



**Paul Hardy**

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Paul Hardy has over 25 years' experience working as a lawyer and policy adviser, including working in the European Commission in Brussels and as the senior EU Legal Adviser to the UK Houses of Parliament.

Paul joined DLA Piper from the House of Lords in April 2017 as the firm's Brexit Director. He advises businesses, public sector organisations and States on the implications of Brexit and how best to manage them, and works with our sector specialists worldwide. His professional background makes him uniquely placed to navigate clients through the complexities of the post-Brexit domestic and cross-border regulatory environment, and to understand the new opportunities and risks that will arise for clients under trade agreements.

In April 2020, Paul took over as UK Head of Government Affairs from Lord Clement-Jones CBE. He provides clients with strategic policy advice and strategies for influencing outcomes in Whitehall and Westminster, combining his and the wider government affairs team's political insights and networks with the regulatory expertise of the firm's sector specialists. The UK government affairs team is part of an inter-connected global government affairs offering within DLA Piper, with centres in Brussels and Washington DC.

Paul holds the qualification of practicing barrister, and also remains a "door tenant" at specialist EU and administrative law barristers' chambers in London, Francis Taylor Building, where he last practiced as a self-employed member of the Bar.

#### RELATED SERVICES

- Litigation, Arbitration and Investigations
- International Trade, Regulatory and Government Affairs

#### LANGUAGES SPOKEN

English French

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- English
- French

#### CREDENTIALS

#### Professional Qualifications

- Barrister in England and Wales, 1992

## Prior Experience

- In 2014 he was promoted to EU Legal Adviser to the House of Lords, carrying out a similar function for the seven EU Select Committees in the Lords.
- In 2009 he was appointed Counsel for European Legislation in the House of Commons, heading up the team providing EU legal advice to the House and its Select Committees.
- Over eight years in the UK Parliament Paul reviewed every piece of EU legislation and policy produced by the EU, and played a prominent role in advising Parliament on their implications. His advice on the UK's legal liability to pay into the EU budget after withdrawal was published in a high-profile Lords Select Committee report, the first time the Lords has published internal legal advice.
- From 2004 to 2008 he was a civil servant (fonctionnaire) in the European Commission, where he was a legal and policy adviser in the Directorate-General for External Relations. His role included negotiating on behalf of the Commission in Council working groups, and negotiating elements of EU trade agreements.
- From 2000 to 2003: Barrister, Chambers of Andrew Tait Q.C., Francis Taylor Building, London, specialising in administrative law and environmental law and judicial review in the High Court.
- 1992 to 1998: Barrister, Chambers of Anthony Shaw, Q.C., Red Lion Chambers, London, specialising in crime and human rights.
- Paul has also worked for the International Committee of the Red Cross, as a legal adviser on judicial reform in Bosnia, and as a trial lawyer in Rwanda.

## Education

- Inns of Court School of Law (Bar Vocational Course), 1992
- University of North London, CPE (law conversion), 1991
- University of St Andrews M.A., 1989

## INSIGHTS

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### Publications

#### **Boardroom Brexit: The view from the UK on the trade deal**

31 December 2020

Boardroom Brexit

The UK-EU Trade and Cooperation Agreement (TCA) came as a much-needed, hurriedly wrapped Christmas present for the UK Prime Minister.

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#### **Boardroom Brexit: What the deal means for dispute resolution**

31 December 2020

Boardroom Brexit

This was one of the most contentious areas in the negotiations as both sides wanted assurances that the other party would honour the commitments contained in the TCA in the future.

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#### **Boardroom Brexit: What the deal means for the UK and EU ratification and implementation process**

31 December 2020

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Boardroom Brexit

The steps before the EU/UK Trade and Cooperation Agreement becomes law

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### **Boardroom Brexit: What the deal means for trade in goods**

31 December 2020

Boardroom Brexit

What will the Trade and Cooperation Agreement mean for tariffs and quotas, rules of origin, technical barriers to trade, customs and product standards

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### **Boardroom Brexit: What the deal means for trade in services**

31 December 2020

Boardroom Brexit

The TCA has substantial sectoral coverage, including professional and business services (e.g. legal, auditing, architectural services), delivery and telecommunication services, computer-related and digital services, financial services, research and development services, most transport services and environmental services.

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### **Boardroom Brexit: What the deal means for transport**

31 December 2020

Boardroom Brexit

There will be continued market access rights for UK and EU road haulage operators, while under the TCA, UK and EU air carriers will continue to enjoy flyover rights and operating rights on routes between the UK and EU. However, UK carriers will not be able to operate cabotage routes in the EU (and vice versa)

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### **Rules of Origin - what you need to know**

9 October 2020

DLA Piper Trade Truths

With less than two months before the end of the Brexit Transition Period, importers and exporters of goods between the UK and both the EU, and the rest of the world, are preparing for the impact of significant changes to UK and EU trading arrangements upon their businesses and operations. Recent articles in the DLA Piper Trade Truths series have examined the realities of trading on so-called 'World Trade Organisation (WTO) terms', should there be no deal at the end of the Transition Period, including the impact on customs procedures and tariffs on goods, together with the UK's post-Brexit trading landscape.

