

## YEAR OF CALL

Tim Holloway

## EMAIL

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## YEAR OF CALL

1991

## AREAS OF LAW

Civil, Employment Law, Regulatory Law

## OVERVIEW

**Tim is an established leading junior of over 32 years' call, ranked as a Tier 1 Leading Junior in Inquests and Inquiries in The Legal 500 2024.**

He is a member of the A Panel of the Attorney General's Regional Panel of Counsel to the Crown to which he was appointed in 2000 and has 18 years' experience of Government litigation and article 2 inquests involving Government Departments.

His principal fields of practice include Crown proceedings, Coroners' investigations and inquests, civil liberties and human rights claims, prison and police law, multi-track personal injury and clinical negligence claims and Employment Tribunal claims, coupled with substantial experience of public interest immunity applications and civil procedure. His work as Counsel to the Crown also encompasses public law, regulatory and immigration work.

Tim's advocacy experience includes both civil jury trials and jury inquests. He has been instructed in cases in Courts at all levels up to and including the Court of Appeal, including the Queen's Bench, Family and Chancery Divisions of the High Court, the Administrative Court and Coroner's Courts and in a range of Tribunals including Employment Tribunals, the First Tier Tribunal (Care Standards) and the Upper Tribunal (Immigration and Asylum Chamber).

Tim undertakes work against Leading Counsel.

## EDUCATION

- 1987-1990 BA (Cantab) St John's College University of Cambridge (Law Tripos)
- 1990-1991 Inns of Court School of Law, London
- 1994 MA (Cantab) St John's College, University of Cambridge

## APPOINTMENTS AND AWARDS

- Attorney General's Regional Panel of Counsel to the Crown ("A" Panel) 2000 – Present
- Assistant Coroner 2018 – Present

## PROFESSIONAL MEMBERSHIPS

- The North West and North Wales Coroners' Society
- The Coroners' Society of England and Wales
- Professional Negligence Bar Association
- Northern Circuit Medical Law Association

## RECOMMENDATIONS

2006: Recommended in Chambers & Partners for Police Law.

As Counsel to the Crown, Tim appears in The Legal 500 annually.

Legal 500, 2020 - "Particularly experienced with deaths in custody."

Legal 500, 2017 - "His practice includes police work."

Legal 500, 2016 - "Recommended for inquests"

Legal 500, 2015 Edition - "Very attentive and thorough"

Legal 500, 2014 Edition - "He provides comprehensive and pertinent advice"

## APPOINTMENTS AND INTERNAL POSITIONS HELD

- Attorney General's Regional Panel of Counsel to the Crown ("A" Panel) 2000 - Present
- Registered Pupil Supervisor 2002
- Oriel Chambers Standards Committee (present Chair) 2005-2008; 2015 - Present
- Oriel Chambers Management Committee 2008-2015
- Assistant Coroner 2018 - Present

## EXTERNAL INTERESTS

Tim participates in a local secondary school's biannual careers convention with a view to providing helpful but realistic guidance on legal careers. He is a proficient skier, qualified scuba diver, competitive ballroom dancer, sometime clarinetist and a passable amateur artist.

## CROWN PROCEEDINGS / GOVERNMENT LITIGATION

Having been called to the Bar in 1991, Tim was appointed to the Attorney General's Regional Panel of Counsel to the Crown in 2000 and has 18 years' experience of Crown proceedings and Government litigation and article 2 inquests involving Government Departments.

He is a member of the "A" Panel.

In that capacity he has undertaken a diverse array of advocacy and advisory work for Government departments and related bodies and agencies including the Ministry of Justice and National Offender Management Service (HM Prison Service and National Probation Service), Ministry of Defence, Home Office, Foreign and Commonwealth Office, Cabinet Office, Attorney General's Office, Department for Constitutional Affairs, Department for Transport, HM Revenue and Customs, Crown Prosecution Service, HM Land Registry and Food Standards Agency, Ofsted and the DVLA having been instructed in cases in Courts at all levels up to the Court of Appeal, including the Queen's Bench, Family and Chancery Divisions of the High Court, the Administrative Court, Coroner's Courts and in a range of Tribunals including Employment Tribunals, the First Tier Tribunal (Care Standards) and the Upper Tribunal (Immigration and Asylum Chamber).

