

# Richard Stubbs

Call 2005

"Fantastic. Very pragmatic and well respected." "He is thorough, he thinks outside the box and he's very user-friendly."  
Chambers & Partners

## EXPERTISE

### Business & Property Litigation

Richard is a busy member of Trinity's Business & Property Group, regularly appearing in the High Court and County Court on matters from multi-day cases to applications, with appellate experience at up to Court of Appeal level.

Richard is recognised in the national directories for his business & property work. He represents clients from individuals to large corporates and has been on the Attorney General's Panel of Counsel for many years; now on the Regional A Panel. Richard has also been appointed a Recorder on the North Eastern Circuit. Richard's practice covers:

#### Commercial

All forms of commercial and consumer disputes, sale of goods, commercial fraud, company and partnership law, directors' duties (including disqualification), shareholder disputes, professional negligence and financial mis-selling.

#### Restraint of Trade

Richard is regularly instructed in misuse of confidential information/breach of restrictive covenant cases involving ex-employees, former directors or business sales, regularly dealing with injunctive relief applications. His case of *Allen v Dodd & Co* in the Court of Appeal is a leading case on the knowledge required by a new employer to induce a breach of contract.

#### Insolvency

Richard regularly deals with insolvency matters covering all aspects of corporate and personal insolvency. He deals with bankruptcies, voluntary arrangements, administrations, liquidations and all forms of petitions and applications, acting for insolvency practitioners as well as directors and bankrupts.

#### Chancery

Richard is regularly instructed in probate and trust matters including Inheritance Act claims and accepts instructions in all areas of landlord and tenant; residential, commercial and agricultural. His property work includes housing disputes, easements, rights of way, boundary disputes and restrictive covenants.

#### Employment



## Expertise

Business & Commercial  
Litigation

Employment

Sports Law

Property

Inheritance, Probate & Trusts

Consumer Law & Professional  
Negligence

Alternative Dispute Resolution  
(ADR)

Costs

Mediation

Insolvency & Restructuring

International & Offshore

"His knowledge of the law and excellent cross-examination technique marks him out as one of the leading employment barristers" Legal 500 2021.

Richard is well recognised for his employment expertise and is regularly instructed for multi-day hearings in all areas of employment and discrimination law. He regularly acts for individuals, unions, NHS Trusts, local authorities and companies. He has appellate experience in the Employment Appeal Tribunal and the Court of Appeal. His practice includes restraint of trade, discrimination, equal pay, whistleblowing, TUPE, unfair and wrongful dismissal and breach of contract.

Richard is recognised for his employment work in the national directories as well as having been appointed as Regional A Panel Counsel on the Attorney General's Panel.

## Sports

Richard's practice covers sports law across various sports from football, rugby, cricket and boxing to show jumping, and he is experienced in appearing before regulatory sports bodies in arbitrations/regulatory hearings as well as being a member of the National County FA Serious Cases Panel, Vice-Chair of Northumberland RFU Disciplinary Panel and a member of the British Association for Sport and Law. Richard's clients have included Premier League, Championship and lower league football clubs, County FAs, Premiership and lower league rugby clubs, County cricket clubs and world title boxers and promoters.

## Mediation

Richard is an ADR Group Accredited Civil and Commercial Mediator. His mediation practice covers all of the areas in which he accepts work as a barrister. Trinity Chambers has facilities to undertake mediations.

## APPOINTMENTS

- Recorder
- Attorney General's Regional Panel A of Counsel
- Football Association's National Panel of Chairmen for Anti-Discrimination Cases
- National County FA Serious Cases Panel
- Vice-Chair of Northumberland RFU Disciplinary Panel
- Association of International Accountants Complaints Reviewer
- ADR Group Accredited Civil and Commercial Mediator

## MEMBERSHIPS

- Employment Lawyers Association
- R3 – The Association of Business Recovery Professionals
- British Association for Sport and Law
- Industrial Law Society
- North Eastern Circuit Commercial Bar Association

## LECTURES & SEMINARS

Richard regularly provides CPD accredited seminars and training, including for MBL Seminars.

## Clerking team



**Steve Walker**  
Lead Civil Clerk  
0191 245 9589



**Josh Stewart-Tilling**  
Lead Employment Clerk  
& Civil Clerk  
0191 300 9359



**Paul McNab**  
Civil & Criminal Silks'  
Clerk  
0113 3235 955



**Aimee Bloxham**  
Civil Clerk  
0191 245 9556



**Chris Gibbin**  
Clerk  
01642 247 569

## EDUCATION & AWARDS

- BA (Hons) Law with French, University of Newcastle
- Wolfson Scholar, Lincoln's Inn
- Certificat d'Études Juridiques en France, Université Nancy II

## ADDITIONAL INFORMATION

Richard regularly acts across the country and has appeared in cases from Aberdeen to Southampton. He has experience of acting against self-represented litigants in Courts and Tribunals on substantive hearings and appeals.

