

# Richard Colbey

Called 1984



Commercial | PI & Medical | Property

## Qualifications

LLB Exeter University  
Fellow of the Institute of Chartered Arbitrators  
Qualified Californian lawyer

## Practice

Covers a broad range of commercial areas with a particular interest in copyright and other intellectual property issues, contractual construction and exemption clauses; also property disputes, professional negligence (particularly lawyers') personal injury, particularly food poisoning, ME and claims directly under insurance policies, family based financial claims including ancillary relief and Inheritance Act. Also acts as arbitrator. For details see [www.arbitrator-direct.com](http://www.arbitrator-direct.com)

## Publications

Contribution to New Law Journal, Litigation (former editor), Journal of Personal Injury Law, Solicitors' Journal, New Statesman (on law reform) and Wisden (on cricket and the law).  
Author of Colbey on Residential Tenancies, first published in 1987 now in its fourth edition, published by Cavendish.  
Also, regular contributor to the Guardian newspaper on intellectual property and science and consumer finance, and occasional contributions to the Daily Telegraph (on football) and Independent (on travel).

## Reported cases include

**Director of the Assets Recovery Agency v Green** (2005) *The Times* 27/02/06, Sullivan J (decision that in civil proceedings under the Proceeds of Crime Act 2005 the Director had to at least identify specific types of unlawful conduct)

**R (on the application of Kelly) v Liverpool Crown Court & Wirral Borough Council** [2006] EWCA Civ 11 (Crown Court and High Court had erred in rejecting applicant's appeal against refusal of taxi licences. Believed to be first successful Court of Appeal appearance by directly instructed counsel)

**Expo Fabrics v Naughty Clothing** [2003] CA LTL 21/7/2003 (validity of exemption clauses standard in the cloth supply industry)

**Aldwyck HA v Cunningham** [2000] CLY 52 (possible judicial bias in possession claim)

**P v P** (Powers of arrest) (2000) Lawtel ref: C8400589 CA (Judge erred in attaching power of arrest to non-molestation and occupation orders, where last act of actual violence was four years ago, despite sustained bullying by the husband since)

**FSS v Johnson** [1998] IRLR 382, CA, (validity of restrictive covenant)

**Doyle v Rhone-Poulenc Rorer** see 141 (1997) Sol Jo 764, QBD, (whether food poisoning covered by personal accident insurance policy)

**Sargent v GRE** 1997 (The Times) 25 April 1997, CA (meaning of 'unable to follow any occupation' in personal accident insurance policy)

**Molyneux-Child v Coe** [1996] CLY 3722 (level of damages for wrongful threat of eviction)

**Ypsilanti v Moussaieff** (1995) MoS 19 Feb, Kennedy J, (ownership of 'priceless' diamond)

**Wong v Benn** [1992] CLY 618 (whether correct reason need be given to rescind conveyancing contract)

**Articles** 'Holiday blues: the practical problems of presenting and defending mass holiday and travel claims' (LC Commercial Bulletin November 2003)

**Interests** Football (playing, managing, coaching, writing and watching Watford FC), cricket and travelling.

**e-mail** richardcolbey@lambchambers.co.uk