



Richard Wald KC

Year of call: 1997 | Silk: 2020

Email: richard.wald@39essex.com

Phone: +44 (0)20 7832 1111

"Richard is a superb barrister. He exudes a style which is measured, considered, exactly on the point and very persuasive. One of the most effective advocates, but most particularly in the High Court where his intellectual brilliance and gifted advocacy make him stand out as a true star" The Legal 500 2022

Richard Wald KC is a leading environmental, planning and public law silk. He has been ranked by Chambers and Partners and The Legal 500 in the categories of Environmental Law, Planning Law, Aviation Law, Administrative and Public Law and Energy Law. Prior to taking silk he was rated by Planning Magazine Legal Survey as amongst the UK's top planning juniors for over a decade and nominated by Chambers and Partners as Planning and Environment Junior of the Year.

Areas of expertise

Administrative and Public

Administrative and Public (including Local Government and Human Rights)

Planning

-- Aviation and Aerospace

-- Compulsory Purchase and Compensation

-- Development Consent Orders and Infrastructure

-- High Court Planning Challenges

-- Planning Appeals, Hearings and Inquiries

-- Planning Enforcement

Environmental

Energy

Administrative and Public (including Local Government and Human Rights)

Richard practices in a very broad range of public law areas, including local government and human rights.

Cases of note

***Chagos R (Bancoult) v Secretary of State for Foreign & Commonwealth Affairs* [2018] UKSC [2018] UKSC 3** see also [2014] EWCA Civ 708 [2012] EWHC 2115 (Admin), [2012] EWHC 3281 (Admin) 2013] EWHC 1502 (Admin)). JR of decision to enact the world's largest Marine Protected Area in the waters surrounding the British Indian Ocean Territory. Richard has acted for the Claimant/Appellant since 2011 in this long-running attempt to repatriate Chagossians expelled from their native islands in the 1960s and at each stage of this litigation from the Divisional to the Supreme Court. He took the lead in devising an argument that the decision was vitiated by an improper purpose based on WikiLeaks evidence of relevant discussions between diplomats. The Supreme Court dismissed the appeal but found in the Appellant's favour on WikiLeaks admissibility.

***R (Legard) v Kensington & Chelsea Royal Borough Council & (1) Metropolis Properties (2) St Quintin & Woodlands Neighbourhood Forum* [2018] EWHC 32 (Admin)** - Richard acted for the claimant landowner in this five-day JR of the decision of RBKC to permit a neighbourhood plan designating his land as Local Green Space (LGS), to proceed to referendum. The eventual grounds (after amendment) centred on apparent bias.

***FFOS Fishermen and Friends of the Sea v Environmental Management Authority* [2018] UKPC 24-** Richard acted in the Privy Council for Trinidad & Tobago's leading environmental NGO in its JR of the grant of a Certificate of Environmental Clearance ("CEC") for a motorway scheme (constituting EIA development) near a protected Savanna in Central Trinidad. Richard had previously acted for the same NGO in its challenge to the permitted of an Aluminium Smelter plant on a protected beach.

All Wales Byelaws - Richard acted for Natural Resources Wales ("NRW") in a four week public inquiry ordered by the Welsh Government ("WG") under the Water Resources Act 1991 to scrutinise byelaws (The Wales Rod and Line (Salmon and Sea Trout) Byelaws 2017 and The Wales Net Fishing (Salmon and Sea Trout) Byelaws 2017), pursuant to its duties under the Environment (Wales) Act 2016 and the Wellbeing of Future Generations Act 2015, to conserve and restore dwindling national stocks of salmon and sea trout. NRW's controversial byelaws proposed a ban on the killing of salmon and sea trout in, respectively, all and most, rivers in Wales, and the imposition of associated restrictions on fishing methods. Following the positive recommendation of their Inspector, the Welsh Ministers made the Byelaws in January 2019.

Recommendations

Environment

*"Tenacious and inventive - one of the pre-eminent environmental silks in London, and far and away the most skilled and persuasive."*The Legal 500 2022

*"Measured, confident, persuasive, he is a superb barrister who is good on paper but truly excellent when in court on his feet."*Legal 500 2021

Planning

"Richard is an outstanding High Court advocate: clear, insightful and effective on his feet. He has got a brilliantly inventive mind."

