

OUR PEOPLE

Diarmuid Laffan

CALL 2014

LEGAL 500

"He is an excellent advocate and thinks quickly on his feet. Excellent drafting skills, very thorough and always gets into the detail of the matter"



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Diarmuid conducts a wide range of commercial litigation and arbitration both domestically and abroad, specialising in commercial disputes, insurance, professional liability, construction and engineering, and sports law.

Described as "*an excellent advocate*" with "*Excellent drafting skills*" and "*a hands-on operator who is not afraid to seize the narrative and craft effective strategy*", Diarmuid is ranked as a leading junior by the Legal 500 in insurance and reinsurance, professional liability and sports law.

Recent highlights include:

- Acting in an arbitration before the Court of Arbitration for Sport regarding the termination of a long-term commercial partnership agreement.
- Acting for the claimant in an unfair prejudice petition in the context of a long-running family dispute (*Re Caprina Trading Ltd*).
- Acting for the defendant property insurer in a dispute regarding the destruction of a hotel in Glasgow (*Stokenchurch Property Ltd v NIG*).
- Acting for a shipping mutual indemnity club in a claim arising from the alleged mishandling by its lawyers of a shipping arbitration (*OOCL v Ince & Co*).
- Acting for a firm of solicitors in successfully appealing findings of negligence to the Court of Appeal (*Spire Property Development LLP v Withers LLP*).
- Acting for a national insurer in bringing a group of subrogated recovery claims arising from contracts frustrated during the Covid-19 pandemic.
- Advising a chain of UK companies regarding the termination of a multi-year energy supply contract.
- Advising a UK company on insurance coverage in respect of personal injury claims before the U.S. courts.
- Advising an international reinsurer regarding losses caused by Hurricane Irma.
- Acting for the successful sports governing body before national and international arbitral tribunals in *ITIA v Brooksby* and *ITFL v Ymer*.

Further details of Diarmuid's recent and ongoing work are provided in the tabs on individual practice areas below.

Privacy Policy

Click here for a [Privacy Policy](#) for Diarmuid Laffan.

Transparency Statement

Click here for the [Transparency Statement](#) of Diarmuid Laffan.

Expertise

Commercial Litigation

Recent work in this area includes:

- Acting in an arbitration before the Court of Arbitration for Sport regarding the termination of a long-term commercial partnership agreement.
- Advising a chain of UK companies regarding the termination of a multi-year energy supply contract.
- Acting for the claimant in an unfair prejudice petition in the context of a long-running family dispute (*Re Caprina Trading Ltd*).
- Acting for a national insurer in bringing a group of subrogated recovery claims arising from contracts frustrated during the Covid-19 pandemic.
- Advising a property development company pre-action on a multimillion claim for breach of fiduciary duty against solicitors who acted simultaneously for both sides of a property joint venture notwithstanding their adverse interests.
- Acting for a fashion company pre-action in the successful compromise of claims for breach of fiduciary duty against solicitors who acted on various commercial deals both for the company and for one of its directors.

Insurance & Reinsurance

“Diarmuid provides clear and strategic advice. His legwork while preparing for arguments in outstanding. Given the time restrictions in arbitrations, he ensures time is utilised wisely, focusing on the primary points. He is effective in his verbal presentations and gauges what the arbitrator sees as concerning issues, and deals with them in an entirely simple and cogent manner.” – Legal 500

“Diarmuid is a hands-on operator who is not afraid to seize the narrative and craft effective strategy into which the client buys in from Day One.” – Legal 500

Diarmuid is ranked as a Leading Junior in insurance law by the Legal 500.

Recent examples of Diarmuid's work in this area include:

- Acting for the defendant property insurer in a dispute regarding the destruction of a hotel in Glasgow (*Stokenchurch Property Ltd v NIG*).
- Advising a reinsurer on a multimillion dollar claim brought by a North American cover-holder following the termination of its binding authority.
- Advising a mechanical and electrical contractor on a £3.4m claim against its professional indemnity insurer; the claim relates to designs for the extension of a London Underground line.

- Advising the professional indemnity insurer of a civil engineering joint venture on a £2.25 million claim by a water company regarding the designs for a water treatment plant.
- Advising a wind turbine operations and maintenance contractor and its liability insurer on liability and coverage issues arising from a major wind turbine fire which led to approximately £2 million worth of damage.
- Advising the owners of a vacant former pub regarding their £1 million claim against their property insurers after the building was burned down by intruders.
- Advising a construction contractor regarding coverage in relation to its proposed £4 million claim under the Third Parties (Rights Against Insurers) Act 2010 against the professional indemnity insurers of its insolvent former mechanical and electrical subcontractor.
- Advising an online retailer on coverage and its notification obligations following a theft at its warehouse.
- Acting for the claimants in a Commercial Court claim (LM-2020-000155) against their property damage insurer and insurance broker following a catastrophic fire at their city-centre hotel.
- Advising insurers on their application for security for costs against a claimant in a multimillion pound Commercial Court property damage claim.
- Advising a group of consumers on proposed claims against their event cancellation insurers following the disruption of various scheduled events due to the Covid-19 pandemic.
- Representing the defendant reinsurer as sole counsel in an *ad hoc* international arbitration concerning the scope of a binding authority.
- Advising an international insurance group on the scope of the duties owed by firms of solicitors to the after-the-event insurers with whom they place clients' ATE risks.
- Successfully represented, as junior counsel, the defendant reinsurer in a £5 million Dubai DIFC-seated UNCITRAL arbitration, through which the claimant sought an indemnity under the parties' facultative reinsurance treaty.
- Advising an injured airline pilot in relation to his £1 million claim against his income protection and loss of license insurance.
- Advising a company on the extent to which its employers' liability insurance responds to an adverse £1 million Employment Tribunal judgment.
- Advising a medical insurance policyholder on the pre-existing conditions exclusion in his policy.

