



## Saul Margo

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Year of call  
2005

Email  
[saul.margo@outertemple.com](mailto:saul.margo@outertemple.com)

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Saul specialises in pensions and employment, as well as professional negligence claims relating to pension schemes.

His pensions practice encompasses both pure pensions litigation and advisory work with his litigation experience including Part 8, professional negligence and rectification claims.

Additionally, Saul is in demand for his specialist knowledge of cross-over pensions and employment work having been instructed in the litigation relating to the judges pensions scheme, the police pension scheme, sexual orientation discrimination claims relating to the Teachers' pension scheme and the Supreme Court case of *Williams v Trustees of Swansea University Pension Scheme and another* [2019] 1 WLR 93 (a discrimination claim relating to ill health retirement benefits).

His employment work covers both pension and employment cross-over work as well as the full range of employment disputes. He has extensive experience of appellate advocacy in the EAT and has appeared numerous times in the Court of Appeal.

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### London

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## Pensions & Trusts

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### Cases

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#### **Wedgwood Pension Plan Trustee Limited v Mr Keith Salt [2018] EWHC 79 (Ch)**

Representing the Claimant in a Part 8 claim raising numerous issues relating to whether the scheme was validly closed to future accrual and consequential issues relating to PPF compensation.

#### **Voca Limited v Voca Pensions Limited**

Acted for the representative beneficiary in a claim relating to a purported amendment to a scheme's revaluation provisions. Settlement approved by the Court.

#### **Deakin v Secretary of State for Defence**

Acting for the SoS in an appeal in the Upper Tribunal relating to the date from which a War Widows Pension should be paid.

#### **Unipart Group Limited & anr v UGC Pension Trustees & anr [2018] EWHC 2124 (Ch)**

Acting for the trustee in a claim for rectification.

#### **Swansea University Pension & Assurance Scheme Trustees v Williams [2017] IRLR 882**

Successfully acted for the employer and trustees resisting an appeal in the Court of Appeal concerning a claim of disability discrimination relating to the calculation of ill health retirement benefits (led by [Keith Bryant QC](#)).

#### **Webber v Department for Education [2017] ICR 198, [2017] Pens. L.R. 1**

Instructed by the Department for Education in an appeal against a decision of the Pensions Ombudsman. The case sets an important precedent concerning the application of time limits to overpayment cases before the Ombudsman.

#### **Re: Guinness Peat Group Plc**

Instructed by the Trustees of the Coats UK Pension Plan in what is probably the largest and most

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complex on-going regulatory action brought by the Pension Regulator in respect of one of the UK's largest schemes (with in the region of 27,000 members).

### **Moore's Furniture Group Limited v Turnpenny & Others**

Instructed by the employer in a successful summary judgment application for rectification of a pension scheme Deed & Rules.

### **Aarons v The Secretary of State for the Home Office: Challenges to the transitional protection under 2015 police pension reforms**

Acting (for nearly 9000 (and counting) police officers in England, Wales and Scotland in a challenge to the transitional protection given to some officers. The claims being pursued are direct age discrimination, indirect race and sex discrimination and equal pay. The respondents are every police force (43 in England and Wales plus the Scottish force), the Home Secretary and the Scottish Ministers.

### **Eddie Stobart v Aikman**

High Court proceedings concerning a breach of the implied term of trust and confidence in relation to pension benefits. A favourable settlement was reached before trial

### **IBM UK Ltd & IBM Holdings Ltd v Dalgleish & Others (the remedies judgment – [2015] EWHC 389 (Ch), [2015] Pens. L.R. 99)**

This landmark case concerns whether IBM breached its duty of good faith to employees in 2009 when seeking to alter their terms & conditions for pensions pay. Saul was instructed on behalf of the Trustee as part of a team in an expedited 2-week trial of novel issues of principle as to what the remedies should be.

### **Edge & Burton v MOJ UKEAT/0247/15**

EAT case concerning the entitlement of the MOJ to contend that the claimants were not entitled to receive a judicial pensions as compensation for less favourable treatment under the PTWR.

### **Miller & Others v MOJ**

Acted on behalf of approximately 80 judges with part-time service who are seeking to establish their entitlement to a pension referable to that service following the Judgment of the Supreme Court in the O'Brien litigation.

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**Re: Lehman Brother Pension Scheme**

Instructed by a group of Targets for the purposes of the Upper Tribunal proceedings.

**Hewlett-Packard Limited v David Shaw Bolland & Others (2013)**

A case concerning construction and rectification of a pension scheme deed & rules.