His work in this capacity has included, by way of example:

- Claims in malicious prosecution, misfeasance in public office, false imprisonment, trespass to the person, breach of confidence/misuse of private information and related torts;
- Claims relating to the human rights of prisoners including claims under the Human Rights Act 1998 referable to Articles 2, 3, 5, 6, 8, 10, 13 and 14 of the Convention;
- Claims under the Data Protection Act 1998;
- Cases involving issues of public interest immunity in both the Family and Queen's Bench Divisions of the High Court and in the Crown Court;
- Anonymity applications in civil proceedings;
- Article 2 inquests relating to deaths in custody involving human rights considerations, issues relating to the adequacy of medical and non-medical care and issues relating to unlawful killing;
- Multi-track personal injury claims including fatal accident, brain damage and catastrophic injury claims, mesothelioma and other disease claims and claims relating to accidents involving members of the Armed Forces;
- Clinical negligence claims including claims concerning the provision of medical services in prisons and in the Armed Forces;
- Claims concerning issues of jurisdiction and the extraterritorial ambit of domestic legislation;
- Sexual and physical abuse claims and issues relating to limitation and vicarious liability in that context;
- Employers' liability claims for alleged harassment and bullying;
- Employment Tribunal claims under the Equality Act 2010;
- Appeals to the First Tier Tribunal (Care Standards);
- Judicial review;
- Claims against the judiciary;
- Defamation claims;
- Proceedings for an indemnity under the Land Registration Act 2002;
- Condemnation proceedings.

(Further examples appear under other practice areas below)

**HINDS v (1) LIVERPOOL COUNTY COURT (2) LIVERPOOL CITY COUNCIL (3) CAFCASS (4) CHIEF CONSTABLE OF GREATER MANCHESTER (5) BRIAN TULLY [2008] EWHC 665 (QB) (representing "Liverpool County Court")**

Civil High Court claim pursued under the Human Rights Act 1998 referable to alleged contraventions of Articles 3, 6, 8, 13 and 14 of the ECHR



relating to antecedent and ongoing care proceedings in the County Court and Family Division and concerning the application of the principle of judicial immunity and of *Sirros v Moore* [1975] QB 118, the underpinning of that principle by the Crown Proceedings Act 1947 s.2(5), the interpretation of "judicial process" within the meaning of that provision following *Quinland v Governor of Swaleside Prison* [2002] EWCA Civ 174, the issues of whether the principle of judicial immunity offended the ECHR and of whether any claim could arise under the Human Rights Act 1998 and the interpretation and application of the above Articles in the context of the particular facts of the case.

Cited in *Tofigh Pius v Richard Fearnley sub nom v Tofigh Pius v Chief Land Registrar : Tofigh Pius v William Raynsford & Ors* [2013] EWHC 2216 (Ch).

#### **MOHAMMED JAMA v MINISTRY OF JUSTICE [2012] EWHC 533 (QB) (representing the Ministry of Justice)**

Civil claim pursued under section 7 of the Human Rights Act 1998 by reference to alleged contraventions of articles 5(1), 5(4), 8 and 14 of the ECHR, in negligence and under the Race Relations Act 1976.

The issues concerned the legislative framework of Chapter 6 of the Criminal Justice Act 2003 and of the applicable provisions of the Immigration Act 1971, the policy and procedural provisions of the applicable Prison Service Orders and Prison Service Instructions for the management of Home Detention Curfew ('HDC'), the administrative arrangements within a Young Offender Institution and the Immigration and Nationality Directorate for giving effect to the HDC scheme for foreign national prisoners, the jurisprudence of the domestic Courts and the European Court of Human Rights pertaining to Article 5(1) and 5(4) of the Convention in the context of both determinate and indeterminate sentencing, the rationale for HDC which negated any argument that the 1976 Act and/or the relevant policy regarding HDC unjustifiably discriminated against foreign national prisoners, limitation under the 1976 Act, the distinction between mistake and discrimination and the jurisprudential issues arising out of allegations of negligent administration and detention and the alleged existence of a duty of care.

