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RICKY POWELL

"I am a firm believer in ensuring that the highest standards possible are maintained with all my clients and this needs to be enhanced by good, professional and working relationships with counsel representing them... I must say that I have found Ricky to be a credit to [his chambers]."

Managing Director/Solicitor

Call: 2014

For enquiries please call +44 (0)20 7353 0711 or email

Ricky has a broad common law practice with experience across numerous practice areas including commercial disputes, insolvency, property, construction and personal injury claims.

Ricky has also been instructed by the **Grenfell Tower Inquiry** since June 2019 and is currently instructed as junior counsel. He has broad experience of inquiry work and has been involved in all of the key stages of a public inquiry.

Ricky is authorised to accept instructions directly from businesses and members of the public (i.e. on a 'direct access' basis) and has accepted such instructions across a broad range of matters within his areas of expertise.

Inquests & Inquiries

Ricky has been instructed by the Grenfell Tower Inquiry since June 2019 and is currently instructed as junior counsel. He has worked collaboratively across two entirely separate teams of lawyers: the RBKC/TMO team and the London Fire Brigade ('LFB') team.

Ricky has been a reliable and consistent source of support to the counsel and solicitor teams in the preparation for live hearings and subsequently in the writing up of reports.

Ricky has also worked for the Undercover Policing Inquiry and, consequently, he has strong experience of all key stages of a public inquiry.

In particular, Ricky has experience of:

- drafting legal notes;
- conducting multiple levels of document review simultaneously and assisting with the planning of document

review exercises;

- drafting cross-examination plans;
- constructing detailed documents for use by expert witnesses to the inquiry;
- liaising and maintaining relationships with key parties;
- report writing.

Ricky was recently asked to deliver a seminar to a government legal department regarding proper information governance on public inquiries.

Commercial

Ricky has a broad range of experience in commercial disputes. He has been instructed in cases ranging from small claims to the multi-track and has appeared in trials, CCMCs and application hearings. He has experience in drafting commercial pleadings, skeleton arguments, applications and witness statements. He has been asked to advise in a range of matters up to High Court level.

His cases have included both business to business and consumer disputes and have been varied in the legal issues that have arisen and which have required the use of expert evidence. He has dealt with cases relating to franchise agreements, economic torts, breaches of warranty, loan agreements, payments of commission, goods obtained by fraud and title disputes.

Selected Cases

A.G. Ltd v A.F. Ltd (2021)

Ricky was instructed to represent the defendant in this factually and legally complex multi-track claim which related to a title dispute in respect of three fraudulently obtained vehicles. The claimant sought delivery up and damages for conversion.

Ricky provided representation at hearings as well as extensive advice in conference relating to tactics, procedures and the merits of numerous contested applications that were made by both parties.

Pepe's Piri Piri Ltd and Another v Junaid and Others [2019] EWHC 2097 (QB); [2019] EWHC 2769 (QB)

As a pupil, Ricky was asked by instructed counsel to provide a written advice to a party in this complex High Court claim involving several distinct economic torts. The defendants were alleged to have procured breaches of a franchise agreement, unlawfully interfered with the claimant's business and conspired to injure the claimant's interests.

Ricky's summary of the law and comprehensive advice on the merits of the claim and damages sought was later demonstrated to be entirely accurate by the outcome at trial.

Insolvency and Company

Ricky has provided advice and representation in both personal and corporate insolvency disputes. He has advised in relation to a broad range of insolvency issues including the grounds for the annulment of bankruptcy orders, winding-up proceedings, IVAs, transactions taken at an undervalue and the vesting of property in the trustee in bankruptcy. He has also advised generally on adjournments, procedure and tactics.

He has been instructed to draft a variety of documents relating to insolvency proceedings including applications, witness statements, draft orders and skeleton arguments.

Ricky has also acted on behalf of companies in respect of applications arising under the Companies Act 2006.

Selected Cases

AT Ltd v SKBM Ltd (2019)

Ricky was instructed to advise the applicant in respect of recovering a judgment debt obtained in Greece against the respondent company which was subject to an order for winding-up. Ricky was required to advise urgently and in circumstances where the respondent was alleged to have disposed of property at an undervalue.