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### **Beyond the EU-UK Negotiations: Planning for trade with the rest of the world after Brexit**

30 September 2020

DLA Piper Trade Truths

Whilst clients are rightly focused on the current status of negotiations between the UK and EU, some 12 weeks before the end of the Transition Period, it is easy to lose sight of the impact of Brexit on the UK's trading relationship with the rest of the world and the commercial consequences of this for businesses.

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## **Boardroom Brexit - 15 September 2020**

15 September 2020

Boardroom Brexit

After the seventh negotiating round between the UK and EU concluded in what was to be the end of the calm before the storm, the UK's Chief Negotiator, David Frost, said that "little progress" had been made and his EU counterpart, Michel Barnier, rated the chances of a deal as "unlikely".

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## **Boardroom Brexit - 15 June 2020**

15 June 2020

Boardroom Brexit

Boardroom Brexit - Britain rules out extension (15 June 2020).

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## **Further amendments to English COVID-19 emergency regulations**

13 May 2020

On 13 May 2020, the UK government amended its emergency legislation for COVID-19 to relax some of the lockdown restrictions in England. This article explains what the changes are and what they mean.

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## **Boardroom Brexit: Exit Day**

31 January 2020

Boardroom Brexit

Welcome to our latest issue of Boardroom Brexit, marking the UK's departure from the EU tonight, guiding you through the key timelines in the negotiations and recommending action you should consider taking.

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## **Ten key points you need to understand about the Brexit negotiations**

23 December 2019

Boardroom Brexit

The UK will leave the European Union (EU) at 11.00 pm on Friday 31 January 2020. The UK Government's 80-seat majority in the House of Commons ("the Commons") means the Withdrawal Agreement Bill ("the Bill"), the legislation necessary to make the Withdrawal Agreement legally effective in the UK, will pass. The days of the Commons being able to overturn Government legislation are now over. The House of Lords will not vote the Bill down because of the parliamentary convention that it does not vote down legislation promised in a manifesto.

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## **Business & Human Rights: Towards a Common Agenda for EU Action – Key takeaways for businesses**

5 December 2019

Businesses and investors have been given a clear signal as to the direction of travel of the new European Parliament and Commission on business and human rights at a conference on 2 December 2019, co-organized by Shift and the Finnish Presidency of the Council of the EU.

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## **Boardroom Brexit: Stay prepared for no-deal**

4 November 2019  
Boardroom Brexit

Welcome to our latest issue of Boardroom Brexit, covering most recent developments..

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## **Boardroom Brexit 2 August**

2 August 2019  
Boardroom Brexit

Welcome to the latest issue of Boardroom Brexit, covering developments since the election of Boris Johnson as leader of the Conservative party and, as a consequence, his replacement of Theresa May as the UK's new prime minister.

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## **Engaging with UK Parliamentary Select Committees**

21 June 2019

Giving evidence to a Parliamentary Select Committee can be a daunting experience. Select Committee hearings are high-profile events which can attract significant media attention. Evidence sessions expose witnesses to cross-examination by MPs or Peers, which at times can be hostile.

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## **Brexit webinar**

31 MAY 2019  
Boardroom Brexit

A discussion around how the results of the European Parliament elections could affect UK business and Brussels. With CBI's Callum Biggins, and DLA Piper's Paul Hardy, Lord Tim Clement-Jones, and Anthony Callaert.

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## **UK and EU no-deal planning**

21 MAY 2019  
Boardroom Brexit

In this client alert we:

- Explain why the risk of a no-deal Brexit is increasing; and
  - Provide links to the relevant UK and EU no-deal guidance your business will need to understand should the UK leave the EU without a deal.
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## **Boardroom Brexit 12 April**

12 APR 2019  
Boardroom Brexit

Welcome to our latest issue of Boardroom Brexit, covering developments during the week commencing 8 April 2019.

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## **Boardroom Brexit: UK seeks further extension as EU warns of rising no-deal risk**

5 APR 2019

Boardroom Brexit

On Monday, 1 April, the House of Commons (the Commons) voted on four possible arrangements (whittled down from the eight voted on last Friday) in an attempt to break the Brexit logjam.

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## **Boardroom Brexit: Customs union closest option to winning MPs' approval as PM's deal fails again**

1 APR 2019

Boardroom Brexit

Welcome to our latest issue of Boardroom Brexit, covering developments during the period 25 - 29 March 2019. This week, we strayed from our usual Friday distribution to ensure we captured and reported on the outcome of last Friday's House of Commons vote.

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## **Boardroom Brexit: New timeline after EU grants conditional extension**

22 MAR 2019

Boardroom Brexit

The third vote on the draft Withdrawal Agreement didn't take place this week. John Bercow, Speaker of the House of Commons (the Commons), announced that the deal couldn't come before the Commons this parliamentary session in similar, or substantially similar, terms as before. According to parliamentary convention dating back to 1604, the government couldn't hold repeated votes in the Commons, in the same parliamentary session, on a motion that is the "same in substance."

