hailshamchambers

Clerks: **020 7643 5000**

Dan Stacey

Call: 1996



Overview

Dan Stacey is a senior junior barrister who specialises in professional indemnity and costs litigation. He has been rated in the main directories for many years for both professional negligence and costs and he has appeared in numerous reported cases in the High Court, Court of Appeal and Supreme Court (*including Page v Hewetts and Grondona v Stoffel*). He was shortlisted as Professional Negligence Junior of the Year 2022.

"Dan is excellent at costs and professional negligence. Dan is straightforward, helpful and a pleasure to work with." *Legal 500, 2026*

"Dan is always very well-prepared and has an excellent ability to build a good rapport with clients. In court, his advocacy skills are something to behold, calmness personified but with a ruthless streak to ensure that a client's case has the best possible chance of success." *Legal 500, 2026*

"Dan is a very experienced and knowledgeable barrister. He has an ability to get through to the heart of a case effortlessly while also being very personable and approachable." *Chambers UK, 2025*

"Dan offers a wealth of knowledge. He provides insightful and pragmatic advice while also taking the client’s wider objectives into account. His bedside manner with clients is second to none." *Legal 500, 2025*

"His grasp of the issues of a case is exceptional, and any advice is provided with a keen commercial understanding of the bigger picture." *Chambers UK, 2025*

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"Dan is a cool, calm and collected barrister. He is very astute, thoroughly prepared and tenacious when he has to be. His bedside manner with clients is wonderful." *Legal 500, 2024*

"When it comes to clients, Dan really understands their needs. When it comes to judges, he knows just how to engage them." *Chambers UK, 2024*

He is a co-editor of the latest (4th) 2019 edition of Friston on Costs and edited the Security for Costs chapter.

He is often brought into substantial cases as a costs junior. He also frequently advises and acts on appeals from first instance decisions.

He also provides advice and advocacy in areas related to his main areas of practice, including insurance and banking disputes, and regulatory and SDT matters.

Professional liability

Dan is regularly recommended in Legal 500 (currently Band 2) and Chambers & Partners (Band 3) for professional negligence. He was shortlisted as Professional Negligence Junior of the Year 2022 (Legal 500).

He has acted in solicitors' negligence claims for and against a number of the top 100 law firms.

He advises and acts regularly in all kinds of High Court professional negligence actions (solicitors, barristers, accountants, insurance brokers, auditors etc). Recent examples include:

- claims against solicitors and barristers arising out of negligent drafting of commercial and banking documentation (share sale agreements, guarantees, breaches of warranty clauses etc.)
- claims relating to arguments as to the fiduciary duties of solicitors in respect of retainers and their funding (post-Belsner).
- claims relating to inadequate advice at the outset of the retainer as to costs involved and to the merits of the claim.
- claims against accountants and auditors (frequently in cases where complex limitation and causation defences are raised).
- claims against insurance brokers, typically where it is alleged that they have failed to obtain proper insurance or claim promptly against the insurer raising issues of breach, causation and loss, and expert evidence. Fire and flood perils, theft and fraud.
- claims against IFAs typically for negligent recommendations of unsuitable financial products.
- illegality defences (Grondona v Stoffell & Co)
- limitation issues (Counsel in the important cases of Page v Hewetts and Mortgage Express v Abensons)
- loss of litigation claims (inc. limitation and issues of applicability of foreign law)

- ground rent, buy to let and cavity wall claims.
- buyer funded developments.
- defending numerous claims and wasted costs applications for the Bar Mutual Indemnity Fund.

Costs

For many years, Dan has been highly rated in the directories (Chambers & Partners and Legal 500) for costs advice and advocacy. He is ranked in the Legal 500 2023 (Rank 1) and Chambers & Partners (Rank 2) as a leading junior in Costs.

He is a co-editor of the latest (4th) 2019 edition of Friston on Costs as well as the forthcoming 5th edition and edited the Security for Costs chapter.

