



David Barr KC

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David Barr KC 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 has focused on demanding cases, particularly at appellate level. Personal injury work encompasses a wide range of cases and typically involves high value claims or difficult issues.

David is recognised in the field of employment law for acting for the Lord Chancellor in R (UNISON) v Lord Chancellor [2020] AC 869. He appeared in both the Court of Appeal and Supreme Court in this case which decided whether fees imposed in the employment tribunals were lawful.

David successfully defended the Ministry of Defence in the Court of Appeal and on an application for permission to appeal to the Supreme Court in Hainsworth v MOD [2014] IRLR 728, a case concerning the scope of disability discrimination law.

Other notable employment cases include Thorne v House of Commons Commission [2014] IRLR 260 (collective bargaining of the pay of House of Commons Commission staff) and USDAW & Others v Secretary of State for Business Industry and Skills & Others [2014] 2 CMLR 45, CA (litigation arising from the collapse of retail chain Woolworths).

After many years of appearing regularly before employment tribunals David has more recently concentrated on appellate work and cases involving particularly complex 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.

Expertise

Inquests & Inquiries

David Barr KC has deep and longstanding experience in the field of statutory public inquiries including acting both for inquiries and core participants.



Since 2015, he has been Leading Counsel to the Undercover Police Inquiry. He was First Junior Counsel to Lord Justice Leveson in the Leveson Inquiry, Counsel for the Ministry of Defence throughout the Baha Mousa Inquiry and Junior Counsel for the Health and Safety Executive in the Ladbroke Grove Rail Inquiry. He also acted for a number of individuals in the non-statutory Nimrod Review.

David's coronial work has included acting for Her Majesty's Government at the inquest into the deaths of British workers at the In Amenas gas plant in Algeria as well as appearing in various Article 2 inquests, particularly those arising from deaths in custody.

Personal Injury

David Barr KC has practised in the field of personal injury law throughout his long career at the Bar and has experience of a wide variety of personal injury work.

Prominent cases include *X v Dartford & Gravesham NHS Trust* [2015] 1 WLR 3647 (about anonymity orders for infant approval hearings) in which he appeared before the Court of Appeal as the friend of the court; *Carswell v Secretary of State for Transport* [2011] EuLR 406 (whether the Untraced Drivers Agreement 2003 properly implemented EU law); and *Spencer v Secretary of State for Work and Pensions* [2009] QB 358, CA (about the calculation of limitation periods for personal injury claimants claiming Francovich damages against the State).

David currently undertakes complex and high value personal injury claims.

Public Law

Notable cases in David Barr KC's public law practice include *R (UNISON) v Lord Chancellor* [2020] AC 869 in which he appeared in both the Court of Appeal and Supreme Court in this case which decided whether fees imposed in the employment tribunals were lawful; *R(C) v Secretary of State for Work and Pensions* [2015] ACD 118 (whether delays to the payment of personal independence payments were unlawful); and *R(YA) v Secretary of State for the Home Department* [2013] EWHC 3229 (re restricted discretionary leave to remain).

David has particular experience of appearing in judicial review proceedings arising during the course of public inquiries.

Education

- St. John's College, University of Cambridge

Memberships

- ALBA
- ELBA
- PIBA