

DANIEL CROWLEY C.ARB

Call 1990

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*"experienced
advocate with
highly effective
cross-examination
skills"*

(Chambers UK)

Practice Overview

Daniel Crowley is a very experienced barrister. He has fought dozens of cases to trial. He has also argued a number of cases in the Court of Appeal. He specialises in insurance, construction and engineering, professional liability, product liability/property damage, commercial litigation and arbitration. He acts for Claimants on a "no win/no fee" Conditional Fee Agreement ("CFA") and Damages Based Agreement ("DBA") basis.



Insurance & Reinsurance

Daniel Crowley acts in all aspects of commercial insurance including insurance claims, coverage issues, policy construction, misrepresentation, non-disclosure, breach of warranty, estoppel, waiver and reservation of rights, co-insurance and ICOBS/Insurance Conduct of Business Sourcebook. He has a particular expertise in insurance fraud. He also acts for and against brokers as part of his professional negligence practice. He lectures on insurance issues especially insurance fraud.

Practice areas

Alternative Dispute Resolution
Commercial Dispute Resolution
Construction and Engineering
Insurance & Reinsurance
International Arbitration & Projects
Product Liability
Professional Liability
Professional Negligence
Property Damage

Memberships

COMBAR
CIArb
LCLCBA
PNBA
TECBAR

Qualifications

B.A. LL.B (First Class Honours)
(Qld.) B.C.L. (Oxon)
FCIArb
C.Arb



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Construction and Engineering

He has experience in delay and disruption claims and defect claims and all aspects of construction adjudications and arbitrations. He has particular expertise in claims arising under the Defective Premises Act 1972.

Product Liability & Property Damage

He has expertise in all areas of product liability/property damage/recovery claims including damage caused by defective products, fires, explosions, floods, tree roots, heave, landslip, vibrations and defective building work. By reason of his insurance expertise, he has particular expertise and experience of claims on insurance policies in respect of property damage.

Professional Liability & Negligence

Acting for and against solicitors, accountants, auditors, financial advisers, valuers, surveyors, engineers, architects and other construction professionals and insurance brokers.

Commercial Dispute Resolution

Wide range of commercial litigation with particular experience in sale of goods including international sale of goods; carriage of goods including CMR Convention and RHA terms; jurisdiction disputes; freezing (Mareva) injunctions; and Company Director Disqualification proceedings.

Arbitration, International Arbitration & Projects

Daniel Crowley is a Fellow of the Chartered Institute of Arbitrators and a Chartered Arbitrator. He is on the Chartered Institute of Arbitrators Arbitration Panel.

Advocate

He is regularly instructed in arbitrations. Recent arbitrations include:

Memberships and Affiliations

Commercial Bar Association
(Committee Member 2000 - 2007)

Chartered Institute of Arbitrators
(CIArb)

London Common Law and
Commercial Bar Association
(LCLCBA)

Professional Negligence Bar
Association (PNBA)

Technology and Construction Bar
Association (TECBAR)

Bar Council Education and
Training Committee 2004 – 2005

Bar Standards Board Standards
Committee 2006 – 2011

Bar Standards Boards Pupillage
Sub-Committee 2006 – 2011

Bar Standards Board Strategic
Review Implementation Steering
Group (2008 - 2009) which
implemented the new Complaints
Rules and Disciplinary Tribunal
Regulations for Barristers.

Gray's Inn Advocacy Trainer (from
2000) training BVC students, Pupils
and New Practitioners - "A" grade
trainer.