Dan has very significant experience in all well-known areas of costs litigation, including non-party costs orders, security for costs disputes, commercial retainers/CFAs, solicitor-client disputes (Belsner and after), disputes under the fixed costs regime, inter partes disputes, the common law/Turner v Palomo jurisdiction, Part 36 issues, and all points of principle at detailed assessments.

Recently, Dan has acted in the following cases:-

- *The Shagang Giant* – costs assessment
- Assisting several large international firms recover their costs.
- *S of S for Health v Servier Laboratoires* (2022). Acting in several costs assessments in the Supreme Court.
- Involvement in the security for costs aspects of Mountain Ash Portfolio Ltd v Vasilyev [2021] EWHC 1853 (Comm) and Trappitt v GBT Travel Services (Chancery Division, 2022).

Dan was led by Alan Gourgey KC in the high-profile and successful appeal of Winros v GEHC [2021] EWHC 3410 (Ch).

He has also acted for Empreno/LIC in a raft of detailed assessments of the costs of receiving parties in Commercial Court litigation in 2021.

Infinity v Khan Partnership (Court of Appeal – whether the court takes into account the cost of an ATE premium in determining whether security is acceptable).

Flynn and Pfizer v CMA (Court of Appeal – is there a rule in non-CPR cases that regulatory authority is only liable to pay costs where it has acted unreasonably?).

Dial v Eastern Airways (changes of funding from DBA to CFA).

Dan also frequently assists on the drafting of CFAs, DBAs and other retainer documentation.

Commercial law

Dan regularly acts in and advises on disputes arising over commercial contracts. He has substantial experience of document-heavy commercial litigation from his years at Allen & Overy. More recent work includes:

- claim by Arriva The Shire against Easybus
- Commercial Court claims by insured against insurer and broker re: fires
- *One World v Elite*, QBD, 2013. Claim between two companies in the telecoms business and a dispute over the contract and standard form conditions
- claim by GP2 team against former driver (Bruno Senna)
- several High Court claims involving the need for urgent interlocutory relief/freezing orders etc.

Recent cases

Mehta v Howard Kennedy [2025] EWHC 1008 (SCCO) – Dan acted for solicitors in successful defence of £3m fees invoices in respect of litigation over £1bn. Dispute over CBAs, interim statute bills, estimates.

Gorestein v Sears Tooth [2025] EWHC 1114 (SCCO) – scope of s 74(3) of Solicitors Act 1974. Family proceedings.

Jones Day v Alta [2025] 5 WLUK 326 – successful recovery of monies due to solicitors in high value international litigation.

The Wine Enterprise Investment Scheme Limited v Crowe LLP [2024] – acting for liquidators of TWEISL in high value auditors' negligence claim.

Pan NOx Emissions Litigation [2024] EWHC 1728 (KB) – instructed in respect of costs aspects of largest group litigation claim brought in England & Wales.

Port Curlew Litigation [2024] – litigation costs and service charges; abuse of process.

Phones 4U Ltd v EE Ltd & Ors [2023] EWHC 2826 – post-trial costs issues.

Damages Based Agreements disputes [2023-2024] – involved in several high profile disputes relating to DBAs and their enforceability.

Shepherd Construction v Kingspan & others [2024] - insurance/non-party costs orders

Andrew Valmorbida [2023-24] – advice on professional negligence claims arising from loan enforcement and bankruptcy proceedings.

X v (1) Transcription Agency (2) Master James [2023] EWHC 1092 (Farbey J). Acted for successful D1 in leading case on the judicial exemption from data protection and the appropriate method of scrutinising withheld documentation.

The Estate of Mrs Rodd v Irwin Mitchell (2022). High Court (Ch Div) claim for negligence in respect of lost litigation. Settled.

Several claims by HNW individuals against firms of solicitors for negligent advice leading to commencement of unsuccessful litigation (2021 – 2022).

Comerford v Neumans (2022). Claim for negligent failure to amend statements of case. Settled.

Winros v GEHC [2021] EWHC 3410 (Ch). Led by Alan Gourgey KC in a hard-fought appeal to the High Court from the SCCO. C. £7m in costs in issue. The appeal before Trower J was successful in respect of s 58 CLSA compliance and valid termination of the retainer and the relevant CFAs held to be valid and enforceable.

