has posted recent webinars for Lexis Nexis and PLC on the UK's new immigration system and on Brexit and Appendix EU.

### **Recent work**

- Lead counsel on an emergency project for an international medical school that relocated to the UK following a natural disaster. Satinder worked closely with the UK and overseas legal team and with senior Home Office officials to support the relocation of c.700 students and staff to the UK and to support their stay for the academic year and ensured continuity of education.
- Supported an international make up business and its artists at London Fashion Week.
- Continues to support clients who are EU contractors for a major nuclear infrastructure project in the UK.
- Advising on a UK sports governing body dispute.

### **Employment**

Satinder is experienced in all areas of employment law, primarily representing employers in complex and sensitive employment law disputes including:

- Unfair and wrongful dismissal
- TUPE
- Breach of Contract
- Restrictive Covenants
- Working Time Regulations
- Victimisation
- Redundancy (individual and collective)
- All types of discrimination, including in particularly sensitive claims of sexual harassment.

### **Recent work:**

- Represented a university in claims sex discrimination and harassment in a full merits hearing in the ET and on a time appeal in the EAT
- Represented a London charity against wide-ranging claims of discrimination, harassment and unfair dismissal brought by a former manager in a full merits hearing.
- Represented a university in claims of discrimination and harassment by a short serving member of staff in a difficult team environment in a full merits hearing.

### **Commercial and International**

Satinder provides clear, focused advice and representation on commercial disputes and has used his considerable experience in litigation in England & Wales to develop an international arbitral practice, having recently completed a final award on an ICC panel case in 2021-2022

Satinder has extensive connections with lawyers in North America and in the EU and regularly advises on complex international transactions and inward investment projects into the UK."

- Sat as a nominated ICC arbitrator as part of a panel that determined a difficult international commercial dispute between parties to a joint venture to exploit commercial precious metal mining in North Africa,

valued at c.£12M, and recently concluded this case in late 2022.

- Represented and advised a leading UK religious charity on an urgent injunction application and resisted attempts to suspend its membership enrolment and a forthcoming AGM pending determination of the claim by individuals who claimed to be entitled to be enrolled as members contrary to its constitution.
- Advising and supporting several clients based in EU on significant UK infrastructure projects.
- Professional negligence matters arising out of business immigration, including claims against law firms and professional financial advisors.

## FURTHER INFO

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### Directory Quote



*“Satinder is a genuine expert in business immigration. He combines an excellent knowledge of immigration law with a practical and commercial approach.”*

**The Legal 500 UK 2023**

*“Truly an expert in business immigration with particular strengths in providing an in-depth insight into the subject matter while relating to the client with a commercial approach to problem solving.”*

**The Legal 500 UK 2021**

*“He is a first port of call on all complex and sensitive immigration questions.”*

**The Legal 500 UK 2020**

*“He has good client skills – he is calm, knowledgeable and supportive.”*

**The Legal 500 UK 2019**

*“Highly recommended for applications under the points-based system.”*

**The Legal 500 UK 2017**

*“He has impressive expertise in business immigration.”*

**The Legal 500 UK 2016**

*“A business immigration expert.”*

**The Legal 500 UK 2015**

### Public Access

Satinder Gill also accepts Public Access instructions and regularly advises HR directors and senior executives

under the Scheme.

## **Seminars and Training**

A link to Satinder's profile on MBL which lists his upcoming events.

## **Social Media**

LinkedIn

## **Professional Memberships**

Employment Lawyers Association  
Advocate  
International Bar Association

## **Languages**

Punjabi, basic Hindi and French.

## **Qualifications**

LLB Manchester

## **Important Cases**

### **Kaur v Malhi [2022] EWHC 2219 (Ch)**

Acting for the Executive Committee of the largest Gurdwara organisation outside of India (a charity worth over £40million in assets). They were successful in resisting an urgent interim injunction brought by individuals seeking to prevent the charity from holding an election of its executive committee and to force it to allow persons with limited leave to remain to become charity members in circumstances where the charity's constitution contained a mediation clause, and where the applicants had failed to apply to the Charity Commission for permission to bring proceedings. Michael Green J considered, inter alia, the binding nature of a mediation clause in a charitable constitution (which is one of the first reported cases on this issue).

### **R Anghel v Middlesex University [2022] EAT 176**

The appellant appealed against a refusal of a reconsideration application after her claims of sex discrimination, harassment, victimisation and unfair dismissal were dismissed after a full merits hearing. The appellant instituted her appeal 1 day out of time after failing to attach her grounds of claim by mistake and appealed against the decision of the Registrar not to extend time. HHJ Auerbach restated the law on extensions of time for appealing in partial document cases and dismissed the appeal.

### **Adama and Partnerships in Care Ltd [2014] UKEAT 0047/14/1206**

The ET found a dismissal fair following a concession by the claimant, a nurse, that had he used excessive force in restraining a patient, such conduct merited dismissal. The claimant appealed on the ground that the ET had not itself reached a conclusion that the sanction was a fair one. The EAT found that the ET had failed to expressly make such a finding and that there was no room to infer the same from its other conclusions. Question of remedy remitted to a fresh tribunal, but on basis that ET's findings as to other aspects of the dismissal remained intact.

**Sanders and Newham Sixth Form College [2014] EWCA Civ 734**

Claim by a teacher for disability discrimination by failure to make reasonable adjustments. First appeal to consider the guidance in the EAT decisions in Ashton and Rowan, which the Court of Appeal endorsed.

**Okoro and Taylor Woodrow [EWCA] Civ 1590 [2013] ICR 580**

In a tripartite arrangement between contract workers, employment agencies and an end user, the contract workers complained that the end user's ban against them working on its sites was an act extending over a period under section 68(7) of the RRA 1976.

The Court found that the end user's conduct did not extend beyond the last instance on which the ban was invoked as there was no on-going relationship between the parties.

**McCabe and Cornwall County Council [2002] EWCA Civ 1887 [2003] IRLR 87**

Claim for damages against the employer for personal injury caused negligently or in breach of the implied term as to trust and confidence, in circumstances ultimately leading to dismissal – scope of such a claim in the light of Johnson and Unisys Ltd. The case went on further appeal to the House of Lords with Eastwood and Magnox Electric plc [2004] ICR 1064.

**Virk and Gan Life Holdings plc [2000] Lloyd's Rep IR 159 CA**

Claim on an insurance policy for critical illness payment. A limitation issue arose. The insurance policy provided for a condition precedent to liability, so that it was not a classical indemnity contract.

**Rafiq and Secretary of State for the Home Department [1998] Imm AR 193 CA**

The Secretary of State could revoke a decision to grant indefinite leave to remain in the UK provided that it had not been communicated to the applicant under Section 4(1) of the Immigration Act 1971.