Member, 2TG Management Board
1997- 2001

2TG Equal Opportunities Officer
2006 – 2010

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- Substantial LCIA arbitration on international tank containers (instructed by Laytons)
- Claim arising from a fire on the roof of commercial premises (instructed by Plexus Law)
- Acted for Claimant South American Company, in a cross-border contractual claim in an international arbitration heard at IDRC in London. He led David Thomas of 2TG (instructed by Fischer & Schickendantz, Uruguay)
- Acted for international energy and process contractor in an ICC arbitration on claim for variations and delay and disruption arising from a power station project (instructed by DWF)
- Acted for international energy and process contractor in an ICC arbitration on a conversion from a coal fired power station to biomass in France, including Court applications in the UK. (instructed by DWF)
- Acted for a European supplier of pharmaceutical tablet presses in an ICC arbitration brought by a Middle Eastern pharmaceutical company (instructed by Kennedys)

He advises and appears in Court on appeals from arbitration awards: see, for example, *Crest Nicholson (Eastern) Ltd v Mr and Mrs Western* [2008] 1 BLR 426; (2008) 119 Con LR 18; (2008) CILL 2599 and arbitration applications.

Arbitrator

He sits as an arbitrator. He has sat as an arbitrator on appointments from the CI Arb including international arbitration:

- Dispute over funds in an escrow account following a share sale.
- Arbitration arising from a public body' termination of its contract with a solicitors' firm.
- Dispute between a solicitors' firm and an ATE insurer.



Current and Recent Work

Daniel has appeared in the following reported cases:

Elliott v Hattens Solicitors, [2021] EWCA Civ 720; [2021] WLR(D) 292; [2021] P.N.L.R. 25

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2 Entertain Video Ltd and Others v Sony DADC Europe Ltd [2021] 1 All E.R. 527; (2020) 190 Con. L.R. 145

Actavo UK Ltd v Doosan Babcock Ltd – [2017] EWHC 2849 (TCC); (2017) 177 ConLR 77 (with Martin Hirst)

BPT Ltd v Patterson – (CLCC TCC) (2016) Lawtel Document No. AC0153059

Rendlesham Estates plc and Others v Barr Limited [2015] 1 WLR 3663; [2015] BLR 37, [2015] TCLR 1; (2015) 157 Con LR 147; [2015] CILL 3604

Hufford v Samsung Electronics (UK) Ltd [2014] BLR 633

Robbins v LB Bexley [2012] LLR 976 (Edwards-Stuart J); [2014] BLR 11, [2013] All E R (D) 177 (Court of Appeal)

Khan and Khan v (1) London Borough of Harrow; and (2) Helen Sheila Kane [2013] BLR 611; [2013] All ER (D) 32; [2013] CILL 3421

Zennstrom and Another v Fagot and Others (2013) 147 Con LR 162, [2013] All ER (D) 287 (Feb), (2013) 30 BLM 46

Denness and Another v East Hampshire District Council [2012] All ER (D) 307 (Oct)

Berent v Family Mosaic Housing [2012] BLR 488, [2012] CILL 3213

Foster and Another v Stojanovski [2011] All E R (D) 157

Jenson and Jenson v Faux [2011] 1 WLR 3038; [2011] WLR (D) 133; The Times Law Reports 26.04.11; [2011] TCLR 4, [2011] HLR 30, [2011] P&CR 11, [2011] CILL 3025, [2011] NPC 42

Bole and Van Den Haak v (1) Huntsbuild Ltd and (2) Richard Money (t/a Richard Money Associates) [TCC] (2009) 124 Con LR 1; [2009] WLR (D) 98; [2009] All E R (D) 195; (2009) CILL 2697; 153 (120 SJLB 27; [CA] [2009] EWCA Civ 1146; (2010) 127 Con LR 154; [2010] ALL E R (D) 84; (2010) 27

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Porter v Zurich Insurance Company Ltd. (High Court QBD, Liverpool DR 2009, Coulson J) [2010] Lloyd's Rep IR 373; [2010] Lloyd's Rep IR Plus 11; [2009] All E R (D) 152; [2009] 2 All E R (Comm) 658; (2009) NPC 38; (2009) ILM 75.

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Hames v Ferguson [2008] All E R (D) 152 (CA)

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Hough v Annear (2008) 119 Con LR 57

Crest Nicholson (Eastern) Ltd v Mr and Mrs Western [2008] 1 BLR 426; [2008] All E R (D) 249; (2008) 119 Con LR 18; (2008) CILL 2599; [2008] TCLR 9.