Fluent in French, partially qualified in French Law. Trustee of Stroke North East.



## What Others Say

66

"He can do just about everything and is particularly strong on equal pay. His patience and serene calm make him a pleasure to work with." "Richard is a first class employment law junior in all respects." "Richard can adapt his style of advocacy to the needs of the case and he has the respect of the Employment Tribunal. Richard can communicate well with witnesses and sets a high standard in terms of responding to instructions"

**Employment, Chambers & Partners 2024**

"Richard has a great manner with clients, has a good grasp of the issues and is a highly competent advocate." "Richard is an excellent advocate, who is commercially aware and very good with clients, and who provides an exceptional level of service." "Richard is a calming influence and gets to the heart of what a client is looking for in a solution"

**Commercial Dispute Resolution, Chambers & Partners 2024**

"Richard has this way of seeing the issue and cutting to the chase and getting the job done." "He is client-focused and provides a superior level of service both in written advice and conference and as an advocate." "An excellent advocate, he is always commercial, always good with clients, and thorough and pragmatic." "Richard is able to grasp details quickly and provides Pragmatic litigation strategy as well as the best standard of representation"

**Chancery, Chambers & Partners 2024**

"Richard is an impressive advocate who is commercially astute and tactically very sharp." "He is responsive, solves problems and is very good with clients." "He is very calm and measured on his feet. His written and oral advocacy is very persuasive."

**Commercial Dispute Resolution, Chambers UK 2023**

"He is able to assimilate a high volume of sensitive information and provide clear, cogent advice." "His advocacy skills are excellent; he clearly has the respect of the Tribunal and is able to cross-examine in a way that is respectful but highly effective"

**Employment, Chambers UK 2023**

"Knowledgeable, personable and very people-oriented"

**Chancery, Chambers UK 2023**

"Richard is very commercially astute. He has a calm and measured manner in court. As strong advocate. Ranked: Tier 2"

**Commercial Litigation, Legal 500 2023**

"His greatest strength is being able to take a nuanced approach to each case, adjusting his style of advocacy accordingly. He clearly has the respect of the Tribunal." "Knowledge of employment law is beyond question Ranked: Tier 1"

**Employment, Legal 500 2023**

"He has an approachable and client-friendly manner combined with an extremely sharp and direct mind." "An excellent advocate, he is great to work with, highly knowledgeable and always puts witnesses at ease. He's a very personable barrister who is hard-working and enthusiastic"

**Employment, Chambers & Partners 2022**

"Excellent client rapport and good on his feet"

**Chancery, Chambers & Partners 2022**

"Richard Stubbs is a strong advocate and is very user-friendly in terms of his responsiveness and engagement with and for the benefit of the client." "Richard is a very skilled and thorough advocate." "I have seen Richard on his feet, and he is very persuasive with the courts"

**Commercial Dispute Resolution, Chambers & Partners 2022**

"An impressive advocate. Firm and decisive. He has an excellent legal mind"

**Commercial, Legal 500 2022**

"Richard is incredibly knowledgeable in employment law. It is clear that he has the well-earned respect of his opponents and the employment judges"

**Employment, Legal 500 2022**

"Richard has an excellent range of knowledge on all civil disputes and the clients feel very at ease as to how he delivers his advice and assistance. Very diligent and thorough. Excellent manner with clients and in terms of the delivery of his advice. Client focused and user friendly. Very good advocate"

**Commercial Litigation, Legal 500 2021**

"His knowledge of the law and excellent cross-examination technique marks him out as one of the leading employment barristers "

**Employment, Legal 500 2021**

"Recognised for his wide-ranging expertise in corporate and commercial disputes, as well as employment and property mandates. His practice spans all forms of consumer and commercial contract disputes, and breach of confidentiality, restraint of trade, partnership and shareholder litigation". "He takes a high level of care to understand the background of the matter at issue and he is commercially astute. His technical knowledge is impressive." "He's very good on his feet, and he takes a lot of information and analyses and processes it very quickly"

**Commercial Dispute Resolution, Chambers & Partners 2021**

"Best known for his experience advocating in complex employment matters, and regularly appears for a variety of clients, from individuals to local authorities and large corporates. He is well versed in handling multi-day hearings, TUPE, discrimination, equal pay and protected disclosures". "He is a highly knowledgeable and skilled barrister who can quickly grasp the essentials of any case. He turns around work very quickly and to a high standard. He also has excellent advocacy skills and presents cases in a persuasive and effective manner." "An excellent advocate who is great to work with, highly knowledgeable and always puts witnesses at ease."

