Richard Whitehouse



Year of Call: 2009
Solicitor: 2011
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Commercial

Richard has an extensive commercial practice that covers all types of business and commercial disputes, with a particular emphasis on contract, misrepresentation, partnership and director disputes. He regularly advises and represents businesses in both the County Court and High Court.

From his time working as a Solicitor-Advocate, Richard has significant experience of alternative dispute resolution and, in particular, representing clients at mediations.

Commercial Disputes

Richard has experience of a wide range of commercial disputes, including claims relating to:

- Agency
- Consumer credit agreements
- Construction of contracts
- Debt recovery
- Economic torts
- Estoppel
- Guarantees and indemnities
- Misrepresentation and mistake
- Restitution
- Restrictive covenants and breaches of fiduciary duties
- Sale of goods and supply of services
- Trusts.

Notable and Recent Cases

- High Court claim involving diversion of business opportunities and breach of fiduciary duties arising from a team move to a competing business
- Many cases involving breaches of post-termination restrictive covenants, misuse of confidential information, breaches of confidence claims and economic torts, giving rise to claims for injunctions (including springboard relief), delivery up and claims for accounts of profits
- Multi-day High Court trials in relation to complex commercial contract disputes
- A misrepresentation and breach of contract claim relating to a £100,000 Rolls Royce

- A multi million dollar Director's bonus dispute
- Claims involving conveyancing transactions, specific performance and rectification
- A trial in relation to discharge of a contract by frustration
- Property misrepresentation claims involving representations made on property information forms and to enquiries by solicitors
- Breach of contract and debt claims arising from commercial contracts, including those relating to recruitment agencies involving substantial transfer fees
- Claims in relation to the design, manufacture and supply of commercial machinery and equipment
- Misrepresentation and breach of contract claims in relation to Share Purchase Agreements
- Disputes relating to exemption clauses and unfair contract terms
- Claims in relation to advertising agreements and commission
- Disputes in relation to the international carriage of goods
- Commercial arbitrations.

Professional Risk

Richard has particular expertise in relation to professional negligence cases. He has extensive experience of dealing with claims against all professionals including; barristers, solicitors, accountants, brokers, insurers, architects, surveyors and other construction specialists.

Lawyers

Richard has dealt with:

- Claims in relation to breaches of fiduciary duty, conflicts of interest and the giving of unauthorised undertakings
- A multi-day High Court claim in relation to incorrect advice about an option to purchase a superior interest in a commercial property
- Claims in relation to incorrect drafting and advice about partnerships and business structuring
- Lost and/or mishandled litigation claims, including under-settlement claims, missed limitation and failure to advise about funding and costs
- Claims involving errors with leasehold transactions, including negligence relating to lease extensions
- Claims regarding the failure to advise about commercial and residential landlord and tenant matters
- Claims in relation to incorrect advice about undue influence and trusts
- Claims regarding incorrect advice and drafting in relation to overage agreements
- Claims by disappointed beneficiaries as a result of failures in drafting wills and claims arising from mishandled probate disputes, which often involve limitation issues
- Claims arising from conveyancing transactions concerning freehold and leasehold property, particularly concerning failure to advise on searches, rights of way and restrictive covenants
- Claims arising from mishandled business sales.

Accountants

Richard has handled a variety of claims, including:

- Claims relating to incorrect tax advice arising from Employee Ownership Trusts
- Claims relating to incorrect advice about the redemption of shares and consequential tax issues
- A High Court claim in relation to advice about the tax position of a non-domiciled individual who held properties in the

UK via corporate entities, including issues around Annual Tax on Enveloped Dwellings

- A claim in relation to incorrect capital gains tax advice as a result of selling property in the UK, but moving from the USA to Kenya
- Claims involving the negligent preparation of management accounts and cashflow forecasts
- Acting for a company against accountants, in relation to incorrect VAT advice
- Acting for an individual against accountants, arising from incorrect tax advice and issues involving Entrepreneurs' Relief.

Surveyors, Valuers and Architects

Richard has acted in:

- Claims by purchasers of residential and commercial properties against surveyors arising from pre-sale surveys
- Claims involving the negligent valuation of premiums required for the extension of leases and incorrect advice about the apportionment of premiums
- A claim against an expert witness arising from a planning dispute
- Claims against architects regarding incorrect design drawings and advice in relation to both domestic and commercial projects.

Insurance Brokers and Insurers

Richard has advised, and acted for and against, brokers and insurers in claims for failure to implement the correct insurance cover, and for a broker in a claim regarding the failure to advise on the financial status of an insurer.

Articles

Richard Whitehouse analyses the case of Blower v GH Canfield LLP [2025] EWCA Civ 1627, a claim that arose from settlement advice that was provided by solicitors, allegedly in a situation where there were conflicts of interest.

View Article

Specialist commercial law barrister Richard Whitehouse presented a webinar alongside Jack Webb on 22nd April 2021. The webinar examines the impact of Brexit and the pandemic on litigation. Richard's notes are available to read here.

Watch the webinar on impact of Brexit and the pandemic on litigation here.

View Article

Commercial update - Richard Whitehouse: Scope of duty in professional negligence: the return of "advice" versus "information"
In the first case on scope of duty in professional negligence since BPE Solicitors v. Hughes-Holland, has the Court of Appeal returned to the classic distinction between 'advice' and 'information' cases? Richard Whitehouse analyses the recent decision in Manchester Building Society v Grant Thornton UK LLP [2019] EWCA Civ 40.

View Article

Commercial update: Professional negligence – Solicitors' duty to warn of risks incidental to their retainer

When will a solicitor need to give a warning to his client about obvious risks that come to his attention when performing his retainer, but which he has not been formally retained to advise on? Richard Whitehouse analyses the Court of Appeals recent decision in Lyons v. Fox Williams LLP [2018] EWCA Civ 2347.