The claim that a duty of care existed was described by Parker J as "yet another attempt substantially to shift the boundaries of the tort of negligence, by an invitation to recognise a further form of administrative "negligent detention" as founding a common law cause of action".

Cited in *Kenneth McCreaner v Ministry of Justice* [2014] EWHC 569 (QB).

#### **MARSH V MINISTRY OF JUSTICE [2017] EWHC 1040 (QB) (representing the Ministry of Justice)**

Non-existence of a private law duty of care upon a Government department assisting a police operation to provide exculpatory material relating to an individual under investigation to the police (distinguishing *Holladay v East Kent Hospitals NHS Trust* [2003] EWCA Civ 1696).

Deductibility of a compensation payment administered under a scheme, distinguishing *Parry v Cleaver* [1970] AC 1 and *Longden v British Coal Corp* [1998] AC 653).

#### **J V HM REVENUE AND CUSTOMS (2017) (representing HM Revenue and Customs)**

Employment Tribunal claim under section 98 of the Employment Rights Act 1996 in unfair dismissal and under the Equality Act in harassment and disability discrimination.

#### **BYNOE V MINISTRY OF JUSTICE (2017) (representing the Ministry of Justice)**

A claim pursued initially in negligence and arising out of an alleged series of errors in recording and interpreting the sentence passed upon the Claimant following his conviction on indictment in the Crown Court in 2007, the Claimant having been granted permission to amend the claim so as to introduce a claim under section 7 of the Human Rights Act 1998 referable to an alleged breach of Article 5 following the decision of the Supreme Court in *R (Haney) et al v Secretary of State for Justice* [2015] 2 WLR 76 and the related case of (1) *Knights* (2) *O'Brien* v (1) Parole Board of England & Wales (2) Secretary of State for Justice [2015] EWHC 136 (Admin).



The Crown Court had passed an indeterminate sentence for public protection which was not identified in the warrant presented to the prison.

The claim concerned the issue of the entitlement of the Defendant to rely upon a warrant valid on its face, the jurisprudential territory of the boundaries of the tort of negligence and the issue of whether an alleged ancillary duty implicit in the scheme of Article 5 to provide a reasonable opportunity to the Claimant to rehabilitate himself and to demonstrate that he no longer presented an unacceptable risk to the public had been breached. The claim in negligence was dismissed by The Mayor's and City of London Court and permission to appeal was refused on paper and at an oral permission hearing by the Court of Appeal.

**C v MINISTRY OF DEFENCE (2017) (representing the Ministry of Defence)**

Personal injury claim arising out of the Claimant's military training and progression through medical rehabilitation.

**F v MINISTRY OF DEFENCE (2017) (representing the Ministry of Defence)**

Personal injury claim arising out of the Claimant's military training and alleged deficiencies in clinical care and rehabilitation.

## INQUEST

Tim is a prominent advocate in Coroners' and jury inquests including those concerning prison, probation, police and clinical care, self-inflicted deaths, drugs related deaths, accidental deaths and issues relating to unlawful killing.

A substantial proportion of his inquest work comprises Article 2 inquests arising out of deaths in custody, of which he has very considerable experience.

Tim acts on behalf of Government departments, including the Ministry of Justice, Home Office and Ministry of Defence and on behalf of Chief Constables, doctors, insurers and bereaved families and advises at all stages of proceedings.

As with other aspects of his practice he is instructed to undertake inquest work nationally.

He was recommended for inquests in the Legal 500 2016 and has delivered seminars on the subject of inquest law and procedure.

Examples

**INQUEST TOUCHING THE DEATH OF A (anonymised) (representing the Ministry of Justice)**

Article 2 jury inquest arising out of a death in custody in which the issue arose of whether the Deceased had taken synthetic cannabinoids and, if so, the circumstances in which he had done so and whether that had been done voluntarily.

**INQUEST TOUCHING THE DEATH OF B (anonymised) (representing the Ministry of Justice)**

Article 2 jury inquest involving 9 properly interested persons arising out of a death in custody following an aborted prosecution of a prison officer for an alleged offence of misconduct in public office and further criminal investigations.

The inquest concerned the self-inflicted death of a prisoner following his high profile arrest and charge on 48 counts of sexual offences relating to the alleged abuse of children.



