



Ben Hubble QC

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Clever, calm and confident. He's notable for his incredible memory for detail.

- Chambers & Partners

Ben Hubble QC is a specialist in professional liability, disciplinary, regulatory and commercial work.

Much of Ben's work involves claims against accountants, actuaries, auditors, directors, financial advisers, financial institutions, insurance brokers, lawyers, pension consultants and tax advisers often following on from corporate collapse, lender losses, increased pension scheme liabilities or failed tax and investment schemes. Multi-party and group litigation is a particular expertise. In addition, Ben concentrates on: commercial arbitrations and litigation both on and offshore; banking; insurance (particularly coverage and indemnity disputes) and claims arising from the financial services sector. Ben is a Senior Decision Maker for the Guernsey Financial Services Commission.

In April 2020, Ben was featured as both 'Lawyer of the Week' in The Times and as the first 'Barrister of the Week' in The Lawyer. Ben's recommendations in the Directories extend to Professional Negligence, Professional Discipline & Regulatory, Pensions, Offshore and Insurance. He is variously described as "*superb on every level: rolls up his sleeves and solves issues; adds huge value to anything he touches*", "*absolutely at the top of his game and excellent to work with*", "*his advocacy is fantastic. He really makes it all very simple and based in common sense*", "*analytical, innovative and easy to approach*", "*highly rated for his advocacy, focused advice and prompt response*", "*[a QC who] immediately earns clients' confidence due to his understanding and his forensic approach*", "*as conscientious and thorough as can be*", "*hardworking, bright and responsive*", "*the first name I think of for professional discipline accountancy cases*", "*one of the 'big beasts' of the Professional Negligence Bar and our first choice for big-ticket claims in that arena. He is very knowledgeable and articulate and he is an excellent advocate*" and "*very experienced and [able to] adapt his advocacy style to the particular tribunal he is addressing.*"

Ben regularly acts on the high value claims in the professional liability arena, particularly those where the dispute is of a commercial or international nature. In relation to lawyers' liability, Ben is frequently involved in claims with a multi-party element, such as the Right to Buy Litigation and various claims arising from failed property investment schemes.

Ben is particularly experienced in regulatory and professional disciplinary issues in the legal and financial sectors. Ben advises a number of city law firms on regulatory and compliance issues, as well as acting on disciplinary claims before the SDT. On the financial disciplinary side, Ben has longstanding expertise having acted in many of the large accountancy disciplinary proceedings of this decade. Ben is particularly adept at providing strategies to address the various regulatory and compensatory risks that arise from a breakdown in compliance or corporate governance.



Ben is a highly experienced trial lawyer and relishes his role as an advocate. Alongside that, Ben places particular emphasis on detailed preparation, teamwork and being as approachable and flexible as possible.

Privacy Policy

Click here for a [Privacy Policy](#) for Ben Hubble QC.

Areas of Expertise

Disciplinary

“Excellent from a technical perspective and very gentle with clients in a difficult situation.” – *Legal 500, 2021*

“A disarmingly persuasive leader in the field.” – *Legal 500, 2020*

“Accessible and super bright.” “Responsive, pragmatic and empathetic yet firm. He is good on his feet in hearings with multiple parties and his submissions are all well crafted.” – *Chambers & Partners, 2020*

“Very knowledgeable and a good advocate, he is also very good at managing clients.” – *Legal 500, 2019*

“Very easy to work with and extremely practical and sensible.” “Very bright.” – *Chambers & Partners, 2019*

Ben regards his regulatory and disciplinary work as a natural extension to his professional liability work. Indeed, claims often require a holistic approach where both the liability and the disciplinary aspects are dealt with at the same time. Ben is particularly adept at devising strategies to address the inter-related regulatory, disciplinary and regulatory risks that arise after a breakdown of compliance or corporate breakdown. Ben has a strong track record in dealing with regulatory problems such that issues, whilst being addressed properly with the regulator, are contained and so never enter the public domain.

In relation to his professional disciplinary work, Ben is named as a leading Silk in both Chambers & Partners and the Legal 500. He enjoyed the recommendation in the Legal 500 as being the lawyer to instruct if you are stuck on a desert island and need to work the law to get off it. His experience extends across all disciplinary and regulatory sectors but he has an outstanding track record in the financial disciplinary area. Thus, he successfully defended the finance director accused of misconduct in the *Mayflower* case, being the first prosecution brought by the then Accountancy Investigation & Discipline Board, and then went on successfully to prosecute three Chief Executives of the Equitable Life Assurance Society for misconduct. Previously, Ben was retained by the AADB and the FRC to prosecute on their behalf, but now he concentrates on acting only for Respondents. He is particularly well placed to advise on financial (FCA related), accountancy or actuarial related disciplinary matters. Alongside that, Ben undertakes work in the Solicitors Disciplinary Tribunal and before the Bar Standards Board.

