

THE LAWYER

ANALYSIS

“When you break down, you call the AA. Barristers call their clerk”: David Goddard reflects on 50 years at the Bar

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Replacing tyres, fixing hairdryers and helping out a distressed barrister whose wallet was stolen in Ibiza. These are some of the more unconventional side-quests that 4 Stone Buildings’ senior clerk David Goddard has been sent on in his 52-year clerking career.

In October, 4 Stone, which is over 100 years old and sits on the iconic Stone Buildings street at the edge of Lincoln’s Inn, announced it would be having its biggest leadership change in 40 years. Goddard and the set’s head of chambers George Bompas KC will step down from 31 March 2025.

Succeeding the duo are Richard Hill KC and Sharif Shivji KC as joint heads of chambers, and Ben Lashmar and Ryan Tunkel as joint senior clerks. Bompas will continue to practise, while Goddard will stay on as a consultant.

Goddard joined 4 Stone in 1983 as its senior clerk after 11 years at One Essex Court (OEC), where he was joint-senior clerk with Robert Ralphs for six of those years. Over his career, he has clerked the likes of Sam Stamler QC, one the four founders of OEC, Lord

Grabiner KC, Robert Miles KC, now a High Court judge, as well as those currently at 4 Stone such as John Brisby KC, Jonathan Crow KC and Richard Hill KC.

Goddard also joined the Institute of Barristers’ Clerks management committee in 1990. He served as education secretary, followed by vice chairman from 1996 to 1999, then chair from 1999 to 2002, followed by president. He is now an honorary life peer.

But joining the clerking profession had never been the original plan, and Goddard was one of the few clerks during that time with more formal qualifications besides school, with a business and law diploma from South Essex College. Goddard tells *The Lawyer* “I was looking for something to do for six months between finishing college in June 1971 and starting my accountancy course in January 1972. Someone my mother knew suggested clerking. I thought, ‘It might be good for six months, I’ll give it a go’, and I’m still here.”

Something that has been a hallmark of Goddard’s career has been going to

court with his barristers to watch them in action. He still dedicates time to this, over 50 years after he started doing it regularly when he clerked the late Stamler. Goddard explains: “I used to enjoy taking him to court. I would listen in as he started and then again at the end of the day when I picked him up. It got me interested in the job, not just as a clerk but in the law, too.”

Stamler, who died in 1994, was also one of the most memorable barristers Goddard clerked, and he followed all of his Commercial Court cases. He explains: “He was an exceptional advocate but also brought this level of humour to his cases. He was very energetic and had a completely different style. I remember he had a meeting with the solicitor and lay client once. The solicitor came out of the meeting into the clerk’s room, and said, ‘That was the best show on the West End.’”

Goddard’s career started much like any junior clerk’s during that time. “When you start off, particularly in those days, you’re sort of like a dogsbody – running around, carrying books to court, and even doing

personal errands for barristers. I remember one particular barrister asked me to go to the West End to fix his wife’s broken hairdryer,” he laughs.

But Goddard rose quickly up the OEC clerking ladder, becoming first junior clerk at 20 and joint senior clerk alongside Ralphs at 23. Ralphs is the clerk Goddard most admires and was influenced by: “I worked with Robert for eight years and, to me, he’s the most exceptional clerk I’ve ever worked with. After a couple of years working with him, he made me joint senior clerk with him.”

“What particularly impressed me with Robert was how he handled the barristers. Some could be, you may be surprised to hear, quite difficult,” he jokes. “When I first started, you couldn’t help but be intimidated by the barristers. In those days, it was very much ‘yes sir’ and ‘no sir’. But Robert had this easy way with them that I tried to follow. He also had vast general knowledge, so he could easily talk to anybody about any subject.”

Eventually, however, it became clear that Goddard needed to run his own boat. He was offered the job at 4 Stone in 1983, and while he was torn, he felt the set had potential. At that time, the set had 14 barristers, including two silks. He explains: “When I first came here, it was very much a general chancery set, with property, wills, trusts and some company work. I must say, it was a bit of a shock to the system because, in comparison, One Essex Court was very racy. I suddenly thought, have I made a terrible mistake? But things got moving and now it is a very racy set.”

