

Richard Gold
Associate Member



YEAR OF CALL: 2006

INN: INNER TEMPLE

Practice Overview

Richard has a general chancery and commercial practice. His main areas of expertise are:

- ▶ Real estate (particularly landlord & tenant and mortgage cases)
- ▶ Wills & trusts (including challenges to the validity of wills and applications under the Inheritance (Provision for Family and Dependents) Act 1975)
- ▶ Commercial (e.g. contractual disputes of all kinds and applications to set aside a statutory demand)

Richard is also a qualified mediator, and is happy to act as a mediator in all types of cases (not only chancery and commercial).

After completing his pupillage at St John's Chambers, Richard joined the Commercial and Chancery Practice Group in 2007. He worked as Judicial Assistant to Lord Justice Carnwath from January until March 2010.

Richard has an interest in legal ethics. He regularly acts as a clerk at Barrister Disciplinary Hearings, and has taught legal ethics to students at the University of Law (Bristol).

Areas of Expertise

Commercial

Richard specialises in commercial matters, and acts in contractual disputes of all kinds. He advises on matters such as: the existence of a contract; the interpretation of the terms of a contract; setting aside a contract (e.g. on the grounds of undue influence); the level of damages; and quantum meruit.

His insolvency experience includes applications to set aside statutory demands.

Recent work includes:

- ▶ Advised on claim by accountant for unpaid fees.
- ▶ Advised on dispute about oral joint venture agreement.
- ▶ Pre-action disclosure application in commercial dispute.
- ▶ Application to set aside statutory demand.
- ▶ Trustee in bankruptcy's application for private examination of bankrupt.
- ▶ Advised on interpretation and enforceability of overage clause.

Mediation

Richard is a qualified mediator, having trained with the London School of Mediation. His mediation experience includes acting as a mediator in a complex probate dispute, in which a settlement was reached at the end of the mediation. He is happy to act as a mediator in all types of cases – both chancery and commercial (including property, probate, contract and insolvency) and other areas of law (such as family, personal injury and employment).

Richard's broader mediation experience includes giving a number of talks to solicitors on case law relating to mediation, in particular concerning the costs risks borne by a party which unreasonably refuses to mediate. Richard has also acted as an advocate in a number of mediations, and fully supports mediation as a way of avoiding the costs and risks of going to trial.

Real Estate

Richard specialises in real estate matters, and acts in both residential and commercial property disputes. His areas of expertise include: landlord and tenant disputes; freehold covenants; easements; adverse possession; boundary disputes; trespass/nuisance (including tree root damage); and claims under the Trusts of Land and Appointment of Trustees Act 1996.

He worked as Judicial Assistant to Lord Justice Carnwath between January and March 2010, and is a qualified mediator.

Recent work includes:

- ▶ Two day trial in right of way dispute
- ▶ Injunction hearing in mortgage dispute
- ▶ Advised on dispute about oral joint venture agreement
- ▶ Advised a tenant of commercial premises re validity of break notice
- ▶ Injunction hearing in neighbour dispute – Royal Courts of Justice
- ▶ Hearing re validity of equitable mortgage
- ▶ Possession hearing re protected shorthold tenancy –
- ▶ Advised on interpretation and enforceability of overage clause
- ▶ One day boundary dispute trial

Wills & Trusts

Richard specialises in wills & trusts, and regularly advises and appears in cases where the validity of a will is challenged on grounds such as: non-compliance with the Wills Act 1837; lack of testamentary capacity; want of knowledge and approval; and undue influence. Where appropriate, Richard will also consider whether the court is likely to set aside any lifetime transaction or gift involving the deceased. Richard also advises on the construction of wills and applications to rectify wills.

As well as representing parties in disputes under the Inheritance (Provision for Family and Dependents) Act 1975, Richard acts in disputes between a beneficiary and a personal representative, or between two personal representatives, including claims to remove personal representatives under section 50 of the Administration of Justice Act 1985.

He worked as Judicial Assistant to Lord Justice Carnwath between January and March 2010, and is a qualified mediator.

Recent work includes:

- ▶ Application for extension of time under Inheritance (Provision for Family and Dependents) Act 1975

- ▶ Mediation re donatio mortis causa dispute
- ▶ Application to rectify will
- ▶ Application for examination of attesting witness to will
- ▶ Costs hearing re application to remove executor
- ▶ Advised administrator who wrongly distributed the estate

Professional Memberships:

- ▶ Chancery Bar Association
- ▶ Appointed to the panel of barristers who sit as clerks at Barrister Disciplinary Tribunals (March 2013)

Qualifications & awards:

- ▶ BA (Oxon) Literae Humaniores (First Class); Princess Royal Scholarship (Inner Temple); completed the Advanced Advocacy Course, Keble College, Oxford University (August 2013)

Additional information:

Contact the clerks:

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