Infinity v The Khan Partnership [2021] 1 WLR 4630; [2021] EWCA Civ 565. Dan appeared for the successful appellant in a case involving the relevance of the ATE premium when ordering security for costs.

Grondona v Stoffel & Co [2020] UKSC 42; [2021] AC 540; [2018] EWCA Civ 2031. Leading case on the illegality defence in professional negligence claims. Led by Michael Pooles KC in the Supreme Court.

Flynn & Pfizer v Competition and Markets Authority [2020] EWCA Civ 617. Scope of alleged rule that no costs order should be made against a regulatory authority unless it has acted unreasonably.

Re: A Barrister (2020) – acting for a Queens Counsel in respect of his claim for fees under CFA where the solicitors' CFA held to be unenforceable.

(1) Nawaz (2) Aziz v Birchfield solicitors (18.12.19, HHJ Hodge KC, sitting as High Court Judge). Acting for the defendant solicitors in a 3 day trial. Judge found in favour of the solicitors on the grounds of liability and causation.

Dial v Eastern Airways (13.11.19, Yip J). Successful appeal against discretionary decision of Master to refuse Cs their profit costs after detailed assessment.

Illingworth v Hull & East Yorkshire NHS Hospital Trust (HHJ Graham Robinson) 25.2.19. Jurisdiction to make costs order before substantive decision. See also Harland v South Tees (DJ Thomas 11.9.19).

Dial v Eastern Airways [2018] EWHC B1 (Costs). Dispute involving late changes in funding and settlement before trial, CFAs and DBAs.

Claim against a Barrister (2017 – 2018). Acted for a barrister in respect of alleged negligence in the conduct of a trial for rape in late 1990s, where claimant was wrongfully convicted. Claimant discontinued shortly before trial.

Lester v Vance Harris (2018). Acted for claimant in high value claim alleging negligence and breach of fiduciary duty against solicitors after entry by client into two disastrous investments. Settled at mediation.

Forrest v Ludlow Preston (July,2017) acted for defendant in High Court claim against IFAs for alleged negligence in investment in AIG bonds in 2007 – 2008. Settled on favourable terms shortly before trial.

Excis v Milfix (May 2017) – security for costs application in a high value arbitration.

Catalyst Management Services v Libya Investment Authority (Blair J, Commercial Court – 23rd October 2016) – substantial security for costs application in US$500,000,000 claim for management fees and consequential losses.

Re a Firm of Solicitors [2016] – ongoing advice on enforceability of numerous Damages Based Agreements entered into for purposes of group litigation.

QBE v Dowson Billington Solicitors [June 2016] – high value arbitration on insurance coverage dispute; professional negligence.

Maman v Certain Lloyds Underwriters [2016] EWHC 1327 (QB) amendment under CPR 17.4 where there has been a "genuine mistake" and whether a "description" of a party is adequate.

Numerous cases involving applications for relief from sanctions/extensions of time in the light of Mitchell and Denton (for applicants and respondents) [2014 – 2016].

Reeves-Fisher v HCA [2015] – High Court claim against solicitors for loss of litigation. Claimant discontinued shortly before strike out application.

Lukos v (1) Hadfield (2) Drysdales (10/4/15, HHJ Simpkiss) – professional negligence. Acted for D1 in a successful defence of a 4 day trial on a preliminary issue on limitation, involving mental capacity under s. 38 of the Limitation Act and s 14A date of knowledge. Cross-examination of leading experts in mental capacity.

Bathija v Lloyds Bank plc [2014] EWHC 4092 (Ch) – 5 day trial. Acted for Lloyd's Bank in a successful defence to a claim by a corporate customer for alleged late honouring of direct debit said to have put the company into liquidation – causation, contractual terms of IATA, reasonable foreseeability, company valuation.

Lord Chancellor v Taylor Wilcocks [2014] EWHC 3664 (QB), Globe J – successful opposition to appeal against refusal of extension of time for service of Particulars of Claim.

