



Patrick Hennessey

Year of call: 2010

Email: patrick.hennessey@39essex.com

Phone: +44 (0)20 7832 1111

"Patrick's advocacy is first-rate. Incisive and eloquent, assertive if necessary but always courteous. He has meticulous attention to detail, a brilliant way with clients and a very fine mind." The Legal 500 2023

"He is an absolute star and a delight to work with." Chambers and Partners 2023

Patrick specialises in commercial, construction and technology disputes. His practice is focused on complex construction and engineering disputes both in international arbitration and UK litigation, with significant experience in transport and energy infrastructure and project finance.

Recommended in leading UK and global directories, Patrick is regularly instructed as sole counsel and junior by domestic and international clients in litigation, arbitration and alternative dispute resolution (ADR).

Patrick undertakes advisory work for a range of employers, construction professionals and adjudicators and has experience with all major standard form building contracts (JCT, FIDIC, NEC3). Patrick has worked closely with the litigation teams at a number of top tier UK construction and energy law firms and has extensive experience with dispute resolution boards.

Patrick also has considerable international experience, having worked on secondment with a leading international law firm in South East Asia and with an extensive practice in the UAE. Patrick has experience in ICC, LCIA, SIAC DIAC, HKIAC and ad hoc arbitration and has further experience as an arbitrator and secretary to arbitral tribunals.

Areas of expertise

Construction

International Arbitration

Commercial

Administrative and Public

Construction

"Undoubtedly one of the rising stars in construction."

The Legal 500 2020

Patrick has experience across the full spectrum of construction and infrastructure disputes, including oil installations, nuclear and gas power stations, commercial and retail premises and residential dwellings. Patrick has particular experience in disputes involving PFI-funded public projects (in particular, healthcare and education facilities) and transport infrastructure. Patrick's construction practice encompasses the Technology and Construction Court (TCC), international and domestic arbitration, adjudication and dispute resolution boards.

As detailed further below, Patrick's practice has been dominated over the past three years by two particularly significant cases: (i) the Grenfell Tower Inquiry and (ii) the highly complex Northumbria Healthcare NHS Foundation Trust and anor v Lendlease Construction Europe Limited and anor identified as one of The Lawyer Magazine's Top 20 Cases for 2022.

Patrick is currently acting for a high net worth individual in a complex fraud claim arising from the defective construction of a luxury dwelling complex in prime central London. Patrick has extensive TCC experience, including:

- acting for the employer in enforcement proceedings arising from a £10m rail adjudication
- acting for the supplier of plant in a multi-party case arising from damage and delay to the works caused by failure of the plant
- acting for the homeowner in a claim against the indemnifier syndicate of a new build insurance policy for claims arising out of defective construction and remedial scheme, and
- acting for the contractor in respect of the enforcement of an adjudication decision in a (£5m+) motorway refurbishment agreement.

Patrick has extensive experience acting as counsel in adjudication, dispute resolution board (DRB) and AD proceedings, including:

- as junior counsel for an NHS hospital trust in a DRB dispute arising from the construction and provision of services under the PFI agreement
- as sole counsel for a main contractor in a complex mediation concerning the allocation of responsibility among various parties for an accident suffered by a sub-contractor employee
- as sole counsel for the successful employer in a £10m+ adjudication under the High Speed 1 rail link project
- as sole counsel for Highways England in £10m+ adjudication in respect of defective works to major A road
- as junior counsel for single purpose vehicle (SPV) contractor in high-value (£10m+) claim for damages and cost of remedial works under complex PFI agreement against construction sub-contractor and associated defence to claim by public body employer
- as counsel in a number of disputes concerning train and freight operating companies (TOCs and FOCs) in respect of access under the Track Access Contract with Network Rail.

Cases of note:

- **The Grenfell Tower Inquiry** - Patrick is instructed as lead junior for one of the key commercial core participants in the Grenfell Tower Inquiry and the associated civil litigation. The inquiry was the most comprehensive and in-depth examination of the construction industry in the UK, and in Phase 2, heard evidence from all the contractors and construction professionals involved in the project and numerous witnesses from product manufacturers, testing houses and civil servants involved in the construction sector at all levels over a period of two and a half years. Patrick has been involved throughout the inquiry monitoring evidence, responding to requests from

the Inquiry Team, submitting questions for cross examination and drafting submissions as requested. Patrick has also been heavily involved in the management of the civil claims that were commenced in the High Court against numerous core participant defendants and are currently stayed to allow the progress of a highly complex, highly sensitive ADR process.

