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Call: 1989

Academic qualifications: Bar Finals 1989 (First Class Honours), Council for Legal Education 1988-1989; BCL 1986 (First Class Honours; Vinerian Scholar), BA (Hons) in Jurisprudence 1985 (First Class Honours), Worcester College Oxford 1982-1986

Appointments Visiting Professor of Information Law, Northumbria University, from 2007.

Tim practises in employment law and public law, and in related aspects of commercial, European and human rights law. He has a particular expertise in Information Law. He is listed as a leading employment law barrister in the current editions of both *Chambers and Partners Directory* and *Legal 500* and is a member of Employment Law Bar Association, Administrative Law Bar Association, Bar European Group, Commercial Bar Association and Society for Computers and Law

Notable Recent Cases

Common Services Agency v Scottish Information Commissioner

[2008] 1 WLR 1550

This was the first House of Lords case to address freedom of information and data protection legislation, and the relation between the two.

Corporate Officer of the House of Commons v the Information Commissioner

[2008] EWHC 1084 (Admin)

Case concerned the disclosure under FOIA of information about MPs' expenses.

OGC v Information Commissioner and HM Attorney General

[2008] EWHC 774 (Admin)

Timothy acted on behalf of the Speaker of the House of Commons. An appeal to the High Court against an Information Tribunal decision requiring the disclosure of two 'Gateway Reviews' into the ID cards project.

Waite v South East Coast Ambulance NHS Trust

(EAT, October 2008)

Timothy acted for the Respondent in successfully resisting this appeal. The case raised issues under the dispute resolution legislation, about the circumstances in which the Tribunal could strike out the claim for non-compliance with the procedures.

Ezsias v North Glamorgan NHS Trust

(Times, 19th March 2007)

Consideration by Court of Appeal of Employment Tribunal's power to strike out a whistleblowing claim

Nikitin and others v Richards Butler and others

[2007] EWHC 173

Applications for pre-action and Norwich Pharmacal disclosure against private investigators and their clients

DFES v Information Commissioner and Evening Standard

EA/2006/0006; [2011] 1 Info LR 689

Disclosure of information about the formulation of education policy

DWP v Information Commissioner

EA/2006/0040; [2011] 1 Info LR 782

Disclosure of information about Government policy on ID cards

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House of Commons v Information Commissioner

EA/2006/0015 and 0016; [2011] 1 Info LR 935
Disclosure of information about MPs expenses

Guardian Newspapers and Brooke v Information Commissioner and BBC

EA/2006/0011 and 0013; [2011] 1 Info LR 854
Disclosure of the minutes of the BBC Governors meeting at which the Hutton Report was considered

R (on the application of SSHD) v Information Tribunal and Information Commissioner

[2006] EWHC Admin 2958
Role of Information Commissioner in relation to issues of national security

R (on the application of D) v Secretary of State for Home Department and others

[2006] EWHC 980 (Admin)
Failure to provide medical care for detained asylum seekers; potential liability of Secretary of State and private sector contractors

Chief Constable for West Yorkshire and others v Information Commissioner Information Tribunal,

October 2005
Information held on Police National Computer: whether a duty to delete under the Data Protection Act

Areas of Practice

Information Law

Tim practices extensively in relation to Freedom of Information, Data Protection, information rights, data sharing and related areas. Clients include the Information Commissioner and a wide range of public and private sector bodies.

He has appeared before the Information Tribunal in numerous cases in relation to Freedom of Information, Data Protection and the Privacy and Electronic Communications Regulations. He appeared in 12 of the 14 cases determined by the Information Tribunal at an oral hearing in 2005 and 2006 and has also appeared before the National Security Panel of the Information Tribunal.

Employment Law

His practice covers all aspects of employment litigation before the Employment Tribunals, Employment Appeal Tribunal, High Court, County Court and higher appellate courts. Areas of work include litigation arising out of statutory employment rights; contractual disputes in employment; injunctions to restrain unlawful competition by employees or ex-employees; and injunctions arising out of industrial action.

Tim is experienced in acting as a representative in internal disciplinary hearings, and in mediation and arbitration proceedings.

He regularly advise on employment-related issues including: discrimination of all forms; TUPE regulations; outsourcing in both the public and private sector; the enforceability of post-termination restrictive covenants; the terms of individual employment contracts; *vires* issues in relation to public sector employment; carrying out redundancy programmes; and the lawful conduct of industrial action.

Tim has experience of employment issues in the public sector and in the overlap between public law and employment law. Public sector clients have included Government departments, other national public bodies, NHS employers, and local authorities.

Public Law

He has appeared in a wide range of judicial review applications for clients including local authorities, Government departments and police authorities.

Litigation and advisory work include public sector pensions, *vires* issues affecting local authorities, and decisions by statutory regulators.



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of Malawi in litigation before the Malawi High Court and
of the 1999 Malawian Presidential Election. He was admitted

and on alternative remedies to *Supperstone Goudie and Walker*
on Judicial Review (Butterworths 1992 [first edition], 1997 [second edition], 2005 [third edition]), joint
author (with Michael Supperstone QC) of *The Freedom of Information Act 2000* (Butterworths 2001), and
a chapter on Access to Electronic Information for the next edition of *Computer Law* (OUP), for published
in March 2007.