Patrick Halliday



Call: 2005

E: Patrick.Halliday@11kbw.com
T: +44 (0)20 7632 8500

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

> ***Patrick was really excellent on his feet at the hearing. He had a very good approach with clients and was a very good advocate all round.***
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> **CHAMBERS & PARTNERS**

Expertise

Recent cases

8

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.

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.

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

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), [2023] ICR 1265

employment status of stockbroker (sole counsel).

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

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

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

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 (Good Law Project) v Minister for the Cabinet Office

[2022] PTSR 933

Represented claimant in challenge to award of contract for market research services without competition to "friends" of the Minister and Dominic Cummings.

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 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

[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

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.

[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), [2021] PENS LR 2

compatibility of UK's system for protecting pensions in event of employer insolvency with EU law.

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.

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).

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.

Department of Transport v West Coast Trains Partnership

AEW Europe LLP v Basingstoke and Deane BC

[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.

[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.

Asda Stores Ltd v Brierley

[2021] UKSC 10

Whether female retail staff are entitled to compare themselves with male employees at distribution depots for the purposes of an equal pay claim.

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).

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).

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

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.

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.

Police and Crime Commissioner for Greater Manchester v Butterworth

Stokes v Oxfordshire County Council

[2014] EWHC 2177 (CH), [2014] PENS LR 631

Manchester v Butterworth

(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;

[illegible]

[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.

R (Clulow) 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 (Moyse) v Secretary of State for Education

[2012] ELR 551

the only reported case on academy conversions under the Academies Act 2010.

R (Williams) v Surrey County Council

[2012] EQ LR 656

library services and the public sector equalities duty.

R (Hurst) v London North District Coroner

[2007] UKHL 13

Article 3 ECHR, coroners' inquests and application of the Human Rights Act 1998 to deaths pre- dating the Act.

Achievements

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

> ***Very easy to get on with, very bright and very client-friendly.***
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> CHAMBERS & PARTNERS

> ***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.***
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> WHO'S WHO LEGAL

> ***An excellent junior counsel able to handle independently complex procurement law cases.***
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> WHO'S WHO LEGAL

> ***Meticulously well-prepared***
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> WHO'S WHO LEGAL

> ***An excellent cross-examiner***
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> WHO'S WHO LEGAL

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

LEGAL 500

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

LEGAL 500

A deft touch with clients, opponents and judges alike. Reliably and consistently excellent.

LEGAL 500

Extraordinarily incisive and clear in his analysis

LEGAL 500