

## NICOLAS STALLWORTHY Q.C.

- Age:** 41
- Call:** 1993  
**Q.C.:** 2001
- Chambers:** The Chambers of Philip Mott QC,  
Outer Temple Chambers,  
London WC2R 1BA
- DX 351 LDE  
Tel: (020) 7353 6381  
Fax: (020) 7583 1786  
e-mail: Nicolas.StallworthyQC@outertemple.com
- Qualifications:** MA (Juris.) & Bachelor of Civil Law, Oxford University
- Professional Bodies:** The Association of Pensions Lawyers  
(member of education & seminars sub-committee)  
The Chancery Bar Association  
The Professional Negligence Bar Association  
The Commercial Bar Association  
The Financial Services Lawyers Association
- Practice:** Pensions (particularly re: occupational pension schemes)  
Professional negligence (particularly re: solicitors, benefits consultants, insurance companies & actuaries)  
General chancery (trusts & commercial)
- Directories:** Chambers & Partners (2011) says Nick was “*the subject of a torrent of praise from interviewees, who ... add that he is ‘meticulous and logical’ in the advice he offers and ... ‘demonstrates a client commitment which is second to none’.*”  
  
Legal 500 (2011) says Nick is “*very highly regarded by clients ...; he is ‘reliable and passionate, and never lets you down’.*”
- Speaking:** APL Annual Conference 2008 – “*Smithson v Hamilton*”  
APL Summer Conference 2006 – Case Law Update  
APL Introduction to Pensions Litigation Course: ‘*Litigating Effectively*’ (2000-2004) and ‘*Equalisation*’ (2009-2011)  
Northern APL Round Up Seminar 2009 – ‘*Foster Wheeler*’  
Pensions Lawyers Support Group (July 2007): “*Financial Support Directions*”  
Pensions Management Institute (January 2007): “*Transition from Defined Benefit to Defined Contribution*”  
Outer Temple Chambers’ Pensions Seminars: ‘*Statutory Debt Certificates*’ (April 2005)

**Notable cases include:**

- *IBM UK Pensions Trust Ltd v Metcalfe & Others* [2012] EWHC 125
- *Re the Box Clever Pension Scheme* (Determinations Panel 2011)
- *Dalriada v Faulds, Athena Pension Services Ltd and Minerva Pension Services Ltd* [2011] EWHC 3391
- *Re: Nortel and Lehman Brothers* [2010] EWHC 3010; [2011] EWCA Civ 1124; and appeal in Supreme Court pending
- *Dollond v The Trustees of the BTG Pension Fund* [2011] EWHC 1373,
- *Bridge Trustees Ltd v Yates & others* [2008] EWHC 964; [2010] EWCA Civ 179; and [2011] UKSC 42
- *Capita ATL Pension Trustees Ltd v Zurinkas* [2010] EWHC 3365
- *Re: the Lehman Brothers Pension Scheme* (Determinations Panel 2010)
- *DAS Services Ltd v Gait-Parker & Others* [2010] EWHC 2592
- *PNPF Trust Co Ltd v Geoff Taylor & Ors* [2010] EWHC 1573
- *HR Trustees Ltd v German & IMG (UK) Ltd, Re the IMG Pension Plan* [2009] EWHC 2785; and [2010] EWCA Civ 1349 – appeal pending
- *Harland & Wolff Pension Trustees Ltd v Aon Consulting Financial Services Ltd* [2009] EWHC 1557
- *Re PD Teesport Ltd, PNPf Trust Co Ltd v Taylor & Others* [2009] EWHC 1693
- *Re: the Derfshaw Retirement Benefits Scheme* (Determinations Panel, 2009)
- *Capital Cranfield Trustees Limited v Beck & Tabor, Re: the A.C. Skelton Pension & Life Assurance Scheme* [2008] EWHC 3181
- *Foster Wheeler Ltd v Hanley & Others* [2008] EWHC 2926
- *Hearn v Dobson, Re: the Construction Confederation Pension Scheme* [2008] EWHC 1620
- *Re: the Focus Pension Scheme and the Do-It-All Pension Plan*, FSD proceedings
- *Smithson & Others v Hamilton, Re: the Siemens Fire Safety & Security (PFP) Pension Scheme* [2007] EWHC 2900 & [2008] EWCA Civ 996
- *Alexander Forbes Trustee Services Ltd v Clarke & Others, Re: the Demaglass Pension Scheme* [2008] EWHC 153
- *Re: the Sea Containers 1983 Pension Scheme* (Determinations Panel, 2007)
- *Trustee Solutions Ltd v Dubery & Cripps* [2006] EWHC 1426; [2007] EWCA Civ 771
- *Griffiths v PPF*, 2007, for PPF on first ever complaint to the PPF Ombudsman
- *Harland & Wolff Pension Trustees Ltd v Aon Consulting Financial Services Ltd* [2006] EWHC 1778
- *Steria Ltd v Hutchison* [2005] EWHC 2993; [2006] EWCA Civ 1551
- *Capital Cranfield Trustees Ltd v Pinsent Curtis* [2005] EWCA Civ 860
- *Bradstock Group Pension Scheme Trustees Ltd v Bradstock Group Plc* [2002] EWHC 651
- *Hoover Ltd v Hetherington & Others* [2002] EWHC 1052
- *Stevens v Bell & Others* [2001] PLR 99, ChD (the British Airways litigation)

Other cases have concerned:

- the validity of scheme amendments, e.g. in connection with equalization
- complex compromises & schemes of arrangement to resolve uncertainties about how pension schemes should be administered
- equitable remedies for rectification, mistake and under the principles in *Re Hastings-Bass*
- the interpretation of scheme contribution rules and statutory funding requirements
- the Occupational Pension Schemes (Employer Debt) Regulations 2005
- the Pension Protection Fund
- Financial Support Directions and Contribution Notices
- maladministration and breaches of trust/fiduciary duty by trustees
- tracing/restitution of trust property
- the distribution of surpluses
- compromises of statutory debts under section 75 of the Pensions Act 1995
- applications for *Beddoe* relief
- pensions mis-selling
- pensions & insolvency
- applications to & oral hearings before the Pensions Regulator Determinations Panel
- appeals from & complaints to the Pensions Ombudsman and the PPF Ombudsman
- professional negligence by actuaries, administrators, solicitors & all other professionals involved with pension schemes

**Advisory work:** Extensive advisory work has covered a wide range of pensions issues for trustees, employers, insurers, and the PPF, including direct professional access work and advising ‘magic circle’ & top solicitors firms re: their own pension schemes.

--/--