12
King's Bench Walk

Thomas Pacey



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AREAS OF EXPERTISE

Personal Injury, Employment & Discrimination, Credit Hire, Fraud, Costs & Litigation Funding, Military Claims, Industrial Disease, Stress at Work & Harassment, Fraud, Construction, Property, Property Damage

Personal Injury

Tom is a personal injury specialist and is regularly involved in cases of high severity. He has recently been involved in both bringing and defending claims exceeding seven-figures in value. Beyond classic personal injury cases he has particular expertise in:

Military Claims

Tom has extensive experience of claims relating to training incidents and exposure, defective or inadequate equipment, combat immunity, overseas service and loss of career / pension. He is regularly involved in high-six-figure claims.

Chronic Pain

Tom has led substantial high court proceedings in this area, one of which was listed for a 7-day trial. He is very familiar with the difficulties of causation and expert evidence in this area. He is also well-versed in dealing with surveillance evidence and allegations of exaggeration / malingering.

Stress at Work

Tom is an expert in the crossover between employment law and personal injury law. He has experience of defending substantial claims in this area. He is particularly adept at exposing false claims of mistreatment at work.

Fraud & Credit Hire

Tom is adept in defending staged accidents, both at work and on public premises. Tom is also experienced in defending slam-on / cash-for-crash cases, in particular involving multiple Claimants. He is very familiar with the demands of social media and surveillance evidence. He has regularly been involved in defences of fundamental dishonesty and in enforcing costs orders in deliberately exaggerated cases. He is very familiar with credit hire claims and now regularly defends claims over six figures.

Animals Act

Tom is an expert in this difficult area of law. He has been involved in claims featuring a range of animals, some falling on the borderline of the s 2 (1) / s 2 (2) distinction.

Occupiers' Liability

Early in his career Tom was instructed as junior counsel to Catherine Brown in the leading case of Harvey v Plymouth City Council. Since then he has developed extensive experience of bringing and defending occupiers' liability cases, with a particular interest in the scope of the duty and novel extensions of it.

Industrial Disease

He is well-versed in NIHL, VWF/HAVS and asbestos cases. He regularly defends WRULD cases. He worked with Allan Gore QC on what was at the time the longest-ever asbestos trial. Tom recently secured a six-figure judgment for five Claimants before Ritchie J in a mesothelioma case. He has niche expertise in the jurisdictional crossover with Scotland. He accepts instructions in relation to asbestosis claims.

Employment & Discrimination

Thomas has a wide range of experience in this area (including regularly appearing in Scotland for the last 10 years) acting for both Claimants and Respondents. He is regularly instructed by partners in leading firms and entrusted with conduct of high-value cases and multi-week trials. He has also developed a loyal client base amongst some of the country's leading insurers. His practice encompasses the crossover between employment law and commercial law. He is qualified for Public Access and as such can be directly instructed by non-lawyers and members of the public. He is available to assist with internal grievances, disciplinary hearings, appeals and mediations. He has particular expertise in:

Unfair Dismissal

Thomas has enjoyed conspicuous success representing claimants in their claims for unfair dismissal. He recently successfully represented the Procurator Fiscal for Inverness in her six-figure claim for unfair dismissal. As part of this he cross-examined the Crown Agent which was the subject of media coverage. His work has encompassed constructive dismissals as well as claims relating to procedural unfairness. On the respondent side he has successfully represented Local Authorities, sole traders, partnerships and limited companies. He has niche expertise in claims relating to dismissal by reason of retirement.

Sample case:

Acted for the Respondent Local Authority in a six-figure unfair dismissal and discrimination case which settled on terms favourable to the Respondent on the first day of trial.

Discrimination

Thomas has conducted a host of cases in this area encompassing discrimination on grounds of race, age, disability, sex and pregnancy. He has particular experience of defending cases involving high risks to Respondents' reputations. On the claimant side he has been very successful in securing substantial awards in respect of injury to feelings on behalf of his clients.

Sample case:

Acted for the Claimant in a six-figure settlement of her pregnancy discrimination claim against a leading City institution.

Company / commercial

As a result of his extensive employment practice, Thomas is experienced in matters relating to directors' duties, directors' disputes and shareholder disputes.

Sample cases:

Successfully represented a director and shareholder in a 2 week trial relating to breaches of directors' duties and failure to pay retained profit.

Advised the directors of a major media organisation on the dismissal of a rogue director and the proper construction of their Shareholder Agreement.

Equal Pay

Thomas has a strong advisory practice in this area as well as extensive advocacy experience. He has specialist knowledge of cases in which there is a lack of transparency in the pay structure. He is equipped to advise on large-scale public sector claims as well as individual and group private sector claims.

Sample case:

Successfully represented the Claimant in a four-week equal pay trial against one of the largest media organisations in Scotland. The company's entire pay structure will be revised in the light of the judgment.

TUPE and collective rights

Thomas regularly advises on the duty to inform and consult as well as the transfer of contractual terms and liabilities. He has substantial advocacy experience acting for both Claimants and Respondents in this area.

Sample case:

Successfully represented three of the Claimants in a class-action against one of the country's leading hospitality companies.

Whistleblowing

Thomas has expert knowledge in this area and is regularly instructed to advise and represent both Claimants and Respondents.

Sample case:

Substantial whistleblowing proceedings which were heard at a 2-week trial in Glasgow in 2014. The case involved very serious allegations of misappropriation of public funds and abuse of Directors' duties. Thomas subsequently appeared successfully at the Employment Appeal Tribunal in Edinburgh in relation to this matter.

Credit Hire

Frequent involvement with road traffic cases has enabled Tom to develop a specialist credit hire practice. He acts mainly for defendants and has wide experience of drafting Statements of Case featuring allegations of fraud and fundamental dishonesty. Trial work is frequent and Tom has appeared in claims with values well into six figures. He is available to provide in-house training and updates on the law to those instructing.

Fraud

Thomas has wide experience of defending claims involving dishonesty. These include low velocity impacts, staged accidents and deliberately induced accidents (especially 'slam-on' cases). Thomas is available to attend fraud conferences out of Chambers at the convenience of the client. He deals with all paperwork aspects and is able to draft specialist pleadings at short notice. He has particular experience of cases featuring surveillance evidence.

Costs & Litigation Funding

Tom has career-long experience in this area and is regularly instructed in high-value CCMCs and on detailed assessments featuring difficult points of law. He has substantial experience of arguments concerning CPR-compliance, indemnity costs and proportionality.

Construction and Property Damage

Tom is very experienced in this area and is regularly instructed by British Gas in relation to these matters. He was also recently involved in a large claim in respect of defective construction of a metro station. He is instructed by major insurers in relation to property damage cases. He has niche expertise in defending cavity wall claims. He is an expert in drafting cavity wall defences, with particular regard to limitation, insolvency and exclusion of cover.

Qualifications & Awards

Certificat Supérieur de Droit Français (Sorbonne)

BA (Oxon)

Exhibitioner (Lady Margaret Hall, University of Oxford)

Winner, Oxford University Law Society Mooting Competition, Trinity 2004

Represented Oxford University at the annual Varsity Moot, 2004

Bedingfield Scholar (Gray's Inn)

Memberships

Personal Injuries Bar Association

Employment Lawyers Association