

Roddy Dunlop KC

Call 1998 (Scotland) 2019 (England & Wales)

Silk 2010 (Scotland)



Roddy Dunlop has a wide and varied caseload which has given him a great deal of experience in court.

His expertise covers media law, professional negligence, professional discipline, insurance law, commercial disputes, procurement, intellectual property, human rights, prescription and limitation, and judicial review. He is ranked in a number of practice areas by Chambers UK, who place him as a Band 1 Silk in the areas of professional discipline, professional negligence, commercial dispute resolution, media law, medical negligence and public procurement. He was Legal 500's Scottish Silk of the Year for 2019.

Roddy has a broad commercial practice, with particular expertise in:

- Commercial
- Professional Liability
- Professional Discipline
- Media Law
- Public Law, Judicial Review and Human Rights
- Insurance
- Product Liability

Commercial

Roddy has extensive experience in commercial disputes, with a particular focus on banking and insurance.

Featured Commercial cases

Promontoria (Henrico) Ltd v Friel [2020] 2020 S.L.T. 321. Successful resistance of appeal following on commercial action upholding claim on a personal guarantee.

Glasgow City Council v First Glasgow (No.1) Ltd 2020 S.L.T. 75. Successful defence of claim for contribution following the

Glasgow “bin lorry” disaster.

AB v Transform Medical Group (CS) Ltd [2020] CSOH 3. Successful defence of challenge to settlement between insurer and insured on the basis of alleged collusion.

Shanley v Clydesdale Bank Plc [2019] CSOH 75. Successful defence of substantial claim for damages made against claimant’s former bankers.

Ury Estate Ltd v BP Exploration Operating Co Ltd [2019] CSOH 36. Successful defence of multi-million pound claim for compensation under a wayleave regarding the BP Forties pipeline.

RFC 2012 Plc (formerly Rangers Football Club Plc) v Advocate General [2017] 1 W.L.R. 2767. Appeared for appellant liquidators in Supreme Court case concerning tax implications of Employee Benefit Trusts.

Campbell v Peter Gordon Joiners Ltd [2016] A.C. 1513. Successful defence of Supreme Court appeal regarding liability of directors for failing to arrange corporate insurance.

Professional Liability

Roddy’s professional liability practice includes regular instructions from professional indemnity insurers to defend substantial damages claims.

Featured Professional Liability cases

Whitehouse v Chief Constable, Police Scotland 2019 S.L.T. 1269. Successful appeal to 5 judges, overruling centuries of case law which had been thought to leave the Lord Advocate, head of the prosecutorial system in Scotland, immune from suit.

Khan v Hussain 2019 S.C. 322. Successful defence to professional negligence claim in which plea of *ex turpi causa* was sustained.

Hughes v Turning Point Scotland 2019 S.L.T. 651. Successful defence of claim for damages made against homeless charity.

Kidd v Paull & Williamsons LLP 2018 SC 193. Acted for the defending solicitors in the largest claim ever pursued in Scotland.

Professional Discipline

Professional discipline work is a significant area within Roddy’s practice. He is regularly instructed by regulatory bodies including the Law Society of Scotland, the GMC and the GDC.

Featured Professional Discipline cases

McLennan v General Medical Council 2020 S.L.T. 443. Successful defence of appeal against order striking off consultant psychiatrist.

Professional Standards Authority for Health and Social Care v Nursing and Midwifery Council 2017 S.C. 542. Successful resistance of challenge to disciplinary decision of the NMC.

Media Law

Roddy is recognized as one of the foremost media law practitioners in Scotland.

Featured Media Law cases

Wildcat Haven Enterprises CIC v Wightman [2020] CSOH 30. Successful defence of defamation action brought against a Member of the Scottish Parliament.

Swinson v Scottish National Party [2019] CSOH 98. Successful application for interim interdict (injunction) presented on behalf of the then leader of the Liberal Democrats.

McAnulty v McCulloch 2019 S.L.T. 449. Defence of defamation claim at proof (trial) following alleged feud amongst local politicians.

Sheridan v News Group Newspapers Ltd 2019 S.C. 203. Acted for the defending newspaper in this long-running defamation claim by former leader of the Scottish Socialist Party.

Massie v McCaig 2013 S.C. 343. Acted for the successful appellant in leading modern Scottish case on fair comment.

Public Law, Judicial Review and Human Rights

Roddy has substantial experience in public and electoral law matters.

Featured Public Law, Judicial Review and Human Rights cases

Cherry, Petitioner [2019] CSOH 68. Successful opposition to interim interdict (injunction) at the initial stages of the Brexit litigation, challenging the prorogation of Parliament.

Khan v Scottish Labour Party [2019] CSOH 36. Successful interdict (injunction) of Labour Party's deselection of parliamentary candidate.

Brown v Parole Board for Scotland [2018] A.C. 1. Appeared for the Parole Board in Supreme Court case concerning availability of rehabilitation courses.

Morrison v Carmichael 2016 S.C. 598. Successful defence of former Secretary of State for Scotland in the first Scottish sitting of the Election Court in 50 years.

Appointments

- Dean of the Faculty of Advocates (Scottish Bar)
- Part time Chairman, Police Appeals Tribunal
- Standing Junior Counsel to the Scottish Government (2008-2010)

Memberships

- Member of the Scottish Rugby Union, EPCR and Six Nations Discipline Tribunals
- Member of the Association of Regulatory and Disciplinary Lawyers

Education

- LLB Hons
- DipLP Edinburgh University (1988-1993)

Recommendations

Recommended in Chambers & Partners and the Legal 500 for administrative & public law, clinical negligence, commercial dispute resolution, media law, product liability, professional discipline and public procurement. Comments include:

- A force of nature
- An ability to pick up a complicated case quickly, at short notice. His real strength is as an all-round advocate with a very robust court style
- A tenacious advocate, both in court and out, who combines considerable legal prowess with the ability to deliver very straightforward advice
- He's absolutely first class. He provides clear advice and he's extremely effective on his feet
- He's one of the best at the Bar
- Quick, confident and aggressive
- Very approachable and user-friendly, and exceptional on his feet. His experience is second to none
- The leading Scottish commercial silk; he has outstanding advocacy skills and provides exceptional strategic advice