

## **ELEANOR TEMPLE | MANCHESTER, LEEDS & BIRMINGHAM**

Year of call: 2000

Qualifications: 1st Class (Hons) Law

Clerked by: James Mason Harry Young

### **AREAS OF EXPERTISE:**

Banking & Finance Commercial  
Litigation Company Insolvency  
Partnership Professional Negligence



### **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**

Secure and unsecured lending (including mortgages and guarantees) finance litigation and advisory work and financial services litigation.

#### **Commercial Litigation**

Contracts; commercial fraud; sale and supply of goods and services and e-commerce disputes; joint ventures; shareholder disputes; share and

asset purchase agreements (especially warranty claims and other acquisition disputes), all procedural aspects of the CPR, evidence, costs and interim applications.

## Company

Eleanor is an experienced and established commercial practitioner, with a particular emphasis on insolvency, banking and finance, company and commercial dispute resolution, especially asset tracing claims, shareholder disputes, breach of trust and fiduciary duties and directors' disqualification.

## 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.

## Partnership

Especially concerning professional practices such as solicitors, accountants, chartered surveyors, medical practitioners and veterinary surgeons, breach of partnership agreements, disclosure, injunctions, breach of duty, confidentiality.

## Professional Negligence

## Panels

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

## Appointments

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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

Chambers UK 2023

"The reason we go to Eleanor is for her tactical decision making, her experience with the courts and commercial approach."

"Eleanor really is beyond solid."

"Eleanor is amenable, straightforward and great with clients."

"She works like a demon and is really cost-effective."

Legal 500 UK 2023

'Eleanor is commercial, practical and gets straight to the heart of any issue. She is an exceptional advocate, with a presence in court which demonstrates her confidence and technical ability. An incredible barrister.'

'Eleanor is first-class in court and always has a good sense of when to press points with a judge. An impressive, pragmatic advocate with great energy

## **Chambers UK 2022**

"Truly spectacular. She is an incredible advocate but also maintains great relationships with her clients and always takes a commercial attitude to cases, which makes her sensible and pragmatic."

"She is commercial, good on her feet and very client-friendly."

"Eleanor was very accessible and she worked with us on issues with very tight deadlines. She not only is good on the technical side, but has good commercial acumen and is good with judges and clients."

"Eleanor Temple is a very pragmatic barrister and understands the commercial impact of litigation."

"She is regularly involved in cases where every other party has a QC."

"She is armed with a wealth of experience in banking and insolvency litigation. She is an excellent advocate and is very easy to work with and extremely client-friendly."

"She is an incredible advocate but also maintains great relationships with clients and always has a commercial attitude to cases which makes her sensible and pragmatic."

## **Legal 500 UK 2022**

"Eleanor is extremely responsive, despite clearly balancing a large caseload of work which is, given their practice area, often very urgent. She has an excellent way with clients - an understanding and sympathetic tone but unafraid to deliver robust and realistic advice. Clients feel that Eleanor is truly on their side and will fight their corner with all she can. "

"Eleanor is superb: a second-to-none junior. She is user friendly, impressive both in writing and on her feet, and clients appreciate and admire her commercial and sensible attitude."

"She is regularly involved in cases where every other party has a QC." "She is armed with a wealth of experience in banking and insolvency litigation. She is an excellent advocate and is very easy to work with and extremely client-friendly."

## **Chambers UK 2021**

"A QC, with everything but the letters"

"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"

## Memberships

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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

