

# Dr Mirza Ahmad

Year of Call: 1984

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## Introduction

Called to the Bar by Gray's Inn, in 1984, and prior to joining St Philips Chambers, in November 2011, Mirza excelled in his 26 years career in local government and is nationally recognised as a top performing lawyer.. He has also been a Member of the General Council of the Bar for England & Wales since 1995 (save for 1998).

Mirza practices from St Philips Chambers in London (at 4 Field Court, Gray's Inn, WC1E 6HB), Birmingham (at 55 Temple Row) and in Leeds (41 Park Square). He is also authorised to take direct instructions from members of the public under the Bar's Public Access Rules.

Mirza is nationally recognised as an expert in local authority law and employment law. From 2000 to 2011, he was the Chief Legal Officer and Corporate Director of Governance of Birmingham City Council, with leadership over 800+ staff.

He is also the General Editor of two legal encyclopaedia publications: Lexis Nexis "Local Authority Employment Law, Practice and Procedure" (since 2009); and Butterworth's "Knight's Guide to Public Procurement Law and Practice" (2007-2014).

**In addition to Public & Administrative Law** (such as Judicial Reviews, Planning, Commercial Property, CPO, Governance, Fraud / Misfeasance in Public Office, Grants and Public/EU Procurement matters), Mirza has a thriving private practice, which includes giving advice and appearing regularly, as an accomplished advocate, before civil courts/tribunals, appeal courts /tribunals and employment tribunals, as follows:-

**Employment Law** – for Claimants and Respondents, alike (including experience of being instructed by multiple claimants and respondents) in relation to complex multi-day trials dealing with, for example, dismissals, discrimination (race, sex, disability, harassment and victimisation), redundancies, restrictive covenants and TUPE;

**Land and Property** – commercial disputes for Claimants and Defendants, alike, in relation to, for example, multi-million Pound partnerships, company and joint venture disputes;

**Personal Injuries, Clinical & Medical Negligence** – for Claimants (in relation to / against doctors, dentists and hospitals) and for Claimants / Defendants alike in relation to Road Traffic Accidents (including fraud allegations) and Employer / Public Liability claims;

**Direct Public Access** – members of the public can save lots of money and time by coming direct to authorised barristers without going through a solicitors firm. Mirza is duly authorised to provide expert advice and/or representation to members of the public in relation to all of the above areas of work.

**Professional bodies** – Mirza is registered under the Bar's Direct Public Access Rules to assist members of the public and has, therefore, undertaken a number of cases involving members of professional bodies who have disputes with or who seek the Judicial Review / Appeal of professional body decision-making relating to, for example, the striking off from the professional register of members and/ or the imposition of restrictive conditions of practice relating to doctors / nurses.

## Qualifications and Appointments:

- *LLD* – Doctor of Laws (*Honorary*) : 2008
- *LLM* – Masters Degree in Employment & Industrial Relations Law :1998
- *MBA* – Masters Degree in Business Administration : 1992
- *Barrister* – Bar Vocational Course & Called to the Bar: 1984
- Combined Bachelor of Social Sciences (*Hons*) Degree in Law and Politics, 1983

## What the Directories Say:

**Ranked in** Chambers & Partners Legal Directory and Legal 500 for expertise in (1) Public & Administrative Law and (2) Employment Law. Client feedback in Directories:

"Highly experienced in judicial review challenges."; "He shows commercial awareness and strong technical knowledge of discrimination cases."; "Excellent client skills"; "Pragmatic advice"; "A great deal of public law experience"; "Highly experienced in judicial review challenges;"; "He shows commercial awareness and strong technical knowledge of discrimination cases"; "Extremely thorough and shows great empathy"; and "Provides a realistic view of the strengths of a case."

- The Lawyer Hot 100 for 2009 from The Lawyer Mega zine
- Public Sector Lawyer of the Year 2009 – from the Society of Asian Lawyers
- Public Sector Excellence Award 2007 – from Muslim Power 100
- Lawyer of the Month April 2006 from Black Lawyers Directory
- Top 5 Lawyers in Local Government 2005 – from Local Government Chronicle

## Recent and Reported Cases:

As an employed barrister with over 26 years experience, Mirza has had a number of cases reported in relevant publications dealing with the full range of local authority cases. Some of these cases were decided by the House of Lords/Supreme Court and included major Judicial Reviews in relation to, for example:

- housing & homelessness;
- employment (Single Status, Equal Pay and Discrimination);
- joint ventures, planning and procurement law.

## Recent public body instructions include:

- Appearing for a London Borough in a Judicial Review and Housing Appeal cases;
- Advice for/against Councils re Judicial Reviews, CPOs, Leisure Trusts, procurement and contractual challenges;
- Employment cases (including discrimination and redundancies) for/against Councils, a University, and two NHS Trusts; and
- Other litigation for/against a Probation Trust, a Royal College, Housing Trusts / Associations.

## Recently reported case(s):

*D Kotak v J Kotak* [2014] EWHC 3121 (Ch) – £11 M commercial property portfolio, partnership and winding up dispute." EAT judgement 14/05/2015 – Her Honour Judge Eady QC (EAT) – Reason for dismissal including substantial other reason. Judgment can be found [here](#).

