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Richard Todd, KC



Call

1988 (England & Wales)
Inner Bar 2009 (England & Wales)
2010 (Hong Kong ad hoc)
2014 (Hong Kong)

Also called ad hoc to the Bars of Cayman Islands, British Virgin Islands and the Bahamas.
Barrister's List, Falkland Islands.

Areas of Practice

Companies
Conflicts of Law
Equity & Trusts
Family & Matrimonial Law
Injunction & Contempt
Mediation
Mental Health
Probate & Succession
Property & Land

Contact

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Practice Profile

Richard specialises in disputes arising from relationship breakdown. These extend into the realms of ancillary relief, family arrangements, trust disputes and corporate disputes (especially where a substantial shareholding is held by a family). He practises internationally but is centred on Hong Kong; in England he occasionally sits as a Deputy High Court Judge (and as a Recorder). He is in the highest ranking in his field in Hong Kong for both the Chambers & Partners Guide and Doyles Guide. Internationally, he is also top ranked by the Legal 500 (UK), Chambers & Partners Global and Chambers & Partners (UK).

In England, Richard enjoys the unique distinction of having twice been made *Chambers and Partners'* Family Law Silk of the Year. He has also been in the candidates for *The Lawyer's* overall Barrister of the Year - 2014 (third), 2012 (when he lost out in the final cut to Robert Jay QC (counsel

to the Leveson Enquiry)) and 2011 (missing out to Jonathan Sumption QC now Justice Sumption of the Supreme Court)).

In the Chambers & Partners directory in England, Richard is in the "Star" category for the current Chambers and Partners guide (a distinction enjoyed by only three barristers in this, the highest category). For Hong Kong, Chambers & Partners describes him as, *"highly experienced matrimonial QC,*" "*at the top of his game*", and "*a great strategist and the most up-to-date quick thinker on matrimonial finance issues*."

Richard has also been described as the "*star of the Family Bar*" by the Legal 500.

Spears Wealth Magazine described him as "*simply the best*".

He is also recommended by City Wealth and The Directory of Experts. He has been Family Law Silk of the Year for The Economist / Law Monthly (three times) and for Acquisition International (twice). He was The Times Lawyer of the Week, 4 November 2010, and short listed for UNESCO Lawyer of the Year in 2000.

Richard was born in Gosport, UK and then variously lived in Merseyside, Glasgow, London and Suffolk. He was educated at the Royal Hospital School (Greenwich Scholarship) and Trinity College, Oxford (Keasby Scholarship). He was the highest placed in the Oxford University examinations in Public International Law (Hugh Belott Prize-winner), second in Family Law and third in Land Law. He was also placed in the first class in Jurisprudence. He won the Astbury Scholarship at the Middle Temple and the Gottlieb Prize in Bar Finals. He was called to the Bar in July 1988. Richard is the only Family barrister to ever pass the Chancery Judge's specialist exam (being one of 9 successful candidates out of 897 candidates).

He acted for Mrs Katrin Radmacher in the Supreme Court case of *Radmacher v Granatino* [2010] UKSC 42 and for Mrs Yasmin Prest in the Supreme Court case of *Petrodel Resources Ltd et al v Prest* [2013] UKSC 34.

He is a Deputy High Court judge and a Recorder. Judicially he undertakes work in the Family Division and is also "ticketed" for Chancery and QBD work.

Appointments and Public Office

- Deputy High Court judge (UK) 2016
- Recorder (UK) 2010
- Executive of the General Council of the Bar (England & Wales) 1997
- Family Law Bar Association executive, 2000
- Committee for Family Law (Bar Association – HK) 2014

- Guest Speaker to the Law Society of England & Wales AGM 2003
- Guest Speaker to the Annual Society of Media Lawyers 2010 *"An Evening with Richard Todd QC"*
- Regular guest speaker, including as keynote speaker to the Family Law Bar Association annual conference, the Northern Bar Association, the North West Bar Association, the South East Branch of the Law Society, 1 Hare Court Annual lecture, *At A Glance* lecturer 2019
- Cambridge University's annual Law Faculty guest lecturer 2011
- Guest speaker to the Hong Kong Law Society, November 2012
- Standing Prosecution Counsel for the General Council of the Bar of England & Wales
- Member of two Law Commissions: Nuptial Agreements and Separate Property
- Queen's Counsel, 2009
- Bencher of the Middle Temple