Indeed, with the guidance of Goddard, the set re-focussed itself on company law work, later picking up commercial work. In many ways, 4 Stone is like a much smaller OEC, likely influenced by Goddard’s decade-long career at the magic circle set, which has 125 barristers to 4



David Goddard, 4 Stone Buildings

Stone’s 39. But it took time to morph the set into one that takes on some of the Commercial Court’s weightiest cases, with recent instructions seeing its barristers act on the case between Autonomy and Mike Lynch, as well as on the “tuna bonds” litigation.

Goddard explains: “When I got there, we landed Peter Curry QC as head of chambers, which is one of the best things that happened to the set.” Curry had previously been at Erskine before moving to Freshfields and had a company law specialism. Curry is also the only barrister to have been awarded silk twice, having rejoined the Bar after a stint at Freshfields.

Goddard adds: “Alongside Peter, we had another junior, Philip Heslop, who was already doing a lot of company law work. With those two doing the company work, we thought, if we make more of them, we can bring some other juniors to do that work.

“It’s a slow process, as when you’re bringing pupils through the bottom, you’ve got to give them company law work instead of traditional chancery work. We also had George Bompas KC and Robert Hildyard. So I had the tools, it was just a case of getting it out to the market. George did a lot of property work when I arrived, but if you want to make yourself a more racy company law set, you’re going to have to lose it.”

It wasn’t always easy and some barristers moved out of the set as a result, says Goddard: “One member who did a lot of property law work was looking a bit miserable – it was just as we were doing the big Maxwell case – so I went to see him. He said, ‘Chambers has changed, and I don’t feel I’m a part of it anymore.’ He was right, the work was changing. So, by my introduction, he joined another set. We met regularly for lunch after he left, and I saw more of him when

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he moved chambers than I used to when he was here. He used to make jokes when he introduced me to other people, saying, “This is David, he used to be my clerk before he sacked me!”

The cases at 4 Stone indeed got a lot more exciting. Some of the most memorable cases Goddard has clerked include what came to be known as the Guinness affair, a company law dispute surrounding the three directors, Ernest Saunders, Oliver Roux and Tom Ward, appointed to handle Guinneses’ affairs during a takeover bid for Distillers Company. 4 Stone had barristers on both sides of the 1980s blockbuster case.

In addition to the Guinness affair, 4 Stone also landed barristers in the dispute between Bishopsgate Investment Management and Ian Maxwell, the son of Robert Maxwell, the former owner of the Daily Mirror. Robert died in the Canary Islands after falling off his yacht in 1991, with it transpiring that he had used Bishopsgate Investment Management’s pension funds to finance his lifestyle, of which Ian was director.

Goddard had met Robert Maxwell before this in previous litigation when Sam Stamler QC acted for Robert at OEC. Goddard recalls: “Sam asked me to take Robert Maxwell to court. I said that was fine. Robert turns up in a Rolls Royce and says, ‘Shall we go in the car?’ I replied, ‘It’s the law courts. It’s only across the road!’ But he insisted we go in his car, so we ended

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up doing this huge detour around the block just so Robert could arrive in his Rolls Royce.”

The leaner size of 4 Stone is something Goddard still very much prefers. He explains: “I think it’s lucky to be the size of set we are, as it still feels like there’s a one-to-one barrister-clerk relationship. Barristers have problems and issues, and often, they’ll come and speak to you before anyone else.”

Over the years, barristers have also relied upon their clerks for what some might describe as “extracurricular” help outside the day job. Goddard says: “When somebody breaks down on the motorway, they call the AA. Barristers call their clerk. This, in some ways, sums up the barrister-clerk relationship.”

Goddard recounts one story in which he was called for help by one of his barristers from Ibiza. He says: “He

was on holiday. He rings me up and says, ‘David, I’ve had my wallet stolen, I’ve got no money, I need money’. So, I arranged for a junior clerk to take a plane to Ibiza. I went into my bank and got some foreign currency for him and sent them over there to deal with it.”

