

12

King's Bench Walk

Tim Goodwin

Call: 2019
goodwin@12kbw.co.uk



AREAS OF EXPERTISE

Employment & Discrimination, Personal Injury, Professional Regulatory & Discipline, Industrial Disease, International & Travel

Tim's practice is focused on all types and elements of employment disputes, together with a broad range of personal injury matters. Tim also has an expanding practice in a wide range of 12KBW's other specialist areas, including employer's liability, confidentiality, industrial disease and travel.

Tim has considerable advocacy experience, and appears in tribunal, small claims, fast track and other civil court forums on a near-daily basis. He combines his court work with advisory and drafting work, and can be depended on to deliver results consistently and quickly. Tim also has experience in alternative dispute resolution, including formal, informal and judicial mediations, settlement negotiations and arbitration.

Prior to joining Chambers, Tim was a Senior Associate in a Tier 1 rated City employment practice, where he was responsible for and gained considerable experience of running cases at all levels, including in the High Court, Court of Appeal and Employment Appeal Tribunal.

Tim accepts instructions on a direct / public access basis in respect of employment matters. He also undertakes pro bono work in some cases.

Employment & Discrimination

Tim has considerable experience of all aspects of employment litigation having practiced for seven years in top-rated City practices before moving to the Bar. He regularly appears in the Tribunals for both individuals and businesses, and has previous experience of working for trade unions.

As a solicitor specialising in employment disputes, Tim managed cases in the Tribunal, EAT, High Court and Court of Appeal, acting for employers, employees and trade unions. Tim practised as a qualified solicitor at two leading City firms, and his experience and expertise enables him to take on cases well beyond his year of call.

Tim's experience of employment litigation includes:

- Unfair dismissal claims
- Whistleblowing cases
- Direct and indirect discrimination issues
- Disability-related claims, including reasonable adjustments disputes
- Equal pay claims
- TUPE issues, including advice in respect of transfers and disputes arising from the same

- Redundancy claims, including particular experience of collective consultation procedures
- Union recognition and works council disputes
- Wages and unlawful deductions claims
- Education claims, including the specific rules relating to teachers employed in the public sector
- Professional disciplinary and regulatory matters
- Costs cases in the Employment Tribunal

Tim's recent experience whilst at 12KBW includes:

- Representing a large employer in a multi-day discrimination and unfair dismissal Tribunal hearing.
- Advising an individual in an unfair dismissal and unlawful deductions case worth over six-figures, and achieving settlement in respect of the same.
- Representing a respondent employer in successful strike-out and costs applications in the Tribunal.
- Acting as junior on a complex whistleblowing, discrimination and unfair dismissal claim, including seeking damages in respect of personal injury arising from the same.
- Representing an employee in a acrimonious harassment, discrimination and dismissal claim, culminating in an all-day judicial mediation.
- Appearing for an individual in a professional regulatory dispute.

Tim also has experience of giving advice in respect of employment appeals, including:

- Acting for a claimant in a leading whistleblowing appeal at the Court of Appeal stage.
- Advising an individual on the potential scope for appealing their claim to the Supreme Court.
- Advising an employer as to grounds of appeal in the EAT regarding matters of quantum.

In addition, Tim has specialist knowledge and experience of advising on worker status and gig economy issues, and his commentary on the subject has been quoted by the *Guardian*, the *Independent*, the *Wall Street Journal*, *Vanity Fair* and the *BBC*. Tim has also provided media commentary on a range of other topics, such as the *Unison* Tribunal fees case, employment law pledges in election manifestos and settlement payments for high ranking officials.

Tim's experience as a solicitor enables him to work well with those instructing him, especially where there is a need for him to take on a greater degree of the responsibility in order to reduce costs. He also undertakes employment work on a public / direct access basis, and his skills and experience as a solicitor enable him to provide an invaluable additional perspective when doing so.

Tim also set up and co-edits 12KBW's *Employment & Discrimination* blog.

Employer's Liability

Tim is well-placed to advise on all matters relating to employer's liability claims. Tim has a growing, robust practice in employer's liability claims, and has a significant number of ongoing cases in this area. He is also able to draw on his considerable experience and understanding of employment disputes to give unique insight into these cases and help advise on both liability and settlement issues.

Tim has a good understanding of all areas of employer's liability cases, including the various health and safety regimes. He is able to advise on and has experience of:

- Claims in respect of the Workplace Regulations
- Disputes arising from injuries caused by faulty or inappropriate equipment
- Issues related to a failure to provide proper workstation materials and equipment
- Claims arising from workplace accidents
- Workplace stress and harassment claims
- Industrial disease claims

Tim has also spent time on secondment at a Government department, during which time he has worked on a large number of employer's liability disputes.

Tim's recent experience includes:

- Drafting pleadings for the defendant in a claim involving injuries sustained whilst conducting covert surveillance work.
- Assisting with claims for both employers and employees in respect of personal injuries arising from discrimination, victimisation and harassment.
- Advising on liability and quantum in respect of a claim for injuries sustained from electric shocks received from allegedly faulty workplace equipment.
- Assisting with a case involving burns sustained due to the carelessness of an employee's colleagues, including advice on vicarious liability relating to the same.
- Advising on and drafting numerous noise-induced hearing loss claims, in particular where injuries have been sustained in a military context.

