
RAOUL DOWNEY

Call: 1988



Overview

Raoul has developed a broad Chancery, Commercial and Employment practice. His ability in handling heavy litigation, particularly where there is substantial documentation, has long been recognised. He has experience in a wide variety of Courts, Tribunals, and other bodies. He has particular expertise in:

- Employment Law
- Landlord & Tenant and Property Law
- Customs Duties
- Costs
- Professional and Medical Negligence

Raoul also lectures on aspects of employment law, pensions and company law.

He is a former international swimmer having represented Hong Kong at both Age Group and National levels. He still competes in Masters events in his spare time.

Employment

Raoul has many years experience in all forms of employment law, including contractual issues, unfair and wrongful dismissal claims, redundancy, restrictive covenants and confidential information, discrimination, TUPE, trade unions and pensions. He specialises in cases where there are often related company law issues or which involve multiple claims in one or more jurisdictions. He has lectured on TUPE, Maternity Rights and Pensions.

Notable Cases include:

Jurkowska v HLMAD Ltd [2008] IRLR 430

Anglian Windows v The GMB [2007] EWHC 917 (QB)

Fraser v HLMAD Ltd [2007] 1 All ER 383

Green v Governing Body of Victoria Road Primary School [2004] 2 All ER 763

Doshoki v Draeger Ltd [2002] IRLR

Kent & Medway Towns Fire Authority v Pensions Ombudsman [2001] OPLR 357

Interlink Express Parcels Ltd v Night Trunkers Ltd [2001] RTR 23

Van Erp v Adax (Europe) Ltd [1998] EWCA Civ 93

Wood v Coverage Care Ltd [1996] IRLR 264

Landlord Tenant and Property

Raoul has wide experience of dealing with all forms of property disputes including landlord and tenant, restrictive covenants, easements and rights of way, boundaries, conveyancing and trusts affecting land. He regularly appears in Tribunals in disputes between landlord and tenant and has particular expertise in dealing with cases involving service charges. He was junior counsel for the London Borough of Haringey in the London Borough of Haringey v Ball and others test cases in 2004.

Chancery and Commercial

Raoul undertakes both contentious and non-contentious Chancery work as well as general commercial litigation. He has particular expertise in Company Law and has lectured on Directors Duties, Share Sale Agreements and Unfair Prejudice applications. He was an adjudicator under the Channel Islands Splits Adjudication Scheme.

Raoul also has particular expertise in cases involving customs duties and the Community Customs Code.

Notable cases include:

James Robinson Fibres Ltd v Customs and Excise Commissioners [2003] V & DR 1

Overseas Medical Supplies Ltd v Orient Transport Services Ltd [1999] 2 Lloyd's Rep 273

Paperlight Ltd & Others v Swinton Group Limited [1998] CLC 1667

Commissioners of Customs & Excise v Invicta Poultry Ltd [1997] V & DR 56

Costs

It has been noted judicially that Raoul "clearly has a very considerable knowledge and experience" of matters relating to the powers of costs judges and costs (per Drake J in *Skuse v Granada* [1994] 1 WLR 1156). He has extensive experience in both contentious and non-contentious costs matters and the practice and procedure of the Senior Court Costs Office. Other notable cases include:

Lyreco UK Ltd v Martin [2009] All ER (D) 142

Wiggins v Richard Read Transport Limited (CA) The Times 14 January 1999
Mainwaring v Goldtech Investments Limited (CA)
The Times February 19, 1991

Professional and Medical Negligence

Raoul has extensive experience in professional negligence claims against solicitors, surveyors and valuers, accountants, brokers and medical professionals. He also has represented professionals before various disciplinary tribunals. He has experience of group litigation having been involved in the HIV Haemophilia Litigation