

## Paul Parker

Call: 1986

+442078222000      p.parker@4newsquare.com

**Clerk: Alex Dolby**

a.dolby@4newsquare.com

+442078222036      +447912495151



*He's a wonderful advocate: tenacious, brave and prepared to roll his sleeves up. You feel very confident in his services.*

- Chambers & Partners

**Paul Parker is a specialist in professional liability claims involving accountants, financial services professionals, lawyers, insurance brokers and construction professionals.**

He advises on professional regulatory matters and has substantial experience of appearing before disciplinary tribunals and in the higher courts on appeal. He does a variety of general commercial and chancery commercial work, with particular emphasis on insurance law.

Paul relishes the challenge of advocacy and is known for his tenacity, working hard to attain the trial barrister's ideal: complete mastery of a brief, control of the evidence and the ear of the court. He revels in difficult cases where there are obstinate witnesses or dogmatic experts to be cracked.

In a climate in which mediation has become the dispute resolution method of first choice, Paul has developed a considerable level of experience, guiding lay and professional clients through the mediation process, drafting mediation position papers, devising negotiation strategies and handling mediation advocacy.

"Excellent at pleadings", "very diligent, very thorough and offers detailed forensic analysis. He is very good at intricate legal arguments" (Chambers & Partners) and "consistently well thought of," Paul Parker is recognised as a leading recommended junior in the fields of professional negligence and professional discipline. Legal Week has reported Paul to be "fantastic with clients and you get excellent advocacy every time". And "great fun to work with" as well! The Legal 500 has time and again over recent years listed him amongst its highly regarded juniors and Paul has also been selected for inclusion in the Legal Business publication Legal Experts in the field of professional indemnity litigation every year since 2001.

### Privacy Policy

Click here for a [Privacy Policy](#) for Paul Parker.

## Areas of Expertise

---

### Insurance

Paul regularly advises as to coverage and exclusions in policies of insurance which arise in three contexts:

- straight insurance claims – in particular fire, business interruption claims and D&O (directors and officers) policy issues



NEW SQUARE

- insurance brokers' negligence actions – he has a thorough familiarity with the underlying insurance obtained by the broker: recent examples of the types of insurances covered in this context are E.L. (employers' liability), P.I. (professional indemnity), E&O (errors and omissions), D&O and Business Interruption
- general professional indemnity work – his recent cases include issues arising out of conveyancing fraud and title protection, non-disclosure in an engineers' case, late notification by architects/engineers, definition of insured perils in a valuers' case and making fraudulent claims in an engineers' case

His specific recent experience of insurance coverage issues includes:

- advising a world leader in advanced aftermarket automotive diagnosis as to D&O policy interpretation, notification and non-disclosure issues, aggregation, and the applicability of exclusions in the context of accessory liability, vicarious liability and joint liability for alleged infringement of intellectual property rights
- acting for brokers in *Yechiel v Kerry London Ltd* [2010] EWHC 215 (Comm) successfully upholding insurers' declinature
- representing solicitors at indemnity conferences
- advisory work for both insurers and professional insureds in connection with:
  - successor practice issues
  - insurable interests of ex-partners and ostensible partners
  - aggregation
  - late and non-notification issues
  - exclusions relating to the nature of the business insured
  - cooperation clauses
  - misrepresentation and non-disclosure on renewal and during the life of the policy
  - moral hazard
  - fraud and *ex turpi causa*
  - interpretation of clauses relating to critical illness cover
  - fortuity

## Cases

- *Yechiel v Kerry London Ltd*  
Acting for brokers successfully upholding insurers' declinature

## Qualifications & Memberships

---

Paul is a former editor of the *PNBA Professional Negligence Law Review* and has edited and written chapters on solicitors, appeals and IT professionals for *Jackson & Powell: Professional Liability Precedents* (Sweet & Maxwell, looseleaf).

He is a member of COMBAR, LCLCBA, the ChBA and the PNBA (having served on its executive committee for many years). He is an ex-chairman of governors at a school in Oxfordshire, and is the current vice-chairman of an Oxford charitable trust.

### Education

M.A. (Cantab.)

### Languages

Serbian and French.

## Insights

---

### The liability of a litigation friend for costs: *Glover v Barker* in the Court of Appeal

6 October 2020

On 21 August 2020 the Court of Appeal handed down judgment in *Glover v Barker* [2020] EWCA Civ 1112, overturning the decision of Morgan J. in *Barker v Confiance Ltd* [2019] EWHC 1401 (Ch) and giving comprehensive guidance as to the



NEW SQUARE

circumstances in which a defendant's litigation friend might be liable for the costs of a successful claimant.

## **The new Accounts Rules – what can you do?**

28 October 2019

On 25 November 2019 the SRA Accounts Rules 2011 will cease to have effect, and will be replaced by new accounts rules. In one quarter-stroke of the draftsman's pen, 52 rules covering 50 pages of single-spaced typescript on pages of A4 will be replaced by 13 rules on 10 pages. The SRA has trumpeted loudly that the rules have been simplified and that they provide greater flexibility. Have they? Do they?

## **SRA v James: When “I was driven to it” is no defence**

13 November 2018

Today a likely fatal blow to well-being in the workplace was struck by the Administrative Court (Flaux LJ, Jeremy Baker J) in *SRA v James and others* [2018] EWHC 3058 (Admin). It is well-known that if a solicitor is guilty of dishonesty in and about the work he or she does, they will be struck off unless they can show “exceptional circumstances”. For a while it was thought that extreme and intolerable work pressure giving rise to mental health issues, in turn giving rise to an act or acts of dishonesty, might suffice.

## **What does it mean to be lacking in integrity?**

14 March 2018

Paul Parker of 4 New Square explores the dishonesty/integrity debate as the Court of Appeal has now uttered its last words on the topic, which has kept regulatory and disciplinary lawyers busy for well over a decade.

## **Jackson & Powell: Professional Liability Precedents**

28 September 2010

Paul edited and wrote chapters on solicitors, appeals and IT professionals in this publication.

## **PNBA Professional Negligence Law Review**

1 November 2005

Paul is the former editor of this newsletter.