

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

Click here for the **Transparency Statement** for Richard Liddell.

Areas of Expertise

Professional Liability

“He is incredibly diligent, approachable and user friendly.” – *Legal 500, 2021*

“We received amazing feedback for him from our clients.” – *Chambers & Partners, 2021*

“He is a team player and is excellent on his feet.” – *Legal 500, 2020*

“He presents very well to clients, is able to speak with authority, and comes across as somebody who is credible and knowledgeable.” “He is very good technically, very commercially aware and understands the client’s interests and the need to try to resolve matters in a cost-efficient way.” – *Chambers & Partners, 2020*

“Has a very impressive work ethic and is extremely user-friendly and proactive.” – *Chambers & Partners, 2016.*

“A superb advocate” – *Legal 500, 2015.*



Rick specialises in all fields of professional liability, with particular emphasis upon accountants and auditors, construction professionals, lawyers, and insurance brokers.

Listed as a leading junior in Professional Liability in both Chambers & Partners and Legal 500, he prides himself on being an incisive and responsive barrister and a user-friendly team player. He is meticulous and places particular emphasis on being able to provide the best practical and commercial solution to legal problems. He has wide advocacy experience and relishes his role as an advocate.

Rick is also regularly instructed to appear at mediations and round table conferences. He approaches all aspects of the mediation process (including drafting position papers and the advocacy element) with a clear understanding of its purpose and difference from adversarial litigation.

Rick's interest in this field is not just confined to the cases in which he is instructed. Rick also gives talks and seminars on the subject and is a member of the Professional Negligence Bar Association.

Accountants, Auditors & Actuaries

Rick regularly acts both for and against accountants, auditors and tax advisers in litigation and disciplinary proceedings. He is familiar with the audit process and applicable accounting and auditing standards. He is also frequently instructed in claims (against IFAS, solicitors, accountants and tax advisers), which require detailed knowledge and understanding of various tax regimes (both in the UK and abroad).

Examples of his extensive experience in this area include:

- Successfully acted for a famous singer/songwriter in a claim against his former accountants and tax advisers for failures to (a) lodge exemption forms on behalf of the claimant with a result he had to pay significantly more Irish Income Tax than would otherwise have been the case and (b) prepare the claimant's Irish and UK Tax Returns;
- Currently acting for various individuals in substantial claims against accountants (among others) arising from advice relating to collective investment schemes;
- Acted for a well-known footballer in a potential claim against his former accountants arising from an 'investment' in a film finance scheme;
- Currently acting for a very famous cricketer in a claim against his former accountants arising from advice given/not given in connection with an image rights' company;
- Currently acting for a firm of chartered accountants who are being sued by the owner of a leisure industry business for (allegedly) failing to act competently in connection with its VAT overpayment claims to HMRC arising from various European decisions dealing with fiscal neutrality and gaming machines;
- Successfully acted for various individuals and trustees in a claim against their former accountants and tax advisers relating to capital gains tax payable following the sale of another company;
- Acted for a firm of accountants in a Part 20 claim brought by a firm of solicitors relating to tax payable by the Claimant following the sale of a company;
- Acted for a firm of accountants in a claim arising out of advice concerning capital allowances due to the Claimants from their position as owners of a nursing home;
- Junior counsel to Roger Stewart QC in an action by the trustees in bankruptcy of a firm of solicitors against its former practice accountants;
- Acting for and against wealth management companies, IFAs, tax advisers (lawyers) in a number of claims arising from negligent advice concerning SIPPs, unsuitable investments and the UK tax implications relating to the reconstruction of a French company.

Rick was also engaged in litigation involving tax schemes (Information & Communication) technology: *The Innovator Litigation*.

Rick has also acted for and against the then Accountancy Investigation & Discipline Board (AADB) and the FRC (as Junior Counsel to Ben Hubble QC) in a number of high-profile matters:

- Prosecuted a major firm of accountants relating to the audits of a UK FTSE 250 Company;



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- Prosecuted the European Financial Controller of a UK FTSE 250 Company;
- Defended FRC disciplinary proceedings against Paul Newsham (auditor) arising from the audit of various long term construction contracts.

Construction Professionals

Rick regularly acts in claims against construction professionals: most frequently architects and engineers, but also M&E consultants and project managers.

By way of example of Rick's experience in this field:

- He was junior counsel in a £20 million dispute against project managers and computer consultants jointly advising on the construction of an automated distribution warehouse (*Universal Music v E.C. Harris*).
- He is currently acting for a number of architects in design and build contracts.
- He has acted for Claimants in claims against the designers and installers of water systems in residential developments.

Financial Services Professionals

Rick has experience of claims involving financial services professionals and/or which require a consideration of the financial services statutory regime.

