

RAHUL KUMAR

Year of call
Barrister 2020; Solicitor 2017



Since coming to the Bar, Rahul has gained significant advocacy experience across all areas of Chambers expertise. He currently maintains a busy multi-disciplinary practice featuring commercial, clinical negligence, personal injury, inquests, employment and crime. He welcomes instructions across these areas and regularly appears in court alone or as a junior.

Prior to coming to the Bar, Rahul practised as a commercial solicitor specialising in high value disputes. Having started his career at a magic circle law firm, Rahul then practised for a number of years in the London office of a leading US firm. During this time, he represented clients in both High Court litigation and arbitration proceedings across a range of industries and was awarded Higher Rights of Audience in Civil Proceedings. He developed a particular expertise in disputes arising in construction, natural resources and complex financial litigation. He is adept at dealing with complex technical issues and is comfortable handling cases which feature intricate expert evidence.

Rahul also has experience of representing clients in high value transactional work, particularly in aviation, maritime, and off-shore resources. This includes drafting agreements and advising on prospective arrangements.

LEGAL EXPERTISE

Commercial

Rahul has significant experience of commercial disputes both as counsel and from his time as a solicitor. He welcomes instructions across all types of commercial work alone or as a junior.

Selected client representations

- Representing a law firm in respect of a debt claim.
- Representing various UK educational institutions in debt claims.
- Advising in relation the restoration of a company that had been dissolved following insolvency proceedings.
- Advising in relation to a partnership dispute in the context of a GP practice.
- Advising in relation to a multi-million pound claim in the High Court against a leading UK Bank arising out of its withdrawal of funding for a large development project.
- Representing a drilling contractor in arbitration proceedings arising out of the disputed termination of a construction contract, with combined claims in excess of US\$500 million.
- Advising a drilling-rig operator in respect of the purported termination of a drilling contract and its right to an early-termination fee.
- Advising a shipyard in relation to its termination of a substantial offshore construction contract and settlement of associated claims.
- Advising in connection with disputed insurance coverage related to the seizure of aircraft in Afghanistan.
- Acting for a leading financial institution in its defence of claims relating to trading of carbon emissions certificates in the English High Court.
- Representing a high-profile client in claims brought by a former business partner concerning the ownership of an iron ore plant in Ukraine.
- Acting for a major vehicle manufacturer in respect of allegations of misrepresentations and prohibited practices regarding its vehicles' emissions performance.
- Acting for a major mining corporation in its bilateral investment treaty arbitration against the Government of Venezuela, concerning the expropriation of certain mining and processing assets.

Civil

Rahul is building a busy civil practice with a particular focus on clinical negligence and personal injury work. He welcomes instructions to represent clients at trial as well as to advise on the merits of a potential case at an early stage and is comfortable in leading conferences with witnesses and experts.

Since coming to the Bar, Rahul has represented clients in claims arising out of negligent medical care (both by NHS trusts and private care providers) and road traffic accidents, including a multi-track case with a schedule of loss pleading special damages in excess of six figures.

Rahul is regularly instructed in Fast Track matters (road traffic and public liability claims), particularly where there is an allegation of fundamental dishonesty. He has successfully resisted such allegations whilst securing favourable results for clients.

Rahul also acts both for and against local authorities in public liability claims, particularly where there is serious personal injury.

Rahul is also currently assisting Sir John Goldring as the Point of Contact for the Appeal Panel for the Lambeth

Children's Homes Redress Scheme.

Inquests

Rahul is regularly instructed in multi-day inquests representing families and other interested parties, including cases where issues of clinical negligence have arisen. Rahul is experienced in grasping voluminous medical records and cross-examining medical professionals and other experts.

Rahul recognises that inquests can be a difficult experience for family members and is careful to ensure they understand the process throughout. Rahul is frequently instructed to advise and represent family members in follow on litigation proceedings.

Employment

Rahul has experience of representing both claimants and defendants in employment tribunal proceedings. Rahul has experience of drafting pleadings, advising on the merits of a case, advising on strategy and settlement, and representing clients at preliminary and final hearings. Rahul is also happy to advise at an early stage and has assisted in settling a claim without proceedings needing to be issued.

Crime

Rahul has a busy criminal practice and is frequently instructed to prosecute and defend serious cases in the Crown Court. He has gained significant trial experience acting both alone and being led by senior counsel.

Rahul is a Grade 2 Prosecutor and is regularly instructed in multi-day trials across the country, with a particular focus on the South East and the Midlands.

Rahul regularly advises and represents HMRC in respect of account freezing orders and forfeiture applications and is looking to further develop his practice in work relating to Financial Crime, particularly where this complements his existing commercial experience.

Appointments

- Grade 1 CPS Prosecutor

Memberships

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- Middle Temple

Education

- Higher Rights of Audience in Civil Proceedings
- Legal Practice Course, BPP
- Master of Laws (LLM), University College London
- BA (Hons) Jurisprudence, Keble College, Oxford

Publications

- *“Does COVID-19 offer an opportunity for Shipowners with Newbuild Orders?”* first published in LNG Shipping & Terminals in April 2020
- *“The Caspian Sea – is it a sea or is it a lake?”* first published in World Pipelines in March 2019
- Research Assistant to Professor Ben McFarlane on the first edition of his text *“The Law of Proprietary Estoppel”*