Ben regularly lectures on professional disciplinary issues to Specialist Bar Associations, insurers and solicitors.

Accountancy

- *The Mayflower Litigation* where Ben successfully defended the finance director accused of failing to report a black hole in the company accounts to the board; this was the first and remains the most substantial disciplinary hearing held by the (now) AADB;
- Acting for the AADB/FRC in successfully prosecuting a financial controller said to have manipulated company accounts and misled auditors as to the company's profitability
- Acting for the AADB/FRC in successfully prosecuting the finance directors of a high profile short term lender which collapsed with material irregularities in its financial statements
- Defending the FRC disciplinary proceedings against Mazars alleging inadequate valuations of employer covenants in the pensions context
- Defending the FRC disciplinary proceedings against Paul Newsham arising from the audit of various long term construction contracts

- Defending a finance director in respect of disciplinary proceedings said to arise from incorrect accounting treatment of long term contracts
- Defending potential FRC disciplinary proceedings against Irish firm of accountants who audited financial institution that collapsed post credit crunch
- Defending the Finance Director in the Equity Red-Star disciplinary proceedings
- Acting for various firms of accountants who are the subject of FRC investigations and securing disposal either by (i) abandonment or (ii) settlement of the allegations
- Defending a firm of accountants before the *ICAEW* against allegations that the firm wrongfully paid away a client's investment monies; after receipt of written submissions prepared by Ben, the prosecuting counsel abandoned the allegations
- Defending insolvency practitioners before the *ICAEW*

Actuaries

Ben has long experience of disciplinary proceedings against auditors going back to the *Equitable Life Proceedings* where (notwithstanding the collapse of the commercial litigation against the same individuals and the massive scale of the investigation) he secured findings of misconduct against each of the respondents; this, despite the fact that the respondents called the then President of the Institute of Actuaries to give expert evidence on their behalf.

Architects

Successfully defended architect accused of inadequate professional services and unprofessional dealings with clients.

Lawyers

Ben acts as effectively trusted adviser to city and other law firms to assist COLPs, COFAs and Heads of Risk with the range of regulatory issues that across domestically and internationally across large global businesses. He has a strong track record in managing these issues to a successful conclusion with either no or minimal public attention. Where that is not possible, Ben then acts on the subsequent proceedings before the SDT. Recent examples include:

- misconduct proceedings against an employment solicitor for the payment of illegal referral fees
- misconduct proceedings against personal injury solicitors for the payment of illegal referral fees
- misconduct proceedings against conveyancing solicitors for the payment of illegal referral fees
- misconduct proceedings against conveyancing solicitors for acting on transactions said to bear the hallmarks of mortgage fraud
- misconduct proceedings against commercial solicitors said to have acted on land banking schemes without advising that they were unregulated collective investment schemes
- misconduct proceedings against a solicitor said to have misled his client
- advising several city firms on SRA investigations, including into potential breaches of SARs and money laundering breaches particularly in relation to use of client account as banking facility
- advising law firms on when and how to self-report to the SRA or make Suspicious Activity Reports
- advising city and other law firms on MeToo, whistleblowing and victimisation allegations; Ben is experienced in dealing with the range of sensitive and difficult issues that arise when handling MeToo allegations.

Surveyors

Acted for firm accused of failure to preserve client funds; successfully applied to strike out the proceedings on the basis that the RICS investigation amounted to an abuse of process and that the charges were in any event not evidenced.

Qualifications & Memberships

Ben is a former Chairman of the Professional Negligence Bar Association. He has sat on the Committees advising on the terms of the Professional Negligence Pre-Action Protocol and the Adjudication Scheme for Solicitors Negligence claims. He is also a member of the Chancery Bar Association and the Common Law & Commercial Bar Association.



NEW SQUARE

Education

B.A. (Oxon.) Dip. Law (City)

Insights

The new Accounts Rules – what can you do?

28 October 2019

On 25 November 2019 the SRA Accounts Rules 2011 will cease to have effect, and will be replaced by new accounts rules. In one quarter-stroke of the draftsman's pen, 52 rules covering 50 pages of single-spaced typescript on pages of A4 will be replaced by 13 rules on 10 pages. The SRA has trumpeted loudly that the rules have been simplified and that they provide greater flexibility. Have they? Do they?