



### Paul Hardy

**Partner**

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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. Paul and the wider UK government affairs team provide clients with strategic policy advice, combining the team's political insights 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, working across borders in interdisciplinary teams.

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.

DLA Piper UK LLP is registered on the UK Register of Consultant Lobbyists and regulated by the Office of the Registrar of Consultant Lobbyists.

- Litigation, Arbitration and Investigations
- Regulatory and Government Affairs

English French

## LANGUAGES SPOKEN

- English
- French

## 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

#### The 12th WTO Ministerial Conference outcomes

24 June 2022

DLA Piper Trade Truths

It has been almost five years since the eleventh Ministerial Conference due to delays associated with the COVID-19 pandemic. Expectations were low but the stakes were high.

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#### What's driving the new National Security and Investment Regime

12 December 2021

Understanding the UK National Security & Investment Regime Podcast

Episode 1 of our new Podcast series discusses what is driving the new National Security and Investment Regime. What is the political context for the new regime? Who and what is driving the pressure to strengthen investment screening both in the UK and internationally? Sarah Smith, Partner in DLA Piper's Competition practice is joined by Lord Gavin Barwell, Strategic Advisor and former Chief of Staff to Teresa May and Paul Hardy, Head of UK Government Affairs at DLA Piper to discuss the context of the new regime.

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#### Solutions to the impact of Brexit on Northern Ireland trade

29 October 2021

DLA Piper Trade Truths

The Northern Ireland Protocol (the Protocol) has been back in the headlines recently as politicians in the UK, Ireland, and EU try to ease the difficulties faced by many businesses as they move their goods between Great Britain (GB), made up of England, Wales, and Scotland; Northern Ireland (NI) and Ireland, which is an EU Member State.

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### **Further postponement of post-Brexit border checks in Great Britain**

16 September 2021

DLA Piper Trade Truths

On 14 September 2021, Lord David Frost, the Brexit Minister, announced an additional delay to the introduction of stage 2 and 3 of the post-Brexit Border Operating Model. This article outlines the details of that delay and what it means for businesses.

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### **Establishment of new freeports in England**

29 April 2021

DLA Piper Trade Truths

England announced the location of eight new freeports with the hope they will act as national hubs for global trade and investment across the UK; promote regeneration and job creation as part of the Government's commitment to "levelling up"; and provide hotbeds for innovation.

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### **Postponement of post-Brexit border checks in Great Britain**

23 March 2021

DLA Piper Trade Truths

The UK Government introduced a Border Operating Model for a phased introduction of full customs and regulatory checks on imports from the EU into Great Britain. It gives supply-chain managers six months more to ensure affected EU imports are ready for the new SPS checks which will be put in place from October.

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### **EU-UK Trade and Cooperation Agreement: Rules of Origin**

8 February 2021

DLA Piper Trade Truths

In this week's article we explore some of the challenges that the Rules of Origin in the Trade and Cooperation Agreement are presenting businesses, and the potential mitigation measures available.

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### **What happens when trade goes wrong? Understanding trade remedies and what they mean for you**

7 January 2021

DLA Piper Trade Truths

Trade remedies have previously been assessed and implemented by the EU on behalf of the UK under the multilateral WTO framework. From 1 January 2021, the UK has implemented an independent trade remedies framework; the aim being to defend UK business interests from potentially injurious market distortion.

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### **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 business**

31 December 2020

Boardroom Brexit

Welcome to this last edition of Boardroom Brexit, marking the end of the negotiations and the agreement of a new trade deal, the UK-EU Trade and Cooperation Agreement (TCA). In this edition, we summarise the impact of the deal on all aspects of business operations in one place – please use the hyperlinks below to help you navigate the report.

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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 dispute resolution**

31 December 2020

Boardroom Brexit

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

31 December 2020

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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## **Continuity or Change? Procurement Rules after Brexit**

12 November 2020  
DLA Piper Trade Truths

This weeks edition of DLA Piper Trade Turths, we look at how the UK's accession to the WTO's plurilateral procurement agreement is likely to change the UK's procurement regime at the end of the Transition Period.

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## **A "Global Britain" – the UK's changing role at the World Trade Organisation**

29 October 2020  
DLA Piper Trade Truths

This edition of Trade Truths looks at how Brexit will change the UK's relationship with the WTO and sheds light on the election of the new WTO Director-General, and what this means for the UK's post-Brexit future.

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## **State aid: Levelling the playing field or moving the goalposts?**

21 October 2020  
DLA Piper Trade Truths

The European Commission unveiled plans on 17 June 2020 to take a tougher line on subsidised foreign companies in the EU market. Under this proposal, the Commission seeks to "safeguard critical EU companies" in strategic industries such as pharma and agri-food so that they do not fall victim to "hostile takeovers conducted by large dominant player".

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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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## **Trading on WTO terms – what does it actually mean for your business?**

24 September 2020

DLA Piper Trade Truths

It is now more important than ever to prepare your business for trading on WTO terms. In the third Trade Truths article, we outline the key principles of the WTO, what trading on WTO terms means for the goods and services sectors, and how you can best prepare your business for the end of the transition period.

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## **The Northern Ireland Protocol and the UK Internal Market Bill**

15 September 2020

DLA Piper Trade Truths

The second article in the DLA Piper Trade Truths series explains why the Internal Market Bill has attracted such controversy, and what it could mean in terms of preparing your business for trade between Great Britain and Northern Ireland from next year.

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## **DLA Piper launches Trade Truths**

8 September 2020

DLA Piper Trade Truths

In our first article we discuss how trade policy is developed and implemented in the UK and EU.

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

## **Events**

### **Previous**

#### **Pan-European Week: Post-Brexit Impact**

15 April 2021

Webinar

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#### **FDI screening rules and EU/China Comprehensive Agreement on Investment**

17 March 2021  
Webinar

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## Brexit - the Final Deal

5 January 2021

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## Brexit – What's happening next?

9 September 2020  
Webinar

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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 announces partnership promotions for 2022

28 April 2022

DLA Piper is proud to announce that 74 lawyers have been promoted to its partnership. The promotions are effective as of April 1 2022 in the United States and May 1 2022 for EMEA and Asia Pacific. Promotions have been made across all of the firm's practice areas, spanning 38 offices in 21 countries.

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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.