The inquest concerned the medical and pastoral care provided to the deceased in the context of ostensibly deliberate attempts to self-harm and the interplay between the responsibilities of escort, medical and disciplinary staff.

**INQUEST TOUCHING THE DEATH OF C (anonymised) (representing the Ministry of Justice)**

Article 2 jury inquest arising out of a death in custody concerning the medical and pastoral care provided to the Deceased who was known to self-injure.

**INQUEST TOUCHING THE DEATH OF D (anonymised) (representing the Ministry of Justice)**

Article 2 jury inquest arising out of a death in a custody by hanging concerning the issues of whether there was a background of bullying and/or debt and the Deceased's mental state.

**INQUEST TOUCHING THE DEATH OF E (anonymised) (representing the Ministry of Defence)**

Article 2 jury inquest arising out of the death of a contractor as a consequence of an unexplained fall between the decks of a naval vessel berthed in Birkenhead docks.

**INQUEST TOUCHING THE DEATH OF F (anonymised) (representing the bereaved family)**

Inquest arising out of the accidental death of a young child for which specialist pathological evidence was required to explain the medical cause of death. The issues included the appropriateness of the clinical care provided prior to death.

**CIVIL LIBERTIES / HUMAN RIGHTS / POLICE AND PRISON LAW (INCLUDING CLAIMS IN FALSE IMPRISONMENT, MALICIOUS PROSECUTION, MISFEASANCE IN PUBLIC OFFICE, TRESPASS TO THE PERSON, BREACH OF CONFIDENCE/MISUSE OF PRIVATE INFORMATION AND RELATED TORTS)**

Tim acts for Government departments, the Crown Prosecution Service, Chief Constables, claimants and others in claims concerning civil liberties, human rights, police and prison law. His experience encompasses the conduct of civil jury trials.

Areas of work covered include claims under the Human Rights Act 1998 referable to alleged contraventions of the ECHR, malicious prosecution, misfeasance in public office, false imprisonment, trespass to the person, breach of confidence/misuse of private information and related torts and claims under the Data Protection Act 1998.

As a member of the Attorney General's Regional Panel of Counsel to the Crown, Tim has developed considerable experience of claims relating to prisons including claims relating to detention pursuant to determinate and indeterminate sentences.

He is presently instructed on behalf of the Crown Prosecution Service in a High Court claim in malicious prosecution and misfeasance in public office pursued by 3 claimants acquitted of conspiracy to murder in a high profile Crown Court trial.

Examples

**MOHAMMED JAMA v MINISTRY OF JUSTICE [2012] EWHC 533 (QB) (representing the Ministry of Justice)**

Above

**BYNOE V MINISTRY OF JUSTICE (2017) (representing the Ministry of Justice)**

Above



**A & OTHERS v (1) CHIEF CONSTABLE OF SOUTH YORKSHIRE POLICE (2) CROWN PROSECUTION SERVICE (anonymised) (2017) (representing the Crown Prosecution Service)**

High Court claim in malicious prosecution and misfeasance in public office arising out of the prosecution of the claimants on charges of conspiracy to murder.

**CHIEF CONSTABLE OF GREATER MANCHESTER POLICE v A (anonymised) (2017)(representing the Chief Constable)**

Matter concerning an application in the Crown Court pursuant to section 59 of the Criminal Justice and Police Act 2001, the background to which included the execution of a warrant at the home address of the Respondent pursuant to PACE s8 and a judicial review pre-action protocol letter to the Chief Constable and Greater Manchester Magistrates Court' challenging the issuance and execution of the warrant, contending that devices sought under the warrant consisted of or included excluded material and special procedure material.

The issues involved the appointment of independent Counsel to address the issue of whether material in respect of which objection to examination was raised contained excluded or special procedure material which was not material that could be retained lawfully in the circumstances listed in sections 55 and 56 of the CJA 1991, the management of a related public interest immunity application and legal issues relating to R (on the application of El-Kurd) v Winchester Crown Court [2011] 1 Lloyd's FC Rep. 1 469 (discretionary power conferred by the Criminal Justice and Police Act 2001 s.59(6) to order retention of property seized by the Serious Organised Crime Agency extends to property seized pursuant to a search warrant which was, by reason of a technical defect, unlawful).

