

ELEANOR TEMPLE

Year of call: 2000

Clerked by: Louise Barnes Luke Heywood

AREAS OF EXPERTISE:

Banking & Finance Commercial Litigation Company
Insolvency Partnership Professional Negligence



Insolvency

Contentious and non-contentious, international and domestic personal and corporate insolvency and restructuring (for office holders and individuals/companies) - including administrations, voluntary arrangements, liquidations, bankruptcy, claims under the Insolvency Act 1986, especially wrongful and fraudulent trading, misfeasance, preferences, transactions at an undervalue, cross-border insolvency (particularly in the Channel Islands and Isle of Man), employment and pensions issues and directors' disqualification. Eleanor undertakes contentious trusts litigation with a particular interest in offshore trusts in the Channel Islands and related cross-border insolvency. Eleanor has recently been involved in an international trust dispute in Jersey.

Profile

Eleanor Temple's practice focuses on commercial litigation for domestic and international clients with a particular emphasis on insolvency and company (predominantly shareholder) law disputes, partnership actions, banking and finance, guarantees, civil fraud, contract disputes, breach of trust and fiduciary duties, including asset tracing claims, and directors' disqualification. One commentator recently described Eleanor as "simply excellent".

Eleanor is the Chair of R3 for the Yorkshire Region, the Chair of the NECCBA and sits regularly as a Recorder and Deputy District Judge on the North Eastern Circuit.

Eleanor is recommended as a Leading Junior in four practice areas of the Chambers UK Guide 2019: Restructuring/ Insolvency, Banking & Finance, Chancery, and Commercial Dispute Resolution, and in the Legal 500 2019 as a Leading Junior in Commercial, Banking & Insolvency.

In 2014 Eleanor was named as one of the Chambers UK Top 200 junior barristers practising in England and Wales.

Clients include insolvency practitioners, banks, multi-nationals, SMEs, professional firms, private equity houses and private individuals. Eleanor has acted for and against the Government including on public interest winding up and directors' disqualification matters. She is a member of the Attorney General's Provincial Panel.

- 2018 - appointed a Recorder in both Civil and Family.
- 2017 - appointed Chair of R3 Yorkshire and Chair of the NECCBA.
- 2015 - appointed a Deputy District Judge authorised to hear Business and Property Court matters.
- 2012 - Selected by the Bar Council to present a paper to the New York City Bar Association on Cross Border Insolvency.
- 2007 - featured in The Times "Future Stars of the Regions" Report.
- 2004 - founded the R3 (North West) Women's Group

A list of Eleanor's areas of expertise can be found below. In addition, she has expertise in interim remedies — including summary judgment, applications for specific and third party disclosure, security for costs and injunctions (including freezing injunctions, worldwide and domestic).

Year of Call: 2000

Areas of Expertise

Banking & Finance

Commercial Litigation

Company

Insolvency

Partnership

Professional Negligence

Panels

Attorney's General's Provincial Panel - appointed 2008, re-appointed 2015

Appointments

June 2018 - Recorder (Civil)

March 2018 - Appointed a Recorder (Family) N

September 2017 - Appointed Chair of the R3 Yorkshire Region

October 2016 - Appointed Chair of North Eastern Circuit Commercial Bar Association (NECCBA)

2015 Deputy District Judge (Civil) North Eastern Circuit

2015 Deputy District Judge (BPC authorisation)

Reported Cases

Charlton v Funding Circle & Wright [2019] EWHC (Ch), Barling J

Elliot v Cimarron UK Limited [2017] EWHC 3872 (Ch)

Secretary of State for Business, Innovation and Skills v Akbar and others - [2017] All ER (D) 139 (Nov).

Re Shirtcliffe (Deceased) [2016] EWHC 726 (Ch) - [2016] BPIR 1218.

Day v Refulgent Ltd [2016] EWHC 7 (Ch) All ER (D) - [2016] BPIR 594.

Re Pudsey Steel Services Limited - [2015] BPIR 1459.

Re Lawyours LLP, Official Receiver v. John Wilson [2013] EWHC 3146 (Ch).

R v (James) [2013] EWCA Crim 1089.

Jones v The Financial Conduct Authority [2013] EWHC 2731 (Ch) [2013] BPIR 1033.