Education

- Royal Hospital School
- Trinity College, Oxford

Publications and Articles

- Co-Author, *Practical Matrimonial Precedents* (2 volumes) (Sweet & Maxwell) updated 51 times between 1989 and 2023
- Co-Author *Todds' Relationship Agreements* (Sweet & Maxwell) (2013)
- Co-Author *The Essential Family Practice* (2 volumes) (Butterworths) 1999 – 2002 Author, *At Court* (FT Law & Tax) 2000
- Articles in *The Lawyer, Family Law, Family Matters, The Family Law Journal*
- Consulting Editor on *Jowitt's Dictionary of English Law*
- Appearances on Legal Network Television (Law Society)

Scholarship and Prizes

Hugh Bellott Prize (Highest Placed in the Oxford University Public International Law Finals); (second placed at Oxford University in Family Law, third in Land Law; First Class marks in Jurisprudence).

Scholarships:
Greenwich 1983 (University – Greenwich University) ☒Harmsworth 1987 (Bar School – Middle Temple) ☒Astbury 1988 (Pupillage – Middle Temple)
Bar Finals 1988: Gottlieb Prize (Evidence)
Short-listed (list of four) for the UNESCO Lawyer of the Year 2000

Chambers & Partners Family Silk of the Year 2010 / 2011 and 2013 / 14

Languages

English

Selected Cases

Family/Matrimonial

- *Radmacher v Granatino* [2010] UKSC 42 (the leading case on pre-nuptial agreements)
- *Petrodel v Prest* [2012] EWCA 1395; [2013] UKSC 34 (piercing the corporate veil, trust beneficial interests, family arrangements)
  (The above two cases featured in the book, "Cases That Changed Our Lives" which dealt with the all-time most influential cases)
- *SPH v SA* [2014] CFA 56 (the leading case in Hong Kong on marital agreements)
- *TCWF v LKKS* [2014] HKCA 10; [2014] 1 HKLRD 896; CACV166/2012 (10 January 2014) (the largest ancillary relief case in Hong Kong)
- *AVT THEN KNOWN AS MAM v VNT* [2015] HKCA 611; [2016] 1 HKLRD 821; [2016] 3 HKC 70; CACV 234/2014 (21 December 2015) (Court of Appeal) Leading case on ancillary relief
- *CWG v MH AND OTHERS* [2016] HKCA 278; CACV 82/2013 (Court of Appeal; 30 June 2016;) (Third Party Intervention in ancillary relief).
- *P v P* [1992] 1 FLR 457
- *Marsh v Marsh* [1993] 1 WLR 744
- *Richardson v Richardson (No 1)* [1994] 1 WLR 196
- *Richardson v Richardson (No 2)* [1996] 2 FLR 617
- *H v H* [1994] 2 FLR 94
- *Re H* [1996] 4 All ER 28
- *Power v Power* [1996] 3 FCR 337
- *C v C* [1998] Fam 70
- *Re S* [2000] 1 FLR 481
- *Jones v Jones* [2000] 3 WLR 1505
- *N v N* [2000] 2 FLR 899
- *L v L* [2002] 2 FCR 412
- *Bloch v Bloch* [2003] 1 FLR 1
- *Lambert v Lambert* [2003] 2 WLR 631, CA, [2003] 1 WLR 926 HL
- *Wermuth v Wermuth (No 1)* [2003] FLR 1022 and *(No 2)* [2003] 1 FLR 1029
- *Re B* [2003] 2 FLR 1043
- *Armstrong v Armstrong* [2003] 2 FLR 481
- *K v K* [2005] 2 FLR 1137
- *R v R* [2006] 1 FLR 389
- *T v T* [2006] 1 FLR 903

