Patrick Halliday

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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.

> ***A deft touch with clients, opponents and judges alike. Reliably and consistently excellent.***
>
> LEGAL 500

Expertise

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.

> ***Patrick Halliday is always impressive and completely in control of his cases. Patrick is also excellent with lay clients.***
>
> CHAMBERS & PARTNERS

Triton Investment Advisors LLP & others v Lapinsksi

(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).

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).

Consulting Firm A v Consulting Firm B

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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

[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).

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 and 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).

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

> ***Tenacious, very much in demand and just very good.***
>
> CHAMBERS & PARTNERS

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.

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

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[2022] EWHC 2082 (TCC)

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

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[2022] PTSR 933

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

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[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

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

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.

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.

> ***Patrick is brilliant on public cases with a procurement element. His attention to detail is first-class.***
>
> CHAMBERS & PARTNERS

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.

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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

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

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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 (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 (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

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

Commercial Litigation

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.

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, 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).

Consulting Firm A v Consulting Firm B

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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, injuncting 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).

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.

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**.

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.

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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.

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Sanderson v NHS Business Services Authority

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qualification for 'death in service' benefits under NHS pension scheme; whether locum practitioner in pensionable employment between contracts.

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Police and Crime Commissioner for Greater Manchester v Butterworth

(CHANCERY DIVISION, 10TH NOVEMBER 2016)

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Wolverhampton City Council v Mitie Property Services (UK) Ltd

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multi-million pound pensions claim in Chancery Division involving allegations of conspiracy (led by Tim Kerr KC).

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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.

Inquiries, Inquests & 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.

Recent cases

8

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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).

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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).

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R (Manning) v Secretary of State for Justice

[2013] EWHC 1821 (ADMIN), [2013] ALL ER (D) 43

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lawful reversal of recategorisation decision.

R (Williams) v Surrey County Council

[2012] EQ LR 656

library services and the public sector equalities duty.

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.

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.

WHO'S WHO LEGAL

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

WHO'S WHO LEGAL

Meticulously well-prepared

WHO'S WHO LEGAL

An excellent cross-examiner

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