Jones v Financial Services Authority [2013] BPIR 589.

Gateley (Manchester) LLP v Rose [2013] All ER (D) 29 (Mar).

Department of Business, Innovation and Skills v Compton [2012] BPIR 1108.

People's Phone Limited v Theophilos Nicolaou [2011] EWHC 1129 (Ch). [2011] BPIR 1477.

Rawnsley v Weatherall Green & Smith North Ltd [2010] 1 BCLC 658, [2010] BPIR 449.

Parveen v Manchester City Council/ Hellard [2010] BPIR 152.

The Oracle (North West) Limited v Pinnacle Services (UK) Limited (Patten J) [2009] BCC 360, [2008] All ER (D) 77 (Sep), [2008] EWHC 1920.

Steven Williams (Trustee in Bankruptcy of Mr White) v White (2007) WL 2573816.

Hawkes Hill Publishing Company Limited (in Liquidation) Ward v Perks and Drinkwater (Lewison J) [2007] B.C.C. 937; [2007] B.P.I.R. 1305, (2007) 151 Sol Jo LB 743, [2007] ALL ER (D) 422.

Whitehouse -v- Wilson (Liquidator of Vol-Mec Ltd) & Munro , Court of Appeal [2007] B.C.C. 595; [2007] B.P.I.R. 230; (2007) 104(1) L.S.G. 11, [2006] All ER (D) 93.

Barlow Barlow -v- Bowden [2006] 4 HLR 10.

St. George Smith -v- Lingard [2006] 4 HLR 3.

Nolan -v- Davenport [2006] All ER (D) 83.

National Westminster Bank plc -v- Patel [2004] All ER (D) 429.

Publications

Misfeasance: Shadow Director Versus De Facto Director, *Insolvency Intelligence* 11/02/2011, 44, (2011) 24 *Ins. Int.* 4

Family Law and Bankruptcy Update, *Insolvency Intelligence* 11/02/2011, 39, (2011) 24 *Ins. Int.* 1

Equine Law: Taking the reins (2008) *LS Gaz*, 7 Aug, 14.

High Court grants joint liquidators relief in complex transaction at an undervalue avoidance claim following asset sale agreement *Corporate Rescue and Insolvency* (2018) 5 *CRI* 173

Qualifications

University: St Johns College, University of Durham

Degree: 1st Class (Hons) Law

Prizes

Reginald Prize, Gerrard Rawnsley Prize, R. K. Vanham Prize, Outstanding Achievement Prize (Overall results), Inner Temple Major Scholarship, Duke of Edinburgh Entrance Scholarship

Recommendations

Eleanor has been recommended as a leading junior in Chambers Guide and the Legal 500 each year since 2004, recent recommendations include:

Chambers UK 2021

"She is always aware of the practical and commercial context of her advice, ensuring that matters are resolved as quickly and cost-effectively as possible. She is also incredibly thorough, well prepared and a pleasure to work with."

"She gets to grips with the issues straight away and comes back with incisive and helpful comments that advance the case." "She is very measured in court and she performs very well."

"Absolutely brilliant, hugely knowledgeable and very responsive. She gives really good advice and is a good advocate and all-round barrister." "She's commercial, hard-working and gets great results." "She's very client-friendly, very sharp and a bit of a star."

"Eleanor Temple is a brilliant advocate who is intellectually astute and has a superb manner with clients." "An outstanding barrister: extremely driven, capable and competent."

Legal 500 2021

"Eleanor is very capable - good at what she does and advocacy (with great charm) but also a good presenter and networker. Nothing seems to phase her."

Legal 500 2020

"Eleanor is very capable - good at what she does and advocacy (with great charm) but also a good presenter and networker. Nothing seems to phase her."

"Eleanor is exceptional. Her written submissions are detailed and demonstrate her knowledge and understanding of complex legal issues and she is an outstanding advocate. She can think on her feet and always knows her cases inside out. Eleanor is my first choice on all company and insolvency matters. She is commercial and puts clients at ease. She always achieves the best possible outcome."

"Eleanor has the ability to distil even the most complex of matters to their key elements and present those elements in a cogent and powerful manner whether that be in writing or as an advocate."

"Intellectually and commercially savvy."

