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David Barr QC

Year of Call: 1993
Year of Silk: 2014

Practice Areas

- Employment
- Inquests
- Inquiries
- Personal Injury
- Public Law

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Awards



Experience

David Barr QC has a wide experience of civil litigation both at first instance and appellate level. Administrative and public law work includes public inquiries, inquests, human rights and other cases. His employment practice focuses on demanding cases, particularly at appellate level. Personal injury work has encompassed a wide range of cases and typically involves high value claims or difficult issues.

He has a keen interest in the application of European Union law to those areas of domestic law in which he practises. He served on the Attorney General's panels of civil counsel from 1999 until he took silk in 2014.

Directories

Ranked in Chambers UK Bar 2019 for inquests and public inquiries.

Education

St. John's College, Cambridge

Memberships

ALBA
ELBA
PIBA

Cases

R(UNISON) v LORD CHANCELLOR, EQUALITY AND HUMAN RIGHTS COMMISSION INTERVENING [2017]

ICR 1037; [2017] 3 WLR 409

23/04/2019

Barristers involved: David Barr QC

Appeal to the Supreme Court against the dismissal of judicial review proceedings which had challenged the lawfulness of the fees regime introduced in the Employment Tribunals and the Employment Appeal Tribunal by the Lord Chancellor. The appeal was heard by 7 Justices of the Supreme Court who allowed the appeal. David Barr QC appeared for the Lord Chancellor.

Hainsworth v Ministry of Defence, Equality and Human Rights Commission intervening, Supreme Court

July 2015

Barristers involved: David Barr QC Julia Smyth

Directive 2000/78/EC and reasonable adjustments; application for permission to appeal. David Barr QC and Julia Smyth acted for the Ministry of Defence.

R(UNISON) v Lord Chancellor, Equality and Human Rights Commission intervening

[2015] EWCA Civ 935; [2015] ICLR 911

26/08/2015

Barristers involved: David Barr QC

Appeals to the Court of Appeal against the dismissal of judicial review proceedings which had challenged the lawfulness of the fees regime introduced in the Employment Tribunals and the Employment Appeal Tribunal by the Lord Chancellor. The appeals were dismissed. David Barr QC appeared for the Lord Chancellor.

Undercover Policing Inquiry

22/06/2015 to date

Barristers involved: David Barr QC Andrew O'Connor QC

Major statutory public inquiry into undercover policing chaired by Sir John Mitting, retired High Court Judge. David Barr QC has been appointed Counsel to the Inquiry. Andrew O'Connor QC is instructed to act for National Crime Agency.

R(C & W) v Secretary of State for Work and Pensions, Zaccheus 2000 Trust intervening

[2015] EWHC 1607 Admin; [2015] ACD 118

05/06/2015

Barristers involved: David Barr QC Nicholas Moss

Declarations of unlawfulness made in relation to delays in the processing of claims for personal independence payments. Associated human rights claims dismissed. David Barr QC and Nicholas Moss appeared on behalf of the Secretary of State.

JXMX v Dartford & Gravesham NHS Trust, PIBA & Press Association intervening

[2015] EWCA Civ 763

17/02/2015

Barristers involved: David Barr QC

Court of Appeal gave guidance on anonymity at approval hearings in personal injury cases. David Barr QC appeared as a Friend of the Court.

Major X -v- MOD

2014

Barristers involved: David Barr QC

The Claimant, a former high-flying Major in the Army developed Post Traumatic Stress Disorder ("PTSD") following experiences in the First Gulf War and subsequently in Kosovo. The claim was based on a failure by Army psychiatrists to diagnose and treat the PTSD. The claim settled at a Joint Settlement Meeting for £1.5 million which was the MOD's highest individual payout for 2013/2014. David Barr acted for the Ministry of Defence.

In Amenas Inquest

2014-2015

Barristers involved: David Barr QC

Inquest into the killing of six British nationals and one British resident during the terrorist attack and mass hostage taking at the In Amenas gas facility, Algeria. David Barr QC acted for Her Majesty's Government.

Thorne and Others v House of Commons Commission

[2014] EWHC 93

29/01/2014

Barristers involved: David Barr QC

Collective bargaining of the pay of House of Commons Commission staff: the sample claimants' collectively negotiated pay and conditions conferred no contractual right to annual pay increases. David Barr QC acted for the House of Commons Commission.

USDAW & Others v Secretary of State for Business Industry & Skills & Others

[2014] EWCA Civ 142

22/01/2014

Barristers involved: David Barr QC

Court of Appeal referred two questions to the Court of Justice of the European Union in the employment litigation arising from the collapse of retail chain Woolworths and mass redundancies at Ethel Austin.

The Leveson Inquiry

2011-2012

Barristers involved: David Barr QC Cathryn McGahey QC Louise Jones William Irwin Emily Wilsdon

This was a major statutory public inquiry into the culture, practices and ethics of the press. David Barr served throughout as first junior counsel to the Inquiry. Cathryn McGahey appeared as junior counsel for the Chairman of the Inquiry during related judicial review proceedings. Louise Jones acted for the core participant victims in the judicial review proceedings. William Irwin acted throughout providing legal assistance to Counsel to the Inquiry. Emily Wilsdon assisted in the preparation of the report.

Carswell v (1) Secretary of State for Transport (2) Motor Insurers Bureau

[2010] EWHC Civ 3230

09/12/2010

Barristers involved: David Barr QC

Costs provisions in the Untraced Drivers' Agreement 2003 compliant with EU law. David Barr appeared as junior counsel for the Secretary of State.

Spencer v Secretary of State for Work and Pensions; Moore v (1) Secretary of State for Transport (2) Motor Insurers' Bureau

[2007] EWHC 1775 (QB); [2009] 2 WLR 593, CA

01/07/2008

Barristers involved: David Barr QC

No requirement to exhaust domestic remedies before bringing a Francovich action. David Barr appeared as junior counsel for the Secretary of State in each case.

C-127/05 Commission v United Kingdom

[2007] ECR I-04619; [2007] ICR 1393

14/06/2007

Barristers involved: David Barr QC

Test of reasonable practicability in s.2 Health and Safety at Work etc Act 1974 properly implements Art.5 of Council Directive 89/391/EEC. David Barr appeared as junior counsel for the United Kingdom.

Thames Trains v Railtrack (1) HSE (2)

2005

Barristers involved: Benjamin Casey David Barr QC

Instructed on behalf of the HSE in litigation arising out of the Ladbroke Grove train crash. The claim by Thames Trains for a contribution from the HSE was ultimately discontinued.

Ladbroke Grove Rail Inquiry

1999-2000

Barristers involved: David Barr QC Emma-Jane Hobbs

Statutory public inquiry into rail disaster at Ladbroke Grove. Hugh Carlisle QC acted for the Health and Safety Executive leading David Barr and Emma-Jane Hobbs

Publications

Age Discrimination

18/02/2006

Authors: David Barr QC Shaman Kapoor Angus Edwards, Benjamin Hay and Alison Hewitt

A guide to the Employment Equality (Age) Regulations 2006

News

High Court rejects challenge to anonymity rulings in the Undercover Policing Inquiry

01/03/2019

Barristers involved: David Barr QC

David Barr QC appeared on behalf of Sir John and continues to act as Leading Counsel to this long-running Inquiry. Neutral citation: [2019] EWHC 426 Admin.
