
Patrick Halliday

Patrick Halliday is a highly regarded specialist in procurement and employment law. His practice also covers public law; pensions law (focusing on public sector schemes, discrimination and public law aspects of pensions); and commercial disputes involving former employees and directors.

Patrick is a member of the Attorney General's "A Panel" of counsel.

He is recommended by the legal directories in four practice areas: procurement (tier one); employment (tier one); administrative & public; and pensions. **Chambers & Partners**, the **Legal 500** and **Who's Who Legal** say the following about him:

"a brilliant barrister with a ferociously insightful mind, who is enormously client-friendly and reassuringly calm at all times";

"a star ... smart, insightful, diligent and thorough";

"brilliant barrister with whom instructing solicitors enjoy working very much"; "extraordinarily incisive and clear in his analysis";

"calm and persuasive demeanour that works wonders with judges"

"extraordinarily capable barrister with an incredible work ethic ... patient with everyone, despite being leagues ahead in his thinking"

"excellent in cross-examination."

In June 2021, he was named "Barrister of the Week" in the Lawyer magazine.

Specialisms

Employment

Patrick has acted in dozens of multi-day trials and numerous appeals to the EAT and the Court of Appeal. Much of his recent work has involved discrimination and whistleblowing claims in the financial services and health sectors; and industrial relations work.

In the High Court, Patrick regularly makes and resists applications for interim relief against current and former employees and directors. He has acted in various team move disputes, including multi-jurisdictional litigation in both the English and Welsh courts and in the DIFC (where he is registered).

Chambers & Partners and **Legal 500** both place Patrick in "tier one" out of six tiers of leading employment practitioners.

His recent cases include:

- **Triton Investment Advisors LLP & others v Lapinski (2025, EAT):** Ongoing appeal in the EAT concerning employment tribunals' international jurisdiction in relation to overseas respondents.
- **Leeks v Royal Marsden NHS Foundation Trust [2024] EAT 178 EAT:** Successful appeal concerning limitation rules in the NHS 'whistleblower' regulations (the Employment Rights Act 1996 (NHS Recruitment – Protected Disclosure) Regulations 2018).



Professional Summary

Called 2005

Contact Details

Patrick.Halliday@11kbw.com

+44 (0)20 7632 8500

Clerk Martin Pownall

Clerk Harry Farrow

[Contact Clerks](#)

- **Manning v Walker Crips [2023] IRLR 729 (EAT), [2023] ICR 1265:** employment status of stockbroker (sole counsel).
- **Franklin v NHS England and Issar (ET judgment of 5 April 2023):** successful defence of NHSE England and its Chief People Officer against high profile discrimination claims made by NHS England's Head of Diversity (sole counsel).
- **Consulting Firm A v Consulting Firm B (2021, HC and DIFC):** multinational, multi-jurisdictional, multi-party, high value team move and restrictive covenants dispute, in the London High Court and in the DIFC (led by James Laddie KC).
- **Fitzmaurice v Luton Irish Forum [2021] 9 WLUK 529 (EAT):** whistleblowing, 'causation' test (sole counsel).
- **Curless v Shell International [2020] EWCA Civ 1710, [2020] ICR 431, [2020] IRLR 36 (CoA):** lawyer's email advising an employer in relation to disabled employee's possible redundancy was protected by legal advice privilege (sole counsel).
- **X v Y Ltd [2019] IRLR 516 (EAT):** lawyer's advice on how to use a genuine redundancy exercise as a cloak to dismiss an employee for making disability discrimination complaints fell within the 'iniquity' exception to legal advice privilege (sole counsel).
- **Asda Stores Ltd v Brierley [2019] ICR 118 (CoA):** in the largest ever claim for equal pay in the private sector (20,000 claimants), workers in 'stores' were able to compare their pay with workers in separate 'establishments', i.e. 'warehouses' (led by Christopher Jeans KC).
- **Wollenberg v Global Gaming Ventures (Leeds) Ltd [2018] 4 WLUK 14 (EAT):** successful appeal against refusal of interim relief in whistleblowing claim (sole counsel).

