Darshan Patel

CALL: 2014



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Overview

Darshan specialises in employment law and personal injury.

Within the field of employment law, he is ranked as a leading practitioner in both the Legal 500 and Chambers and Partners. He has been described in the directories as an ‘astute, formidable yet charming barrister who has the confidence of the tribunal’, with particular strengths as a ‘team player’ and at ‘cutting through and focusing on what matters’.

Darshan practises across the full range of employment and discrimination law matters, acting for employers, unions and employees. He regularly conducts multi-day hearings, and has appeared on multiple occasions in the EAT and Court of Appeal, and once in the Supreme Court. Investigations, and internal processes also form part of Darshan’s practice.

Within the area of personal injury, Darshan acts for both Claimants and Defendants. He is instructed in high-value work, and has experience of all types of personal injury claims including occupational disease claims, stress at work, road traffic accidents, occupiers’ liability, clinical negligence and inquests.

Darshan also practises in the areas of professional discipline, data protection and information law, and general contractual disputes. Further details of Darshan’s work can be found under the relevant expertise headings.

Before coming to the Bar, Darshan read law at Magdalene College, Cambridge, obtained a Masters in Law (LLM) at the London School of Economics, and was graded Outstanding for his BPTC from the College of Law. During his training, he was awarded Exhibition Awards from Inner Temple and from the Leathersellers’ Company.

Darshan is a member of ELA, ELBA and PIBA, and has been appointed to the B Panel of Counsel for the Equality and Human Rights Commission (EHRC).

Employment

Darshan is regularly instructed in all areas of employment and discrimination law, and he advises and acts for employees, trade unions, and employers from private and public sectors. He has substantial experience of employment tribunal proceedings and regularly attends multi-day final hearings. He has been instructed in cases involving the full range of employment law issues, including questions of employee/worker status, whistleblowing, holiday pay, discrimination, TUPE, Agency Worker Regulations, flexible working and unfair dismissal. Darshan has particular expertise in contractual disputes.

Darshan has experience of collective work, including claims of collective redundancy and of failure to consult under TUPE, and has appeared as sole counsel in the Central Arbitration Committee (*Unison v Cornerstone TUR1/1092(2019)*).

Darshan has appellate experience, having appeared in the EAT, and in the Court of Appeal on multiple occasions. He also has experience of High Court litigation.

Recent highlights of Darshan’s work include:

- *PCS v Secretary of State for the Home Department and others* [2024] UKSC (judgment awaited), led by **Oliver Segal KC**.

Expertise

- Education & Safeguarding
- Employment & Discrimination
- Health
- Inquests & Public Inquiries
- Investigations
- Personal Injury
- Professional Regulatory & Discipline
- Public Law
- SHE & Criminal Regulatory

Recommendations

“Darshan is excellent with clients and has great attention to detail.” Chambers & Partners 2025

“A sensible and pragmatic junior.” The Legal 500 2025

"Darshan is technically very astute, selecting attractive points to move a case forward in a productive way. He is good at cutting through and focusing on what matters as well as being highly personable. He is popular with the tribunal, being authoritative while remaining calm." Chambers & Partners 2024

"Darshan's advocacy is exemplary. He is an astute, formidable yet charming barrister who has the confidence of the tribunal." The Legal 500 2024

Key contacts

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- *Turner-Robson and others v Chief Constable of Thames Valley Police* 3314825/2022 – ET decision considering whether a 'lateral move' was lawful positive action for a BAME officer in a police force.
- *K Mohammed v DEFRA* 2202713/2023 – ET judgment on the scope of the 'ready, willing and able to work' doctrine, regarding whether an employee incarcerated in a psychiatric hospital after an alleged crime was entitled to sick pay whilst so incarcerated.
- *Anglian Windows Ltd v Webb* [2023] EAT 138. EAT judgment on whether a partner of a partnership can be an employee of a third party.
- *Secretary of State for the Home Department and others v Cox and others* [2023] EWCA Civ 551, led by **Oliver Segal KC**. Court of Appeal judgment on variation/waiver, and on the meaning and interpretation of the Third Parties (Contracts) Act 1999 in the context of union suing for the removal of check-off by government departments.
- *Cox v SSHD* [2022] EWHC 680 (QB); *Crane v DEFRA* [2022] EWHC 1626 (QB), *Smith v HMRC [2022] EWHC 3188 (KB),* led by **Oliver Segal KC**. High Court judgments on contractual interpretation, variation/waiver and the meaning and interpretation of the Third Parties (Contracts) Act 1999 in the context of union suing for the removal of check-off by three government departments.
- *Nicol v Blackfriars Settlement [2018] 9 WLUK 353*. Court of Appeal judgment confirming that an appeal to the EAT against a registrar's grant or refusal of an extension of time to appeal against an ET judgment should proceed by way of rehearing Darshan successfully appeared as sole counsel for the appellant.

