



PUMP COURT
CHAMBERS

3 Pump Court, Temple, London, EC4Y 7AJ

T: 020 7353 0711
F: 0845 259 3241
DX: 362 London, Chancery Lane

31 Southgate Street, Winchester, SO23 9EB

T: 01962 868161
F: 0845 259 3240
DX: 2514 Winchester

5 Temple Chambers, Temple Street, Swindon, SN1 1SQ

T: 01793 539899
F: 0845 259 3242
DX: 38639 Swindon 2

Contents

Employment	1
Selected Cases	2
Criminal	3
Selected Cases	4
Commercial	4
Regulatory & Disciplinary	4



TIMOTHY DRACASS

"He's very good at client handling and very well organised, he has a strong analytical mind, and the word 'unflappable' comes to mind as he takes most things in his stride."

Chambers & Partners 2019

Call: 1998

For enquiries please call +44 (0)20 7353 0711 or email

Timothy Dracass specialises in employment law, bringing together expert subject knowledge with many years' experience of tribunal, civil and criminal court advocacy.

He is recommended in the latest edition of 'Chambers & Partners' and the 'Legal 500' for his expertise within the employment law sphere.

Tim is responsible for editing and producing the Pump Court Chambers Employment Team Newsletter.

Employment

Tim is an employment law specialist with 16 years of experience at the Bar. He is recommended for his work in the employment field in the latest editions of 'Chambers and Partners' and 'The Legal 500'.

He is frequently instructed to represent claimants and respondents in the Employment Tribunal and the Employment Appeal Tribunal in a wide range of cases. Tim has acted for some notable business clients, including blue-chip companies such as B&Q and Sainsbury's. He has considerable experience of all types of employment litigation including complex and multi-day hearings and cases involving sizable compensation claims.

Tim regularly advises on and appears in cases involving:

- Unfair dismissal/ constructive dismissal
- Redundancy
- Discrimination (including harassment and victimisation)
- TUPE

- Grievance and disciplinary procedures
- 'Whistle-blowing' / health and safety
- Equal pay
- Breach of contract
- Unlawful deduction from wages
- Holiday pay

Tim also regularly appears in County Court and High Court proceedings, particularly in employment-related matters such as protection from harassment claims, restraint of trade and negligent reference cases. Drawing on his past experience of criminal advocacy, he has an interest in professional disciplinary and regulatory proceedings and has previously acted in directors' disqualification proceedings. Tim is licensed to accept instructions under the direct public access scheme in appropriate cases.

Selected Cases

Lewis v London Borough of Newham (East London ET, December 2014)

Instructed to represent the Respondent at a 6 day hearing involving multiple and historical allegations of discrimination. Claims for disability discrimination and unfair dismissal were successfully resisted.

C v CCC Ltd (Southampton ET, July 2014)

Advised and represented the Respondent facing a raft of different claims from a former employee including equal pay, sex discrimination and constructive dismissal. Dealt with a 4 day hearing to consider the issue of 'like work' on the equal pay claim. Judgment on this issue was successfully obtained in favour of the Respondent.

M v A Ltd (Birmingham ET, June 2014)

Acted for the Respondent company facing claims for unfair dismissal, wrongful dismissal and unlawful deduction from wages. The hearing involved complex issues of fact and law and lasted 5 days.

Feng v British American Tobacco (Southampton ET, April 2014)

Acted for the Respondent company who faced claims brought by a former employee for unfair dismissal, race discrimination / victimisation and disability discrimination. Successfully defended all claims after a contested 5 day hearing.

Flocks v Sussex Police (London South ET, January 2014)

Appeared on behalf of the Respondent in a complex 3 day unfair dismissal claim following a reorganisation / restructuring exercise. Judgment pending.

Hunt v Southern Health NHS Foundation Trust (Havant ET, January 2014)

Acted for the Claimant in a whistle-blowing constructive dismissal claim against the NHS. After a four day liability hearing the Claimant succeeded in her constructive unfair dismissal claim and was awarded substantial compensation at a subsequent remedies hearing.

S v M Ltd (Southampton ET, December 2013)

Advised and represented a senior health and safety manager in a high value unfair dismissal and whistle-blowing claim. The case was listed for a 5 day ET hearing and was settled on the second day.

R v S Ltd (East London ET, August 2013)

Acted for the Claimant in a serious and complex whistle-blowing and constructive dismissal case. The hearing lasted 3 days in London East ET. The Tribunal upheld all of the Claimant's complaints leading the quantum claim being settled on confidential terms.

Boeree v Spine Clinic Ltd (in liquidation) & Others (Southampton ET, July 2013)

Instructed on behalf of the administrator in a complex a multi-party TUPE case, which resulted in a further contested costs hearing before Southampton ET. Successfully resisted the application for costs and managed to win a 'cross-costs application'.

Kostova v Smithie UK Ltd & Another (Southampton ET, April 2013)

Successfully represented the Respondent company (and the named individual Respondent) facing sex discrimination claims brought by a former employee. The case involved serious allegations of a sexual nature. After a hearing at Southampton ET, the Tribunal found in favour of the Respondents on every point and all claims against them were dismissed.

Criminal

Tim has many years experience of criminal advocacy having appeared in numerous Crown Court jury trials and Court of Appeal hearings.

His cases have covered the full range of criminal allegations in nature, complexity and severity including violence, drugs, dishonesty and fraud, sexual offences and road traffic offences. A number of his cases have attracted considerable media attention (examples include a case involving a well-known musician and a high profile bomb hoax case).

Selected Cases

[R v Cross, May 2009, Court of Appeal Criminal Division](#)

Represented Crown on an appeal against conviction following what appeared to be inconsistent verdicts by the jury at trial.

[R v F, November 2007, Court of Appeal Criminal Division](#)

Successfully appealed against a sentence imposed for robbery.

[R v Freeman \[2007\] EWCA Crim 407, \[2007\] All ER \(D\) 246 \(Feb\)](#)

Successfully resisted an appeal against conviction involving the law relating to inferences from silence.

[R v Lewendon \[2006\] 1 WLR 1278](#)

Successfully resisted an appeal against conviction involving the law in relation to proof of previous convictions for bad character applications.

[R \(on application of W\) v Southampton Youth Court \[2003\] 1 Cr App R \(S\) 87](#)

Appeared for the Crown on a judicial review case relating to 'grave crime' arguments.

Commercial

Tim also regularly appears in County Court and High Court proceedings, particularly in employment-related matters such as protection from harassment claims, restraint of trade and negligent reference cases.

Regulatory & Disciplinary

Drawing on his experience of criminal advocacy, he has an interest in professional disciplinary and regulatory proceedings and has previously acted in directors' disqualification proceedings.