"Calm approach... finding solutions for tricky problems... exceptional... second to none... A really true professional"

"...outstanding... beyond reproach... best possible outcome... fully recommend... cannot thank him enough"

"Unmatched professionalism and integrity... relentless dedication to his clients... fought tirelessly on my behalf"

"We won! Thank you for your advice, found it invaluable."

Client Feedback

Robin Somerville

Overview

Robin is a barrister, mediator and mediation advocate specialising in shareholder, partnership, board, business, family business, commercial and technology disputes. He advises, mediates and acts as a mediation advocate, typically in respect of multi-million-pound business disputes. The largest to date is £120m involving six brothers and their children.

Prior to qualifying as a lawyer and mediator, Robin set up, grew and successfully sold three start-up businesses. He was also involved in his family's third generation family business.

Robin was involved in his own personal commercial dispute as a claimant which itself settled at mediation. He is therefore uniquely placed to be particularly effective in understanding the commercial, relationship, risk and strategic issues involved with disputes. Robin quickly builds rapport with clients who value his approachability, responsiveness and pragmatic, problem solving and solution focussed outlook.

Robin also sits as a judge and arbitrator and was previously an Ombudsman at the Financial Ombudsman Service. Robin is a Visiting Lecturer on the Bar Course at the Inns of Court College of Advocacy.

Robin has been a judge at the ICC International Mediation Competition in Paris since 2017 and the CEDR National and International Negotiation Competitions.

Expertise

- Shareholder disputes
- Derivative actions
- Board disputes
- Technology disputes
- S994 unfair prejudice petitions
- Family business disputes
- Business contract disputes
- IT software development and deployment disputes
- Directors' duties
- Partnership disputes
- Workplace & employment
- IT service contract cloud services and support disputes

Dispute Experience

Litigation

Robin has been involved in over 1,000 cases spanning over 20 years in one forum or another. Including:

- £120m partnership dispute between six brothers and their children.
- £15m S994 unfair prejudice claim between three brothers and their children.
- £3m directors' duties civil fraud claim.
- Multiple S994 unfair prejudice claims all settled before trial.
- Six party international joint venture dispute - settled via client division agreement.
- Eight party international partnership dispute - settled.
- Breach of partnership agreement brought by beneficiaries of a will of a deceased partner.
- Breach of directors duties by a director who speculated company funds with financial futures/derivatives without authorisation.
- Misrepresentation/breach of warranties claim against previous owner.
- Breach of covenants by ex-director.
- Multiple breach of contract (B2B & Construction) claims.
- Multiple share sale/exit negotiations.

In addition to advising and representing clients and litigating for them before the High Court, County Courts and Tribunals and determining disputes in his judicial capacity or as an arbitrator Robin was involved in a shareholder and partnership dispute of his own before qualifying which settled at mediation. Robin since successfully brought a worker status claim in respect of his capacity sitting as a tribunal chair at the Nursing and Midwifery Council. This case reached the Supreme Court where the NMC's application for permission was refused.

Mediation & Mediation Advocacy

Over 15 years' experience. Mediator since 2009. Including:

- Three party S994 Companies Act unfair prejudice, unlawful extractions dispute - settled with buy out.
- Two party unfair prejudice, breach of investment agreement dispute - settled with buy out.
- Family business shareholder dispute following death of parents - settled with £1m+ buy out.
- Two party family shareholder dispute incl £5m personal guarantees - settled via demerger.
- Shareholder, breach of directors and employee duties, restrictive covenant dispute.
- High conflict husband and wife board/shareholder dispute shortly before a £100m+ sale.
- Technology/ICT Leased equipment contract dispute with director guarantees.
- Commercial debt/agents commission dispute - settled with agreement to a new two year contract.
- CEO/Director employment/workplace dispute at a UK institution of the highest profile.
- Minority shareholder buyout dispute.
- Three party, shareholder dispute - one party the family of a shareholder who died intestate.
- Breach of covenants/director's duties by ex-director.

Personal Style

Robin is relentlessly focussed on problem solving and solution finding as a barrister, mediator and in all areas of his practice. He offers down to earth pragmatic approach. Robin considers that making an investment in litigation should be assessed in the same way that other business investments are assessed. He is therefore mindful of weighing up the potential commercial as well as legal risks as well rewards related to the case.

Commercial Experience

- 2018-present - Innovate UK - Department for Business, Energy & Industrial Strategy. Assessment of applications for research and innovation grants for UK Research and Innovation.
- 2017-18 - Non-exec Board Member for Governance and Conflicts of Interest and Chair of Audit Committee - Barnet Clinical Commissioning Group. Strategic and audit advice to an NHS body for London's largest borough commissioning over £400 million of primary and secondary healthcare provision and support services for a population of 369,000 residents.
- 1999-13 - Owner and Managing Director - set up, grew and successfully sold three technology start-up businesses. An online comparison business generating over £50m of sales enquiries and orders for network of over 50 distributors including negotiating an equity stake by an £800m t/o trade body, a national distributor of innovative sustainable building materials and an internet development business.
- 2003-09 - Director - strategic development of family business. Responsible for profitability improvement from £50k to £250k per annum within 18 months, and management of 22 staff. Five commercial property transactions in excess of £10m with legal complications.
- 1999-2013 - Non-Exec Director - Reallymoving.com. Equity holding board member of UK's leading online comparison site for removals, conveyancing and home surveys. Advising on strategy, performance and systems.
- 1992-95 - Assistant Dealer, Money Market Desk - Sumitomo Bank Ltd. Short date US Dollar deposits, quoting prices, trading cash and derivatives. Personally responsible for managing $2 billion daily. Appraising and valuing opportunities, analysis of complex data to inform decision making.

Professional Skills

- Advanced Mediation Advocacy – Standing Conference on Mediation Advocacy
- Visiting Lecturer – Bar Course – Inns of Court College of Advocacy
- Accredited Workplace Mediator – CEDR
- Accredited Civil and Commercial Mediator - CEDR & ADR Group
- Course Tutor - LLM Legal Tech - Queen Mary, University of London
- Ombudsman - Financial Ombudsman Service
- Masters in Law (LLM) - International and Comparative Dispute Resolution - Queen Mary, University of London
- Accredited Investigator - Employment and workplace investigations - TCM Group.
- Bar Professional Training Course

Feedback

- *"...outstanding... beyond reproach... best possible outcome... fully recommend... cannot thank him enough"*
- *"Unmatched professionalism and integrity... relentless dedication to his clients... fought tirelessly on my behalf"*
- *"We won! Thank you for your advice, found it invaluable."*
- *"Exceptional professionalism, legal expertise, and personal approach"*
- *"professionalism seeps through... knowledgeable, attentive and approachable... genuine pleasure to work with"*
- *"I feel I have come out best possible outcome... I could not have done it without you..."*
- *"saved me a considerable amount of money—something I will always appreciate."*
- *"first class results"*
- *"10/10"*
- *"worked tirelessly... assistance was invaluable"*
- *"Goes way above and beyond the norm"*
- *"amazing and above all kind and understanding"*
- *"up to speed amazingly quickly"*
- *"without doubt, the best money I have ever spent... a conclusion was reached much quicker than I would have thought"*
- *"significant upside multiple on his fees"*
- *"very satisfactory outcome... enabled me to reach a deal and put an end to the stress of the last 10 months"*
- *"professional and courteous... we couldn't recommend Robin highly enough"*