Professional Negligence

"Diarmuid provides clear and strategic advice. His legwork while preparing for arguments is outstanding." – Legal 500

"He is an excellent advocate and thinks quickly on his feet. Excellent drafting skills, very thorough and always gets into the detail of the matter" – Legal 500

Recent examples of Diarmuid's work in this area include:

- *Spire Property Development LLP v Withers LLP* [2021] EWHC 2400 (Comm), [2022] EWCA Civ 970; Diarmuid was part of the counsel team both at first instance and before the Court of Appeal which successfully defended Withers against a £11 million claim based on allegations relating to the discovery of high-voltage cables on the claimant's property.
- *Prime London Residential Development Jersey Master Holding Ltd v Withers LLP* [2021] EWHC 2401 (Comm); Diarmuid was part of the counsel team which successfully defended Withers against a £12m claim brought by a property development fund.
- *OOCL v Ince & Co CL-2020-000634*; Diarmuid is currently representing the claimant shipping conglomerate as junior counsel in a £5m claim against a City law firm in respect of its alleged mishandling of an international arbitration.
- Acting for property-owners in their multimillion pound Commercial Court claim (LM-2020-000155) against their property damage insurer and insurance broker following a catastrophic fire at the claimants' city-centre hotel.
- Diarmuid acted for a property investment company in the successful compromise of its claim against solicitors who advised both it and its joint venture partners on a major development.
- Successfully representing a firm of criminal defence solicitors in striking out a £600,000 counterclaim through which the defendants alleged that the firm had mishandled their proceeds of crime confiscation proceedings.

Construction

Recent instructions include:

- Acting as junior counsel on behalf of the second defendant in *Evolve Housing & Support (UK) Limited & Ors* HT-2021 000005, a multimillion pound TCC claim arising out of the allegedly negligent design and installation of cladding at a large development in South London.
- Acting as junior counsel for the claimant design and build contractor in *United Living (South) Limited v Hawkins Brown Limited & Ors* Claim No. HT-2020-000412, a TCC cladding claim brought against the project's architect, specialist façade subcontractor and building control inspector.
- Acting as sole counsel on behalf of the defendant in the TCC case of *Jeffrey Salmon v Metropolitan Development Consultancy Ltd* HT-2019-000278 arising out of the refurbishment of a high-value property in London.
- Acting as sole counsel representing a construction company in a high-value adjudication concerning the designs for the external walls of a housing development.
- Acting as sole counsel on behalf of the Respondent in a complex, multi-million pound adjudication arising out of a large scale infrastructure project.
- Successfully representing a contract administrator in defending an adjudication in which it was alleged to have negligently over-certified payments due under a construction contract.

Sports Law

“Diarmuid has many strengths and is an excellent barrister. He is able to see the wood for the trees and has a very good commercial brain.” – Legal 500

“Very good, very sensible and an excellent advocate.” – Legal 500

“His approach is incredibly professional and very strategic, distilling matters for lay clients.” – Legal 500

Diarmuid is ranked as a Leading Junior in Sports Law by the Legal 500.

Recent examples of Diarmuid's work in this area include:

- Acting in an arbitration before the Court of Arbitration for Sport regarding the termination of a long-term commercial partnership agreement.
- Acting successfully for the International Tennis Integrity Agency before a first-tier tribunal in a *ITIA v Brooksby*.
- Acting successfully for a governing body before the Court of Arbitration for Sport in its appeal against a First-Tier Tribunal's finding that the athlete had not committed an ADRV as a result of three whereabouts failings in a calendar year (*ITFL v Ymer*).
- Acting successfully for the governing body of an Olympic Sport in a dispute regarding team selection for the European Championships.
- Advising a trans athlete regarding new guidance issued by a governing body on the participation of trans athletes in the sport.
- Acting for a national betting company in a dispute as to whether a number of substantial bets are payable under the company's standard contractual terms.
- Advising the owner of a stud farm on claims in negligence against Northern Irish and English veterinary surgeons who produced pre-purchase veterinary reports on a competition horse.
- Successfully defending a national governing body in a challenge to its refusal to admit an athlete to its high performance programme.
- Successfully defending a professional athlete against charges of possession and attempted use of a prohibited substance at a multi-day hearing before the National Anti-Doping Panel.
- Successfully prosecuting an underage athlete on behalf of a national governing body for use of a prohibited substance, leading to a 4-year ban under the WADA Code.
- Acting for the Appellant before the National Anti-Doping Panel in *Hosseinpoor v UKAD* (SR/NADP/667/2016), in which the Appellant was granted a 50% reduction in his two year additional sanction for training in breach of an existing anti-doping ban.

Awards



Qualifications

Bachelor of Civil Law, University College Dublin (First Class Honours); BCL, Oxford University (Distinction).