Not long after this incident, the same barrister, spurred on by Goddard’s quick action the first time, contacted him again with an issue in Paris. He had been involved in a seminar in Paris, and there was to be a demonstration of English insolvency procedures on the Saturday of that week. On Friday afternoon, it became apparent that all the judges and barristers needed to be in robes for this demonstration and there was a judge there without his robes.

Goddard says: “The barrister tells the judge, ‘Don’t worry, my clerk will fix it!’ I get told the problem and say, ‘How on earth am I going to fix that?’ I had to ask a court clerk to get the judge’s robes and clear things with security; I met him outside at the end of the court day and got a volunteer from the clerk’s room to fly to Paris. The clerk arrived at midnight and the judge was just amazed when these robes turned up.”

The judge from the story, Peter Millet, wrote a segment in The Times after the barrister in question, Philip Heslop, died in 2003 aged 55. The segment reads: “The French and Germans were dismayed to find that I had left my wig and gown in London. Philip immediately said that he would have them brought over in time for

the actual production next day. It should have been impossible. My robes were in a locked cupboard in my private room in the Royal Courts of Justice. Quite apart from questions of security, by 5.30pm on a Friday in London everyone would have gone home for the weekend. But Philip made a quick telephone call to his [senior] clerk before we all went out for a slap-up dinner.

“When I got back to my hotel at midnight, there on my concierge’s desk was my red bag containing my wig, gown, wing collar and bands, together with a fresh shirt someone had lent me, and even a pair of collar studs. I never discovered how it was done; there are some things that a judge is well advised not to enquire about.”

The smallness of Goddard’s set also allows him to do his much-loved activity of going to court to watch his barristers, and he still believes this is one of the best forms of marketing. He explains: “Going to court with the barrister before the trial starts gives me time to speak to the solicitor-client. So, to me, that’s a little bit of marketing. I know we go abroad and do marketing and put shows on now, but the best marketing is the barrister putting on a good performance in court. The solicitor on the other side might even think, next time I need someone, I’d rather use that barrister than the one I had.”

Goddard adds: “Barristers who know me in the market who see me in court with my barrister, sometimes say, ‘It’s

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always nice to see you, none of my clerks ever come to watch me in court’, but that’s really difficult for clerks to do at much larger sets when they have 30 silks and over 100 members. They just don’t have the time.”

Much has changed in the clerking industry over Goddard’s 52-year career, a lot for the better, says Goddard: “When I first started, there was a bit more of a ‘them and us’ mentality. But the pomposity has gone out of the young people coming in.

“Barristers are also a lot more casual, and they will go out and about in jeans to get their coffee – they look like ordinary people. When I started, you could tell a barrister from a mile away; they were in their pin-striped suits or

waistcoats. If they’re working in chambers, many will be casual and only dress up for client meetings or court.”

Something Goddard always tries to instil in his junior clerks is that no problem is too small for you to deal with, which he has named “the light bulb syndrome.” He elaborates: “A barrister comes into the room and says, ‘I need a new light bulb’, the junior clerk might say, ‘what a trivial thing to do, I’m fixing this case and I’m trying to agree on a brief free’. Now, it’s obviously more important that he sorts out someone’s diary, but not to that barrister; they’re in their room frustrated with the light bulb.

“This has happened before to me; a barrister said to me later, ‘He’s useless; two days ago, I asked him to change my lightbulb, and he still hasn’t done it,’ even though the clerk was outstanding. So now I say to my junior clerks, ‘if a barrister asks you to change a lightbulb, do it straightaway’ because they’ll think, ‘They’re a very efficient person’. So the advice I’d give is, if they ask you to do something easy, do it quickly and don’t think it’s too trivial.”

Any other advice for up-and-coming clerks? Never make a bad recommendation to a solicitor-client, says Goddard: “They’ll always remember. Be honest if the work they want done would be better suited to another chambers. You make the wrong recommendation and you’ll never be able to repair the relationship.”