- *D v D* [2006] 2 FLR 825
- *Tracey v Tracey* [2006] 2 FCR 480
- *GG v L* [2006] EWCA Civ 1246
- *H v H* [2008] 2 FCR 663
- *SW v RC* [2008] 2 FCR 663
- *J v P* [2007] 1 All ER 529
- *NG v KR* [2009] 1 FCR 35
- *Granatino v Radmacher* [2009] Fam Law 183
- *P v P* [2009] 1 FLR 696
- *Granatino v Radmacher* [2009] EWCA Civ 649
- *P v P* [2010] 1 FLR 1126
- *V v V* [2010] 2 FLR 516
- *Mansfield v Mansfield* [2011] EWCA Civ 1056, [2011] 3 FCR 167
- *Berezovsky v Besharova* (17 July 2011) The Times
- *K v L* (on the appeal to the Supreme Court) [2011] EWCA Civ 550
- *McTaggart v McTaggart* (2011) Cayman Islands Court of Appeal
- *El-Gamal v Al Maktoum* [2011] EWHC 827
- *Petrodel v Prest* [2012] EWCA 1395; [2013] UKSC 34
- *T v T* [2013] EWHC B3
- *SECRETARY FOR JUSTICE v. FTCW AND OTHERS* [2014] HKCA 107; CACV101/2013 (4 March 2014)
- *FTCW v. SLKK* [2014] HKCA 110; CACV167/2013 (4 March 2014)
- *W v M* (TOLATA Proceedings: Anonymity) [2012] EWHC 1679)
- *TCWF v. LKKS* [2014] HKCA 10; [2014] 1 HKLRD 896; CACV166/2012 (10 January 2014)
- *Chai v Peng (No 1), (No 2), (No. 3)* and *(No. 4)*
- *H v W* [2013] HKCFI 2296
- *Seagrove v Sullivan* [2014] All ER (D) 61
- *LWYA v KYW* [2015] HKCA 169
- *LLP v LYWA* [2015] HKCA 170
- *Hopkins v Hopkins* [2015] EWHC 812
- *LYAG v YSG (YX)* [2016] HKCA 771; HCMP 802/2016 (14 November 2016) (Court of Appeal; 14 November 2016)
- *CWG v. MH AND OTHERS* [2016] HKCA 276; CACV 80/2013 (30 June 2016)
- *TSC v. KWH AND OTHERS* [2016] HKFAMC 67; FCMC 2755/2014 (15 June 2016)
- *FOK CHUN YUE BENJAMIN v FOK CHUN WAN IAN AND OTHERS* [2016] HKCA 28; CACV 16/2014 (20 January 2016)
- *Chai v Peng* [2015] EWCA Civ 790)
- *Chai v Peng & Ors* [2017] EWHC 792 (Fam) (06 April 2017)
- *Al-Baker v Al-Baker* [2016] EWHC 2510 (Fam) (12 October 2016) ([2016] EWHC 2510 (Fam); From England and Wales High Court (Family Division) Decisions
- *Z v Z & Ors* [2016] EWHC 1720 (Fam) (13 July 2016) [2016] EWHC 1720 (Fam)

- *NR v AB & Ors* [2016] EWHC 277 (Fam) (22 February 2016)
- *CWYW v CCH* [2016] HKFC 174; FCMP 124/2013 (19 August 2016)
- *LYAG v YSG (YX)* [2016] HKCA 771; HCMP 802/2016 (14 November 2016)
- *A v B* [2017] HKFC 87 CYYC v. TVKT [2017] HKFC 7; FCMC 14649/2014 (23 January 2017) FCMC 9824/2015 (23 June 2017)
- *WGL v ASB* [2017] HKCFI 1700; HCMP 489/2013 (8 September 2017) (Court of First Instance; 8 September 2017)
- *S v J* [2017] HKCFI 1656; HCMP 1857/2016 (8 September 2017)
- *N v W* [2017] HKFAMC 102; FCMC 5026/2015 (8 September 2017)
- *A v B* [2017] HKFAMC 87; FCMC 9824/2015 (23 June 2017)
- *DX v LN* [2017] HKCA 71; CACV 159/2016 (6 February 2017); (Court of Appeal; 6 February 2017)
- *GMSA ALSO KNOWN AS DG, M-S v DMP-J* [2017] HKCA 384; HCMP 1052/2017 (14 September 2017)
- *WGL v ASB* [2018] HKCFI 519; HCMP 489/2013 (9 March 2018)
- *WGL v ASB* [2018] HKCA 203; CAMP 27/2018 (11 April 2018)
- *GM-SA ALSO KNOWN AS DG,M S v. DDPJ* [2018] HKCA 1009; CAMP 171/2018 (28 December 2018) Court of Appeal; *GM-SA ALSO KNOWN AS DG M S v DDPJ*[2018] HKFC 164; FCMC 9657/2016 (27 September 2018); *GM-SA ALSO KNOWN AS DG, M S v DDPJ* [2018] HKFC 198; FCMC 9657/2016 (5 November 2018)
- *AK v MYNT* [2019] HKCA 562; CAMP 43/2019 (23 May 2019) (Court of Appeal; 23 May 2019)
- *LYYC v CHL & CSMS, THE EXECUTRICES OF THE ESTATE OF CGSK ALSO KNOWN AS CSKG, DECEASED* [2019] HKCA 521; CAMP 31/2019 (14 May 2019) (Court of Appeal; 14 May 2019)
- *CLARK QUANTUM KENT v HAI TIN LTD AND OTHERS* [2019] HKCFI 1145; HCA 961/2017 (2 May 2019) (Court of First Instance; 2 May 2019)
- *LYYC v CHL AND CSMS, THE EXECUTRICES OF THE ESTATE OF CGSK ALSO KNOWN AS CSKG, DECEASED* [2019] HKFC 39; FCMP 223/2017 (15 February 2019)
- *LYYC v CHL AND CSMS, THE EXECUTRICES OF THE ESTATE OF CGSK ALSO KNOWN AS CSKG, DECEASED* [2019] HKFC 7; FCMP 223/2017 (8 January 2019)
- *LCC v LTLA* [2019] HKCA 814
- *Z SN v K, VSF* [2019] HKCA 840
- *WYSL v FHCBA* [2019] HKCA 814
- *V, RHM v ES* [2019] HKFC 279
- *KCMA v ABC* [2019] HKCFI 2822
- *Y, JVW v Y, SC* [2019] HKFC 322
- *YSG v LYAG* [2020] HKFC 194
- *CCMJ v SSM* [2020] HKFC 198
- *TSYV v LWSV* [2020] HKFC 273
- *A V B* [2021] HKCFI 77
- *C v S* [2021] HKCFI 278
- *MS v SPC* [2021] HKFC 57
- *Re TYT* [2021] HKCA 454