Procurement & Subsidy Control

Patrick is a well-known and highly regarded specialist in procurement law. He regularly appears in high value procurement cases, either as sole counsel or as part of a larger team. He acted in one the first subsidy control cases to come before the courts (the 'Bulb' case), and has advised numerous clients on the new subsidy control regime.

He is named as a leading practitioner for procurement in **Chambers & Partners, Who's Who Legal** and the **Legal 500** (placing him in "tier 1", as one of the top four non-KCs in the country). The recent editions of the directories say:

"Patrick is a star. Smart, insightful, diligent and thorough. A brilliant barrister with whom instructing solicitors enjoy working very much."

"An excellent junior counsel able to handle independently complex procurement law cases."

"A lot of juniors profess to know something about procurement law but only dabble in it. Patrick on the other hand is a genuine force in the area."

"Thorough, hard-working and a man of real intellectual sharpness." "He has a deft touch with clients, opponents and judges alike."

"A fine senior junior who is approachable and unflappable."

His recent court cases include:

- **R (British Gas and others) v SoS for ESNZ [2025] EWCA Civ 209 ('Bulb'):** the first subsidy control case to reach the Court of Appeal, in which the Court upheld the dismissal of a claim concerning subsidisation of the sale of Bulb's energy business.
- **One Medicare t/a One Primary Medicare LLP v NHS Northamptonshire ICB [2025] EWHC 63 (TCC) :** acted for winning bidder in successful application to lift automatic suspension in procurement claim.
- **Practice Plus Group Ltd v NHS Commissioning Board [2022] EWHC 2082 (TCC):** Successful application to lift automatic suspension on contracts for healthcare in prisons.
- **R (Good Law Project) v Minister for the Cabinet Office [2022] PTSR 933:** Emergency award (during the pandemic) of contract to friends of Dominic Cummings was not unlawful for apparent bias.
- **R (Good Law Project) v Secretary of State for Health and Social Care [2022] PTSR 644:** 'VIP' lane for government procurement of PPE contracts during the pandemic was unlawful.
- **Stagecoach & Others v Secretary of State for Transport ("2019 Rail Franchising Litigation") [2020] EWHC 1568 (TCC):** Disqualification of bidders from rail franchise procurement competitions (because

they had proposed amendments concerning pension risks) was lawful and had not breached EU law on proportionality, transparency and equal treatment.

- **Department of Transport v West Coast Trains Partnership [2019] EWCA Civ 2259, [2020] All ER 948, [2020] 1 P&CR 17, 188 Con LR 31:** Six-year limitation period for procurement claims under EU law which are not governed by the Public Contracts Regulations.
- **Circle Nottingham Ltd v NHS Rushcliffe Clinical Commissioning Group [2019] EWHC 3635 (TCC):** In a claim that an NHS procurement process was unfair on the basis of (inter alia) alleged receipt of state aid by NHS hospital trusts, the Court restricted the scope of expert evidence.
- **AEW Europe LLP v Basingstoke and Deane BC [2019] EWHC 2050 (TCC), [2020] PTSR 21:** No grounds for declaration of ineffectiveness, even assuming a development agreement was a materially varied contract which was not actually the subject of the tender process.
- **Abbvie Ltd v NHS Commissioning Board [2019] EWHC 61 (TCC):** Court rejected challenge to £1bn procurement of Hepatitis C treatments, finding that a sophisticated procurement process did not breach principles of transparency and equal treatment.
- **R (Wylde) v Waverley BC [2017] EWHC 466 (Admin); [2017] ACD 167:** Claim that variation of development agreement amounted to new contract which could not be awarded without new procurement competition; leading decision on the restrictions on 'standing' for judicial review challenges to procurement decisions.

Patrick edits (with Jason Coppel KC and Joseph Barrett) 11KBW's Procurement & State Aid Briefing.