**B v MINISTRY OF JUSTICE & OTHERS (anonymised) (2016) (representing the Ministry of Justice)**

Claim pursued by a life sentenced prisoner in misfeasance in public office and under the Data Protection Act 1998 concerning allegations that, by reason of bad faith and a data protection breach he had lost the chance of being granted escorted absence. The legal issues included those of whether there was a loss of "residual liberty" or any other recoverable loss, the distinction to be drawn between the principles applicable to the tort of misfeasance in public office and public law principles applicable to judicial review proceedings and the application of sections 13, 14 and 70 of the Act.

**C v MINISTRY OF JUSTICE (anonymised) (2017) (representing the Ministry of Justice)**

Claim pursued under section 7(1) of the Human Rights Act 1998 in which the Claimant prisoner alleged that his right to respect for his correspondence under Article 8 and his right of freedom of expression under article 10 had been contravened by the interference by the Defendant with material intended by him for publication and concerning the application of the principles established in R (on the application of (1) BBC (2) Dominic Casciani v Secretary of State for Justice & Babar Ahmad [2012] EWHC 13 (Admin), R v Secretary of State for the Home Department, ex parte Simms [2000] 2 AC 115 and Huang v Secretary of State for the Home Department [2007] 2 AC 167.

**D v CHIEF CONSTABLE OF WEST MIDLANDS POLICE (anonymised) (2016) (representing the Chief Constable)**

Personal injury claim arising out of a police dog bite injury pursued in the tort of trespass to the person (battery) and under section 7 of the Human Rights Act 1998 by reference to articles 3, 5 and 8 of the ECHR, the Claimant also seeking to rely upon section 37(2) of the Police and Criminal Evidence Act 1984, section 11 of the Children Act 2004 and certain provisions of the UN Convention on the Rights of the Child.

Issues included the question of estoppel and abuse of process referable to a prior partial settlement, the extent of entitlement to a jury trial under section 66 of the County Courts Act 1984, the application of and the exercise of discretion under section 7 of the Rehabilitation of Offenders Act 1974 and the powers of individuals and constables under section 3(2) of the Criminal Law Act 1967 and section 117 of the Police and Criminal Evidence Act 1984 to use force.



**E & OTHERS v MINISTRY OF JUSTICE & OTHERS (anonymised) (2016) (representing the Ministry of Justice)**

Claim arising out of a death in custody and pursued under section 7(1) of the Human Rights Act referable to alleged contraventions of Articles 2, 3 and 8 of the ECHR and under the Law Reform (Miscellaneous Provisions) Act 1934 and the Fatal Accidents Act 1974 referable to alleged negligence and misfeasance in public office.

**F v MINISTRY OF JUSTICE (anonymised) (2015) (representing the Ministry of Justice)**

Human rights claim arising out of the alleged wrongful opening of the Claimant prisoner's legal correspondence.

**G v MINISTRY OF JUSTICE (anonymised) (2014) (representing the Ministry of Justice)**

Personal injury claim arising out of a serious assault on a prisoner who had been acting as a "listener" by the prisoner into whose cell he had been placed and concerning the extent of any duty of care, following *Ellis v Home Office* [1953] 2 All ER 149 and *Hartshorn v Home Office* [1999] Prison LR 4 LTL 21/1/99.

## PERSONAL INJURY

Tim has over 26 years' experience of personal injury litigation and acts on behalf of both claimants and defendants, predominantly but not exclusively in multi-track claims. His practice encompasses public, employers' and occupiers' liability claims, fatal accident claims, industrial disease claims, litigation involving public authorities and statutory undertakers/utility companies and Crown proceedings, together with contractual aspects of such claims where applicable. His experience of drafting complex schedules of loss and counter schedules in claims of high value is extensive and combined with practical experience of claims for provisional damages and periodical payments and the drafting of the requisite orders upon settlement in such cases.

### Examples

**A v MINISTRY OF DEFENCE (anonymised) (2016) (representing the Ministry of Defence)**

High Court personal injury claim arising out of a brain injury sustained by the Claimant in the course of military training and incorporating a claim for periodical payments.

