



Justin Perring

Call: 2013

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Practice Overview

Justin Perring is a commercial and chancery barrister, noted in the Legal 500 as a “rising star in commercial work”, and recommended for commercial, banking, insolvency and chancery law.

Justin advises on contentious matters, and appears as sole counsel at final and interim hearings (including freezing orders and injunctions) in the Business and Property Courts of the High Court and the Queen’s Bench Division, the County Court and the specialist land tribunals, often against more senior opponents. He is also instructed as counsel for the purposes of alternative dispute resolution.

Justin’s non-contentious practice includes advice and drafting.

Justin works with City and regional firms of solicitors as well as in-house legal teams and teams of counsel. He also has particular experience of advising and representing statutory undertakers in the water industry. He brings a grounded, pragmatic and commercial approach to his instructions, and has an easy manner with clients.

Commercial Litigation

Justin Perring is a barrister with a broad commercial practice, and he has been recognised by the Legal 500 as a leading junior in this field.

His practice includes contracts, banking and financial services, company and partnership (including director, shareholder and boardroom disputes), conspiracy and economic torts restraint of trade, data protection breach of confidence, fiduciary and restitutionary claims. He also appears as counsel at ADR.

Recent and on-going instructions include:

- ▣ Obtaining judgment in the sum of £5.9 million following the wrongful granting of a freezing order. The underlying claim sought damages for breach of trust, breach of fiduciary duty and restitution for financial trading losses.
- ▣ Disputes concerning multi-million pound schemes under a £300 million capital delivery contract including interpretation, variations, termination, and delay events.
- ▣ Obtaining a freezing order and other injunctive relief against a co-director and shareholder who had failed to allocate shares or pay dividends, and who threatened to phoenix the business.
- ▣ Unfair prejudice petition in respect of a company that runs a West London hotel.
- ▣ Proceedings against numerous defendants alleging breach of directors’ duties, breach of fiduciary duty, breach of contract, dishonest assistance, and seeking restitution and injunctive relief.
- ▣ Representing the directors of a special purpose vehicle incorporated to bring proceedings against a Bulgarian property developer who resisted a hostile boardroom takeover.
- ▣ Representing a director and shareholder in a £1 million breach of fiduciary duty action in respect of the sale of a business.

- Acting for an individual seeking to pierce the corporate veil by alleging commercial fraud, conspiracy, and malicious prosecution in respect of financial trading losses.
- Acting for a statutory undertaker resisting a claim brought by a developer in negligence/negligent misstatement in respect of a CON29 report.
- Acting for an individual facing allegations of unlawful means conspiracy, breach of restrictive covenants and breach of confidence in respect of a proposed team move to a rival business.
- Obtaining pre-action disclosure in respect of proposed proceedings for breach of confidence and data protection.
- Claims against mortgage lenders and brokers for financial mis-selling.
- Acting for businesses pursuing agency fees involving arguments of illegality, penalty clauses, and effective cause arguments.

Insolvency

Justin Perring is instructed in contentious and non-contentious corporate and personal insolvency matters, and he has been recognised by the Legal 500 as a leading junior in this field. He also appears as counsel at ADR. Recent and on-going instructions include:

- Resisting a claim brought by a liquidator against a limited company and an individual for making payments at undervalue, in preference or misfeasance.
- Setting aside a statutory demand issued by an insurance broker seeking to enforce a guarantee of a private company.
- Representing a UAE bank resisting an application to annul a bankruptcy.
- Advice on the effect of the administration of a major retailer on leaseholders of commercial premises on the Isle of Wight.
- Advice on enforceability of a judgment debt assigned from a company in liquidation which did not include details of the debt in the liquidation.
- Advising a surety of an insolvent company on the effect of disclaimer, the granting of a tenancy at will, and the election of the landlord in taking possession of commercial premises.

