

## Richard Liddell QC

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*Has very good technical knowledge and is extremely effective at client service. He takes a rigorous approach to his work.*

- Chambers & Partners

### **Richard Liddell QC's practice primarily covers four areas: commercial disputes (including insurance coverage and international arbitration), professional liability claims, construction and engineering litigation and sports law.**

Many of his cases have an international dimension and he is frequently instructed in commercial and construction disputes in the Middle East before the DIFC Courts (where he has rights of audience) and in arbitration claims.

Rick is currently instructed to advise on various coverage issues arising from the COVID-19 outbreak.

In addition to acting as an advocate and adviser, Rick is also regularly appointed as Arbitrator.

Rick took silk in 2020 and is recommended as a leading practitioner in the legal Directories for Professional Negligence, Construction and Sports law. Quotes from the Directories include:

*"A superb advocate"; "A team player and is excellent on his feet"; "Intelligent and meticulous"; "Very bright"; "Charismatic"; "Very personable"; "Good under pressure"; "He is very well liked by clients, works hard and has a very amicable manner"; "Extremely user-friendly and proactive"; "Solicitors note his collaborative approach and the ease with which he integrates into a team. His expertise spans the entire range of professional indemnity work"; "He manages difficult clients well"; "Very good on dispute strategy and tactics" and "Good at cutting through the noise to get at the points that matter." [Professional Negligence]*

*A "very good advocate"; "A very able courtroom performer and shrewd tactician"; "has the ability to pick up and analyse complex technical information"; "demonstrates particular strength in cases concerning architects, specialist consultants and civil and structural engineers. He regularly acts as sole counsel in adjudications and arbitration and has appeared as junior counsel in the Court of Appeal and Supreme Court. He is becoming steadily more involved in disputes occurring in the Middle East and East Asia". [Construction]*

*"He's a talented performer in the courtroom"; "Extremely talented in this field, having acted across a number of sports. A powerful advocate and a joy to work with"; "He is highly skilled, knows his brief and is not aggressive, but is certainly highly effective"; "Proving himself to be a rising star at the Bar for horseracing cases." "A very competent barrister with a broad sports practice." [Sport]*

He prides himself on being an incisive and responsive barrister and a user-friendly team player. He places particular emphasis on having a command of the detail but without getting bogged down in trivia and being able to provide the best practical and



commercial solution to legal problems.

He has wide advocacy experience and appears before the Commercial Court, Chancery Division, TCC and appellate courts as well as in sports disciplinary tribunals, including the Court of Arbitration for Sport (CAS). Rick relishes his role as an advocate.

Rick also has a very strong arbitration practice and is currently involved in a number of high-value ICC and LCIA Arbitrations with seats in Dubai, Paris, London and Abu Dhabi Global Market (ADGM). The subject matter of his arbitration practice ranges from construction disputes to insurance coverage disputes to sports law and he is experienced in acting in arbitration claims where the governing law is not English law.

Rick has been involved in numerous other high-profile cases, including *Aspect v Higgins* (Supreme Court), *Mengiste v Endowment Fund* (CA), *Elvanite v AMEC* (TCC), *Linklaters Business Services v How Engineering Services Ltd & Ors* (TCC), *The Innovator Litigation* (substantial multi-party Commercial Court litigation), *Amec Group Ltd v Assicurazioni Generali S.p.A.* (multi-million pound construction insurance litigation), *Mandrake v Countrywide* (Chancery Division and CA), *The TAG litigation* and the *Hillside Girl Inquiry* (Horsereading corruption hearing).

Rick is also recognised and regarded for offering expertise in the fields of sports law and sports disciplinary law. He is regularly instructed by World Rugby and has acted for numerous other international and domestic governing bodies, including the IAAF, England Netball and England Lacrosse. His cases include acting for an Olympic Gold Medalist in a selection appeal to British Rowing, the National Governing Body for Rowing; successful high profile doping appeals on behalf of the International Association of Athletics Federations at CAS; acting for a Spanish football club in a CAS appeal; advising a professional footballer on a doping appeal to the FA; advising rugby players in doping appeals and disciplinary cases; and acting in FA Rule K Arbitrations.

Rick also regularly sits as an arbitrator and was recently a member of an English Football League Arbitration Panel (together with Sir David Foskett and Andrew Smith) which determined an appeal brought by a League Two Football Club against a decision of a Disciplinary Commission. He is also frequently appointed as a sole arbitrator in FA Rule K Arbitrations.

### **Privacy Policy**

Click here for a **Privacy Policy** for Richard Liddell.

### **Transparency Statement**

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## **Areas of Expertise**

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### **Insurance & Reinsurance**

A large amount of Rick's work has an insurance element. As an incident of his construction and professional liability work, Rick frequently advises on policy interpretation and coverage issues. He has also been retained in several international reinsurance arbitrations of high value.