Property, Trusts & TOLATA Disputes

Ricky has significant experience of advising and representing both claimants and defendants in disputes relating to property. He has appeared in the property tribunal as well as in the county court and his experience includes:

- Disputes relating to long lease agreements such as: collective enfranchisements and lease extensions in circumstances where landlords cannot be found; applications for vesting orders; breaches of covenant and forfeiture; and claims for unpaid service charges, ground rent and contractual costs (including arguments on *Chaplain v Kumari* [2015]).
- Residential property disputes including: claims for possession against tenants, licensees and trespassers; disrepair claims; claims for damages in respect of a failure to protect deposits; nuisance; breaches of covenant; and advising in respect of the application and interpretation of arbitration clauses.
- advising on the formalities of commercial leases and forfeiture.

Ricky has also been instructed to advise, draft documents and appear in court in respect of 'TOLATA' disputes arising between family members and former cohabitants and to advise in respect of trusts and equitable remedies more generally.

Ricky has extensive drafting experience in property matters extending to pleadings, skeleton arguments, draft orders and grounds of appeal.

Selected Cases

B and Others v M (2021)

Ricky advised and represented the claimants in this factually complex claim for collective enfranchisement in circumstances where it was not clear if the landlord, who was also one of the share of freeholders, was 'absent' for the purposes of the Leaseholder Reform, Housing and Urban Development Act 1993. Ricky drafted the key documents for the claim and attended the hearing for a vesting order on behalf of the claimants.

Savin & Savin v Yung-Hok (2020)

Ricky appeared on behalf of the respondent in respect of this matter before the First-tier Tribunal Property Chamber. The applicants had alleged breaches of covenant within a long lease agreement between the parties and sought recovery of alleged unpaid administration and service charges. They also argued that they were entitled to their contractual costs, despite costs already having been determined in the county court, citing the decision of Chaplair Ltd v Kumari [2015] EWCA Civ 798.

Ricky prevented the applicants from recovering almost all of the sums sought by successfully arguing that the principles of res judicata applied and distinguishing the case of Chaplair from the case before the tribunal.

A v K (2019)

Ricky was instructed on behalf of the Defendant in respect of this claim for possession based on rent arrears. Ricky advised in respect of the merits and quantum of a counterclaim for disrepair, breach of covenant and failure to protect a deposit. Ricky drafted the defence and counterclaim which included a claim for damages, a mandatory order and an order for specific performance. Ricky also successfully represented the Defendant at an application hearing requesting relief from sanctions.

Building & Construction

Ricky has been instructed to advise and draft pleadings in respect of several construction disputes which have

related to a broad range of issues including defective workmanship, breach of contract and applicability of arbitration clauses.

Ricky has been involved in very early stages of construction disputes, including on a direct access basis, and therefore has experience of advising in respect of pre-action conduct and letters before claim as well as on the merits of construction claims and quantum.

Selected Cases

D. v 4-I. Ltd

Ricky was instructed by the claimant on a direct access basis to assist from the outset with a claim which was valued at over £110,000. Ricky advised on pre-action conduct under the construction protocol, the merits of the claim and on quantum. Ricky subsequently drafted the letter before claim, the claim form and particulars of claim.

R.S. Ltd v S. Ltd (2020)

In this claim, Ricky advised the claimant in respect of quantum which included a claim for unpaid invoices, lost profits and consequential losses including interest payments on VAT liabilities. Ricky further advised in respect of pre-action conduct and the letter before claim and was then instructed to draft the particulars of claim.

Personal Injury

Ricky has appeared in fast track and small claims trials, as well as CCMCs on the multitrack. His experience includes claims which have involved allegations of fraud and fundamental dishonesty. Ricky has significant experience of providing advices on the merits and quantum in personal injury disputes.

Civil Fraud

Ricky has a varied experience of cases which have involved fraud allegations and convictions, including: criminal cases in which the defendant has been charged with making a false statement in order to obtain insurance, contrary to s.174 of the Road Traffic Act 1988; regulatory proceedings against nurses and midwives who are alleged to have been dishonest or have been convicted of the same; and civil cases involving exaggerated claims and findings of fundamental dishonesty in road traffic accidents.

Qualifications

- BPTC, City Law School
- Law (LLB), University of Sussex

Professional associations

- Bar Council
- Personal Injuries Bar Association (PIBA)
- Constitutional and Administrative Law Bar Association (ALBA)
- Middle Temple

Outside Interests

Ricky is a self-taught pianist and keyboardist who has over 10 years' experience performing for live audiences, at both formal and informal events. He has also acted as a band manager for various charity events. He has a particular interest in rock and folk music.