**Wheeler v Southern Water Services Ltd [2010] EWHC 1876 (Ch)**

An appeal from a Determination of the Pensions Ombudsman relating to the provision of ill-health retirement benefits.

**Re DP Laboratory Retirement Benefits Scheme**

TPR case concerning the appointment of an independent trustee.

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# Employment & Discrimination

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## Cases

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### **Khorochilova v Euro Rep Limited** UKEAT/0266/19/DA

**Williams v Swansea University Pension & Assurance Scheme Trustees** [2018] UKSC 65, [2019] 1 WLR 93, [2019] 2 All ER 1031, [2019] ICR 230, [2019] IRLR 306, [2019] PLR 11

Successfully resisted appeal to Supreme Court in first ever appellate case on meaning of section 15 of the Equality Act 2010 in claim of disability discrimination concerning the calculation of ill health retirement benefits.

### **Ms Patience Bonnie v Department for Work & Pensions** [2018] EWCA Civ 2074

### **Khatun v HSBC PLC** UKEAT/0198/17/DA

**Williams v Swansea University Pension & Assurance Scheme Trustees** [2017] IRLR 882

Successfully acted for the employer and trustees resisting an appeal in the Court of Appeal concerning a claim of disability discrimination relating to the calculation of ill health retirement benefits.

### **HD v Secretary of State for Defence** [2017] 4 WLR 182

Acted for the Secretary of State in a case concerning the date from which a War Widow's pension was payable.

### **Webber v Department for Education** [2017] ICR 198

Acted for the Department for Education on an appeal from the Pensions Ombudsman concerning the date on which time stopped running for the purposes of a restitutionary claim before the Ombudsman.

### **Moj v Burton & Engel** [2016] IRLR 100

The MoJ appealed against the quantification of the payment for judgment writing in multi-day cases to which these part-time judges were held to be entitled. Saul successful represented the First

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Respondent.

### **Aarons v The Secretary of State for the Home Office: Challenges to the transitional protection under 2015 police pension reforms**

Acting (for nearly 9000 (and counting) police officers in England, Wales and Scotland in a challenge to the transitional protection given to some officers. The claims being pursued are direct age discrimination, indirect race and sex discrimination and equal pay. The respondents are every police force (43 in England and Wales plus the Scottish force), the Home Secretary and the Scottish Ministers

### **Burton & Engel v MOJ [2016] IRLR 100**

Successfully represented the lead Claimant (a retired judge in the Residential Property Tribunal Service) in an appeal by the MoJ against the finding of the ET that the Claimants had been treated less favourably than full-time tax judges in relation to payments for writing judgments. This judgment binds the MoJ in relation to the claims of all judges within the same jurisdiction and is likely to cost the ministry a very large sum of money, as yet to be determined.

### **Eddie Stobart v Aikman**

High Court proceedings concerning a breach of the implied term of trust and confidence in relation to pension benefits. A favourable settlement was reached before trial.

### **Edge & Burton v MOJ EAT/0247/15**

EAT case concerning the entitlement of the MOJ to contend that the claimants were not entitled to receive a judicial pensions as compensation for less favourable treatment under the PTWR.

### **Miller & Others v MOJ**

Acted on behalf of approximately 80 judges with part-time service who are seeking to establish their entitlement to a pension referable to that service following the Judgment of the Supreme Court in the O'Brien litigation.

### **Yvonne Mills v London Borough of Brent UKEAT/0545/11/BA**

Successful represented the Respondent in resisting an appeal which sought to overturn the ET's decision to strike out the claim on the basis that it amounted to re-litigation of a claim that had been withdrawn. Allegations of bias on the part of the ET were also rejected by the EAT.

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**Spaceright Europe Limited v Baillavoine & Others [2012] ICR 520**

Successfully represented the Claimant in a case concerning the correct application of regulation 7 of the Transfer of Undertakings (Protection of Employment) Regulations 2006. Saul was led by Keith Bryant in the Court of Appeal and acted on his own for Mr Baillavoine in the ET and the EAT.

**Burns v Santander [2011] IRLR 639**

Successfully represented the Respondent in a case concerning whether the Claimant, who alleged he was wrongly remanded in custody, was entitled to be paid his wages while in custody.

**St Ives Plymouth Limited v Haggerty UKEAT/0107/08**

Successfully represented the Claimant – the EAT upheld the Tribunal’s finding that she was an employee and there was the irreducible minimum of obligation between the parties.

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## Commercial & Chancery

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### Cases

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#### **Wadhvani v The Royal Bank of Scotland**

Representing the Claimant in a high value swaps mis-selling claim in the Chancery Division that is likely to come to trial in 2017.