Public

Patrick has been a member of the Attorney General's 'A' panel since March 2021 (having previously been on the 'B' and 'C' panels),

He is recommended as a leading practitioner for Administrative & Public Law in **Chambers & Partners**.

He has acted in numerous claims for judicial review across a range of areas, including prisons, immigration, social security, libraries, human rights and the public sector equalities duty. He has a particular focus on claims for judicial review involving procurement and pensions issues.

His recent cases include:

- **R (British Gas and others) v SoS for ESNZ [2023] EWHC 737 (Admin) [2023] EWHC 737 (Div Ct) ('Bulb'):** acting for Secretary of State in successful defence of highly expedited judicial review challenge to subsidies granted in the course of the sale of Bulb Energy.
- **R (Gardner) v (1) Secretary of State for Health and Social Care (2) NHS Commissioning Board (NHS England) (3) Public Health England [2022] PTSR 1338 (Div Ct):** deaths in care homes during the pandemic; successful defence of NHS England against claim for breach of Article 2 ECHR and other public law duties.
- **R (Efthimiou) v Mayor and Commonalty and Citizens of the City of London [2022] EWHC 1588 (Admin); [2022] LLR 804:** the charging policy imposed by the municipal governing body of the City of London for swimming at a ladies' bathing pond was lawful
- **R (Good Law Project) v Minister for the Cabinet Office [2022] PTSR 933:** emergency award (during the pandemic) of contract to friends of Dominic Cummings was not unlawful for apparent bias.
- **R (Good Law Project) v Secretary of State for Health and Social Care [2022] PTSR 644:** 'VIP' lane for government procurement of PPE contracts during the pandemic was unlawful.
- **R (Good Law Project) v Secretary of State for Health and Social Care [2021] EWHC 1237 (TCC), [2021] EWHC 997 (TCC):** specific disclosure of WhatsApp and text messages concerning the 'VIP lane' for PPE procurement; grant of costs capping order.
- **R (Enterprise Managed Service Ltd) v SoS of Housing, Communities and Local Government [2021] EWHC 1436 (Admin), [2021] Pens LR 15, [2021] 1 WLR 5062:** removal of absolute entitlement to 'exit credits' for employers exiting Local Government Pension Scheme did not breach Article 6 or A1P1 of ECHR.
- **R (Hughes) v Board of the Pension Protection Fund [2020] EWHC 1598 (Admin), [2021] Pens LR 2:** compatibility of UK's system for protecting pensions in event of employer insolvency with EU law.
- **R (British Telecommunications Plc) v HM Treasury [2020] EWCA Civ 1, [2020] Pens LR 12:** indexation of guaranteed minimum pension payable to members of public service pension schemes was lawful notwithstanding knock-on effects on BT's pension scheme.
- **R (Harvey) v Haringey LBC [19] ICR 1059, [2019] Pens LR 3:** exclusion of unmarried cohabiting

partners from survivor's pensions available to spouses did not breach Article 14 of ECHR.

- **R (DSD) v Parole Board for England and Wales [2018] EWHC 695 (Admin), [2019] QB 285:** challenge to Parole Board's release of John Worboys; rules on secrecy of Parole Board proceedings *ultra vires*.
- **R (Wylde) v Waverley BC [2017] EWHC 466 (Admin); [2017] ACD 167:** leading decision on the restrictions on 'standing' for judicial review challenges to procurement decisions.
- **R (Glulow) v Secretary of Work and Pensions [2013] EWHC 3241 (Admin), [2013] All ER (D) 320 (Oct)** : the system for community care grants did not breach Article 14 of the ECHR.
- **R (Manning) v Secretary of State for Justice [2013] EWHC 1821 (Admin), [2013] All ER (D) 43 (Jul)** : lawful reversal of recategorisation decision.
- **R (Williams) v Surrey County Council [2012] Eq LR 656** : library services and the public sector equalities duty.
- **R (Moyse) v Secretary of State for Education [2012] ELR 551** : the only reported case on academy conversions under the Academies Act 2010.
- **R (Hurst) v London North District Coroner [2007] UKHL 13 and Jordan v Lord Chancellor [2007] UKHL 14:** Article 3 ECHR, coroners' inquests and application of the Human Rights Act 1998 to deaths pre-dating the Act.