Mortgage Express v RBS t/a Colleys (2014) – High Court claim against valuer. Issues included whether D had valued the correct property, measure of damages and strict contractual warranties. Claim settled close to trial.

Arriva The Shires v easybus – High Court commercial dispute (2014).

Page v Hewetts & Fuller [2013] EWHC 2845 (Hildyard J); [2012] EWCA Civ 805; [2011] EWHC 2449 (Susan Prevezer KC). Claims against solicitors/fiduciaries. Determination in High Court (Ch D) and CA of numerous limitation issues including when a claim is "brought" under the Limitation Act 1980; what is required to be received by the court for proceedings to be "brought"; claims for breach of trust and

secret profits under ss 21. and 36 of the Limitation Act; deliberate concealment; constructive trusts.

ASN v A NHS Trust [2013] Master Cook. Professional negligence claim on one of first costs budgeting hearings under new regime. Reduced C's costs budget from nearly £1,000,000 to £470,000.

Mortgage Express v Abensons [2012] EWHC 1000, HHJ David Cooke, Lawtel – amendments made after expiry of the limitation period, "deliberate breach of fiduciary duty" and "deliberate concealment" (under s 32 of the Limitation Act 1980) and the mental element required for breach of fiduciary duty.

What others say

"Dan is excellent at costs and professional negligence. Dan is straightforward, helpful and a pleasure to work with." *Legal 500, 2026*

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"Dan is a very experienced and knowledgeable barrister. He has an ability to get through to the heart of a case effortlessly while also being very personable and approachable." *Chambers UK, 2025*

"Dan understands what is needed and adapts his approach to suit the case and the judge. He's very good on his feet and has an authoritative air about him." *Chambers UK, 2025*

"Dan is not only very pleasant and friendly to work with, but also super bright and highly effective." *Chambers UK, 2025*

"Dan Stacey is very experienced and a fine tactician, who always thinks deeply about how to resolve matters." *Chambers UK, 2025*

"Dan offers a wealth of knowledge. He provides insightful and pragmatic advice while also taking the client's wider objectives into account. His bedside manner with clients is second to none." *Legal 500, 2025*

"Dan is exceptional at costs litigation, and takes a real commercial approach to the advice he gives." *Legal 500, 2025*

"Dan Stacey is very pragmatic and commercial. His technical expertise before tribunals shines through and he is listened to attentively." *Chambers UK, 2024*

"When it comes to clients, Dan really understands their needs. When it comes to judges, he knows just how to engage them." *Chambers UK, 2024*

"Dan is brilliant and a very astute barrister." *Chambers UK, 2024*

"Dan"s advice was always clear. He was great in guiding the client through the negotiations." *Chambers UK, 2024*

"He is extremely quick, very bright and great at dealing with detail." *Chambers UK, 2024*

"Dan is a cool, calm and collected barrister. He is very astute, thoroughly prepared and tenacious when he has to be. His bedside manner with clients is wonderful." *Legal 500, 2024*

"Dan is very pragmatic in his approach, conscientious, precise, very knowledgeable on costs, and a good advocate." *Legal 500, 2024*

"Good balanced judgement and a calm and collected advocate. One of my go-to counsels." *Chambers UK, 2023*

"Dan is an excellent senior junior. He is measured, knowledgeable and a skilled advocate." *Chambers UK, 2023*

"Dan Stacey is very user-friendly, very responsive and an expert in costs." *Chambers UK, 2023*

"Very capable in claims against solicitors and works collaboratively." *Legal 500, 2023*

"Brilliant in this area. He is regularly instructed by solicitors around the country and is a true expert." *Legal 500, 2023*

Dan has been shortlisted by Legal 500 as Professional Negligence Junior of the Year 2022

“Very well respected, and well liked by solicitors.” “He’s incredible on paper and on his feet, and particularly good on complex matters.” *Chambers UK, 2022*

“He’s a very thorough and approachable barrister.” “When you send him instructions he lets you know his plan of action and very much makes you feel that your case is important to him.” *Chambers UK, 2022*

