hailshamchambers

Clerks: **020 7643 5000**

Michael Patrick

Call: 2014



Overview

Michael has a wide-ranging practice and operates in all of Hailsham's practice areas, including professional negligence, clinical negligence, commercial and personal injury. Michael particularly enjoys "being on his feet" and he frequently appears in the High Court and County Court on a full range of matters including fast track and multi-track trials, strike-out and summary judgment applications, CCMCs and other interlocutory applications.

Whilst Michael is fully able to fight for his clients in court, he is aware that a fair and equitable settlement may often be in a client's best commercial interests, and he is experienced in methods of securing such settlements, including negotiation, mediations and joint settlement meetings.

Professional liability

Michael's experience of professional negligence includes claims against the following:

- **Litigators**: Michael is frequently involved in claims against solicitors particularly those involved in dispute resolution, recent examples of which have involved underlying personal injury, family, landlord and tenant, insolvency and chancery proceedings. In a recent three day multi-track trial, Michael successfully defended his client against allegations that it had negligently conducted underlying chancery litigation. Michael has also successfully conducted and defended wasted costs proceedings against various legal professionals.
- **Conveyancers**: Michael is familiar with an extensive range of claims against conveyancers, including (for example) claims based on the existence of onerous ground rent clauses, missed opportunities to claim multiple dwelling relief and failures to identify relevant matters in Land Registry documents.

- **Mortgage brokers**: Michael has a particular expertise in such claims, having been heavily involved in the recent spate of interest-only mortgage mis-selling litigation.
- **Letting and Estate agents**: In one recent three day fast track trial, Michael successfully limited damages against his client to a virtually trivial sum and obtained a significant costs award against the claimants, notwithstanding the absence of a valid Part 36 offer.
- **Accountants and tax advisors**: Michael's experience in this area includes proceedings for failing to register clients for VAT, failing to advise clients as to the risks of aggressive tax mitigation schemes, and failing to advise clients as to the existence of potential tax relief.

Medical law

Michael has a keen interest in clinical negligence. Having worked in the NHS before coming to the Bar, he is alive to and keenly aware of the human sensitivities and challenges raised by this area of practice. Michael acts for both claimants and defendants and firmly believes that, irrespective of which side happens to instruct him, it is usually in everyone's best interests to achieve a fair and equitable resolution as soon as reasonably possible. Accordingly, not only is he familiar with the full range of paperwork involved in such claims – most particularly, drafting particulars of claim, defences, schedules of loss, counter-schedules and agendas, and providing advices on liability and quantum – but he is also particularly experienced at joint settlement meetings and mediations.

Michael's recent experience in this area includes:

- Resolving, at a joint settlement meeting, a claim based around the management of underlying vascular injuries, which ultimately resulted in a leg amputation
- Resolving, at a mediation, a claim based around a delayed diagnosis of cancer, which ultimately resulted in the patient's death
- Resolving, through sensible negotiation and Part 36 offers, a claim based around inadequate care home supervision, which ultimately resulted in a fatal fall.

Commercial law

Michael has a burgeoning commercial practice. He frequently appears in trials defending financial institutions in proceedings arising from the selling of payment protection insurance policies, and is well-versed generally in the law surrounding consumer credit. Furthermore he has particular experience of insolvency proceedings, including winding-up petitions and bankruptcy hearings.

Regulatory and disciplinary

During pupillage, Michael gained experience of regulatory proceedings against dentists, opticians, nurses and pharmacists, and he assisted Nicholas Peacock with various proceedings brought by the GDC.

Personal injury

Michael has a busy and growing Personal Injury practice. He is frequently instructed in a broad range of personal injury proceedings including employers' liability, occupier's liability and road traffic accident (including credit hire) claims. In one recent employers' liability claim, he obtained damages of £60,000 for his client following a two day multi-track trial.

Further information

Education

- BSc (Hons) Mathematics, University of Bath (2012): First (ranked 3rd in year)
- GDL, Nottingham Law School (2013): Distinction
- BPTC, Nottingham Law School (2014): Very Competent
- LLM in Medical Law, University of Kent (2016): Distinction

Awards and Prizes

- Oxford University Press Law Prize, University of Kent (2016)
- Lord Denning Scholarship, Lincoln's Inn (2013)
- Lord Haldane Scholarship, Lincoln's Inn (2012)
- Hardwicke Entrance Scholarship, Lincoln's Inn (2013)
- BPTC Scholarship, Nottingham Law School (2013)
- GDL Scholarship, Nottingham Law School (2012)
- 1 High Pavement Plea in Mitigation winner, 1 High Pavement (2014)

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