**Employment, Chambers & Partners 2021**

"A superb advocate." "He's an effective cross-examiner and very good at finding the cracks and exploiting them. He is also pragmatic and level-headed"

**Employment, Chambers & Partners 2020**

"He is extremely strong on his legal knowledge and also excellent in his advocacy skills." "He provides high-quality and practical advice both in conference and in written format"

**Commercial Dispute Resolution, Chambers & Partners 2020**

"Extremely Capable and great with clients"

**Commercial, Banking, Insolvency & Chancery Legal 500 2020**

"Good with clients and excellent before tribunals"

**Employment, Legal 500 2020**

"Thorough, well prepared, organised and easy to deal with. He has a good manner with clients and a welcome knack of explaining complex issues in an easy to understand way. His advocacy skills are impressive"

**Chambers & Partners 2019**

"Fantastic. Very pragmatic and well respected." "He is thorough, he thinks outside the box and he's very user-friendly"

**Commercial Dispute Resolution, Chambers & Partners 2019**

"Very well liked by clients," "Excellent with clients, on paper and on his feet before the judge." "He has an approachable attitude and blends pragmatic solutions with determined advocacy"

**Commercial Dispute Resolution, Chambers & Partners 2018**

"He's commercially aware and prepared to understand the client's perspective and importance." "He's well prepared, good with clients and witnesses and easy to deal with"

**Employment, Chambers & Partners 2018**

"His experience includes directors duties, commercial fraud and shareholder disputes"

**Commercial, Banking, Insolvency & Chancery Law, Legal 500 2017**

"Recent cases include TUPE, discrimination and unfair dismissal claims"

**Employment, Legal 500 2017**

"Best known for his experience advocating in complex employment matters and regularly appears for a variety of clients from individuals to local authorities and large corporates. He is well versed in handling multi-day hearings, TUPE, discrimination, equal pay and protected disclosures." "Very impressive and he's quieter and more amicable in approach but he's tremendously effective. He's a very strong opponent"

**Employment, Chambers & Partners 2017**

"He has an ability to grasp complex facts quickly and to get to the key issues, making them simple when often they are not"

**Commercial, Banking, Insolvency & Chancery, Legal 500 2016**

"a "respected" insolvency practitioner whose "straightforward and practical advice" make him "extremely well thought of" at the North Eastern bar"

**Insolvency & Restructuring, Who's Who Legal UK Bar 2015**

"Regularly instructed on multi-day hearings of high value. He handles complex equal pay, TUPE and discrimination claims, and acts for individuals, local government, and NHS trusts. "He is highly intelligent, hard-working, extremely level-headed and very much a team player. He is a clear and compelling advocate who copes extremely well with pressure, and if the situation demands he is also able to work very quickly. He is a delightful person to work with." "He is brilliant. He is going to be a real star in the future." "Represented the claimant in a GMF defence test case against the Doncaster & South Humber NHS Foundation Trust"

**Employment, Chambers & Partners 2015**

"He has a superb grasp of the law and is excellent with clients"

**Legal 500 2014**

"Has a broad employment practice covering unfair and wrongful dismissal, equal pay and discrimination claims"

**Employment, Chambers & Partners 2014**

"at Trinity is "future star" Richard Stubbs. Sources were quick to highlight Stubbs' "superb" advocacy and mastery of cases. Highly regarded for his work for claimants in equal pay cases, he maintains a broad employment practice"

**Chambers & Partners 2013**

"an extremely strong and persuasive advocate"

**Legal 500 2012**

"A "star in the making,"..."spot-on sense of judgement" and a "highly measured approach" that "gets results," say sources"

**Chambers & Partners 2012**

"competent and sound advocate"; and gives opinions that are 'nothing short of outstanding"

**Commercial, Insolvency & Property, Legal 500 2011**

"Richard Stubbs is attracting a wealth of praise for his "diligence, client care skills and superb advocacy." One solicitor commented: "His judgement is absolutely spot-on. He will definitely go far at the Bar"

**Chambers & Partners 2011**

"A stand-out performer"