Richard is a Commercial Law barrister specialising in professional negligence and business disputes.

View Article

Commercial update - Richard Whitehouse: Valuers' negligence in the Supreme Court
The Supreme Court has again reconsidered causation and loss, in the context of a professional negligence claim against a valuer. Richard Whitehouse analyses the recent decision in Tiuta International Limited (in liquidation) v De Villiers Surveyors Limited [2017] UKSC 77.

View Article

Recommendations

Richard Whitehouse of 3PB Barristers is adept in professional negligence claims brought against solicitors, involving property and the drafting of agreements, typically acting on behalf of claimants.

Strengths: "One secures excellent service, speed in turnaround and level of expertise from Richard Whitehouse. "Richard is always very helpful in answering any queries throughout the claim and provides very thorough, reasoned responses." "Richard Whitehouse is a leading barrister for professional negligence disputes on the Western Circuit."

Chambers 2025/Professional Negligence/Western Bar

Richard Whitehouse of 3PB Barristers is commended by solicitors for his expertise in commercial litigation. He is particularly noted for work on breach of contract and insurance disputes.

Strengths: "Richard is a commercially aware barrister who has a knack of boiling down complex scenarios to simple solution's. "Richard's advice is well prepared, commercial and presented in an understandable manner to communicate to my clients. "Richard often completes instructions promptly and is willing to discuss in conference or over email when matters arise in cases.""Richard is very effective at dealing with complex claims and in narrowing and simplifying the issues in order for the client to fully understand the strengths and weaknesses of their claim."

Chambers 2025/Commercial Dispute Resolution/Western Bar

Strengths: "Richard assisted me with a difficult claim. His written advice is very good and he prepared it within the timeframe set. It was easy for the clients to understand and follow his advice."
"Richard is an excellent barrister who puts commercial considerations for clients at the forefront of strategy and advice."
"Richard provides clear advice."

Chambers 2024/Professional Negligence/Western Bar

Richard Whitehouse is commended by solicitors for his expertise in commercial litigation. He is particularly noted for work on breach of contract and insurance disputes.
Strengths: "Richard has a friendly and informative approach with clients and provides commercial and practical advice."

Chambers 2024/Commercial Dispute Resolution/Western Bar

Richard Whitehouse has longstanding experience in professional negligence claims against solicitors, surveyors, architects, accountants and brokers.

`Richard has a cool head and gives comprehensive and robust advice to commercial clients succinctly and persuasively.'

Legal 500 2025/Professional Negligence/Leading Juniors/Western Circuit - Ranked in Tier 1

`Richard can find the simple solution in complex claims. His advice is always pragmatic and commercially undertone.'

Legal 500 2025/Commercial Litigation/Leading Juniors/Western Circuit

`He is able to put legal advice in a commercial context for clients and is good at making complex legal academic points clear and easy to understand.'

Legal 500 2024/Professional Negligence/Leading Juniors/Western Circuit - Ranked in Tier 1

`Richard boasts a wealth of knowledge both procedurally and in managing and understanding the factual aspects of matters. His standard of service is of the highest possible and his style of advocacy is clear and concise.'

Legal 500 2024/Commercial Litigation/Leading Juniors/Western Circuit

`Richard has excellent attention to detail, coupled with the ability to get straight to the main issues in a case.'

Legal 500 2023/Professional Negligence/Leading Juniors/Western Circuit - Ranked in Tier 1

'He is concise and clear, and has an excellent ability to distil complex scenarios. Richard's good demeanour with clients inspires confidence.'

Legal 500 2023/Commercial Litigation/Leading Juniors/Western Circuit

`He is very user-friendly from an instructing solicitor's perspective, and his advice is clear and pragmatic.'

Legal 500 2022/Professional Negligence/Leading Juniors/Western Circuit

`Richard is particularly strong at giving complicated advice in clear, succinct language that makes him popular with clients. Advice is always given with one eye on the practical and commercial implications for a client.'

Legal 500 2022/Commercial Litigation/Leading Juniors/Western Circuit

"3PB's 'commercial, pragmatic, and user-friendly' Richard Whitehouse is recommended for breach of contract claims, representing clients across a range of industry sectors. Recent work has included claims relating to negligent installation of amenities, cross-jurisdictional claims, and asset purchase agreements."

`Combines solid, pragmatic commercial strategy with detailed legal knowledge.'

Legal 500 2021/Commercial Litigation/Western Circuit

"At 3PB, Richard Whitehouse 'deals with factually and legally messy disputes with ease and tenacity' and provides 'excellent quality of advice tempered with a pragmatic application to real world scenarios'. A former solicitor, Whitehouse represents clients in litigious and non-contentious disputes including actions against professionals for breach of contract, trust, and fiduciary duty. He is regularly instructed in complex, high-value commercial disputes by insurers, companies, law firms, and other professionals, including barristers, surveyors, architects, accountants, and brokers."

`He takes a proactive and practical approach throughout the claims process and regularly receives praise from lay clients and instructing solicitors. His attention to detail and turnaround timescales are second to none.'

Legal 500 2021/Professional Discipline/Western Circuit

Client Testimonials

"Impressive"

"Calm, professional and well prepared"

"Great with clients and is always able to put them at ease"

Academic qualifications

- Bristol University – Law LLB (2:1)
- BPP Law School – BVC (Very Competent)

Professional qualifications & appointments

- ADR Group Accredited Civil & Commercial Mediator

Professional bodies

- Professional Negligence Bar Association
- Western Circuit