- *AK v MYNT* [2021] HKCA 468
- *PH v DL* [2021] HKFC 166
- *EBS v NTCD* [2021] HKCA 1775
- *KCMA v ABC* [2021] HKCFI 357, [2020] HKCFI 222, 848 and 1078
- *YSG v LYAG* [2022] HKFC 44, HKFC 55
- *GM v SA aka DG* [2022] HKFC 199; 237
- *Y, M, S, J* [2022] HKFC 250

Probate/Succession

- *CWG v MH AND OTHERS* [2016] HKCA 276; CACV 80/2013 (30 June 2016); *Fok Chun Benjamin v Fok Chun Wan Ian et al* [2015] HKCA 61 (family settlement agreement)
- *LYYC v CHL & CSMS, THE EXECUTRICES OF THE ESTATE OF CGSK ALSO KNOWN AS CSKG, DECEASED* [2019] HKCA 521; CAMP 31/2019 (14 May 2019); *LYYC v CHL AND CSMS, THE EXECUTRICES OF THE ESTATE OF CGSK ALSO KNOWN AS CSKG, DECEASED* [2019] HKFC 39; FCMP 223/2017 (15 February 2019); [2019] HKFC 7; FCMP 223/2017 (8 January 2019)
- *CWG v MH AND OTHERS* [2016] HKCA 276; CACV 80/2013 (30 June 2016)

Equity/Trust

- *LYYC v CHL & CSMS, THE EXECUTRICES OF THE ESTATE OF CGSK ALSO KNOWN AS CSKG, DECEASED* [2019] HKCA 521; CAMP 31/2019 (14 May 2019) (Court of Appeal; 14 May 2019)
- *Petrodel v Prest* [2012] EWCA 1395; [2013] UKSC 34 (piercing the corporate veil, beneficial interests, family arrangements)
- *CLARK QUANTUM KENT v HAI TIN LTD AND OTHERS* [2019] HKCFI 1145; HCA 961/2017 (2 May 2019)(Court of First Instance; 2 May 2019)
- *LYYC v CHL AND CSMS, THE EXECUTRICES OF THE ESTATE OF CGSK ALSO KNOWN AS CSKG, DECEASED* [2019] HKFC 39; FCMP 223/2017 (15 February 2019); *LYYC v CHL AND CSMS, THE EXECUTRICES OF THE ESTATE OF CGSK ALSO KNOWN AS CSKG, DECEASED* [2019] HKFC 7; FCMP 223/2017 (8 January 2019)
- *FOK CHUN YUE BENJAMIN v FOK CHUN WAN IAN AND OTHERS* [2016] HKCA 28; CACV 16/2014 (20 January 2016)