**B v C (anonymised) (2016) (representing the Claimant)**

High Court 7 figure catastrophic injury and provisional damages claim arising out of a motorcycle accident involving highly complex medical evidence derived from a range of clinical experts and including colorectal, urological, ophthalmic, orthopaedic, psychiatric, endocrinology, cardiology, neurological and nursing evidence together with forensic accountancy evidence

**D v E (anonymised) (2015) (representing the Claimant)**

High Court 7 figure personal injury claim arising out of a road traffic accident concerning complex financial losses stemming from the loss of the Claimant's property development business.

**F v MINISTRY OF JUSTICE (anonymised) (2015) (representing the Defendant)**

Personal injury claim arising out of alleged assaults upon the Claimant by another prisoner and the issue of whether the Defendant had negligently failed to avert those assaults.



## CLINICAL NEGLIGENCE

Tim undertakes clinical negligence work and other aspects of his practice, such as inquests and personal injury claims often include elements relating to the standard or appropriateness of clinical care.

Tim is a regular attendee at the Professional Negligence Bar Association annual clinical negligence residential seminar held in Oxford and Cambridge.

Examples

### **A v BRAINTREE CLINICAL SERVICES LIMITED (anonymised) (representing the Defendant)**

6 figure clinical negligence claim in the Royal Courts of Justice arising out of the allegedly negligent performance of orthopaedic surgery.

### **INQUEST TOUCHING THE DEATH OF E (anonymised) (representing General Practitioners)**

Pre-inquest review in the course of a Coroner's investigation into a death of apparent cardiac cause, the issues including those of whether this was consequent upon the administration of chemotherapy from a mobile pump, whether there was any systemic failing on the part of the specialist oncology unit responsible for the Deceased's care and the adequacy of the out of hours care.

### **B v MINISTRY OF JUSTICE (anonymised) (representing the Ministry of Justice)**

Issues of clinical negligence pertaining to the development of compartment syndrome and consequent nerve injury arising in the context of a personal injury claim.

## PUBLIC INTEREST IMMUNITY AND ANONYMITY

Tim's experience of public interest immunity applications extends to applications in the Family Division of the High Court, Queen's Bench Division of the High Court, the Crown Court and the County Court and he is familiar with the use of special advocates.

Examples

### **MARSH v MINISTRY OF JUSTICE (CHIEF CONSTABLE OF SURREY CONSTABULARY – NON-PARTY RESPONDENT) [2015] EWHC 324 (QB) (representing the Ministry of Justice)**

Procedural requirements for public interest immunity applications; costs consequences of non-compliance by a non-party.

### **JAMES MARSH (Claimant) v MINISTRY OF JUSTICE (Defendant) & CHIEF CONSTABLE OF SURREY CONSTABULARY (Non-Party) [2015] EWHC 3767 (QB) (representing the Ministry of Justice)**

Public interest immunity in a civil High Court personal injury claim and the principles and procedures applicable thereto; article 8 rights and anonymity of non-parties; use of redaction; principles to be applied upon an assertion of judicial bias being made (whether actual or by way of appearance); independence of the judiciary from the executive.

R v X (anonymised) (representing the Ministry of Justice)



Public interest immunity application in the Crown Court in the course of a trial on indictment for attempted murder and wounding consequent upon the Defendant's application for disclosure of documentation, the issues of law relating to the provisions of the Criminal Procedure and Investigations Act 1996 and the principles applicable following *R v H* [2004] 2 AC 134 HL.

***R v 1) X 2) Y (anonymised) (representing the Ministry of Justice)***

Public interest immunity application in the Crown Court, the issues of law relating to the provisions of the Criminal Procedure and Investigations Act 1996 and the principles applicable following *R v H* [2004] 2 AC 134 HL and *Re T (Wardship)* [2009] EWHC 2440 (Fam.) [2010] 1 FLR 1048.

## CIVIL PROCEDURE

Tim's work encompasses all aspects of civil procedure applicable to personal injury, human rights and general civil litigation.

Example

***STEPHEN ORRIN V PETER ASHCROFT Court of Appeal (Brooke LJ, Mummery LJ, Sir John Balcombe) (representing the successful Appellant)***

Striking out for abuse of process where a party showed no sign of attempting to bring the action to a conclusion.