Between 2008 and 2011 Patrick was junior counsel to the Baha Mousa Inquiry into the death of Baha Mousa in British Army custody in Iraq in 2003 and into the use of 'conditioning' techniques by British soldiers. During approximately 100 days of witness evidence Patrick cross-examined various witnesses on behalf of the Inquiry.

Commercial

Patrick's commercial work focuses on claims against former employees and directors, including applications for urgent injunctive relief. He has acted in various 'team move' disputes, both in this jurisdiction and in the DIFC (where he is registered).

Patrick regularly represents both claimants and defendants in applications for interim relief in the Chancery Division and in the Queen's Bench Division.

His recent commercial work includes:

- **Aon UK Limited and others v Howden Group Holdings Limited and others (ongoing in 2025):** acting for individual defendant in major team move litigation.
- **Mercia Underwriting Solutions v Simon Careless (2024, KB-2023-BHM-000226):** contested application for interim relief and subsequent trial of claims for breaches of restrictive covenants (claimant withdrew claim against Patrick's client and agreed to pay his costs on day one of trial).
- **Lonmar Global Risks Ltd & another v Wordsworth & others (2024, KB-2024-000540):** contested application for springboard relief.
- **Consulting Firm A v Consulting Firm B (2021):** multinational, multi-jurisdictional, multi-party, high value team move and restrictive covenants dispute, in the London High Court and in the DIFC (led by James Laddie KC).
- **Universal Lifting & Moving Services Ltd v Kavanagh (2018):** acting for claimant company in claim against its former managing director that he destroyed its business by resigning without sufficient notice, diverting business to a competitor and soliciting other employees to join a competitor (sole counsel).
- **OCS Group Ltd v Ahitan & others (2017):** acting for defendant employee in claim in Chancery Division for alleged misuse of confidential information (sole counsel).
- **Bridge McFarland v Jones (2016):** obtaining urgent interim relief against a law firm's ex-employee, injunctioning him from using or selling various domain names and websites, and obliging him to provide an affidavit describing his dealings in the same (sole counsel).
- **Wolverhampton City Council v Mitie Property Services (UK) Ltd (2015):** multi-million pound pensions claim in Chancery Division involving allegations of conspiracy (led by Tim Kerr KC).
- **LS Systems v Scott [2015] EWHC 1335 (Ch):** successful claims arising out of £1.4m misappropriation of company funds (breach of fiduciary duty, declaration of constructive trust, and proprietary orders over properties into which trust funds were traced).

Pensions

Patrick has a specialist pensions practice which focuses on public sector schemes; discrimination in pension schemes; and public law issues in pensions litigation. He is named as a leading pensions practitioner by the **Legal 500**.

His recent cases include:

- **R (Enterprise Managed Service Ltd) v SoS of Housing, Communities and Local Government [2021] EWHC 1436 (Admin), [2021] Pens LR 15, [2021] 1 WLR 5062:** removal of absolute entitlement to 'exit credits' for employers exiting Local Government Pension Scheme did not breach Article 6 or A1P1 of ECHR.
- **Lloyds Banking Group Pensions Trustees Limited v (1) Lloyds Bank Plc (2) HBOS PLC (6) Secretary of State for Work and Pensions (8) Ivan Walker [2020] EWHC 3135 (Ch), [2021] Pens LR 10:** pension trustees' duty to 'equalise' benefits (to eliminate discrimination resulting from GMPs) applies to historical "transfers out" of a scheme.
- **R (Hughes) v Board of the Pension Protection Fund [2020] EWHC 1598 (Admin), [2021] Pens LR 2:** compatibility of UK's system for protecting pensions in event of employer insolvency with EU law.
- **R (British Telecommunications Plc) v HM Treasury [2020] EWCA Civ 1, [2020] Pens LR 12:** indexation of guaranteed minimum pension payable to members of public service pension schemes was lawful notwithstanding knock-on effects on BT's pension scheme.
- **Sanderson v NHS Business Services Authority [2019] EWHC 2900 (Ch), [2020] ICR 905:** qualification for 'death in service' benefits under NHS pension scheme; whether locum practitioner in pensionable employment between contracts.
- **R (Harvey) v Haringey LBC [19] ICR 1059, [2019] Pens LR 3:** exclusion of unmarried cohabiting partners from survivor's pensions available to spouses did not breach Article 14 of ECHR.
- **Police and Crime Commissioner for Greater Manchester v Butterworth (The Pensions Ombudsman intervening) (Chancery Division, 10th November 2016):** appeal against a determination by the Pensions Ombudsman that a member of the LGPS should be paid a pension equivalent to the full amount of an unreduced pension from the age of 55, raising issues of contractual estoppel, enforceability of ultra vires promises and legitimate expectations;
- **Wolverhampton City Council v Mitie Property Services (UK) Ltd (2015):** multi-million pound claim in Chancery Division by which the administering authority of a LGPS fund sought to recover an 'exit debt' from a transferee admission body.
- **Stokes v Oxfordshire County Council [2014] EWHC 2177 (Ch), [2014] Pens LR 631:** in the Firemen's Pension Scheme, the calculation of "*pensionable pay for the year ending with the relevant date*" did not include arrears of pay for work which had been performed in previous years but had been paid in the year ending with the relevant date.

Inquests, Inquiries & Investigations

Between 2008 and 2011 Patrick was junior counsel to the Baha Mousa Public Inquiry into the death of Baha Mousa in British Army custody in Iraq in 2003 and into the use of "conditioning" techniques by British soldiers. During approximately 100 days of witness evidence Patrick was responsible for examining a number of witnesses on behalf of the Inquiry.

Recommendations

Patrick is recommended as a leading practitioner for both procurement law (tier one) and employment law (tier one of six) in the **Legal 500**, **Chambers & Partners** and **Who's Who Legal**. The **Legal 500** also names him as a leading pensions practitioner, and **Chambers & Partners** recommends him for Administrative & Public Law. The directories have published the following comments about him:

"He's a brilliant barrister with a ferociously insightful mind, who is enormously client-friendly and reassuringly calm at all time."

"Thorough, hard-working and a man of real intellectual sharpness."

"Patrick is a star. Smart, insightful, diligent and thorough. A brilliant barrister with whom instructing solicitors enjoy working very much."

"A deft touch with clients, opponents and judges alike." "Reliably and consistently excellent." "Extraordinarily incisive and clear in his analysis";

“Calm and persuasive demeanour that works wonders with judges”.

“Incredible work ethic, very thorough, totally on top of the detail, with clear and concise advice. An able advocate, who inspires confidence and is thoroughly likeable. As a solicitor you feel very well supported.”

“Very hard-working, great depth of knowledge of procurement law, very personable. His paper work, pleadings, skeleton arguments and opinions are readable and of the highest calibre.”

“Very easy to get on with, very bright and very client-friendly.”

“Has a really flexible, user-friendly approach and totally understands what is required in a case. You don’t have to explain things to him.”

“An excellent junior counsel able to handle independently complex procurement law cases.”

“Meticulously well-prepared”. “An excellent cross-examiner”.

Recent Cases

R (British Gas and others) v SoS for ESNZ (‘Bulb’)

[2025] EWCA Civ 209

The first subsidy control case to reach the Court of Appeal, in which the Court upheld dismissal of a claim concerning subsidisation of the sale of Bulb’s energy business.

One Medicare t/a One Primary Medicare LLP v NHS Northamptonshire ICB

[2025] EWHC 63 (TCC)

Acted for winning bidder in successful application to lift automatic suspension in procurement claim.

