



Richard Owen-Thomas

Year of Call: 2000

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Commercial

Richard's Commercial practice focuses on commercial contract, professional negligence, and business entities (Company Law, LLPs and joint ventures).

Defamation

A significant proportion of Richards practice encompasses claims of defamation, privacy and data protection. He regularly advises in relation to all aspects of defamation cases, including territorial jurisdiction, serious harm, and the appropriate 'Chase' levels. In addition, Richard advised potential defendants in relation to the various defences open to them, and the level of likely damages.

In the last year, he has advised in over 150 potential defamation actions, including:

- For an individual against a newspaper in relation to a prominent sportsperson
- For a food business against a newspaper in relation to its reporting of Food Hygiene awards
- For numerous people in respect of social media posts
- For an individual accused of making a false allegations of sexual assault
- For a politician in relation to election campaign materials
- Against an international sportsman in respect of false allegations of infidelity
- Against an ex-spouse in relation to false allegations posted on a hacked website
- Against a lawyer who accused an individual of criminality
- Against a broadcasting company in respect of a documentary about a Peer
- In respect of false reviews posted on consumer sites
- In respect of allegations arising from the 'Occupy' protest at St Paul's
- In respect of allegations arising from an international body building competition
- In respect of allegations made during the course of a council meeting.

Cases

- *Suresh v Samad & a others* [2017] EWHC 76 (QB) - Defamation: hearing of an application to strike out and or summary judgment of a defence
- *Raja v Aviram* [2016] UKUT 102 (LC) - Successful appeal against finding of no breach of covenant in circumstances where the leaseholder had installed a new boiler without permission of the freeholder
- *Ocean Healthcare LTD v Sigma Pharmaceuticals PLC* [2104] All ER (D) 250 (Nov) - Richard acted for a large pharmaceutical

company, successfully at first instance and in the Court of Appeal. The Court of Appeal gave further guidance as to the scope for admitting new evidence on appeal

- *Anglian Windows Limited v Balachandra* – Richard acted for the successful appellant in gaining permission to appeal, in relation to the availability of damages for ‘disappointment, disturbance, loss of employment and upset’ in commercial contracts

Non Contentious

Richard advises companies, directors, shareholders, the buyers and sellers of business in all commercial transactions in respect of:

- Directors’ duties
- Annual general meetings including reviewing annual report and accounts, business reviews, directors' remuneration reports and notices of meetings
- Corporate governance issues including changes as a result of the UK Corporate Governance Code
- Share capital and shareholder rights including, redemption and transfer of shares or other securities, class rights, and conversion rights
- Directors' indemnification and directors' and officers' liability insurance policies
- The Bribery Act 2010
- Company formation and administration including:
 - Shareholders’ agreements
 - Partnership Agreements
- Commercial contracts including:
 - Business sale and purchase
 - Those with public sector sensitivities
 - Athletes, musicians and other ‘talent’ contracts

Recent work has included

- Advising suppliers in respect of public and private sector procurement: Richard has experience of advising large and small organisations in respect of domestic and European regulations. He has particular experience of dealing with the provision of information, compliance with the appropriate procedures and time frames, and the judicial review of public bodies who fail to comply with legislation or otherwise act unfairly in the tender process.
- Advising a start-up online jewellery business in relation to share issue, and shareholders agreements
- Advising a property management company
- Advising an innovative technology business
- Advising a recruitment agency in respect of restrictive covenants.

Professional bodies

- Employment Law Bar Association (ELBA)
- Employment Lawyers Association

Direct Access

Richard Owen-Thomas is qualified to accept instructions directly from members of the public and professional clients under

the Direct Public Access scheme.