Chambers UK 2020

"A determined and forceful advocate." "A great advocate with superb knowledge of the law in this area. Her thorough approach and expert guidance is invaluable."

"Determined and forceful advocate." "She is well respected by judges, barristers and solicitors and can cut through things."

"She's very client-friendly and good both on her feet and on paper. She has a formidable level of experience." "She's easy to work with and very approachable."

"A superb, very persuasive advocate. She is very quick and intuitive with judges." "She will always find the clever points."

Chambers UK 2019

"A very good commercial disputes practitioner." "She addresses issues quickly and meets deadlines. She's organised about her work and never lets me down. She definitely goes the extra mile."

"She is an excellent all-rounder, who remains persistent and confident." "A leading insolvency barrister specialising in the full range of chancery and commercial litigation." "A great advocate with superb knowledge in this area of law. We value her thorough approach and expert guidance."

"She's very good on her feet, she can read situations and individuals and she inspires confidence in her clients." "She's got a great touch with clients and is able to get to the nub of issues very quickly."

"She is really client-focused, gets to grips with issues really quickly, is proactive and is pragmatic with her solutions. She is excellent on her feet."

Legal 500 2019

"A compelling and client-friendly advocate."

Chambers UK 2018

"A determined and forceful advocate," who is "very quick-thinking, great at delivering speeches and someone who offers very commercial advice."

"She is very user-friendly, excellent on her feet and good with clients." "She's very experienced, proactive, always available and has a wide range of knowledge and experience to apply to different situations." "A great advocate with superb knowledge in this area of law. We value her thorough approach and expert guidance."

"She comes up with solutions to difficult problems and takes a commercial view with 'out of the box' thinking. She also makes clients feel comfortable."

"She has superb knowledge backed by a commercial approach to problems." "Very user-friendly, excellent on her feet and good with clients."

Legal 500 2018

'A formidable advocate and an unstoppable force, who is loved by clients.'

Chambers UK 2017

"She is an excellent advocate and nothing seems to faze her. You know she'll always do a good job for you." "She is a wonderful advocate who is great on her feet and gets to the bottom of problems immediately. She's great in conference and is very impressive in court."

"She is excellent. She is tremendously clear and eloquent in court and has a very persuasive style." "Her written work is very good and innovative."

"She is a very robust advocate who knows her onions and cuts to the chase." "She is extremely experienced. She has huge knowledge of insolvency matters and provides very pragmatic advice."

"She is a wonderful advocate who is great on her feet, and gets to the bottom of problems immediately."

Legal 500 2017

'Wonderfully talented, both in her people skills and her technical knowledge and expertise.'

Who's Who Legal 2016

Eleanor Temple is known for being "extremely thorough and not missing a thing."

Chambers UK 2016

"She is a very good advocate who wins everything I send to her!"

"She is an extremely good barrister and is particularly strong in cross-examination."

"Fantastic in front of judges, she really punches above her weight. Her strength is in her advocacy - she is almost surprisingly fierce in court."

Who's Who Legal 2015

"Kings Chambers junior Eleanor Temple is a "leading figure" in corporate restructuring with a "stellar reputation". Clients praise her "quick grasp of complex issues"

Chambers UK 2015

"She's a great court operator. Her legal knowledge is superb and she's good on the commercial side too."

"She knows her subject inside out and is very clear in her advice."

"She is a popular advocate - she is not just easy to deal with, but a highly skilled tactician."

"She has a sound grasp of everything arising in the context of insolvency cases and she's also very user-friendly."

"She has proven ability both before judges and on paper. She can persuade a judge and is a forceful and robust advocate."

"Has a good insolvency grounding. Good on paper and good in court."

"She is very thorough, offers very practical advice and is down to earth - she really impresses clients." "She secured the confidence and trust of the clients very quickly in very difficult circumstances."

"She is fantastic; she always goes above and beyond."

"She is very responsive, commercial and good value."

Legal 500 2015

"An excellent all-rounder."

Memberships

New York City Bar Association

R3 (Yorkshire) Committee Member

R3 (Full member)

Insolvency Lawyers' Association (Full member)

Chancery Bar Association

Northern Chancery Bar Association,

Northern Circuit Commercial Bar Association

Northern and North Eastern Circuit

The Honourable Society of the Inner Temple

