



## 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

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### Offshore

*“One of the most user-friendly silks in the fields of accountants regulatory investigations.” – Legal 500, 2021*

**“Superb on every level: rolls up his sleeves and solves issues; adds huge value to anything he touches.”** – Legal 500, 2020

Ben’s work frequently is either offshore or has an offshore element. Recent cases have included, an arbitration on behalf of a Caribbean Government relating to the ownership of a significant amount of its coastline, a \$1billion auditors negligence claim in the Cayman Islands and a key case on directors and registered agents’ duties in the BVI. Ben is called in the BVI and appears in the Cayman Islands.

### Recent Significant Cases

A claim by a company (owned by a Brazilian) against the company directors and registered agents in the BVI for wrongly selling all the company’s property in reliance on instructions from the Brazilian’s former personal assistant. The claim raised important issues as to the duties owed by directors and registered agents of offshore companies where the beneficial owner (as is often the case) has acted through agents. Trial before Bannister J. The case went to the East Caribbean Court of Appeal in November 2018.

A claim by city solicitors against trustees of trusts registered in Jersey for outstanding fees and as to consequences of receivership in Guernsey.

A claim by property developers against a Caribbean Government alleging breaches of a development agreement aimed at creating a substantial resort and hotel complex along a section of the Island’s coast line.

A claim by the liquidator of a South American bank (registered in the Cayman Islands) that brought a claim for approx \$1billion against its reviewing Cayman Island auditors for failing to spot and stop the asset stripping of the bank by its directors. Ben acted for the Cayman auditors.

A claim by Jersey solicitors for outstanding fees and a counterclaim by former client alleging that solicitors had mismanaged and misadvised in relation to complex/high-value trust litigation in Jersey.

Proceedings in the Cayman Islands as to whether there is jurisdiction for a non-party to be joined to existing proceedings for the purposes of making a costs order against them.

Alongside his offshore work, Ben advises or provides expert opinions in respect of claims with a US element. Such cases include claims by UK pension funds against US banks for misrepresenting the risks that they were running in the lead up to the credit crunch, and against a multi-national for misrepresenting the safety of the company’s operations.

## Qualifications & Memberships

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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.



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## Education

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

## Insights

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### **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?