Darshan can accept instructions on a public access basis where appropriate. He regularly advises on settlement agreements.

Darshan is a member of the Employment Lawyers Association and of the Employment Law Bar Association.

Investigations/Internal Processes

Darshan has substantial experience in the conduct of internal processes, including investigations in workplaces. He has assisted in a disciplinary investigation regarding allegations of sexual harassment, a grievance investigation involving allegations of race discrimination and has conducted a grievance appeal process involving allegations of age discrimination. He has also carried out a wide-ranging mediation/review of internal structures and processes for a large organisation following concerns raised under the Equality Act 2010, and a race equality review of an educational establishment.

Personal Injury/Clinical Negligence

Darshan frequently advises and represents Claimants and Defendants in this area of law. He appears frequently in interlocutory hearings, CCMCs, applications, disposal hearings, small claims and fast-track trials in this area. Darshan is increasingly instructed in high-value claims and recently acted in a multi-track matter involving issues as to the valuation of future loss of earnings in the context of possible disability and the Ogden 8 guidance. This settled shortly before trial for a six-figure sum.

Darshan drafts pleadings and advises on matters concerning all stages of litigation. Darshan's expertise includes employer's liability (including noise-induced hearing loss), clinical negligence, occupiers' liability, road traffic accidents and highways claims. He also has experience of criminal injuries compensation appeals.

Darshan also has a special interest in inquests. He spent approximately six months in the Inquests team of a leading respondent solicitors' firm on a secondment as in-house counsel, where he regularly advised clients on inquest matters, and appeared in pre-inquest reviews and inquests.

Prior to joining Old Square, Darshan gained substantial experience of personal injury law from pupillage at a leading clinical negligence set and from his work as a County Court Advocate. Darshan is a member of the Personal Injury Bar Association.

Professional Regulatory & Discipline

Darshan has a strong grounding in the healthcare sector from his clinical negligence background, and from acting for a number of NHS Trusts in employment proceedings. Darshan has recently advised clients on GMC proceedings and has appeared in a number of hearings before Social Work England (including a successful application for discontinuance). This builds on

exposure he has had to a number of different regulators (GMC, NMC, GDC, Social Work England) and to internal disciplinary hearings during pupillage and subsequent training. Darshan is keen to further develop his interest in this area.

Data Protection & Information Law

Darshan studied privacy law and defamation as part of his LLM whilst at LSE, and has a growing practice in this field. He has delivered talks on the GDPR and on privacy law, and has been instructed on a range of data-protection matters, particularly in the employment and healthcare related spheres. His experience has included drafting pleadings, advising on liability and quantum issues, and appearing in interlocutory hearings in the High Court.

Professional Recommendations





Darshan Patel

“A sensible and pragmatic junior.”

The Legal 500 2025

“Darshan is excellent with clients and has great attention to detail.”

Chambers & Partners 2025

“Darshan is an excellent junior. He is very approachable; he’s a team player and very good with clients. Nothing is too much trouble for him.”

Chambers & Partners 2024

“I really enjoy working with Darshan in terms of his clarity, conciseness, thoroughness and attention to detail in the advice he provides.”

Chambers & Partners 2024

“Darshan is technically very astute, selecting attractive points to move a case forward in a productive way. He is good at cutting through and focusing on what matters as well as being highly personable. He is popular with the tribunal, being authoritative while remaining calm.”

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The Legal 500 2024