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## **Boardroom Brexit: What next after a dramatic week in UK politics?**

15 MAR 2019

Boardroom Brexit

MPs voted by a majority of 210 in favour of the government's motion extending the negotiation deadline until 30 June 2019, if the withdrawal agreement is approved by next Wednesday (20 March 2019).

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## **No-deal Brexit: UK Government publishes temporary trade tariff**

14 MAR 2019

This week the UK Parliament voted against leaving the EU without a Withdrawal Agreement and a Framework for the Future Relationship on 29 March 2019 - i.e. a no-deal Brexit.

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- "Parliament, Legislation and Accountability", *Hart*, 2016

## **Events**

## Previous

### Brexit - the Final Deal

5 January 2021

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### Brexit – What's happening next?

9 September 2020  
Webinar

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### Today's challenges for lawyers in the payments sector

12 JUN 2019  
London

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### Brexit Breakfast and Lunch

14 MAR 2019  
Brexit Breakfast and Lunch  
Liverpool

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### Brexit Breakfast and Lunch

14 MAR 2019  
Brexit Breakfast and Lunch  
Manchester

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- Speaker, Netherlands British Chamber of Commerce event, "Impact of Brexit on Manufacturing", Manchester, 23 November 2017
- Chairman, EU Withdrawal Bill Summit, Guildhall, 21 November 2017
- Moderator, "Investing in the UK", Horasis China Meeting, Sheffield, 5-6 November 2017
- Keynote speech on the Supreme Court's decision in Miller, Legal Research Foundation of New Zealand, Auckland, 10 July 2017
- Keynote speech on Brexit, European Business Council for Africa and Mediterranean Annual Dinner, London, 29 June 2017
- Speaker, Alliance for Intellectual Property breakfast event on Brexit, London 29 June 2017
- Panellist, Chartered Institute for Securities & Investment Brexit Debate, London, 27 June 2017
- Keynote speech on Brexit, South African Chamber of Commerce, London, 6 June 2017
- Keynote speech on Brexit, Asset Based Finance Association annual conference 2017

## NEWS

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### DLA Piper hosts leading business and diplomacy conference

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14 MAR 2019

DLA Piper's London office has hosted the Annual Conference of the International Diplomatic and Business Exchange (IBDE).

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- NZ businesses need to prepare for Brexit changes, *Radio New Zealand*, 13 July 2017
- Businesses sit on their hands as Brexit deadline approaches, *Financial Times*, 28 June 2017
- Businesses can't afford to leave UK before Brexit, says lawyer, *The Times*, 23 October 2017

## OVERVIEW – BUSINESS AND HUMAN RIGHTS

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### Overview

Paul Hardy is an Employed Barrister working in Litigation & Regulatory group. He specialises in Government Affairs, Trade and Regulatory work. He leads the firm's Brexit advisory service.

Paul has over 25 years' experience as a lawyer and policy adviser including first-hand experience of working for international organisations and the UK Parliament.

He remains a member of the specialist EU and administrative law barristers' chambers, Francis Taylor Building, London.

### Experience

- 1992 to 1998: Barrister, Chambers of Anthony Shaw, Q.C., Red Lion Chambers, London, specialising in crime and human rights.
- 1998 to 1999: Employed by Belgian NGO, Advocates sans Frontières, to represent defendants in domestic war crimes trials in Rwanda.
- 1999 to 2000: Rule of Law Officer, Office of the High Representative, Bosnia Herzegovina. Responsible for drafting and implementing judicial reform legislation in the Serbian entity.
- From 2000 to 2003: Barrister, Chambers of Andrew Tait Q.C., Francis Taylor Building, London, specialising in administrative law and environmental law and judicial review in the High Court.
- From 2003 to 2004: senior legal adviser, International Committee of the Red Cross, Geneva. Advising common law States on the transposition of international law conventions into domestic law. Drafting implementing legislation. Manager of team of five regional advisers.
- From 2004 to 2008: civil servant (fonctionnaire) in the European Commission, where he worked in the foreign policy and human rights directorates.
- In 2009 to 2014: Counsel for European Legislation, House of Commons, heading up a team providing EU legal advice to the House and its Select Committees.
- From 2014 to 2017: EU Legal Adviser to the House of Lords, carrying out a similar function for the seven EU Select Committees in the Lords.
- From 2017 to present: Brexit Director/Legal Director, DLA Piper. Advising businesses, public sector organisations and States on the trade and regulatory implications of Brexit, and how best to manage them. Particular expertise on supply-chain mitigation.

### Notable Human Rights Experience

- Currently instructed in an application before the European Court of Human Rights claiming a breach of the European Convention on Human Rights in the election of hereditary peers to the House of Lords. He is being led by Lord Pannick QC.
- As an official in the European Commission:
  - Participant in the EU negotiating team in the creation of the UN Human Rights Council in Geneva
  - Representing the EU in UN human rights discussions in the UN General Assembly EU representative to the Assembly of

States Parties at the International Criminal Court (management and legislative oversight)

- Managing an EU-funded human rights investigation into extra-judicial killing in the Philippines
- At Francis Taylor Building: junior counsel in the first case under the Human Rights Act 1998 to reach the House of Lords, Alconbury.