

Richard Wilcock

Call 2012



Clerks' Details

- Joe Mawson
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Membership

- Northern Circuit
- Inner Temple

Education

- University of London - Bachelor of Laws (external)
- Open University - LLB (Hons)
- De Montford University MSc Accounting & Finance
- BBP Law School - BPTC

Beyond the Bar

Away from the Bar, Richard is a keen aviator, holding a pilot's license and being a member of the BAE Systems Flying Club at Wharton, Lancashire. He is also plays jazz bass and piano and has performed internationally in a number of jazz bands.

Practice Overview

Costs & Litigation Funding

Richard is an experienced and highly sought after costs practitioner with a wide range of expertise in costs and litigation funding. He is head of chambers' expanding costs team and undertakes along with other members, regular training sessions and seminars for solicitors and costs lawyers. Richard is often asked to speak at costs' conferences including the annual meeting of the Association of Costs Lawyers, which is a significant event in the costs calendar.

Richard advises clients (both paying and receiving parties) in conference and in writing on all aspects of costs litigation including retainer disputes, litigation and third party funding, costs budgeting and matters involving complex areas of costs law.

He is regularly instructed to undertake non-contentious costs work including the drafting of retainers and complex Conditional Fee Agreements and Damage Based Agreements.

His advocacy work regularly takes him to the Senior Courts Costs Office, in addition to the County Court, High Court and Court of Appeal to represent paying and receiving parties at Detailed Assessment hearings and costs appeals. With costs disputes involving an increasing amount of evidence and witness statements, Richard experience as a commercial cross examiner is of significant assistance to his client's cases.

With the increasing amount of Solicitor and Client assessments being pursued, Richard is now regularly instructed to advise solicitors on assessments which are being vigorously pursued on behalf of former clients by claims companies.

Commercial Litigation

His practice covers all aspects of commercial litigation work including contractual disputes, sales of goods, consumer credit, insolvency, professional negligence, banking & asset recovery, insurance disputes and director disqualification.

He has particular expertise in motor insurance disputes including the long standing challenge between motor insurers and credit hire organisations. He has advised and acted for all of the major credit hire company heavyweights on matters of policy and litigation procedure & practice. He is also regularly instructed by motor insurers to defend claims for credit hire, especially when an element of exaggeration or fraud is suspected.

Recommendations

“Approachable and available, he provides exemplary, logical, practical advice on complex points of law.” “He’s highly knowledgeable legally but also has a keen understanding of the commerciality of the claim. His advice is always clear and thorough, and he clearly distinguishes between legal theory and practical reality.”

Chambers and Partners 2022

“Handles the technical aspects of these cases exceptionally well and always gives a fair and reasoned opinion. He is an excellent advocate who is clear and concise, and builds up an excellent rapport with judges.”

Chambers and Partners 2021

“Richard’s ability to absorb the information and get to the heart of the issues mean that he can always be relied upon to provide sound, proactive and well reasoned advice.”

The Legal 500 2021

“His submissions are articulate and detailed.”

The Legal 500 2020

“Highly experienced across a broad range of costs matters.”

The Legal 500 2018/19

Cases

PLK & Ors (Court of Protection : Costs) [2020] – Instructed on behalf of number of professional deputies in a conjoined appeal. In a landmark judgment, the Court accepted the argument that a failure to consider an increase in the hourly rate which was broadly set in 2010 based upon Guideline Hourly Rates.

Merrix v Burton Hospitals NHS Foundation Trust [2016] The Court considered the relationship between CPR 3.18 and CPR 44 & CPR 47

Murrells v Cambridge University NHS Foundation Trust [2016] Senior Courts Costs Office – the applicability of the new test of proportionality to pre Jackson additional liabilities.

Rezec-Clarke v Moorfields Eye Hospital NHS Foundation Trust [2017] Senior Courts Costs Office – Master Simons held that an ATE premium of £31,000 was disproportionate against a claim for damages which would never have exceeded £5000, applying the new test of proportionality.

McMenemy v Peterborough & Stamford Hospitals NHS Foundation Trust [2015] Ongoing – Appeal against decision to dismiss ATE premium as not being reasonably incurred. Second appeal heard by Court of Appeal in October 2017 – judgment awaited.

Mewis v Burton Hospitals NHS Foundation Trust [2016] – Appeal against decision to disallow an ATE premium as not reasonably incurred. Apology by NHS Trust amounted to a de facto admission of breach.