"He is an excellent advocate, who is very approachable and easy to work with."

"He is very knowledgeable and very helpful."

"An excellent advocate, who is very approachable and easy to work with."

*"Richard is a proper specialist in this area."*Chambers and Partners 2023

Energy

*"A breadth of knowledge across the many areas of nuclear regulation"*The Legal 500 2015

Administrative and Public Law

"He has incredible skill and inventiveness in creating very attractive arguments." "He is fantastic with clients who are very sophisticated and familiar with the process, but also very wonderful at holding clients' hands through their first judicial review." Chamber and Partner 2020

*"He's very bright and he packages his arguments and opinions in a way that the clients can understand."
"He puts everyone at ease and he gets to what really matters."*

"Conscientious and diligent." "An amazing advocate." Chambers and Partners 2021

Aviation and Aerospace

*"Richard has a very good grasp of the details relating to aviation regulation and control. He is good on papers but excellent in court. He is measured, confident, on the point and very persuasive."*The Legal 500 2023

*"An up-and-coming new silk"*The Legal 500 2022 (Tier 1, Silks in Aviation Category)

Memberships and Appointments

- Planning & Environment Bar Association (PEBA)
- Administrative Law Bar Association (ALBA)
- Chair of Environmental Law Foundation
- Member and former trustee of United Kingdom Environmental Law Foundation
- National Infrastructure Planning Association
- Assistant Commissioner to the Boundary Commission for England (2016)
- General Editor of Sweet & Maxwell Thomson Reuter's Encyclopaedia of Environmental Law (2005-2015)
- Attorney General's B Panel of Counsel to the Crown (2009)
- Attorney General's C Panel of Prosecution Counsel to the Crown (2003)
- University of Brighton Visiting Lecturer (MSc Environmental Policy and Law)
- Judicial Assistant in the Court of Appeal (Assistant to Konrad Schiemann LJ)
- Legal and Administrative Trainee at UN Office of Legal Affairs and DG1A (External Relations) of the European Commission

Qualifications, Scholarships and Prizes

- MA Hon. Spanish & European History, First Class with Distinction (finished 1st in year), University of Edinburgh: 1990-1994
- Erasmus Scholar (Coimbra Group) – University of Granada (Medieval History)
- Brown University – Special Student Scholarship – American Literature and History
- Inns of Court School of Law – Bar Finals
- Diplomas in Law (City University) and EC Law (King's College, London): 1996
- Gray's Inn Prince of Wales Scholar 1998
- Inner Temple Pegasus Scholar (Judicial Assistant to Chief Justice of Israel) 2000
- Trained and accredited Mediator and Pupil Supervisor

Additional Information

- General Editor of Thomson Reuters' Encyclopedia of Environmental Law 2004-2015
- Co-editor of Sweet & Maxwell Thomson Reuter's Environmental Law Bulletin
- Contributor to Tromans on Nuclear Law 3rd Edition (Hart Publishing, forthcoming)
- Contributor to Tromans on Environmental Impact Assessment: Law and Practice 2nd Edition (Bloomsbury, 2012)
- Co-Author of Butterworths/LexisNexis' Highways Law and Practice 2002

London

81 Chancery Lane,
London
WC2A 1DD
Tel: +44 (0)20 7832 1111
DX: London/Chancery Lane 298
Fax: +44 (0)20 7353 3978

MANCHESTER

82 King Street,
Manchester
M2 4WQ
Tel: +44 (0)16 1870 0333
Fax: +44 (0)20 7353 3978

SINGAPORE

Maxwell Chambers,
28 Maxwell Road,
WC2A 1DD
04-03 & 04-04, Maxwell Chamber
Suites
Singapore 069120
Tel: +65 6320 9272

KUALA LUMPUR

#02-9, Bangunan Sulaiman
Jalan Sultan Hishamuddin,
50000 Kuala Lumpur,
Malaysia
Tel: +60 32 271 1085

BARRISTERS • ARBITRATORS • MEDIATORS

clerks@39essex.com • DX: 298 London/Chancery Lane • 39essex.com