**Commercial Litigation, Legal 500 2024**

## Notable Cases

### Business & Property

- Allen (trading as David Allen Chartered Accountants) v Dodd & Co Ltd [2020] EWCA Civ 258, [2020] 2 WLR 1070 Court of Appeal Inducement to breach a contract, having succeeded against the former employee but not the new employer at trial. The appeal was ultimately unsuccessful, however clarified law regarding what legal advice is required to support a suggestion that there was insufficient knowledge to have induced a breach of contract.
- Utilitywise Plc v Various, High Ct, Business and Property Courts in Newcastle, 2018  
Successfully obtained undertakings and final orders in restraint of trade cases against former employees who had moved to competitors and then succeeded in proving breach in contempt of court proceedings.
- Hickey v Commissioners for HMRC [2017] UKUT 0308 (TCC)  
Successfully appealed FTT judgment on the basis of calculation of potential lost revenue where part of a VAT period is repeatedly delayed to the following period but always paid; albeit late. Upper Tribunal held that correct calculation was on delayed tax basis as opposed to normal rule basis proposed by HMRC, which had been accepted by FTT, resulting in a reduction to the penalty imposed by over £147,000.
- Re Cosyseal Insulation Limited (in Administration) [2016] EWHC 1255 (Ch)  
Appeared for director and connected company in preference, TUV and breach of duty claims totalling over £2 million. Cash flow and balance sheet insolvency test - Eurosil & Casa Estates considered.
- Gelley v Shepherd [2013] EWCA Civ 1172  
Appeared for Respondents in case on possession of commercial land, section 58 LRA 2002, the effect of fraud on foreign judgments, withdrawal of concessions and raising new points on appeal.

### Employment

- Represented Yorkshire CCC in employment proceedings brought against it by Azeem Rafiq
- Wood v Durham County Council UKEAT/0099/18/00  
Successfully resisted appeal that Appellant's removal of goods from shop without paying could fall within Equality Act 2010 due to post traumatic stress disorder and dissociative amnesia. ET and EAT accepted that it represented the excluded condition of a tendency to steal under Equality Act 2010 (Disability) Regulations 2010.
- Graysons Restaurants v Jones & Secretary of State [2018] ICR 670  
Appeared for Claimants at first instance and on appeal concerning whether equal pay arrears of pay transferred to transferee on TUPE transfer in insolvency situation. EAT held that SoS liable for first 8 wks of arrears and balance transfers to transferee – protecting Claimant's rights to arrears. Judgment subject to appeal to Court of Appeal.
- Nexus v Anderson [2018] ICR 1207  
Successfully resisted Respondent's appeal of finding that correct construction of a pay rise for Claimants meant that their shift allowance should be calculated by reference to the full amount of that pay rise. Case concerned whether ETs had jurisdiction to construe terms of a contract in unlawful deduction from wages claims.
- STUC v Hakim EATS/0008/17/JW [2017] 12 WLUK 223  
Acted for STUC in appeal of victimisation finding.
- Arnold v St Helens Council, Liverpool ET, 2015  
Successfully appeared for Claimants in equal pay claim for pay protection afforded to comparators. Case valued by Respondent at over £70 million.
- Northumberland Tyne & Wear NHS Foundation Trust v Geoghegan UKEAT/0048/13  
Appeared successfully at EAT in overturning Tribunal's judgment. EAT allowed appeal on grounds of perversity and errors of law in analysis of reasonable adjustment and protected disclosure claims as well as on time points and date of knowledge of disability. Guidance on judgments in strident terms.
- Lawrie v Rotherham, Doncaster & South Humber NHS Foundation Trust & Secretary of State [2013] EqLR 1013 – 1014  
Appeared successfully for Claimants in test case on GMF defence based on Emmanuel and market forces.
- Brownbill v St Helens & Knowsley Hospitals NHS Trust, CA [2012] ICR 68 and EAT [2010] ICR 1383  
Appeared successfully at the Employment Appeal Tribunal and overturned a decision that unsociable hour enhancements did not represent a separate, less favourable term for the purposes of an Equal Pay Act 1970 comparison and subsequently succeeded in having that decision upheld in the Court of Appeal.

### Sports

- Representing Macclesfield Town FC Before English Football League Disciplinary Commission in successfully appealing the points sanctions imposed against it in an initial disciplinary commission hearing and then in two subsequent disciplinary commission hearings following breaches of English Football League (EFL) Regulations. Both hearings concerned the late payment of players and the non-fulfilment of fixtures. Subsequently appeared before League Arbitration Panel for appeal of Commission decision.

- Smith & McDonnell v British Boxing Board of Control, Warren & Hobson, High Ct, Liverpool District Registry, 13th April 2015 [2015] 4 WLUK 112  
Successfully resisted application to remove British Boxing Board of Control as arbitrator of dispute between manager and boxer under section 24 of Arbitration Act 1996.