Leeks v Royal Marsden NHS Foundation Trust

[2024] EAT 178 EAT

Acted in successful appeal concerning limitation rules in the NHS ‘whistleblower’ regulations (the Employment Rights Act 1996 (NHS Recruitment – Protected Disclosure) Regulations 2018).

Manning v Walker Crips

[2023] IRLR 729 (EAT)

EAT overturned Tribunal decision that a stockbroker was not a ‘worker’; right to withhold consent to use of ‘substitute’ not subject to implied term that consent not to be unreasonably withheld.

R (British Gas and others) v SoS for ESNZ

[2023] EWHC 737 (Admin) (Div Ct)

SoS subsidisation of sale of Bulb’s energy business was not unlawful.

Practice Plus Group Ltd v NHS Commissioning Board

[2022] EWHC 2082 (TCC)

Court granted application to lift automatic suspension on contracts for healthcare in prisons.

R (Efthimiou) v Mayor and Commonalty and Citizens of the City of London

[2022] EWHC 1588 (Admin); [2022] LLR 804

The charging policy imposed by the municipal governing body of the City of London for swimming at a ladies’ bathing pond was lawful.

R (Gardner) v (1) Secretary of State for Health and Social Care (2) NHS Commissioning Board (NHS England) (3) Public Health England

[2022] PTSR 1338 (Div Ct)

The Secretary of State acted unlawfully through policies in March and April 2020 providing guidance on the discharge of hospital patients from hospitals to care homes. Those policies were irrational because they failed to take into account the risk of asymptomatic transmission of Covid-19 to care home residents. However, claim against NHS England failed: although NHS England took part in discussions about discharge policies, it was the Secretary of State who bore responsibility for making proper arrangements for those admitted to care homes.

R (Gardner) v Secretary of State for Health and Social Care, NHS Commissioning Board (NHS England), Public Health England

[2022] ACD 8, [2021] EWHC 2946 (Admin) (Div Ct)

The court discussed the admissibility of expert opinion in judicial review proceedings brought against the Secretary of State for Health and Social Care, NHS England and Public Health England by two women whose fathers had died from coronavirus whilst living in care homes.

R (Good Law Project) v Minister for the Cabinet Office

[2022] PTSR 933

Emergency award (during the pandemic) of contract to friends of Dominic Cummings was not unlawful for apparent bias.

R (Good Law Project) v Secretary of State for Health and Social Care

[2022] PTSR 644

'VIP' lane for government procurement of PPE contracts during the pandemic was unlawful.

R (Good Law Project) v Secretary of State for Health and Social Care

[2021] EWHC 1237 (TCC), [2021] EWHC 997 (TCC)

In challenge to government procurement of PPE contracts during the pandemic, the Court (a) ordered specific disclosure of WhatsApp and text messages concerning the 'VIP lane'; and (b) granted the claimant a costs capping order.

R (Enterprise Managed Service Ltd) v SoS of Housing, Communities and Local Government

[2021] EWHC 1436 (Admin), [2021] Pens LR 15, [2021] 1 WLR 5062

Removal of absolute entitlement to 'exit credits' for employers exiting Local Government Pension Scheme did not breach Article 6 or A1P1 of ECHR.

Lloyds Banking Group Pensions Trustees Limited v (1) Lloyds Bank Plc (2) HBOS PLC (6) Secretary of State for Work and Pensions (8) Ivan Walker

[2020] EWHC 3135 (Ch), [2021] Pens LR 10

Pension trustees' duty to 'equalise' benefits (to eliminate discrimination resulting from GMPs) applies to historical 'transfers out' of a scheme.

Stagecoach & Others v Secretary of State for Transport ("2019 Rail Franchising Litigation")

[2020] EWHC 1568 (TCC)

Disqualification of bidders from rail franchise procurement competitions (because they had proposed amendments concerning pension risks) was lawful and had not breached EU law on proportionality, transparency and equal treatment.