“His advice is clear and concise – he offers an excellent service.” *Legal 500, 2022*

“Dan has a first-rate legal mind. He is astute and precise, and his advice is invariably spot on and commercial. He always remains level-headed.” *Legal 500, 2022*

“Unabashed in setting the court straight and delivering time after time on his feet.” *Legal 500, 2021*

“He is an exceptional advocate, with a measured approach to cross-examination. Dan is an academic and thorough lawyer, and is able to identify the key issues in a case” *Legal 500, 2021*

“Dan has a really good grasp of his subject area and is able to deliver advice in a really digestible way. He’s an excellent advocate who really knows his craft when it comes to costs.” *Chambers UK, 2021*

“Great on his feet.” *Chambers UK, 2021*

“A pleasure to work with, he is very approachable, knowledgeable and professional.” *Chambers UK, 2020*

“Bright, articulate and a great team player. Very approachable and swift to respond.” *Chambers UK, 2020*

“He is very able and great on the detail” *Legal 500, 2020*

“A confident and knowledgeable advocate who reacts well on his feet” *Legal 500, 2020*

“Bright, articulate and a great team player…he is good on his feet. Very relaxed as an advocate; he always seems completely unfazed. He has a really nice style and gets good results” *Chambers UK, 2019*

“Very knowledgeable” *Legal 500, 2019*

“Impressive” *Legal 500, 2019*

“A pleasure to work with. He is superb on his feet, gives excellent advice on paper and in conference, and he’s always got time to speak. He is a very friendly, switched-on, clever guy” “A lawyer who gets up to speed quickly and is calm and effective throughout” *Chambers UK, 2018*

“Affable and unruffled, even by the toughest judicial reasoning” “Very pleasant to work with, quick, bright and confident in his advice” *Legal 500, 2017*

“There’s no area of professional negligence he doesn’t know about. His written and oral advice is very clear, and he’s genuinely very good to work with. He’s a go-to person.” “He is very committed to the client and gives great advice.” “He is assured and unflappable in court.” *Chambers UK, 2017*

“An all-round top performer and a huge asset to any team” *Legal 500, 2016*

“An extremely intelligent and academic lawyer, who is also approachable and always a pleasure to deal with” *Legal 500, 2016*

“He’s extremely confident; nothing fazes him and he exudes a certain calm and confidence that is a source of great comfort to the client.” “He’s very knowledgeable and gives clear and precise advice.” *Chambers UK, 2016*

“Strong expertise and exceptional intellect.” *Legal 500, 2015*

“Encyclopaedic knowledge of the costs rules and statutes.” *Legal 500, 2015*

“His preparation skills are so thorough. He’s good at identifying areas of potential risk, which he then closes off. A very determined advocate.” *Chambers UK, 2015*

“First rate.” *Legal 500, 2014*

“A very personable man who brings binocular vision to his cases. A strong overview of costs matters from multiple perspectives.” *Chambers UK, 2014*

Further information

Education:

- Magdalen College, Oxford (Modern History, First Class)
- City University (Diploma in Law)
- ICSL School of Law (Gray’s Inn Prince of Wales Scholar)

Appointments: Recorder 2022. Dan hears criminal cases in the Midland Circuit.

Talks/articles: Regular lectures on topical costs issues (Budana, CPR Part 36, fixed costs, proportionality, budgeting); issues in professional negligence claims (Dreamvar, BPE, illegality defences, limitation, scope of duty); contractual interpretation.

Recent articles in New Law Journal (September 2022) on Belsner [link to PDF]

Journal of Professional Negligence: Page v Hewetts and when a claim is brought (2016); Beecham Peacock v Enterprise Insurance (2015).

Personal: Travel, history, art, fly-fishing, reading, football (Crystal Palace FC), walking on the South Downs and in Wales, listening to all kinds of music, and two young daughters.

ICO Data protection registration number: **Z3633953**.

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The
LEGAL
500
BAR AWARDS
SHORTLISTED JUNIOR
2022