Tim is also interested in receiving instructions in respect of stress at work claims.

Trade Secrets & Restrictive Covenants

Tim has considerable experience of all types of cases relating to confidentiality, trade secrets and post-termination restrictive covenants, having specialised in these types of disputes whilst practising as a solicitor.

Tim's experience includes:

- Bringing and defending injunctions against employees who are in breach of their restrictive covenants.
- Team move disputes, including acting at an early stage to stop moves and defending against oppressive attempts to stifle free competition.
- Trade secret litigation, including seeking orders for delivery up, search orders and security for costs.
- Various cases involving highly sensitive material, including working with confidentiality clubs.

Tim has worked on a number of cases in this arena, including:

- Managing a High Court claim for breach of contract and damages arising from the same in respect of a large team move.
- Assisting with a large confidentiality dispute involving proceedings being issued in three different European jurisdictions.
- Working on proceedings involving employees attempting to leave and set up a new hedge fund business in competition with their employer, using the employer's proprietary algorithmic data.
- Defending an individual in a vexatious breach of contract action brought in relation to excessive post-termination restrictions.

Personal Injury

Tim has experience and knowledge of all major aspects of personal injury litigation, and is eager to expand his practice in this area. In particular, Tim's background as an employment solicitor allows him to bring unique skills to personal injury cases arising from workplace accidents, stress at work, discrimination and harassment.

Tim has also spent time on secondment to a large Government department, working in its employer's liability team where he provides liability, quantum and tactical advice on a range of personal injury matters as well as drafting a significant number of defences and submission on a range of claims.

Tim's recent instructions includes:

- Representing a school in its defence of injuries sustained by a child during a science lesson.
- Appearing for a local authority in respect of an occupier's liability claim arising from an allegedly poorly constructed public building.
- Advising on liability, quantum and tactics in respect of a public nuisance claim arising from trees overhanging a public right of way.

In addition, Tim has considerable experience of acting for defendants and their insurers in road traffic accidents and credit hire claims arising from RTAs.

Tim has worked on a range of personal injury cases with other members of Chambers, including assisting Leading Counsel with complex litigation arising from criminal activity and researching points of appeal for a senior member.

Tim additionally has particular interests in asbestos, aviation and travel litigation cases and has spent time working with members of Chambers on these types of disputes.

Regulatory & Professional Discipline

Tim has previous experience, in his capacity as a solicitor, of advising on professional discipline and regulatory matters, especially in the financial services sector.

Examples of Tim's work in this area include:

- Advising an individual working for a major, global investment bank under investigation for alleged insider trading.
- Representing a professional in discrimination proceedings brought against his regulator, including a complex, multi-day application hearing to determine whether there is jurisdiction to hear such claims.
- Assisting a private equity specialist with his exit from a firm of financial advisers following allegations of wrongdoing, including advising in respect of reports made to the FCA and future regulatory references.
- Appearing for an individual in a professional regulatory dispute.

Industrial Disease

Tim is interested in growing a practice in industrial disease work, including in particular asbestos claims, and is well placed to do so given the potential cross-overs with his knowledge and experience of dealing with workplace disputes.

International & Travel

Tim is eager to grow a practice in international and travel work. During his pupillage he worked on numerous cases with other members of chambers and is familiar with jurisdiction and applicable law issues. He also has experience in disputes arising under the Package Travel Regulations.

Notable Cases

Ojelade v Genesis Housing Association Ltd 3201771/2017 (12 April 2018) Tim acted for the respondent in a discrimination and dismissal claim whilst employed as a solicitor. Tim represented the respondent at a hearing in which he successfully applied to have the claims struck out and the claimant pay the respondent's costs.

Chesterton Global Ltd & Anor v Nurmohamed & Anor [2018] 1 All ER 947 Tim worked on the first case to consider the public interest test in whistleblowing legislation, whilst employed as a solicitor. Tim worked on the early stages of the Court of Appeal proceedings.

National Union of Mineworkers v Scargill [2012] EWHC 3750 (Ch) Shortly after qualifying as a solicitor, Tim assisted the Claimants in their successful, high-profile action concerning contractual employment benefits claimed by a former President of the Union after retirement.

Phaestos Ltd & Anor v Ho / IKOS CIF Limited & Ors v Gover [2012] EWHC 2756 (QB) Whilst at a City law firm, Tim

assisted with claims relating to the misuse and retention of confidential information and trade secrets in the financial services sector brought by former employers against two ex-employees.

Bowker & Anor v RSPB [2011] EWHC 737 (QB) Tim worked for a household name charity in respect of costs enforcement following judgment. During that process, Tim conducted all the advocacy, including applications for alternative service before High Court Masters and a Part 71 examination of the judgment debtors before a District Judge in the County Court.

Qualifications

2008: MA (Hons), University of Edinburgh

2009: Graduate Diploma in Law, BPP

2010: Legal Practice Certificate, Kaplan law School

2010: LLB (Hons), Nottingham Trent University

2012: Admitted to the Roll of Solicitors

2014: Bar Transfer Test

Memberships

Government Legal Department's *Junior-Juniors Panel*

Employment Lawyers Association

Employment Law Bar Association

Personal Injury Bar Association