





Whitestone Chambers

LAWRENCE POWER

CALLED AS A BARRISTER: 1995

CONTACT

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EDUCATION

LL.B., (Hons.), LL.M., International Law,
University of Nottingham.

PROFILE

Lawrence has been Head of Chambers at Whitestone for over 15 years, during which time he has encouraged the expansion and development of the set in a direction focused on maintaining its reputation for first rate legal services based on first class recruitment and training. Lawrence was also called to the Bar of Northern Ireland in 2005.

MEMBERSHIP

Call to the Bar, Middle Temple, 1995.
Elected Head of Chambers, April 2003.
Qualified to train barristers, since 2004.
Advocacy Trainer, Honourable Society of the Inner Temple, since 2014.
Honourable Society of the Middle Temple, Member of the Finance and Resources Committee, 2018- 2021.
Member of the International Committee, 2018 – 2020.
Hall Committee 2017-2020.

PRACTICE

Lawrence enjoys a high profile Commercial and Chancery practice, and is instructed in a variety of different areas of law, in particular:

- Banking and Finance.
- Computer and Telecommunication.
- Insolvency (including cross-border).
- Insurance.
- Intellectual Property.
- Aviation.

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AVIATION

Lawrence was appointed lead counsel for R.A.F.A. Shoreham in 2017 and is acting for the organisation for matters and claims arising out of the Shoreham Air Disaster regarding the insurance and commercial aspects of the accident.

COMMERCIAL

Lawrence was lead counsel in the 2015 law suit brought against the FT and the Guardian newspapers at the time of the Pearson sell off.

Lawrence was instructed for a Judicial review in the Falkland Islands concerning the process of obtaining licenses in the South Georgia Sea for Patagonian Toothfish. This is due before the Falklands Court of Appeal.

Lawrence was lead counsel in a high-profile commercial matter arising out of secondary ticketing in the entertainment sector. In particular he dealt with conduct and practices arising out of AEG and its ownership of AnSCO Arena Limited which in turn own and operate the O2 Arena in Greenwich, London.

INSOLVENCY

Lawrence acts for creditors and IP's. He has recently acted in a number of cases for and against the Secretary of State.

REPORTED CASES

- **UK Insurance V Farrow & Another (Trading as R Farrow & Sons) [2017] 2 Lloyd's Rep.338:** The high court held a farm insurance policy followed by diversification does not cover personal injury claims caused by an insured dog which caused motorcycle collision. The judge also said Lawrence's submissions were delivered with such eloquence.
- **BDMS Ltd V Raphael Advanced Defence Systems [2014] 1 Lloyd's Rep. 576:** The court considered what action to take when the respondent failed to pay its share of advance on costs in an ICC arbitration which resulted in a repudiatory breach of the arbitration agreement leading the claimant to commence a court claim. Held, the failure of payment resulted in breach of the arbitration agreement, but there was no repudiatory breach so BDMS should make good the respondent's failure within the arbitration.
- **Frederick Uchechukwu Achom, Alexander Charles Nicholl, Boington Anthony Grant v Tihomir, Vahram Papazyan, Alula Leisure Limited [2014] EWHC 1888 (Ch.D):** The claimants maintained they were entitled to a 50% interest in a nightclub venture and the company which held the underlease to that nightclub. Held, there was no binding contract between the first claimant and any of the defendants and, in turn, no evidence of a partnership. Additionally, the claim that a Pallant v Morgan equity arose failed as did conspiracy claims.
- **Freetown Ltd v Assethold Ltd [2013] 1 WLR 385 (QBD):** Party wall award case where Lawrence acted for Freetown Limited in the County Court and High Court proceedings. Lawrence advanced arguments regarding statutory counting days that were successful on appeal.
- **Churchill v Temple and Others [2010] All ER (D) 170 (Dec), EWHC 3369 (Ch.D):** The case concerned restrictive covenants. The important issue was whether a property owner, whose land was burdened by an obligation to obtain 'vendors consent' for alterations to his property, still had that obligation following the death of the 'vendors'.
- **Pathania v Adedeji [2010] EWHC 3085 (QBD):** Cited in Snell's Equity Forth Cumulative Supplement to the Thirty-Third Edition: Chapter 8 – Fraud, Undue Influence. The presumption of undue influence between a solicitor and a client was rebutted; the client being a sophisticated and experienced doctor.
- **Commonwealth of Australia v Peacekeeper International FZC UAE [2008] EWHC 1220 (QBD):** Ordinarily any participation in this type of interpleader proceedings for a traditional purpose would not amount to submission to the jurisdiction.
- **The Estate of Dr Anandh & Anr v Barnet Primary Health Care Trust & Ors [2004] EWCA Civ 5 EWCA Court of Appeal:** The defendant appealed the judge's decision upholding the master's order refusing permission to extend time for service of defence and authorising the claimant's application for summary judgment. This examined GMC rules re doctors and false eye examinations.

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PUBLICATIONS

Lawrence is the IP editor for the Journal of Alternative Dispute Resolution. Moreover, Lawrence has reviewed 'Electronic Finance Law', Computer and Artificial Intelligence Journal and contributed to:

- Archiving Computer Transactions; and
- The Law of Due Diligence.

Lawrence is currently writing a new textbook regarding the advocacy required in different courts, tribunals and enquiries. This is due for publication in 2022 by Wildys.

Lawrence is currently drafting a text book about Unmanned Aircraft Global Regulation also due for publication in 2022.