#### **Charminster Limited v HSBC and Barclays Bank**

Represented the First Defendant in a claim for breach of mandate / breach of contract and breach of duty of care relating to fraudulent withdrawals made from a company account. Favourable settlement reached at mediation.

#### **CSM Storage & Archives v Linde Handling**

Successfully represented the Claimant in claim for breach of contract / negligence arising out of damage to a container handling vehicle.

#### **White Young Green v Pearson Jones**

Represented the defendant to a high-value professional negligence claim that settled before trial (led by [Nicolas Stallworthy QC](#)).

#### **Eddie Stobart v Aikman**

Represented over 30 Claimants in High Court proceedings in the QBD concerning a breach of contractual terms relating to employer pension contributions. A favourable settlement was reached before trial.

#### **Ensign Fuels v Ensign Bus Company**

Represented the Claimant in a claim for negligence / breach of contract arising out of the wrongful delivery of red diesel.

#### **Webber v Department for Education**

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## Appointments & Memberships

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- APL
- COMBAR
- ELA
- ELBA
- ILS

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## Awards

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- Denning Scholarship

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## Recommendations



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## Testimonials

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“He’s really excellent and really knows his stuff, particularly in employment cases relating to pensions.”

**Employment, Chambers & Partners 2021**

“He is intelligent, strategically astute, and a highly effective advocate who is able to achieve excellent results even in the most difficult cases.” **Employment, Chambers & Partners 2021**

“He is able to get to grips with complex technical issues with speed and produce clear and pragmatic advice.” **Pensions, Chambers & Partners 2021**

“A fantastic barrister with a first rate mind. Great at getting to the heart of problems and providing solutions for his clients. A trusted adviser and a clear communicator.” **Pensions, Legal 500 2021**

“Highly recommended. He gets up to speed on complex matters quickly, places nervous clients at ease, and makes strong, strategic decisions.” **Employment, Legal 500 2021**

“A very knowledgeable advocate who is able to quickly get to grips with complex legal and factual matters.” **Employment, Chambers & Partners 2020**

“A studious and clear lawyer who is handling very interesting cases.” **Employment, Chambers & Partners 2020**

“He’s very personable and technically very strong.” **Pensions, Chambers & Partners 2020**

“His considerable intellect and personable manner make him well-suited to both complex employment and pensions cases.” **Pensions, Legal 500 2020**

Highly able employment barrister who fights hard for his client and combines excellent judgement with attractive and forceful advocacy. **Employment, Legal 500**

“Polished, confident and technically excellent.” **Pensions, Chambers & Partners 2019**

“He assimilates information swiftly and thinks creatively to come up with novel approaches to overcome issues.” **Pensions, Chambers & Partners 2019**

“A calm and well-prepared advocate who gives clear and confident advice.” **Pensions, Legal 500 2019**

“He provides clear and confident advice that is commercially sensible.” **Employment, Legal 500 2019**

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"He is extremely intelligent, pragmatic and helpful, and he has a really warm and charming manner with both solicitors and lay clients." **Pensions, Chambers & Partners 2018**

"His strength is in the detail, he has a great memory and he is good at analysing how certain events could impact the bigger picture." **Pensions, Chambers & Partners 2018**

"He has great memory recall and always considers the bigger picture." **Pensions, Legal 500 2017**

"A passionate barrister with conviction." **Employment, Legal 500 2017**

"Saul has been extremely good operating in a team of leading counsel and solicitors to conclude extremely complex cases to the clients' satisfaction." **Pensions, Chambers & Partners 2017**

"He is one to watch – an excellent tactician." **Employment, Chambers & Partners 2017**

"He is conscientious and is always available at the end of the phone to deal with any questions as they arise." **Employment, Chambers & Partners 2017**

"Bright, capable and attentive – one to watch." **Employment, Legal 500 2016**

"A particularly engaging advocate. Very thorough and very convincing, and he uses his light touch to considerable effect." **Employment, Chambers & Partners 2016**

"Brilliant in his oral advocacy, and fearless." **Employment, Chambers & Partners 2016**

"Incredibly hard-working" with "a really sharp, accurate brain" and "a really good team player".  
**Pensions, Chambers & Partners 2016**

"He is very knowledgeable and has got a good grasp of pensions matters." "Incredibly hard-working, he has a really sharp, accurate brain and he works through issues quickly and impressively. He's also a really good team player." **Pensions, Chambers & Partners 2015**

"A junior of choice." **Pensions, Legal 500 2015**

"We are impressed by the level of detail provided by Saul." **Pensions, Chambers & Partners 2014**

"He provides excellent client care." **Pensions, Legal 500 2014**

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