***A & ANOTHER v (1) COMMISSIONER OF POLICE OF THE METROPOLIS (2) CROWN PROSECUTION SERVICE (anonymised) (representing the Crown Prosecution Service)***

Procedural aspects of strike out and summary judgment applications in a claim pursued in malicious prosecution, misfeasance in public office, the tort of conspiracy and under section 7(1) of the Human Rights Act 1998.

***CARSON v (1) CHIEF CONSTABLE OF MERSEYSIDE POLICE & (2) MANWEB Court of Appeal (Unrep.) (representing the successful Respondent)***

Striking out of a claim in malicious prosecution and trespass to land.

## EMPLOYMENT

Tim undertakes unfair dismissal claims and discrimination, harassment and victimisation claims under the Equality Act 2010.

Examples

**A v HM REVENUE AND CUSTOMS (anonymised) (representing HM Revenue and Customs)**

Disability discrimination claim under the Equality Act 2010 relating to multiple conditions.

**B v COMMISSIONERS FOR HM REVENUE AND CUSTOMS (anonymised) (representing HM Revenue and Customs)**

Disability discrimination claim under the Equality Act 2010 relating to visual impairment.

**C v COMMISSIONERS FOR HM REVENUE & CUSTOMS (anonymised) (representing HM Revenue and Customs)**

Claim in disability discrimination, harassment and victimisation under the Equality Act 2010.

## PUBLIC LAW

Tim undertakes public law advisory and adversarial work in the course of his work as a member of the Attorney General's Regional Panel of Counsel to the Crown and where it pertains to other areas of his practice, such as inquests.

Examples

**R v (1) DRIVER & VEHICLE LICENSING AUTHORITY DRIVERS MEDICAL GROUP (2) DEPARTMENT OF TRANSPORT EX PARTE A (anonymised)**

Claim for interim relief arising out of a stated intention to revoke a licence.

**(1) D & (2) E v SECRETARY OF STATE FOR THE HOME DEPARTMENT (anonymised)**

Substantive judicial review hearing in the Upper Tribunal (Immigration and Asylum Chamber), the proceedings arising as a consequence of the issuance of curtailment of leave letters, ostensibly pursuant to paragraph 323A(a)(i)(2) of the Immigration Rules applicable to Tier 2, 4 and 5 migrants, the issue being whether the Respondent had misdirected herself in the circumstances that the Claimants had transferred to a different employer.

## REGULATORY

Tim undertakes regulatory work in the course of his work as a member of the Attorney General's Regional Panel of Counsel to the Crown

Examples

### **RE A (representing the Secretary of State)**

Successful resistance of an appeal to the First Tier Tribunal (Care Standards) relating to the management of and care provided by 3 nursing homes.

### **RE B (representing the Ofsted)**

Ofsted appeal relating to the alleged abuse of a child.

### **RE C (representing the Secretary of State)**

Appeal to the First Tier Tribunal (Care Standards) relating to the alleged abuse of a vulnerable adult.

## IMMIGRATION

Tim undertakes some immigration work for Respondents and has undertaken immigration law training provided by the Government Legal Department.

Examples

### **A v SECRETARY OF STATE FOR THE HOME DEPARTMENT (anonymised) (representing the Secretary of State)**

Oral permission hearing in the Upper Tribunal (Immigration and Asylum Chamber) in which the Claimant contended that the SSHD had failed to treat her submissions as a fresh application, asserting that there had been no anxious scrutiny.

### **B v SECRETARY OF STATE FOR THE HOME DEPARTMENT (anonymised)(representing the Secretary of State)**

Hearing in the Upper Tribunal (Immigration and Asylum Chamber) consequent upon the Claimant's request for an oral consideration of an application for permission to apply for judicial review. The Claimant sought an order quashing a decision refusing his representations as a fresh claim pursuant to paragraph 353 Immigration Rules (HC 395 as amended), an order requiring the Respondent to treat the Applicant's representations as a fresh claim and, if it was her decision to refuse the claim, the grant of an in-country right of appeal or, in the alternative, an order requiring the Applicant to reconsider the Applicant's case. The Claimant claimed a risk of persecution or treatment contrary to Article 3.