

## Richard Power

Richard was elected Head of Lamb Chambers in May 2016.

Richard has a wide practice comprising of commercial, property and costs. He has appeared at all levels including the Supreme Court, the Court of Appeal and the High Court. He regularly appears in the Senior Courts Costs Office.

He represented the successful Appellant, Patricia Jones, in Jones -v- Kernott [2011] UKSC 53 in the Supreme Court having also represented her in the county court, the High Court and the Court of Appeal.

He has been included in the Legal 500 for many years as a leading junior in the personal injury and costs sections.

### Further information

#### Interests

Sailing, tennis, playing folk music on fiddle & uilleann pipes, & rugby.

#### Property

Richard represented the successful Appellant, Patricia Jones, in the leading Supreme Court decision on the assessment of the beneficial interests of unmarried couples cohabiting in the family home. After three appeals Patricia Jones recovered 90% of the beneficial interest in the family home.

- Jones -v- Kernott [2011] UKSC 53 – the report of the Supreme Court decision ([click here for the judgment](#))
- Kernott -v- Jones [2010] 1 WLR 2419 – the Court of Appeal decision
- Kernott -v- Jones [2010] 1 WLR 2401 – the High Court decision

Richard has advised and represented a number of clients in connection with disputes concerning trusts of land and beneficial interests in property. He has also written a number of articles and delivered a number of seminars and webinars on cohabitation. (To view a webinar please [click here](#))

An article on Jones -v- Kernott in The Round-Up is available [here](#).



**Year of Call: 1983**

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He also advises in connection with:

- Constructive trusts
- Proprietary estoppel
- Restrictive covenants
- landlord and tenant
- commercial leases
- residential leases
- forfeiture
- wayleave agreements (the 'Telecommunications Code' and the 'Electronic Telecommunications Code')

## Costs

Richard has advised for many years in relation to the law of costs, appearing in the Senior Courts Costs Office on many occasions, and has been included in the Legal 500 in relation to costs for many years.

## Related cases include:

- *Chattin -v- Swaffield and others*, 2013, an action to recover monies paid by way of interim payments to a solicitor who subsequently went bankrupt, involving a 'successor practice' dispute between insurers, and whether there were breaches of the Solicitors Accounts Rules. Confidential settlement with the solicitor's insurers.
- *Gregson -v- Hussein* [2010] EWCA Civ 165, a case concerning costs in exaggerated or fraudulent claims.
- *Findley v Barrington Jones & MIB* (2009) EWHC 90130 (Costs), a case concerning the enforceability of a second CFA entered into because the first was thought to be defective, and because the original claimant was discovered to lack capacity and required a litigation friend.
- *Wood v West Midlands Police*, 2005, a case in which approximately £1 million in legal costs was incurred to recover damages in a libel case of approximately £46,000, raising the question of CFAs in libel cases.
- *Lynch v Paul Davidson Taylor (a firm)* [2004] 1 WLR 1753, the proper construction of section 74(3) of the Solicitors Act 1974, before Hughes J.
- *Alpacas Ltd v Sir John Wilsey* LTL 8/9/2003, the meaning of 'costs of the action'.

