



Paul Darling OBE KC

Year of call: 1983 | Silk: 1999

Email: paul.darling@39essex.com

Phone: +44 (0)20 7832 1111

"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

Commercial Litigation and Sale of Goods

Paul has done many cases which would be described as "commercial", some of which are about Sale of Goods.

The two Sale of Goods cases that he focused on are Clegg v Andersson in the Court of Appeal, in England and the Pyrite litigation in Ireland in the High Court and Supreme Court in Ireland.

Clegg was about an allegedly unsatisfactory yacht which the owner purported to reject over six months after he took delivery of it.

The Pyrite litigation in Ireland involved consideration of the Irish Sale of Goods Act (similar but not identical to the English version) and as to what was meant by merchantable quality and fitness for purpose.

He has appeared in two reported cases about the remuneration of foreign exchange dealers, one of which went to the Court of Appeal.

Paul has done cases about generators and whether they were satisfactory or fit for their purpose.

He has also done many cases about bonds and guarantees.

Examples of reported cases are:

- James Elliott Construction Ltd v Irish Asphalt [2014] I ESC 68 (Irish Supreme Court)
- Mirador International LLC v MF Global UK Ltd [2012] EWCA Civ 1662; [2012] All ER (D) 142 (Dec), Court of Appeal [2011] EWHC 683 (Comm) Commercial Court
- Byblos International Fund LLC v IFX Markets Ltd [2009] EWHC 346 (QB); [2009] All ER (D) 08 (Mar) (Commercial Court)
- Wärtsilä France SAS v Genergy Plc [2004] EWHC 1966 (TCC); 92 Con LR 112 (TCC)
- Clegg v Andersson (t/a Nordic Marine) [2003] EWCA Civ 320, [2003] 1 All ER (Comm) 721 [2003] 2 Lloyd's Rep 32, (Court of Appeal)
- Tower Housing Association Ltd v Technical & General Guarantee Co Ltd (1997) 87 BLR 74 (TCC)
- Alfred McAlpine Construction Ltd v Unex Corp (1994) 70 BLR 26; 38 Con LR 63 (Court of Appeal)

Appointments

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

Memberships

- 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

- *"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

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