Eiles v London Borough of Southwark [2006] All E R (D) 237

Wessanen Foods Ltd v Jofson Ltd [2006] All E R (D) 48

The Burns – Anderson Independent Network plc v Francis Henry Wheeler [2005] Lloyd's Rep 580 (QBD)

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Brown v Vosper Thorneycroft Ltd [2004] All ER (D) 375

24 Seven Utility Services Ltd v Rosekey Ltd (t/a Atwal Builders) and Another [2004] All E R (D) 288

Kanu v Kashif [2002] All E R (D) 496 (CA)

L E Jones (Insurance Brokers) Ltd v Portsmouth City Council [2002] BLR 244; [2002] All E R (D) 231; [2002] NPC 40 (TCC); [2003] 1 WLR 427, [2003] BLR 67; (2003) 87 Con LR 169; (2003) 15 EG 139; (2002) 47 EG 146 (CS); [2002] All E R (D) 90, The Times 21.11.02; (CA)

Khanna v Somra and Others [2002] All E R (D) 56 (QBD)

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Primavera v Allied Dunbar plc [2003] Lloyd's Rep PN 14 [2001] All E R (D) 231 (QBD); [2002] All ER (D) 54; (2003) PNL R 12; [2002] Pens L R 513 (CA)

Video London Sound Studios v Asticus (GMS) Ltd and Keltbray Ltd [2001] All E R (D) 168 (TCC)

Anglian Water Services Ltd v Crawshaw Robbins & Co Ltd [2001] BLR 173; [2001] NPC 32 (QBD)

Dainty and Others v Reynolds and Others (CA) [2000] All E R (D) 2010; (High Court, Holland J) [2001] All E R (D) 43

Ludlow v National Power plc [2000] All E R (D) 1868(CA);

Hooper & Ors v Gorvin [2000] All ER (D) 2165; [2001] WTLR 575; [2001] 3 EGCS 130; [2000] NPC 140 (Ch. D)

Kamenou v Dodson [1999] 2 All ER 764; [1999] BLR 72; [1999] 2 Costs LR 117 (TCC).

Cooper v Fearnley, Re A Debtor (No. 103) of 1994 [1997] B.P.I.R 20 (Ch. D)

Kahl v Holderness Borough Council [1995] PIQR P401 (CA)

Talbot v Berkshire County Council [1994] Q.B. 290; (1993) 3 WLR 708; (1993) 4 All ER 9; [1993] RTR 406; (1993) PIQR P319; (1993) 157 LG Rev 1004; (1993) 143 NLJ 402; The Times 23.03.93 (CA)

Recommendations

Chambers & Partners, London Bar, Property Damage, Leading Juniors, Band 1 2022, 2021, 2020, 2019, 2018, 2017, 2016, 2015 where he is described as follows:-

"Cuts through the background noise and digs out what is and isn't relevant."

"He has an authoritative steer on liability, which shows a good grasp of case law."

"Clients find him reassuring."

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"He is understated and effective on paper."

"He's knowledgeable of the law and gets to grips with knotty problems effectively."

"Has excellent attention to detail at all times"

"Efficient and economical in what he does, doesn't waste words in getting to the point."

"An experienced advocate and a highly effective cross-examiner."

"A highly established, well-respected and impressive practitioner."

"Practical, commercial and an excellent advocate."

"Very proactive, very bright and very experienced."

"Good on paper, good on his feet and good with clients."

"An experienced advocate with highly effective cross-examination skills, who displays great attention to detail at all times."

"He is a very astute individual, who has a keen eye for detail, and is very thorough in what he does. He is always methodical, clear and concise, and you can see his passion for the law."

"Gives firm and clear advice and is happy to stand by that advice."

"He is excellent, really thorough and very clever."

"He is very bright and spot-on legally."

Commercial Disputes Barrister of the Year, Lawyer Monthly Legal Awards 2016, 2017

Insurance -Lawyer of the Year – Finance Monthly – Fintech Awards 2018

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