



Declan Magee

Partner

Joint Head of Litigation



Areas of Law:

Commercial Litigation, Professional Negligence, Public & Administrative Law

Contact Number:

DD +44 (0) 28 90 348 827

Mob +44 (0)7813 905 779

Email:

declan.magee@carson-mcdowell.com

Background

Declan qualified through Queen's University Belfast. He has worked with Carson McDowell since qualifying in 1995.

Declan has developed a strong client base in both the public and private sectors, he has jointly led the Dispute Resolution team in Carson McDowell for 5 years and during that time the team has grown significantly. The team is recognised in a number of sections of the leading guides on the legal profession as being at the forefront of the niche practice areas covered by the Department.

In Chambers and Partners UK Declan is described as *"Very knowledgeable and prompt on advice,"* and is praised for his experience across a range of sectors and his ability to *"provide innovative solutions to legal issues"*. The guide also states that Declan's *"clients appreciate his brilliant knack of simplifying the complex world of litigation and commercial law."*

Experience

Commercial Disputes

- Representing a private company in the successful prosecution of a challenge to the award of a significant public sector contract, setting a leading authority on the issue of award criteria for contract procurement;
- Successfully defending an action taken against a local pension provider by a scheme member involving detailed assessment of the scheme rules and underlying legislation;
- Advising a higher education establishment in relation to a dispute concerning the service provision of professional services to the establishment;
- Advising leading European insurer in defending proceedings taken pertaining to a significant claim for damage caused in suspicious circumstances

Professional Negligence

- Advising a leading firm of engineers in a claim brought against the insured in relation to alleged significant overpayment to contractors and contractual failings in inspecting works carried out on behalf of the Plaintiff;



- Advising a firm of local architects in relation to a claim commenced by a developer client relating to the placing of a number of properties on a development site;
- Acting on behalf of a number of the "big 4" accountancy practices in defending allegations by former clients in relation to the services provided;
- Defending cases alleging solicitor's negligence as a member of the panel appointed by Marsh and the Master Policy Insurers

Administrative & Public Law

- Acting on behalf of successful challenge taken in the House of Lords on the discovery obligations in judicial review proceedings, setting a new test on judicial review discovery obligations;
- Acting on behalf of the Parole Commissioners for Northern Ireland in challenges taken to their decisions on release, including challenge currently going before the Supreme Court on the closed evidence procedures;
- Representing a public sector transport organisation in a challenge to the licensing regime in Northern Ireland and in particular the perceived ability to grant short term licenses to operators;
- Representing the Financial Services Ombudsman in a judicial review challenge taken by an individual dissatisfied with the investigative process taken in relation to a complaint lodged against a banking institution.

Fraud

- Advising a higher education establishment in relation to a concern over a potential fraud by a service provider and advising on the appropriate steps to take;
- Advising a leading European insurer in a fraud perpetrated by a service provider in conjunction with a network of firms providing building services;
- Obtaining a Mareva & Anton Pillar Order from the Court on behalf of a leading public sector entity in relation to a procurement fraud perpetrated on the body by a service provider;
- Acting as a Court appointed supervising solicitor in the service and implementation of a number of Anton Pillar Orders