
Michael White

Michael practises across Chambers' specialisms, with a particular focus on employment, commercial, data protection, media and sports law. He has been described in Chambers and Partners as *"very bright", "very personable", "commercial", "practical", "a safe pair of hands in tribunal", "collaborative, supportive and a pleasure to work with", "always attuned to a client's anxieties and ambitions in the case", "incredibly thorough and committed", "a very talented advocate", "pragmatic", "strategic", "excellent technically", "very responsive"* and as someone who *"works under real time pressures to produce fantastically high-quality work product"*.

Michael has appeared in matters before a wide range of courts and tribunals both in the UK and abroad, from the Employment Tribunal to the Court of Appeal to arbitral tribunals. He acts in, and advises on, the following matters in particular:

- High Court commercial and business protection proceedings, including those concerning team moves, breach of confidence, restrictive covenants, shareholder disputes and agency disputes.
- Statutory employment law claims, including complex and high-value claims of discrimination, whistleblowing, unfair dismissal and wrongful dismissal, and claims involving TUPE and equal pay matters.
- Data protection, media and information law matters, including proceedings alleging breach of the UK GDPR / DPA 2018 and defamation, and information law matters for the Information Commissioner's Office.

Before coming to the Bar, Michael spent six months as a 'stagiaire' in Freshfields Bruckhaus Deringer's international arbitration team in Paris, assisting on English-law commercial arbitrations and investor-state disputes. He also worked on death-penalty appeals in Louisiana, and as a consultant in the Legal Office of the United Nations World Food Programme in Rome.

Specialisms

Commercial and Business Protection

Michael has substantial experience in commercial law – particularly, but not exclusively, in the context of employment and business protection. Michael also acts on commercial disputes in other contexts, and has previously worked on commercial matters at Freshfields.

Examples of Michael's recent work in the commercial and business-protection arena include:

- Acting for Red Bull in defence of a specific disclosure application in a case against Aston Martin. The case arose out of the departure of a senior engineer in Red Bull's F1 team, allegedly in breach of contractual restraints (led by Simon Devonshire KC).
- Acting for the defendant, a global financial institution, in High Court team move proceedings brought by a competitor involving the alleged poaching of a specialist team (led first by Chris Jeans KC and latterly by Richard Leiper KC).
- Acting for a multi-national financial institution in arbitral proceedings involving a former employee, in the context of parallel Employment Tribunal proceedings (led by Amy Rogers).
- Acting for Alexander Zverev, one of the world's highest-ranked professional tennis players, in a dispute with his former manager. Mr Zverev alleged that his representation agreement with his manager was an unenforceable restraint of trade, and sought declaratory relief to that effect (led by Anya Proops KC).



Professional Summary

Called 2018

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Clerk Harry Farrow

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- Advising a foreign company on a high-value, multi-jurisdictional dispute around an IPO (advising both as sole counsel and led by Julian Wilson).
- Assisting in high-profile litigation between major financial institutions alleging the misappropriation of a confidential trading algorithm (assisting Amy Rogers).
- Acting for the claimant, the former owner of a law firm, in High Court proceedings alleging that the firm was driven into insolvency by breaches of restrictive covenants by an ex-Director and ex-employees (led by Richard Leiper KC).
- Advising an international technology company on a contractual dispute, worth several hundred thousand pounds, in respect of a software licence agreement (unled).
- Acting for a company in the recruitment industry in an action against a former employee alleged to have misappropriated sensitive information and joined a competitor in breach of post-termination restraints (led by Andrew Edge).
- Acting for both claimants and defendants in various other claims for injunctive relief, in the context of restrictive covenants, involving allegations of poaching of customers and employees and misappropriation of confidential information.

Employment and Sports Law

Michael has extensive experience in acting for both respondents and claimants in statutory employment-law proceedings before the Employment Tribunal. These range from simple claims of unfair dismissal to complex, multi-day trials involving allegations of whistleblowing, discrimination and harassment. Michael also has experience in sports law.

Much of Michael's work in the employment-law arena is unled, but he also has experience acting with various KCs and leading juniors in the field. Examples of recent work include:

- Acting / advising both led and unled in various Employment Tribunal cases for major international banks and other financial services institutions.
- Representing the Appellant employer in a successful appeal to the Qatar International Court (before Lord Thomas of Cwmgiedd) in a whistleblowing case involving the dismissal of two employees (led by Amy Rogers).
- Representing the successful respondent in a four-day trial of a race discrimination claim, and securing a costs order against the Claimant on the basis that the claim was entirely misconceived (unled).
- Acting for the claimant in a multi-million-pound claim against an international law firm for harassment, victimisation, sex discrimination, whistleblowing and unfair dismissal (initially, unled; led latterly by Diya Sen Gupta KC). The case (listed for a twelve-day final hearing) settled shortly before trial.
- Acting for the respondent employer both at first-instance (partially successful), and in its successful appeal to the Employment Appeal Tribunal, in a case of unfair and wrongful dismissal (unled).
- Acting for the Defendant local authority in a high-value employment (TUPE) challenge related to the reorganisation of its public health functions (led by Simon Forshaw).
- Drafting written submissions for a respondent company in respect of specific matters of agency law arising out of a complex whistleblowing claim brought against more than ten respondents (unled).
- Acting for a claimant in a sexual harassment claim against a multi-national company, alleging repeated unwanted romantic advances by her manager (unled; led by James Laddie KC in an EAT appeal in respect of an anonymity order, later conceded by the respondent).
- Acting for the successful claimant, a university lecturer, in a six-day trial of allegations including whistleblowing and constructive unfair / wrongful dismissal (unled).
- Successfully opposing, on behalf of a former employee and company director, a costs application brought by the respondent company upon withdrawal of a claim (unled).
- Advising a firm in the City of London as to the appropriate management of a potential redundancy situation, in the context of changing business needs in the Covid-19 pandemic (unled).
- Representing an Olympic athlete, who had been bumped from Team GB's lineup for Tokyo 2021 after a selection appeal by a teammate, in a successful challenge to that decision before a sports Tribunal (led by Daniel Stilitz KC).

