

Robert Allen

Call 2021

EXPERTISE

Robert practises business, property, and employment law.

Business & Property

Robert's business and property practice encompasses corporate and personal insolvency, commercial contracts, shareholder disputes, professional negligence, landlord and tenant, and real property matters.

Robert advises on and litigates a wide range of contractual disputes, including sale of goods and supply of services claims, contractual interpretation, exclusion clauses, clawback claims, and claims arising from oral agreements. His experience spans fast, intermediate, and multi track proceedings, cross-border contractual issues, and disputes involving restrictive covenants and post-termination restraints.

Robert acts in disputes arising under consumer credit and financial arrangements, as well as debt claims and enforcement actions.

Robert has experience in professional negligence claims, including claims against surveyors and other professionals.

His recent cases include:

- securing a costs order for his client in a two-day trial in the Business and Property Court;
- obtaining summary judgment at the outset of trial in a fast track construction dispute;
- defending a trustee dispute on behalf of an unincorporated association; and
- resisting an application for further directions following a sale order in the Business and Property Court

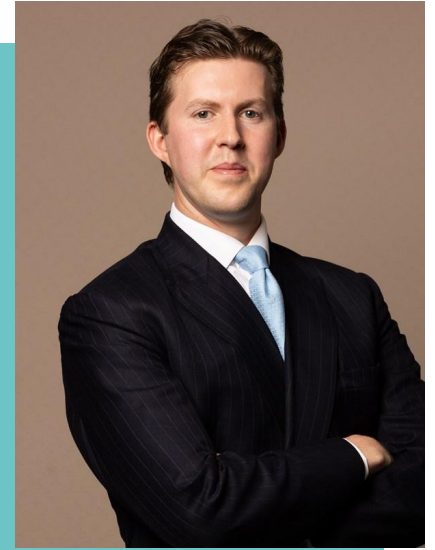
He is frequently instructed to draft commercial pleadings and is valued for his practical, commercially astute advice, both in writing and in conference. His recent advisory work includes sale of goods disputes, application of the *nemo dat quod non habet* rule, contractual interpretation, and enforceability of restrictive covenants.

Employment Law

Robert has a busy employment practice, appearing regularly in the Employment Tribunal and Employment Appeal Tribunal, as well as in the Courts.

Robert appears regularly in discrimination, unfair dismissal, whistleblowing, TUPE, equal pay, wages, and breach of contract claims nationwide.

Robert is often involved in employment-related litigation in the Civil Courts, including cases concerning questions of contractual entitlement, the incorporation of terms, and injunctive proceedings to enforce post-termination restrictions.



Expertise

Business & Commercial
Litigation

Employment

Property

Construction & Engineering

Insolvency & Restructuring

Inheritance, Probate & Trusts

Consumer Law & Professional
Negligence

Costs

Agriculture & Rural Affairs

Social Housing

He has acted on several occasions in the Employment Appeal Tribunal and provided advice on appeals to the EAT and Court of Appeal. He is experienced in drafting Grounds of Appeal, Answers, and reconsideration applications.

Robert provides pragmatic and focused advice to employers and individuals on employment status, redundancy and dismissal, discrimination risk, and broader settlement strategy.

His recent Employment Tribunal cases include:

- advising on employment status in relation to a group of several hundred individuals;
- securing settlement in a judicial mediation involving complex shareholder issues;
- defending a 7-day discrimination claim;
- persuading the Tribunal to strike out 14 discrimination allegations at a public preliminary hearing, following which the remaining claims were immediately withdrawn;
- resisting an extensive application for specific disclosure;
- successfully resisting an application for interim relief before orally obtaining a costs order; and
- securing a 100% reduction in all compensation notwithstanding a finding of unfair dismissal

In the Civil Courts, Robert's recent employment-related experience includes:

- securing a favourable agreement in High Court restrictive covenant proceedings;
- obtaining the dismissal of a fast track claim for the recoupment of training costs by persuading the Court that the relevant contractual provisions amounted to a penalty;
- acting in a two-day trial concerning the incorporation of historic contractual terms into senior NHS employment contracts;
- providing extensive advice on the incorporation of terms in prospective High Court proceedings concerning a six-figure redundancy payment; and
- successfully striking out as wholly without merit a claim involving overlapping commercial and employment issues

Insolvency & Company

Robert has experience acting for both petitioners and respondents in corporate and personal insolvency matters. He is instructed in shareholder disputes and claims concerning directors and fiduciaries.

His recent cases include:

- successfully acting in a shareholder dispute mediation involving deadlock between director shareholders;
- drafting a Letter Before Action asserting numerous breaches of directors' duties; and
- succeeding in an application under rule 7.24 of the Insolvency (England and Wales) Rules 2016 to restrain a winding-up petition, in *Morrison Water Services Ltd v Browning* [2023] EWHC 2725 (Ch)

Property

Robert has experience in commercial and residential landlord and tenant matters, including forfeiture and relief from forfeiture, possession, and disrepair.

Clerking team



Steve Walker
 Lead Business, Property & Employment Clerk
 0191 245 9589



Aimee Cummings
 Business & Property Clerk
 0191 245 9556



Molly Sinnott
 Junior Civil Clerk
 0191 3009 359



Paul McNab
 Lead Housing, Personal Injury & Public Law Clerk
 0113 3235 955



Lisa Tyczynska
 Lead Employment Clerk
 0113 3235 955



Shannon Burns
 Junior Civil Clerk
 0191 245 9543



Chris Gibbin
 Criminal & Family Clerk
 01642 247 569

He advises on and acts in real property disputes, including adverse possession, easements, covenants, boundary disputes, nuisance, and trespass. He has delivered training to property solicitors on adverse possession and recent developments under the Land Registration Act 2002.

Robert has acted in trustee and trust-related disputes, including those involving unincorporated associations and applications arising under TOLATA.

MEMBERSHIPS

- The Honourable Society of the Middle Temple
- Employment Lawyers Association
- Newcastle Business & Property Courts Forum

LECTURES & SEMINARS

Robert regularly accepts invitations to present talks on commercial and employment topics. He also participates in mock tribunals.

EDUCATION

- BTC - Very Competent;
- GDL - Commendation;
- BA (Hons) Design for Industry - First Class

AWARDS

Robert won both the National Speed Mooting Competition and the National Speed Mooting Champion of Champions in 2020, followed by the Inns of Court Mooting Competition in 2021. During his Bar course, Robert represented the Middle Temple team at the Willem C. Vis International Commercial Arbitration Moot. BPP also awarded him various scholarships.

ADDITIONAL INFORMATION

Robert undertakes pro bono work and is a volunteer with the Newcastle Chancery Bar Litigant in Person Support Scheme (NCLIPS).