R (Hughes) v Board of the Pension Protection Fund

[2020] EWHC 1598 (Admin), [2020] ACD 95

Provisions in the Pensions Act 2004 which capped the amount of compensation payable to members of occupational pension scheme were discriminatory on grounds of age.

R (BT plc) v HM Treasury

[2020] EWCA Civ 1, [2020] Pens LR 12

HM Treasury's decision to implement full indexation of the guaranteed minimum pension (GMP) payable to members of public service pension schemes who reached state pension age between December 2018 and April 2021 was upheld.

Curless v Shell International

[2020] EWCA Civ 1710, [2020] ICR 431, [2019] IRLR 36

Lawyer's email advising an employer in relation to an employee's possible redundancy was protected by legal advice privilege.

Sanderson v NHS Business Services Authority

[2019] EWHC 2900 (Ch), [2020] ICR 905

Death in service under NHS pension scheme; whether locum practitioner in pensionable employment between contracts.

Department of Transport v West Coast Trains Partnership

[2019] EWCA Civ 2259, [2020] 1 P&CR 17, 188 Con LR 31

Applicable time limit for the bringing of other claims arising out of a public procurement process which is not governed by the Public Contracts Regulations.

West Coast Trains Partnership v Department for Transport

[2019] EWHC 2047 (TCC), 185 Con LR 163

Arguments raised by train operating companies in CPR Pt 7 claims that they had brought arising from the conduct of procurement exercises for rail franchises would not be struck out on limitation or abuse of process grounds.

AEW Europe v Basingstoke and Deane Borough Council

[2019] EWHC 2050 (TCC), [2019] BLR 481

No grounds for a declaration of ineffectiveness of a public procurement contract.

Asda Stores Ltd v Brierley

[2019] EWCA Civ 44, [2009] 2 CMLR 18, [2019] ICR 118, [2019] IRLR 335

Workers in 'stores' were able to compare their pay with workers in separate 'establishments', i.e. 'warehouses'.

X v Y Ltd

[2019] IRLR 516 (EAT)

Lawyer's email advised an employer that a genuine redundancy exercise could be used as a cloak to dismiss an employee for making disability discrimination complaints was not protected by legal advice privilege, on account of the 'iniquity' exception.

R (DSD) v Parole Board of England and Wales

[2018] EWHC 694 (Admin), [2019] QB 285

Prohibition on making information public about Parole Board proceedings was too broad.

Asda Stores v Brierley

[2017] IRLR 1058 (EAT)

Female retail staff could bring equal pay claim on the basis that they were in 'the same employment' as the comparators, even though no comparator worked in the same establishment.

Fenton v Asda Stores Ltd

[2017] IRLR 785 (EAT)

Multiple equal pay claims made by claimants who were performing different jobs could not be included in the same ET1 claim form.

R (Wylde) v Waverley BC

[2017] EWHC 466 (Admin), [2017] ACD 167

Claim that variation of development agreement amounted to new contract which could not be awarded without new procurement competition; leading decision on the restrictions on 'standing' for judicial review challenges to procurement decisions.

Police and Crime Commissioner for Greater Manchester v Butterworth (The Pensions Ombudsman intervening)

(Chancery Division, 10th November 2016)

Appeal against a determination by the Pensions Ombudsman that a member of the LGPS should be paid a pension equivalent to the full amount of an unreduced pension from the age of 55, raising issues of contractual estoppel, enforceability of ultra vires promises and legitimate expectations.

Asda Stores v Brierley

[2016] EWCA Civ 566, [2016] IRLR 709, Times, July 28 2016

A Tribunal cannot use its case management powers to stay equal pay proceedings in the Tribunal indefinitely on the basis that the High Court is the more appropriate forum.

Shrestha v Genesis Housing Association Ltd

[2015] EWCA Civ 94, [2015] IRLR 399

Guidance on what amounts to a reasonable investigation into an employee's misconduct.