Michael has extensive unled experience in applications for strike-out / deposit orders, case-management hearings and complex trials in addition to the experience listed above. He also advises regularly, unled, on liability, quantum and strategic risks across the full spectrum of employment law.

Michael has experience of financial services regulatory law, and appeared recently in a challenge to a wide-ranging regulatory decision of the Qatar Financial Centre Regulatory Authority against a senior regulated individual (successfully reducing a fine of \$500,000 to \$240,000; led by Amy Rogers). Michael frequently acts in employment-law cases with regulatory implications.

Michael's employment law clients range from individuals to public authorities to multi-national technology and financial services companies. Michael also acts in High Court commercial employment proceedings – as to which, see 'Commercial and Business Protection', above – sometimes in the context of parallel Employment Tribunal litigation.

Data Protection / Media Law

Michael has extensive experience in acting for defendants to data-breach and related claims, although he also has claimant-side experience in this field. Michael's data protection practice is complemented by media and information-law practices: he has acted for the Information Commissioner's Office in numerous cases before the First-Tier and the Upper Tribunal, and has been instructed in several data protection cases in which allegations of defamation have also featured.

Much of Michael's work in the information-law arena is unled. Examples of recent work includes:

- Acting for the Labour Party in long-running litigation alleging breaches of data protection legislation, arising from the leak of a report concerning alleged antisemitism in the Party (led by Anya Proops KC).
- Acting for the Labour Party in defence of a claim brought by a prominent former staffer alleging defamation, breaches of data protection obligations and breaches of employment rights (led by Anya Proops KC and David Glen).
- Acting for numerous defendants in court proceedings alleging data breaches and various other contraventions of the GDPR / DPA and PECR, including in respect of data leaks and subject-access requests, both at preliminary stages and at trial (unled).
- Advising a number of large companies and other entities in respect of major alleged data breaches, in respect of both engagement with the ICO and the management of litigation (often in parallel) (led by Anya Proops KC).
- Acting for the ICO and for public authorities in the First-Tier Tribunal in appeals against decisions by public authorities under the Freedom of Information Act 2000 and other matters, and in Upper Tribunal proceedings in the same context.
- Advising a government ministry on the management of a vexatious claimant bringing and threatening numerous overlapping proceedings under the GDPR and DPA 2018 (led by Robin Hopkins).
- Advising an international company in the luxury industry on the management of a vexatious claimant making repeated subject-access requests in the context of parallel employment-law proceedings.

Michael co-authored the chapter on 'Information Law' in the '*Education Law Handbook*' (2021).

Public Law

Michael has acted for individuals, local government, government ministries and government agencies in a number of actual or threatened judicial reviews. Michael's work in this field has included:

- Advising a local authority on its response to a threatened judicial review of its policies in respect of the DfE's new Relationships Education guidance, on grounds of discrimination and a failure to consult (unled).
- Acting for the National Institute of Health and Care Excellence, before both the High Court and the Court of Appeal, in a challenge to its decision on how to evaluate the cost-effectiveness of an orphan drug (led by Daniel Stilitz KC).
- Acting for the Claimants in a challenge to the Government's handling of the Coronavirus pandemic in respect of care homes (led by Jason Coppel KC).
- Acting for the Secretary of State in defence of a challenge to provisions of Universal Credit in respect of pensioners (led by Julian Milford KC).
- Acting for the Secretary of State in defence of a challenge in connection with the much-publicised death of a benefit recipient in Nottingham in 2018 (led by Clive Sheldon KC).

- Acting for the claimants in the ‘Pestfix’ case, alleging that Government decisions to procure hundreds of millions of pounds’ worth of PPE at the start of the Covid-19 pandemic were unlawful (led by Jason Coppel KC).
- Advising a local authority on a judicial review claim by a parent in respect of a decision not to offer a child a place at the parent’s chosen school (unled).
- Advising a local authority on its response to the Local Government Ombudsman in respect of repetitive complaints arising out of a special-educational-needs plan (unled).

Education

2018: Bar Professional Training Course, BPP University (Outstanding)

2015: BA Jurisprudence, Oxford University (First Class)

Awards

Lord Justice Holker Scholarship (Gray’s Inn)

Sally Ball European Law Prize (Trinity College, Oxford)

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