- ***Northumbria Healthcare NHS Foundation Trust and anor v Lendlease Construction Europe Limited and anor*** - Patrick acted for the claimant NHS trust in a complex, high-value claim arising out of the defective construction of a state-of-the-art emergency care hospital in Northumbria. The case is one of [The Lawyer's 'Top 20 Cases of 2022'](#). The case involved such varied and extensive defects that the pleadings ran to many thousands of pages and case management was a critical issue throughout. No fewer than six case management conferences (CMCs) were held, all of which were, in parts, heavily contended by one or more of the nine parties involved. The claimants' claims were settled on the day before the 12-week trial was due to commence in terms very favourable for the claimants, but the case continues between the other remaining parties.
- ***Alex Gerko v John Seal and ors***

Recommendations

Patrick is recommended in leading UK and global directories for his work in construction and international arbitration.

- *"Patrick's advocacy is first-rate. Incisive and eloquent, assertive if necessary but always courteous. He has meticulous attention to detail, a brilliant way with clients and a very fine mind."* The Legal 500 2023
- *"He is an absolute star and a delight to work with."* Chambers and Partners 2023
- *"A superb advocate, both on his feet and on paper."* Chambers and Partners 2022
- *"Patrick is a talented and hard-working barrister, with a sharp mind ability to pick up key issues rapidly."* The Legal 500 2022
- *"Undoubtedly one of the rising stars in construction."* The Legal 500 2020
- *"An outstanding junior for his call."* Chambers and Partners 2020
- *"Bring a real star quality and old-school charm to the table."* Chambers and Partners 2020
- *"An advocate well beyond his years of call in terms of maturity and ability."* Chambers and Partners 2018
- Highly Commended in Legal Week's Future "Stars at the Bar" 2017

Memberships

- Technology and Construction Bar Association (TECBAR)
- Commercial Bar Association (COMBAR)
- London Court of International Arbitration (LCIA) Young International Arbitration Group (YIAG)
- International Chamber of Commerce (ICC) Young Arbitration and ADR Forum (YAAF)
- The London Common Law and Commercial Bar Association (LCLCBA)
- Middle Temple
- Royal United Services Institute (RUSI)

Qualifications

Education

- Bar Vocational Course, BPP Law School (2009-2010)
- Graduate Diploma in Law, BPP Law School (2008-2009)
- BA (Hons) (English), Balliol College, Oxford (2000-2003)

Scholarships and prizes

- Astbury Scholarship, Middle Temple (2009)
- The Queen's Medal, The Royal Military Academy Sandhurst (2004)
- Violet Vaughan Morgan Memorial Prize, Oxford University (2003)
- Graham Greene Birthplace Trust Scholarship (2001)

Additional Information

Appointments

- Patrick is a Senior Fellow at the think tank Policy Exchange contributing on defence, security and legal matters.
- Patrick is the author of The Junior Officers Reading Club (Allen Lane, 2009) and Kandak (Allen Lane, 2012) and numerous newspaper, magazine and journal articles. Patrick is a regular media commentator on defence and legal matters.

London

81 Chancery Lane,
London
WC2A 1DD
Tel: +44 (0)20 7832 1111
DX: London/Chancery Lane 298
Fax: +44 (0)20 7353 3978

MANCHESTER

82 King Street,
Manchester
M2 4WQ
Tel: +44 (0)16 1870 0333
Fax: +44 (0)20 7353 3978

SINGAPORE

Maxwell Chambers,
28 Maxwell Road,
WC2A 1DD
04-03 & 04-04, Maxwell Chamber
Suites
Singapore 069120
Tel: +65 6320 9272

KUALA LUMPUR

#02-9, Bangunan Sulaiman
Jalan Sultan Hishamuddin,
50000 Kuala Lumpur,
Malaysia
Tel: +60 32 271 1085

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clerks@39essex.com • DX: 298 London/Chancery Lane • 39essex.com