



PAUL KIRTLEY

MA (Cantab) – Downing College

1982 – Called Middle Temple

1999 – Recorder

2004 – Accredited Mediator in Civil and Commercial Disputes

2006 – Chairman of the Bar Conference

Considered as one of the leading civil barristers on the North Eastern Circuit
Known for his keen analytical approach, excellent client relations and renowned for his advocacy style.

Areas of Practice:

Civil

- Regularly instructed in high value claims relating to both personal injury and clinical negligence. Recent cases have included cerebral palsy and para and quadriplegia claims in excess of £2m (often without leader). Undertakes a high volume of factory claims for both claimants and defendants, in addition to Fatal Accident Act claims (RTA and industrial disease). Has experience of equine and dangerous sports related injuries, including motor racing and hang-gliding cases.

Recent Court of Appeal cases include successfully arguing liability of health trust for attack by psychiatric patients upon staff and the issue of delegation of responsibility of Defective Premises Act claim.

Known for his particular skills in difficult RTA cases, managing the team of experts to excellent effect, on behalf of both Claimant and Defendant.

Very experienced in conducted occupational disease litigation involving noise induced hearing loss, vibration white finger, work related upper limb disorder, asbestos exposure, work related stress and factory accidents for both claimants and defendants.

Undertakes Partnership dispute work, using his skills both as a barrister and mediator. Recently negotiated a successful outcome to a substantial dispute in a sibling partnership claim.

Enjoys a substantial paper practice in all areas with an emphasis on service levels with guaranteed turnaround times.

Undertakes high profile inquest work involving media sensitive issues, for both Public bodies and the Deceased's estate.

Mediation/ADR

- Fully accredited civil and commercial mediator. Undertakes mediation work both as mediator and on behalf of the parties. Engages in work based mediations particularly in the local authority and policing fields.

Regulatory

- Substantial involvement in regulatory matters particularly relating to the Police (judicial review of powers of Police Authority to make reimbursement order for costs). Considerable expertise in statutory pension schemes (Police Pension Regulations). Advisory work for public authorities on the Data Protection and Freedom of Information Act.

Employment

- Very well recognised for his Employment Tribunal and general employment work, particularly discrimination law. Has appeared in high profile discrimination cases. Regularly advises on restrictive covenant issues for both employers and employees. Substantial experience in the public sector, Police, Local Authority, NHS and PTC Trusts. Particular expertise in Public Interest Disclosure cases.

Involved in the vanguard of development of Public Interest Claims relating to Police Officers, and was engaged in a high profile death in custody cases involving complex claims under the Race Relations Act 1976.

Professional Negligence

- Undertakes clinical negligence and solicitor negligence claims particularly related to mismanagement of litigation. Known for his keen sense of analysis and driving cases to a positive conclusion. Much work undertaken within the mediation/ADR arena.

Successfully prosecuted clinical negligence claim arising out of the development heterotopic ossification.

Cases of Importance

Wade v West Yorkshire Police [1998] TLR (Court of Appeal)

Stubbs v Lincolnshire Police

Burman and Arrowsmith v Chief Constable of Lancashire

Devanna v Chief Constable of Merseyside Police

Cook v Bradford NHS Trust, 2002

Davies v Oxted and Ors, 2002

R v South Yorkshire Police Authority, ex parte Booth, TLR, 10 October 2000

Additional Information:

Member of Specialist Associations: Personal Injury Bar Association, Employment Law Bar Association, Professional Negligence Bar Association, former North Eastern Circuit representative on the General Council of the Bar for 6 years, Vice Chair of the Public Affairs Committee and Remuneration Committee of the Bar Council

Lectures on employment matters for the Employment Lawyers Association and the Industrial Law Society.

Member of Civil Justice Council Sub-Committee

Recommended in Legal 500 2008: for his “robust” style and leadership of the strong employment team at Park Court Chambers.

Recommended in Legal 500 2007: for personal injury and clinical negligence.

Recommended in Legal 500 2006: ‘is a strong practitioner, particularly noted for regulatory matters and judicial review involving the police’.

Recommended in Legal 500 2005: ‘a reliable, experienced, employment litigator, handles a lot of police work’.

Accredited Advocacy Trainer (North Eastern Circuit)

Chairman of the Bar Conference 2006

Chairman Board of Trustees of a national charity.