



Dale Timson



Year of call: 2016

Areas of Practice

Property, Landlord & Tenant, Personal Injury, Family, Insolvency, Employment & Discrimination

Practice profile

Dale specialises in civil litigation providing advice and representation in property disputes including property damage, landlord & tenant, personal injury, insolvency, and contractual disputes. He is frequently instructed to represent clients at all stages of litigation, from interlocutory applications and CCMCs, to trials, possession claims and injunction hearings. He is a well prepared and thorough advocate. He is proactive at keeping in touch with those instructing him to discuss and communicate case strategy.

Dale also accepts instructions in public and private family law proceedings. He has appeared at all stages of proceedings through to final hearings, including fact-finding hearings.

Dale is a member of the Attorney General's Junior Junior panel. Dale is qualified to accept instructions under the Public Access Scheme. He is also an accredited civil mediator.

Before commencing pupillage, Dale spent two years working as an advocate for LPC Law representing clients in the High Court (including the Insolvency Court and Companies Court) and various County Courts. He acted in small claim hearings and applications for possession, return of goods, bankruptcy, charging orders, infant approvals, summary judgment, strike out, relief from sanctions, and to set aside judgment in default. This gave him significantly greater advocacy experience than might be expected from someone of his call.

Prior to studying law, Dale worked in recruitment for six years. As a result, he has a high level of commercial awareness and is particularly good at working with businesses and employers.

Personal qualities

Dale is often praised for his attention to detail, commitment and organised approach. He takes a calm and considered view to all cases, combining his legal knowledge with a commercial approach. He is not afraid to advise clients realistically about the prospects of success and financial implications of proceeding to trial. In court, he is a robust litigator and does not shy away from pursuing a difficult argument.

Dale is committed to pro bono work. He is a supervising lawyer at BPP's Enterprise Clinic and is also on the Advocate panel.

Away from chambers Dale enjoys keeping active and being outdoors. He has a love for cooking and is on the never-ending journey of perfecting his homemade tapas.

Experience

Commercial law

Dale has a broad commercial practice and receives instructions on behalf of both individuals and businesses in claims of all values. His practice encompasses claims arising out of breach of contract, debt recovery, and consumer rights. He has regularly appeared in court on trials, case management conferences, interim applications, and enforcement matters. Previous cases include:

- A three-day trial where Dale successfully represented an accountant in a claim for unpaid fees against three defendants. The defences raised numerous issues including misrepresentation, fraud and breach of data protection legislation.
- A claim by a recruitment agency in claim to recover unpaid fees. The defence raised issues regarding the placement breaking down. The claim succeeded and Dale recovered the claimant's costs pursuant to CPR 27.14(2)(g).
- A claim brought against a high street bank for failure to pay out on a contract of insurance. Dale appeared for the bank and had the claim struck out at the outset of the trial. Dale obtained the bank's costs in full.

Landlord and tenant

Dale accepts instructions in both residential and commercial landlord and tenant disputes. Dale has been praised by both landlords and tenants for his ability to provide commercially astute advice and robust representation.

Residential

From forfeiture claims, service charge disputes, and section 21 possession proceedings, right through to lengthy and complex cases of unlawful eviction, fraud, harassment and disrepair, Dale is able to provide effective advocacy in court and direct but practical advice out of court.

Dale has experience of tenancy deposit disputes and has obtained successful outcomes for both landlords and tenants in these claims.

Having spent four months during pupillage under the supervision of Archie Maddan, Dale developed an extensive knowledge of the regulations governing Houses in Multiple Occupation. Dale accepts instructions from landlords in all aspects of these cases including criminal prosecutions and civil claims heard in the First Tier Tribunal.

Commercial

Dale is able to provide specialist, pragmatic, and commercially focused advice and representation in all areas of concern to the commercial landlord or tenant. Dale has particular experience in cases involving: 1954 Act renewals; break clauses; sub-letting and assignments; forfeiture; and retrieval of unpaid rent.

Property

Dale acts for clients in all areas of property law. He has a particular interest in constructive/resulting trusts and claims pursuant to the Trusts of Land and Appointment of Trustees Act 1996. Dale can be called upon to provide advice at the initial stages, draft pleadings, and represent at trials.

Dale has been instructed on a number of injunction cases involving rights of way and is always willing to provide urgent advice and representation.

Property Damage

Dale is regularly instructed by one of the top UK insurers to defend claims involving property damage to street furniture. Dale has experience in these complex quantum claims which often involve multiple areas of law including tort, contract, agency, and statutes such as the Highways Act 1980.

Dale takes a keen interest in the correct test regarding the measure of loss in these types of cases and is experienced in making arguments seeking to disapply the test in *Coles v Hetherington*.

As a consequence of these claims, Dale also has a good working knowledge of the law relating to

uplifts for overheads (often known as ‘thickening claims’) and the recoverability of such.

Insolvency

Dale offers a comprehensive service in respect of all matters relating to both corporate and personal insolvency, whether representing office-holders, debtors, creditors, companies, directors and insolvency practitioners.

Dale has experience in the full range of matters associated with insolvency litigation, including applications made within insolvency proceedings such as applications to set aside statutory demands, to restrain winding up petitions, to restrain advertisement of petitions or for administration orders.

Personal injury

Dale accepts instructions in occupiers’ liability, employers’ liability, Highway Act and road traffic accident claims. He is regularly instructed to appear in a range of trials, interim hearings and CCMCs.

He acts for defendants in cases involving exaggerated injuries and those where fundamental dishonesty has been alleged and has experience of securing the disapplication of QOCS in such cases.

Dale also acts for both claimants and defendants in credit hire claims. He has a good knowledge of the case law and takes a forensic approach to quantum.

Family

Dale acts in both public and private family law matters. He has appeared at all stages of proceedings through to final hearings, including fact-finding hearings.

He is frequently instructed in both interim and final hearings in respect of non-molestation and occupation orders and has drafted appeal proceedings to the High Court in respect of occupation orders.

Dale has represented a mother in a six-day hearing of her application to discharge a care order. He has also successfully represented parents at interim care order hearings.

He has been praised by clients for his understanding and empathetic approach coupled with his robust negotiation and advocacy skills.

Qualifications

BPTC, BPP Law School (Outstanding) (2016)

LLB, BPP Law School (First Class) (2015)

Prizes

- Highest Performing Professional Award (BPP) - Highest degree mark in his year.
- Certificate of Honour (Middle Temple) - Outstanding on BPTC (97% Civil Litigation and Professional Ethics)
- Sachs Prize (Middle Temple) - Top 5% on BPTC.
- Jules Thorn Scholarship (Middle Temple)
- Pro Bono Scholarship (BPP)
- Excellence Award (BPP)
- LawWorks and Attorney General Student Awards 2015 - Won the Access to Justice Foundation’s Student Essay Competition, presented by the Attorney General in the House of Commons. His article was published in the New Law Journal.
- LawWorks and Attorney General Student Awards 2014 - Runner up in the Best Contribution by an Individual Student Award.
- Outstanding Contribution to Pro Bono Award 2013, 2014, and 2015 (BPP)
- Winner of the Big Voice London ‘Just Rights’ Mooting Competition 2014. The final was held before Lord Hughes, in the UK Supreme Court.



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