He has extensive experience of insurance disputes involving the construction of policies, the avoidance of cover and other policy issues generally (including aggregation clauses) and is also regularly instructed by insurers in subrogated recovery actions. He has been involved in a number of cases (for both insureds and insurers) where substantial business interruption losses have been claimed. He has recently co-authored an article on event cancellation insurance, which considers various coverage issues arising from the Coronavirus/COVID-19 outbreak: <https://www.4newsquare.com/publications/sporting-event-cancellation-insurance-will-it-play-ball-or-be-kicked-into-touch/>

Recent and ongoing cases include:

- Advising on coverage issues in relation to event cancellation insurance arising from the COVID-19 outbreak.
- Acting for an Insurer (resident in the UAE) in a multi-million dollar trade credit coverage dispute before the DIFC Courts.
- Acted for Assicurazioni Generali S.p.A (Insurers) in a multi-million pound insurance dispute. Rick was junior counsel to Roger Stewart QC. The insurers had refused to indemnify the claimant contractors under a professional indemnity policy in respect of a counterclaim brought against the claimant by the defendant sub-contractor. The issues included breach of notification condition precedent, inadequate scope of notification and reliance on a policy exclusion and on dual insurance.
- Advising professional indemnity underwriters whether a Chartered Surveyor was entitled to an indemnity under his policy of professional indemnity insurance.
- Advising on a policy coverage dispute between a firm of auctioneers and valuers and their professional indemnity insurers.
- Advising an insured whether or not they were entitled to an indemnity from its insurers in respect of its loss of profits arising out of a fire at a factory.
- Advised a very large US company on a number of insurance issues arising out of a fire at a factory. Rick was junior to Roger Stewart QC.

Rick's interest in the field of insurance is not just confined to the cases in which he is instructed. Rick regularly gives talks and seminars to solicitors and insurers including seminars on *HLB Kidsons v Lloyds* and *Aspen Insurance v Pectel* and talks on "Design and Construct Insurance" and "Limits on Liability in Professional Indemnity Policies".

He also assisted Lord Justice Rix in his preparation for The Peter Taylor Memorial Lecture: "Should *Sprung* lose its spring?" The Court of Appeal in *Sprung v Royal Insurance (UK) Ltd* [1999] 1 Lloyd's Rep IR 111 had decided that there can be no claim for consequential loss by an insured for breach of a contract of insurance. Rick first had to consider the decision in *Sprung* when he was instructed on behalf of Countrywide Assured Group PLC. In the case of *Mandrake v Countrywide* [2005] EWCA Civ 840 (Rick was junior counsel to Michael Soole QC), the Court of Appeal held that it was bound by the present state of the law (*Sprung*) but Rix LJ stated that it seemed to him that the '*controversial issues raised...may well interest their Lordships' House*'.

## Qualifications & Memberships

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He is a member of COMBAR, PNBA, the Chancery Bar Association and the British Association for Sport and Law. He is also a member of the IBA and IPBA.

**Education** – M.A. (Cantab.) LL.M. (Cantab.)

## Insights

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### **Sporting Event Cancellation Insurance: Will it play ball or be kicked into touch?**

25 March 2020

Many events, including music, theatre, conferences and exhibitions have been cancelled or postponed in the wake of COVID-19 and more will follow.

### **Shareholder Disputes in Sport**

24 July 2019

As the law of unfair prejudice in the conduct of companies' affairs has developed, sports clubs (particularly football and rugby clubs) have proved to be fertile sources of disputes between shareholders. In this article, we examine unfair prejudice petitions which have concerned the sports sector to look at the effects of those decisions and at what we can learn not just about the sorts of shareholder disputes which arise in sports clubs but also what we can learn from those decisions and apply to shareholder disputes in other contexts.

### **Sport and anti-doping – the year in review 2018/19**

16 May 2019

Richard Liddell and William Harman of 4 New Square wrote an anti-doping update for Law In Sport on 16th May 2019. Its primary focus is UK anti-doping, decisions in the Court of Arbitration for Sport (CAS) and developments relating to the major international anti-doping bodies.



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## **Orascom TMT Investments S.À.R.L v. Veon Ltd [2018] EWHC 985 (Comm)**

14 May 2018

The Commercial Court has recently criticised the practice that is commonly adopted for presenting challenges under sections 67 & 68 of the Arbitration Act 1996. Ben Elkington QC and Rick Liddell review the decision:

## **GDPR and Sport: make sure that you're on the ball!**

11 May 2018

Richard Liddell, Kendrah Potts and William Harman look at some of the principal enforcement risks facing sporting bodies under the new regime described by the ICO as a “game-changer” and consider how the GDPR might feed into existing facets of sports dispute resolution.