

**Overview**

Charities  
 Commercial Disputes  
 Court of Protection  
 Education  
 Partnership and Joint Ventures  
 Professional Liability  
 Property  
 Tax  
 Trusts  
 Wills and Estates

Mediation and Arbitration  
 International

## Profile: Overview

Robert Pearce QC is an experienced litigator in difficult and complex cases. Out of court, he aims to offer advice which is thoroughly researched, clear and practical. He is recommended as a leading silk in five practice areas in the current editions of the legal directories.

## Experience and Expertise

Most of Robert Pearce QC's work is in the fields of property law, business and commercial law, trusts, estates, and charities. He also has wide experience in related fields such as the Court of Protection, partnerships and joint ventures, revenue law and professional liability.

He is an accredited mediator.

## Cases of Note

His recent reported cases include:

- *MN v OP (High Court, 2017)*. Variation of trusts, anonymity orders.
- *Singh v Charity Commission for England and Wales (High Court, December 2016)*. Permission to discontinue charity proceedings.
- *University of London v Prag (High Court, [2015] WTLR 705)*. Legal effect of documents and events transferring higher educational institution to university. Duties of university responsible for administering group of discrete entities.
- *Human Dignity Trust v Charity Commission for England and Wales (First-tier Tribunal, [2015] WTLR 789)*. Whether an institution established to challenge laws in overseas jurisdictions was established for charitable purposes only.
- *Marwaha v Singh (Court of Appeal, [2014] PTSR 1166)*. Charities, costs of litigation.
- *Khaira v Shergill (Court of Appeal, [2012] PTSR 1697)*. Whether a dispute concerning the administration of a charity for the advancement of religion raised justiciable issues.
- *Faidi v Elliot Corporation (Court of Appeal, [2012] HLR 27)*. Claim for breach of covenant and nuisance by flat lessee.
- *Attorney General's Reference on Benevolent Funds (Upper Tribunal, [2012] WTLR 977)*. Charitable status of funds for the relief of poverty among beneficiaries linked by factors such as common employment.
- *Lawson v Howard-Lawson (Court of Appeal, [2012] 3 All ER. 60; [2012] WTLR. 617)*. Construction of "name and arms" clause in Will trust.
- *Re Wedgwood Museum Trust Limited (High Court, [2012] WTLR 913)*. Whether the administrators of an insolvent charitable company could have recourse to museum exhibits vested in the charity to contribute to the deficit in a group pension scheme in which the charity was a participating employer.
- *Independent Schools Council v Charity Commission (Upper Tribunal, [2012] Ch 214)*. Validity of a charitable purpose for the benefit of a class limited by ability to pay fees; duties of trustees of fee-charging charitable schools; judicial review of Charity Commission's statutory guidance on public benefit.
- *Catholic Care (Diocese of Leeds) v Charity Commission (Upper Tribunal and High Court, [2010] 4 All ER 1041)*. Equality legislation; human rights; ability of charitable adoption agency to discriminate on grounds of sexual orientation.
- *Power v Open Text (UK) Ltd Group Life Assurance Scheme Trustees (High Court, [2010] Pens LR 89; [2010] STI 567)*. Group life assurance scheme, trustees' powers and duties.

## Recommendations

Robert Pearce QC is recommended as a leading silk in the current edition of The Legal 500 in the areas of Charities, Education, Private Client, Trusts and Probate, Professional

Negligence and Property Litigation, and in the current edition of Chambers UK in the areas of Charities, Education, Real Estate Litigation and Traditional Chancery. Robert is also recommended in the Chancery: Traditional UK section of the 2016 Chambers HNW.

Recent directory comments include:

- "Very personable, experienced and authoritative." (Real Estate Litigation, Chambers UK, 2017)
- "Very good at succinctly describing a legal case, he is extremely clever and always on top of his subject." (Education, Chambers UK, 2017)
- "Very authoritative and able to provide good practical solutions." (Education, Chambers UK, 2017)
- "He's very clear, confident and articulate. He is able to break instructions down into various segments and make them much more understandable." (Chancery: Traditional, Chambers UK, 2017)
- "He is incisive and at the forefront of his profession." (Charities, Chambers UK, 2017)
- "He is absolutely brilliant in court. He is extremely clever and very good at succinctly describing a legal case." (Charities, Chambers UK, 2017)
- "He has fantastic technical knowledge and is very impressive in court." (Property Litigation, Legal 500, 2016)
- "He thinks outside of the box, and has excellent command of charity and related law." (Charities, Legal 500, 2016)
- "He is polite and courteous with both clients and the other side." (Chancery: Traditional UK, Chambers HNW, 2016)
- "'He has a total command of charity law, and is without a doubt a leader in the field.'" (Charities, Legal 500, 2015)
- "One of the most highly sought after silks at the Charity Bar. "His advice displays a breadth of vision and he has great experience. When he provides you with advice, you know it's good and will be pithy and to the point." "He's an extremely able and powerful opponent." (Charities, Chambers UK, 2015)
- "He has an incisive and forensic mind, and finds solutions where others only find problems." (Real Estate Litigation, Chambers UK, 2015)
- "He is very approachable, very clear in explaining the issues and good at drafting." (Traditional Chancery, Chambers UK, 2015)
- "He is very good technically, and is also very good at explaining things to the client." (Education, Chambers UK, 2015)
- "Extremely knowledgeable on charity matters, and a pleasure to deal with." (Charities, Legal 500, 2014)
- "One of the finest barristers practising in the charity sector. He is widely recognised for his fine work on behalf of the Charity Commission, and regularly advises it on complex charity law issues. He receives particular praise from commentators for his client care skills, with many remarking on his ability to set out complex legal points in a straightforward manner. 'He is very clear and client-focused, and has the ear of the Charity Commission'." (Charities, Chambers UK, 2014)
- "Handles a range of contentious and non-contentious chancery matters. Trust disputes and related tax matters are areas of particular expertise. 'He is hugely knowledgeable and very accommodating. Flexible and prepared to accommodate client needs, he makes himself available no matter when required, and is able to provide the client with a clear vision of where he thinks a case is heading'." (Traditional Chancery, Chambers UK, 2014)
- "Best known in the market for his advice to educational institutions on charity law. He does, however, have a wider education practice than this and further advises on school and University constitutions, governance, regulation and finance. 'He's a man with the law at his fingertips who is hugely knowledgeable and very helpful to the client'." (Education, Chambers UK, 2014)
- "Robert Pearce QC has 'an encyclopaedic knowledge of the workings of charity legislation and historic case law', and recently appeared in the high-profile Re Wedgwood Museum Trust litigation." (Charities, Legal 500, 2013)
- "Robert Pearce QC 'is just exceptionally good'. Praise for this leading charity law silk comes from all corners of the market, but instructing solicitors are especially impressed that 'he is not just academically incredibly strong but also has fantastic client skills." (Charities, Chambers UK, 2013)
- "Robert Pearce QC is widely regarded as 'a very academic and incredibly clever chap'." (Traditional Chancery, Chambers UK, 2013)

- "Robert Pearce QC is 'exceptionally good across a wide range of work,' say sources. In the real estate sphere he covers all areas of real property and landlord and tenant. His advocacy, say sources, is 'focused – understated but effective'." (Real Estate Litigation, Chambers UK, 2013)
- "Robert Pearce QC has 'incisive and extensive third-sector knowledge' and is 'very gifted at absorbing and applying the law in a constructive and sensitive way'." (Charities, Legal 500, 2012)
- "Robert Pearce QC stands out for his 'supremely sound judgment and authority.' He thrives on cases peppered with difficult technical aspects to them, especially those containing contentious trusts and wills. Solicitors favour him as he 'creates all-angles summaries of cases of a quality that is hard to beat'." (Traditional Chancery, Chambers UK, 2012)
- "... Robert Pearce QC exudes 'natural authority' and earns praise for his 'measured and methodical approach.'" (Charities, Chambers UK, 2011)
- "Solicitors describe him as offering 'thoroughness in the extreme' and marvel at his 'utter control of a case and his vice-like grasp of the legal issues.' He is much in demand." (Real Property, Chambers UK, 2011)

## Publications

Contributing editor of the titles Family Provision, Real Property, and Trusts and Administration of Estates in The Civil Court Practice published by LexisNexis, and various articles.

## Qualifications

BA (Oxford), Jurisprudence, first class; BCL.

## Other professional information

He is a member of STEP, the Charity Law Association, the Property Bar Association, ACTAPS, the Chancery Bar Association and the British Irish Commercial Bar Association.

He is a bencher of Lincoln's Inn, and a member of the Legal Advisory Commission of the General Synod of the Church of England.

### Other Details

VAT Registration Number: 235439068

Bar Membership Number: 16399

## For More Information

Please click on the links to the left or contact a member of the clerking team