



## Paul Darling OBE KC

Year of call: 1983 | Silk: 1999

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*“a doyen of his area”*

*“He’s the man you go to if you have a difficult case; he will always come up with an innovative solution and he won’t give up, even on the difficult points.”*

## Chambers and Partners Asia Pacific

Paul Darling OBE KC has established a formidable reputation as an advocate in all types and levels of tribunals all over the world. He specialises in complex cases which feature multiple parties, large teams, and high volumes of material, and is often brought in by clients at short notice, late in proceedings. An ability to work with colleagues from any jurisdiction, and to grasp detail, strategy, and tactics quickly has allowed Paul to develop a practice which has taken him to every major jurisdiction, appearing in a wide variety of construction, energy, and commercial matters. Adaptability and focus have contributed to Paul's reputation as a gamechanger, brought in to direct some of the construction and commercial world's most difficult cases. Paul has represented diverse clients in tribunals such as the Commercial Court, the Technology and Construction Court, and the Court of Appeal in London, the High Court and the Supreme Court in Dublin, the High Court in Northern Ireland and Arbitration Tribunals globally. Since the early 1990s he has conducted many arbitrations in Hong Kong, Singapore, and the Middle East. He has acted in ICC, LCIA HKIAC, SIAC and DIAC Arbitrations.

Paul is also called to the Northern Ireland Bar (2004).

## Areas of expertise

- Construction and Engineering
- Adjudication
- Commercial Litigation and Sale of Goods
- Professional Negligence
- Domestic and International Arbitration
- Procurement
- Health and Safety

## Professional Negligence

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Paul has conducted many cases, both on behalf of claimants and defendants in professional negligence cases. Most of them were "*building cases*". Some were claims against engineers and architects in respect of defects or other construction problems. Some were claims against architects and project managers for failing to administer contracts properly. Some were against quantity surveyors and other construction professionals for negligent valuation.

Two highlighted cases are; The Rossory Quay litigation in Northern Ireland involving defective low and transfer platforms. This is one of the first cases in which the effect of a duty of care deeds and collateral warranties were considered. It was essentially a claim against an engineer for negligently recommending a proprietary ground treatment system. The second, was the Hills Road litigation variously known as McAlpine v Panatown, McAlpine v Unex, McAlpine v UIPL where he represented Alfred McAlpine. The final part of that case involved McAlpine and UNEX seeking to enforce duty of care deeds about negligence against each other and in McAlpine's case against 36 defendants. This involved the full gamut of issues that any professional negligence mega dispute gives rise to.

Reported cases include:

- Shepherd Construction Ltd v Pinsent Masons LLP [2012] EWHC 43 (TCC); BLR 213; 141 Con LR 232 [2012] PNLR 31 (TCC)
- Community Gateway Association Ltd v Beha Williams Norman Ltd [2011] EWHC 2311 (TCC); [2011] All ER (D) 59 (Sep) (TCC)
- Community Gateway Association Ltd v Beha Williams Norman Ltd (Costs) [2011] EWHC 2994 (TCC); [2011] All ER (D) 120 (Dec) (TCC)
- Fitzroy Robinson Ltd v Mentmore Towers Ltd [2010] EWHC 98 (TCC); [2010] All ER (D) 84 (Oct) (TCC)
- Fitzroy Robinson Ltd v Mentmore Towers Ltd [2010] EWHC 98 (TCC); [2010] All ER (D) 84 (Oct) (TCC)
- Fitzroy Robinson v Anglo Swiss Holding Ltd (No 3) [2009] EWHC 3365 (TCC) 128 Con LR 103, [2010] BLR 165 (TCC)
- Plymouth and South West Co-operative Society Ltd v Architecture Structure and Management Ltd [2006] EWHC 5 (TCC); 108 Con LR 77; [2006] CILL 2366 (also reported on costs at [2006] EWHC 3252 (TCC); 111 Con LR 189; [2007] Lloyd's Rep IR 596) (TCC)
- Blair & Anor v AWG Residential Ltd & Ors [2005] NIQB 68 (High Court of Northern Ireland)
- Munkenbeck & Marshall v Kensington Hotel Ltd (2000) 78 Con LR 171 (TCC)
- John Harris Partnership v Groveworld Ltd (1999) 75 Con LR 7 1999; PNLJ 697 (TCC)

## Appointments

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- Appointed by the Secretary of State as Chair of the Horserace Betting Levy Board – April 2020

## Memberships

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- Technology and Construction Bar Association London
- Common Law and Commercial Bar Association

- Society of Construction Law
- Professional Negligence Bar Association
- Commercial Bar Association Bar of Northern Ireland (2004)
- Chartered Institute of Arbitrators
- London Court of International Arbitration International Bar Association

## Recommendations

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- *"He is pragmatic, reliable and a massive presence." "Tenacious, a good advocate and tough in any case that you give to him."* Chambers and Partners
- *"He is extremely good, very practical and very down to earth"... "As a QC he just commands enormous gravitas and the very best respect for his advice and opinions."* Chambers Global
- *"As always, Paul's advice is commercial, he is responsive and he turns the advice around quickly." "A larger-than-life character coupled with a fearsome intellect."* Chambers and Partners
- *"He has a very bright and analytical mind and remains one of the leading advocates – very impressive on his feet."* Chambers and Partners

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