Stokes v Oxfordshire County Council

[2014] Pens LR 631, [2014] EWHC 2177 (Ch)

In the context of the Firemen's Pension Scheme, the calculation of "pensionable pay for the year ending with the relevant date" did not include arrears of pay for work which had been performed in previous years but had been paid in the year ending with the relevant date.

R (Clulow) v Secretary of Work and Pensions

[2013] EWHC 3241 (Admin), [2013] All ER (D) 320 (Oct)

Successfully resisted claim that the system for community care grants breached Article 14 of the ECHR.

R (Manning) v Secretary of State for Justice

[2013] EWHC 1821 (Admin), [2013] All ER (D) 43 (Jul)

A prison governor who had relied on a flawed risk assessment form when approving the recategorisation of a prisoner from Category C to open conditions had been entitled to reverse his decision upon learning that the form had omitted to refer to an unsatisfied confiscation order.

R (Moyses) v Secretary of State for Education

[2012] EWHC 2758 (Admin), [2012] ELR 551

The Secretary of State was not bound to accept the majority view of parents in a primary school that it should not become an academy but remain a local authority maintained school.

R (Williams) v Surrey County Council

[2012] EWHC 867 (QB), [2012] Eq LR 656

Council failed to have 'due regard' to the matters set out in s.149(1) of the Equality Act 2010 when it decided to deliver library services in certain areas via a Community Partnership model.

Baha Mousa Public Inquiry

(2008 – 2011)

Junior Counsel to the Inquiry into the death of Baha Mousa in British Army custody in Iraq in 2003 and into the use of "conditioning" techniques by British soldiers.

Emmanuel v City & Hackney Teaching Primary Care Trust and Secretary of State for Health

[2011] EqLR 1291

Junior Counsel for Secretary of State — equal pay — NHS nurses — national test case — genuine material factor defence (market forces) made out.

R (Bozzo) v Secretary of State for Welfare and Pensions

[2010] EWHC 3571 (Admin) Human rights challenge to the eligibility rule for community care grants under the Social Fund — the need for a qualifying benefit — where applicant in need but in receipt of contributory- based incapacity benefit — whether incompatible with Article 14 and Article 1 of Protocol 1.

Beattie and others v Leicester City Council

[2009] UKEAT0386/09/SM

Whether by implied agreement support staff in voluntary aided schools were employed by the local education authority so that they could rely on local authority comparators in equal pay claims.

Teva (UK) Limited v Heslip

[2009] All ER (D) 277 (Jul) (EAT)

Date of dismissal — time limits for bringing claim — reasonable practicability of bringing claim within three months.

R (Hurst) v London North District Coroner

[2007] UKHL 13

Junior Counsel for the Lord Chancellor in appeals to the House of Lords concerning the impact of article 2 of the European Convention on Human Rights on coroners' inquests. Led by Phil Sales KC and Lord Goldsmith.

Appointments

Attorney General's 'A' Panel of Counsel (since 2021).

News, Articles & Publications

'The Remuneration Codes' in *Conduct and Pay in the Financial Services Industry* (2017, Routledge, ed Ogg and Leiper)

'European Union Law' in *Tolley's Employment Handbook* (2016, LexisNexis)

Joint editor of 11KBW's Procurement & State Aid Briefing

Restitution and Public Bodies (Judicial Review Vol 12 Issue 3)

Education

First class degree in Social and Political Sciences from Pembroke College, Cambridge University

Distinction in the law conversion course at City University

Other

Bedingfield Scholarship and Arden Senior Scholarship from Gray's Inn

Foundation Scholarship and a Foundress Prize from Pembroke College

Major scholarship at Haileybury College

Member of ELBA, ALBA, ELA, PLA, COMBAR

ADDRESS

11KBW
11 King's Bench Walk
Temple
London
EC4Y 7EQ

CONTACT US

T +44 (0)20 7632 8500

OUT OF HOURS CLERK

T +44 (0)7824 365 991

EMAIL

clerksroom@11kbw.com