## Clients Feedback:

October 2016 – Direct Public Access client:

- "Working with [Mirza] has been truly inspirational and returned my faith in justice".

September 2016 – Principal at Trent Law Solicitors, Nottingham:

- "We are really impressed with Dr Mirza's performance in our recently instructed case of *X v ASDA*. He not only managed to secure our client a good compensation but also recovered more than expected costs for us. We are definitely instructing him going forward."

July 2013 – Employment Lawyer at Dudley MBC:

- [Mirza was] instructed at very short notice [and he] prepared the case extremely well [His] cross examination was faultless an

excellent performance with a great result.

July 2013 – Partner at Willsons Solicitors:

- [My client and I] have been very impressed with [Mirza's] ease of availability, promptness in responding ... as well as ability to express complicated points in clear and simple terms.

June 2013 – Principal at Bailey Wright & Co. Solicitors:

- Mirza is a lawyer with an enviable range of skills and experience. He is conscientious with a high level of commitment to any task that he undertakes. If you want results, Mirza is the man to have on your team.

#### Articles and Publications:

Mirza is the General Editor of two legal encyclopaedia publications:

- "Lexis Nexis' Local Authority Law, Practice and Procedure" (since 2009); and
- "Butterworth's Knight's Guide to Public Procurement Law and Practice" (2007-2014).

He has, over the last two decades, written a number of articles on ethical and corporate governance, employment, EU Directives & UK Procurement Regulations, Compulsory Competitive Tendering, Human Rights Act 1998 and on TUPE (the Transfer of Undertaking Regulations).

Memberships:

- **Member** of The General Council of the Bar for England & Wales (since 1995, save for 1998), ELA, PIBA, Midlands Circuit, Birmingham Law Society;
- **Chairman** of the Bar Association for Local Government & the Public Services (since 1998); and
- **President** of the Association of Council Secretaries & Solicitors (2009/2010)

## Employment

Mirza has a successful employment law practice, which includes giving advice and appearing regularly, on multi-day trials, as an accomplished advocate, before Employment Tribunals in unfair dismissal, redundancy, TUPE and age/disability/race/sex discrimination cases (both, for claimants and employers) and covering multi-jurisdictional matters.

He has also advised and appeared in relation to appeals before the Employment Appeals Tribunal.

## Fraud and Allegations of Fraud

**RTA cases:** Mirza has advised and appeared in a number of multi-track and fast track trials involving multiple claimants and a number of joint trials with other potentially fraudulent RTA claims. He has also been successfully involved in cases involving serious allegations of exaggeration of personal injury claims, which fall short of an allegation of fraud. His Personal Injury practice covers representing clients from both the claimant and defendant/insurance company perspectives. He is happy to consider cases on a CFA or private fee paying basis.

**Other cases:** Mirza has extensive and successful experience of appearing in and/or advising on complex commercial land and property transactions, including substantial and complex proceedings relating to allegations of fraud against Defendants. Such experiences extend to proceedings before the Upper Tribunal (Lands Chamber), proceedings relating to insolvency and winding up, and recovery of public grant funding for alleged fraud and breach of conditions. .

# Discrimination

Mirza has advised and appeared in a number of multi-day Employment Tribunal cases (for and against multiple claimants / respondents and multi-jurisdictional issues) relating to, for example, allegations of discrimination involving sex, maternity, pregnancy, disability or race.

# Mediation

Mirza accepts clients for mediation.

# Public and Administrative Law

Mirza provides high quality advice and advocacy services covering all aspects of local authority work (both, for and against). His practice includes giving advice and appearing regularly, as an accomplished advocate, before County and High Courts in relation to:-

- Judicial Review challenges to public body decision making, Governance and Constitutional matters (including Schools and Academies);
- Land & Property disputes (including Joint Ventures, Planning, Compulsory Purchase and landlord & tenant matters);
- Procurement, Tendering and Contracting of public services & public/private/PFI partnerships (including State Aid implications);
- Employment (including all forms of dismissal, TUPE, disciplinary matters, Equal Pay, restrictive covenants and discriminatory matters); and
- Housing and Consumer Protection (including Public & Environmental Health).

Mirza has represented a number of local authorities before the High and County Courts in relation to Judicial Reviews and Housing Appeals, including giving Opinions on potential Judicial Review challenges with regard to public procurement, tendering, property, education & social care assessments, and liability order appeal.

# Commercial Litigation

Mirza has extensive and successful experience of appearing in and/or advising on complex commercial land and property transactions, including substantial and complex proceedings relating to allegations of fraud against Defendants. Such experiences extend to proceedings before the Upper Tribunal (Lands Chamber), proceedings relating to insolvency and winding up, and recovery of public grant funding for alleged fraud and breach of conditions.

Mirza also has extensive experience of advising on Judicial Review / Appeals relating to exclusions or restrictions from practice and other disciplinary processes of professional bodies (such as nurses, doctors and consultant examinations).