Trusts, Wills & Estates

Justin Perring is instructed in contentious and non-contentious trust and estate matters, and he has been recognised by the Legal 500 as a leading junior for chancery work. His practice includes commercial and family trusts, wills and probate, as well as inheritance claims, trusts of land and constructive trusts. He also appears as counsel at ADR. Recent and on-going instructions include:

- Proceedings seeking the court's determination as to whether a trust can be ended or varied in accordance with the rule in *Saunders v Vautier*; the Variation of Trusts Act 1958, the Trustees Act 1925 or otherwise.
- Proceedings against the administrator of an intestate estate for an administration order, devastavit, restitution, breach of fiduciary duty and interim injunctive and declaratory relief.
- Challenging a will on the basis of undue influence and lack of capacity, including "insane delusions".
- Seeking rectification of a will under s. 20 of the Administration of Justice Act 1982.
- Proceedings for adequate provision under the Inheritance (Provision for Family and Dependents) Act 1975, including s. 4 applications.
- Proceedings under the Health and Social Services and Social Security Adjudications Act 1983 and the Care Act 2014 for the recovery of care home fees.
- Proceedings challenging the validity of an enduring power of attorney.
- Proceedings to remove a professional executor of an estate and for various administration orders.
- The construction of a will and whether property held in a foreign jurisdiction was subject to it.

Property

Justin Perring is instructed in contentious and non-contentious property matters. He also appears as counsel at ADR.

Recent and on-going instructions include:

Real Property

- Declaration of the interpretation of a contract for sale and TP1; claim for rectification based on common mistake; declaration of an easement by necessity.
- Proceedings relating to the winding up of a farming partnership, the administration of two estates and proprietary estoppel.
- Proceedings against a neighbour for damage caused to a property through trespass, nuisance, negligence and breach of the Party Wall Act 1996, including injunctive relief.
- Proceedings seeking damages following the aborted sale of a listed manor house.
- Resisting an injunction to restrain breaches of restrictive covenants.
- Proceedings seeking a determined boundary and resisting a claim for adverse possession.
- Proceedings in relation to an agricultural tenancy and proprietary estoppel.
- Submissions resisting an application to register land as a Village Green.
- Submissions to the Information Commissioner's Office resisting the disclosure of infrastructure locations under the Environmental Information Regulations 2004.
- Appeal against the making of a demolition order under section 265 of the Housing Act 1985.
- Advising on the viability of two sites for compulsory purchase for the purposes of installing aquifer storage and recovery apparatus.
- Prescriptive easement, adverse possession and the Neighbouring Land Act 1992 following "land grabs" by neighbours of unregistered land.
- Advising a statutory undertaker as to a scheme to handle requests to decommission and/or remove infrastructure assets under ss. 116 and 185 of the Water Industry Act 1991.
- The application of survey powers under the Water Industry Act 1991 with a view to securing the compulsory purchase of land.

Commercial Landlord and Tenant

- Construction of leases.
- Lease assignments.
- Contested 1954 Act lease renewals.
- Dilapidations claims.
- Breach of covenant.
- Forfeiture and relief from forfeiture.
- Interim injunctions.
- Tenancies at will.

Residential Landlord and Tenant

- Resisting an application under s. 19 of the Landlord and Tenant Act 1987 for particulars of sale of the freehold.
- Resisting the terms of acquisition of the freehold of a London residential block in First Tier Tribunal proceedings brought under s. 24(1) of the Leasehold Reform, Housing and Urban Development Act 1993, in particular the development value of roof space.
- Forfeiture and relief from forfeiture.

□ Service and administration charges

Additional Information

Qualifications / Education

BPTC, BPP Law School
GDL, City Law School, City University
MA, University College London
BA (Hons.), University College London (1st Class)

Awards

Bedingfield Scholar, The Honourable Society of Gray's Inn
GDL Scholar, The Honourable Society of Gray's Inn
Falcon Chambers Prize Essay (runner-up)

Memberships

The Honourable Society of Gray's Inn
Chancery Bar Association
Property Bar Association

Public Access

Yes

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