
CRAIG RAJGOPAUL

Call: 2010



Introduction

Craig Rajgopaul specialises in employment, commercial and education law. Craig has been a lawyer since 2005, and was a Solicitor-Advocate (with Higher Rights of Audience in all English Courts) from 2007 - 2011. He has worked as a Solicitor-Advocate in the highly rated employment departments of Ashurst and McDermott Will & Emery. Craig joined Littleton as a Barrister in 2011.

Since moving to the Bar in March 2011, he has been instructed on numerous multi-day claims in the Employment Tribunal, including complex discrimination claims, and in High Court team move, restrictive covenant and confidential information cases. Craig also has good experience of litigation in the Employment Appeals Tribunal, and the Court of Appeal, and frequently acts on high profile (and high value) claims.

Craig prides himself on the quality of his written and oral advocacy, and has received plaudits for the clarity and persuasiveness of his submissions. He particularly enjoys cross-examination.

Craig uses his experience as a solicitor to bring a commercial, client-focussed approach to his work, and likes to think that he is approachable, down to earth and enjoyable to work with. Recent comments from clients include: "not afraid of a good old fashioned scrap in our client's best interests"; "really did a number on the [other side's] witnesses in cross-examination"; "Craig is exceptionally easy to talk to, particularly on matters of strategy", and "Craig pitches in and is ... genuinely willing to work as part of a legal team".

Employment Law

Since moving to the Bar, Craig has been instructed (by both Respondents and Claimants) on numerous complex, multi-day discrimination claims. Craig has a thorough knowledge of all of the different strands of discrimination law, and of whistleblowing, TUPE, employment status and unlawful deductions issues. He regularly acts for Respondents and Claimants in unfair dismissal claims. As set out in the 'commercial law' section of this profile, he also has a strong practice in team move, restrictive covenant and confidential information cases.

Craig has extensive experience of litigation in the Employment Tribunal, Employment Appeals Tribunal, High Court and Court of Appeal. Claims on which he has acted include:

- **R v Readers Offers (2011 – 2012)**: 10 day indirect sex discrimination and victimisation claim, where Craig cross-examined 11 witnesses, involving novel issues as to the scope of a 'protected act' under the Equality Act 2010 (Judgment awaited)
- **H v News International (2011-2012)**: Multi-day disability discrimination remedies hearing (led by Clive Freedman QC) where the Claimant claimed close to £1 million, and there were complex issues of causation (with three expert witnesses) and potential double-recovery (Judgment awaited)
- **F v Morson HR (2011)**: Successfully represented the Respondent in this four-day, sexual orientation discrimination and unfair dismissal claim.
- **O v O (2011)**: Five day race discrimination, unfair dismissal and unlawful deductions claim, settled on confidential terms on day three because, in the Claimant's words, Craig had "destroyed" his case in cross-examination

- **Lewis -v- Jubilee Managing Agency Limited (2011):** Acted (as a solicitor) for the employer in its successful defence of an eight day sex discrimination claim which attracted press coverage in 2011 because of allegations by the Claimant in relation to the Tory party.
- **Switalski -v- F&C Asset Management (2008 – 2010):** Acted (as a solicitor) for the employer in the Review before the Employment Tribunal, in the EAT (UKEAT/0423/08) and in preparation for the Court of Appeal in relation to the Claimant's claim for £19 million as a result of alleged sex and disability discrimination.
- **Burlo -v- Langley and Carter:** Acted (as a solicitor) for the employers in their successful appeals to the EAT ([2006] ICR 850) and the Court of Appeal ([2007] ICR 390) in relation to the correct approach to assessing awards for wrongful and unfair dismissal.

Craig frequently gives talks and training on, and has written a number of published articles about, all aspects of employment law.

Commercial Law

Craig has considerable experience of commercial litigation with a connection to employment law. He has particular expertise in restrictive covenant/confidential information/team move claims, as well as bonus, breach of contract and misrepresentation claims involving employees. Although many of these claims settle prior to reaching a Hearing, high profile claims on which he has acted include:

- **QBE -v- Dymoke & Ors:** 20-day High Court team move insurance-industry trial involving complex (and at times novel) legal arguments relating to the application/appropriateness of springboard injunctive relief, pre- and post-termination confidentiality obligations, and the scope of the implied duty of fidelity. The Judge (Haddon-Cave J) described the written and oral submissions as "excellent". Craig was led by Selwyn Bloch QC and Damian Brown. Judgment is awaited.
- **Tullett Prebon -v- BGC Brokers:** Acted (as a solicitor) for BGC and its President in this 45 day liability trial in the High Court ([2010] IRLR 600) arising out of a team move between rival inter-dealer brokers, including allegations of misuse of confidential information, breaches of court orders, inducing breach of contract and conspiracy. Also acted on the appeal to the Court of Appeal ([2011] IRLR 420).

Craig has also assisted other members of chambers on pure commercial claims, including:

- An LCIA arbitration arising out of a dispute concerning the operation by a Russian bank of a trading account. The dispute involved issues of agency and complex estoppel arguments;
- Shareholder disputes;
- Claims involving 'soft' IP (such as database rights and copyright); and
- A claim relating to the sale of an aircraft involving conflict of laws issues.

Craig is happy to accept instructions in relation to all such commercial claims.

Education Law

Craig has a long-standing interest in education law, in particular the law relating to special educational needs. He has been a Representative for the charity IPSEA (Independent Parental Special Education Advice) since 2002, and has appeared for numerous parents in successful appeals to the Special Educational Needs and Disability Tribunal (now the First Tier Tribunal).

Craig has been a school governor since 2003, so has practical experience of the application of education law in schools (and, as the Chairman of the Personnel committee, of the application of employment law in schools). Craig has also worked with autistic children for more than 15 years, taught in a special needs school in Japan, and worked for a few months at the General Teaching Council.

Craig uses his experience in the education field to bring a practical and sympathetic approach to the instructions he receives in relation to all areas of education law, including in the Opinions he gives on educational negligence claims.

Personal Background

Craig grew up, and went to school in, Edinburgh. He then read Modern History at Keble College, Oxford University, graduating with First Class Honours in 2000.

Craig spent two and a half years living in Toyota City, Japan (teaching English and studying Japanese), and holds Level 1 in the Japanese Language Proficiency Test (the highest Japanese language qualification).

He obtained Distinctions in the GDL and the LPC from BPP Law School.

Craig trained and qualified at Ashurst LLP (qualifying as a solicitor in March 2007, and as a Solicitor-Advocate in the same year). He has spent time on secondment to the in-house legal departments at IBM and Abbey. He joined McDermott Will & Emery in September 2008, and moved to the Bar in March 2011.