Conflict of Laws

- *Radmacher v Granatino* [2010] UKSC 42 (proper law of a contract)
- *SPH v SA* [2014] CFA 56 (the leading case in Hong Kong on marital agreements)
- *R v R* [2006] 1 FLR 389 (decision on change of domicile)
- *Chai v Peng* [2015] EWCA Civ 790) (forum conveniens and domicile / habitual residence)
- *Wermuth v Wermuth (No 1)* [2003] FLR 1022 and *(No 2)* [2003] 1 FLR 1029 (forum conveniens and interim relief)
- *Bloch v Bloch* [2003] 1 FLR 1 (habitual residence)

- *Armstrong v Armstrong* [2003] 2 FLR 481 (forum)

Confidentiality/Privacy

- *W v M (TOLATA Proceedings: Anonymity)* [2012] EWHC 1679 (acted on behalf of The Guardian newspaper in the subsequent Court of Appeal hearing – not reported as the other side conceded)
- *K v L* (on the appeal to the Supreme Court) [2011] EWCA Civ 550
- *Petrodel v Prest* [2012] EWCA 1395; [2013] UKSC 34 (piercing the corporate veil, beneficial interests, family arrangements)
- *FTCW v SLKK* [2014] HKCA 110; CACV167/2013 (4 March 2014)
- *TCWF v LKKS* [2014] HKCA 10; [2014] 1 HKLRD 896; CACV166/2012 (10 January 2014)

Property & Conveyancing

- *W v M* (TOLATA Proceedings: Anonymity) [2012] EWHC 1679 (acted on behalf of The Guardian newspaper in the subsequent Court of Appeal hearing – not reported as the other side conceded)
- *Chai v Peng & Ors* [2017] EWHC 792 (Fam) (06 April 2017)
- *Seagrove v Sullivan* [2014] All ER (D) 61

Defamation/Media

- *W v M* (TOLATA Proceedings: Anonymity) [2012] EWHC 1679 (acted on behalf of The Guardian newspaper in the subsequent Court of Appeal hearing – not reported as the other side conceded)

Company

- *Petrodel v Prest* [2012] EWCA 1395; [2013] UKSC 34 (piercing the corporate veil, beneficial interests, family arrangements)
- *CLARK QUANTUM KENT v HAI TIN LTD AND OTHERS* [2019] HKCFI 1145; HCA 961/2017 (Court of First Instance; 2 May 2019)
- *LYYC v CHL AND CSMS, THE EXECUTRICES OF THE ESTATE OF CGSK ALSO KNOWN AS CSKG, DECEASED* [2019] HKFC 39; FCMP 223/2017 (15 February 2019); *LYYC v CHL AND CSMS, THE EXECUTRICES OF THE ESTATE OF CGSK ALSO KNOWN AS CSKG, DECEASED* [2019] HKFC 7; FCMP 223/2017 (8 January 2019)
- *FOK CHUN YUE BENJAMIN v FOK CHUN WAN IAN AND OTHERS* [2016] HKCA 28; CACV 16/2014 (20 January 2016)
- *Chai v Peng & Ors* [2017] EWHC 792 (Fam) (06 April 2017)
- *P v P* [2010] 1 FLR 1126

Commission of Inquiry/Inquest

- *Marital Property Agreements (Consultation Paper)* [2010] EWLC 198 (11 January 2011) ([2010] EWLC 198; From The Law Commission)
- *Matrimonial Property, Needs And Agreements* [2014] EWLC 343 (26 February 2014) ([2014] EWLC 343; From The Law Commission)

Civil Fraud/Asset Recovery

- *Gohil v Gohil* [2015] UKSC 61 (heard with Sharland) (Richard was unable to attend the final hearing but acted for Mrs Gohil both before and after the Supreme Court decision. This is a leading fraud case in the UK)
- *Petrodel v Prest* [2012] EWCA 1395; [2013] UKSC 34 (deliberate non-disclosure and adverse inference)
- *DX v LN* [2017] HKCA 71; CACV 159/2016 (6 February 2017); (Court of Appeal; 6 February 2017)
- *Al-Baker v Al-Baker* [2016] EWHC 2510 (Fam) (12 October 2016) ([2016] EWHC 2510 (Fam)
- *SECRETARY FOR JUSTICE v FTCW AND OTHERS* [2014] HKCA 107; CACV101/2013 (4 March 2014)

Disciplinary

- Richard has both prosecuted and defended barristers in respect of complaints by the English Bar Standards Board. He has been a member of the Professional Standards Committee of the Bar Council and is a current senior Panel member of the BSB prosecution team.
- In Hong Kong, Richard has defended a member of the Bar at the Bar Disciplinary Tribunal.