Examples of his recent work include:

- Acting on behalf of an independent financial advisor (Part 20 Defendant) in *The Innovator Litigation*.
- Acting for a financial advisor in a claim relating to pension mis-selling.

Insurance Brokers & Agents

Rick is frequently instructed in claims involving insurance brokers and agents. He regularly acts in multiparty actions where both insurers and insurance intermediaries are parties.

Examples of Rick's recent work include:

- Junior counsel to Roger Stewart QC in a multi-million pound claim against a firm of insurance brokers in relation to their failure to effect suitable and valid insurance for the Claimant construction company.
- Acting for brokers defending a substantial claim for damages. The claimant's property was severely damaged by fire and Insurers subsequently declined cover. The claimant alleged that, but for the negligent advice given by the brokers, insurers would have provided cover.
- Defending brokers against a claim for alleged negligence in failing to obtain suitable terms or to advise the insured of them in relation to commercial property insurance.
- Acted for brokers sued by a former professional rugby player.

Lawyers

Rick has extensive experience of acting for both claimants and defendants in claims against lawyers – both solicitors and barristers. His experience includes wasted costs litigation and claims relating to Share Purchase Agreements, commercial disputes, property transactions and mortgage fraud.

He also has very considerable experience of claims arising from lost and mishandled litigation. Rick's experience in his first few years of practice of defending clinical negligence and personal injury claims (including being regularly instructed by the Metropolitan Police) has proved invaluable in dealing with professional liability claims arising out of an original dispute in the clinical negligence and personal injury fields.

His cases include:

- Acting for a firm of accountants in a Part 20 claim brought by a firm of solicitors relating to tax payable by the Claimant following the sale of a company.
- Acted for Bar Mutual and two QCs in a case described by the Lawyer as “...one of the biggest professional negligence battles of [2013]” [Haskew v Pannone & Ors]
- Junior Counsel for Rylatt Chubb following the decision of Peter Smith J to make a wasted costs order against it. Appeared in the Court of Appeal (led by Graeme McPherson QC) who held that (a) the wasted costs order would need to be set aside on the grounds that the judge should have recused himself from hearing the wasted costs application and (b) any restored stage 1 application would need to be considered by a different judge. [Rylatt Chubb v Endowment Fund for the Rehabilitation of Tigray and others [2013] EWCA Civ 1003]
- Successfully representing a barrister and the BMIF in a High Court strike out application against the claimant.
- Acting for a well-known firm of solicitors in a multi-million pound claim relating to the alleged negligent drafting of a Share Purchase Agreement.
- *The TAG Litigation* [2006] EWHC 939 (Comm): high-profile case examining the solicitors’ responsibility towards ATE insurers in the wake of the collapse of ‘The Accident Group’ claims management scheme.
- *Sweet v Blight Skinnard Solicitors*: acted for the firm of solicitors in a 2-day trial in a claim arising from their failure to inform the claimant purchasers prior to purchase that the lane required to access their land was privately owned and that they did not have any right to use the land.
- Acted for a large supermarket chain in a substantial claim against a firm of solicitors arising from the purchase of a plot of land. Junior counsel to Roger Stewart QC.
- Various mortgage fraud cases.
- Advising on various issues relating to lenders’ claims against solicitors.
- Junior counsel to Justin Fenwick QC in defending claims brought against a firm of solicitors relating to alleged undersettlements of claims for Vibration White Finger against British Coal.
- Junior Counsel to Simon Monty QC in a 2 week solicitors’ negligence trial: *Woodfine Leeds Smith (A Firm) v Richard Russell* [2007] EWHC 603 (QB).

Surveyors & Valuers

Rick has extensive experience in respect of claims against valuers and surveyors, both those brought by lenders and those brought by property owners.

Rick also acted for *Christie & Co* (valuers) in a five day trial in the first known decision (according to Simpson on Professional Negligence) in which a party has recovered damages against an independent expert appointed jointly by the parties to carry out a valuation of a freehold licensed premises pursuant to an option in a lease.

He is currently acting for valuers in a claim brought by a short term finance company relating to the alleged overvaluation of an equestrian property in Newmarket.

He has wide advocacy experience and relishes his role as an advocate. Amongst other things, he has experience of and expertise in cross-examining expert witnesses, including valuers.

His experience includes:

- Acting for valuers in numerous lenders’ claims.
- Junior Counsel to John Powell QC in a claim against an estate agent for alleged breach of fiduciary duty.
- Structural surveying cases – both residential and commercial.
- Junior counsel to Paul Sutherland in a claim arising from a pre-purchase inspection of a helicopter.
- Defending disciplinary complaints brought against surveyors.

Qualifications & Memberships

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.



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

Insights

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.

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.