

Graeme McPherson QC

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His ability to absorb vast amounts of information and recall it is legendary.

- Legal 500

Graeme McPherson QC's practice is split primarily between domestic and international commercial litigation and arbitration, insurance litigation and arbitration, professional liability claims, and sports work.

Outside of the United Kingdom, Graeme works in the Channel Islands, the Caribbean and Gibraltar.

He is regularly appointed as an Arbitrator, including as a Rule K Arbitrator in football disputes. In April 2020 Graeme was appointed to the Premier League's new Judicial Panel, one of 4 silks so appointed. He is also frequently appointed to chair disciplinary and appellate committees of various sporting regulators. In 2012 Graeme was appointed as one of the specialist Advocates selected to argue cases before the *ad hoc* Court of Arbitration for Sport (CAS) during the London Olympic Games. In 2014 he performed the same role at the Glasgow Commonwealth Games.

Prior to taking Silk in 2008 Graeme appeared for a number of years in the top tiers of leading juniors in the Chambers and Partners Guide to the Legal Profession and Legal 500 in a number of different fields. In 2005 he was short-listed for Junior of the Year at the Chambers and Partners awards.

In 2008 Graeme became the youngest member of the Bar that year to be appointed to Silk. He is now ranked in the directories as a leading silk in a wide variety of different fields across the range of his practice. In 2015 Graeme was awarded Professional Negligence Silk of the Year by Chambers and Partners. He is particularly recognized for the quality and effectiveness of his advocacy.

Quotes from the Directories include:

'The best thing since sliced bread'; 'A highly effective advocate'; 'Exceptionally talented'; 'A real star ... he is just fantastic and can turn his mind to anything'; 'His judgment is first-rate and he works like a Trojan'; 'A fantastic courtroom presence ...'; 'An intelligent advocate and a formidable opponent ... top drawer ... solid, reliable and likeable ...'; 'A fearless advocate with a real instinct for running cases'; '... Outstanding [in professional negligence] ... an invaluable and credible weapon'; 'Has incredible judgment ... a silk who looks to do things with imagination'; 'One of the most proficient barristers I have ever worked with'; 'Embarrassingly talented ...'; 'Fantastic on his feet ... superb in front of a tribunal'; "... Robust, quick-thinking and thoroughly analytical' ... Appropriately aggressive when he needs to be... assured and unambiguous ... a dream with clients ...'; 'Superb, a very good advocate ... A fantastic barrister who can be ruthless when necessary ... Excellent analysis and a straight forward, common sense approach ... His ability to absorb vast amounts of information and recall it is legendary... expertly handles complex commercial litigation ... a smooth and assured style of advocacy'.



NEW SQUARE

A full CV is available on request.

Selected major reported & significant cases

- *Marrache v Baker Tilly* (Gibraltar) – multi-party litigation in Gibraltar arising out of the collapse of a substantial law firm
- *Ackerman v Ackerman & Thornhill* (Ch) – fraud/conspiracy claim arising out of the ‘carve up’ of a vast multi-jurisdictional property & business empire
- *Zurich Professional Limited v Brown & Barnes* (Ch) – scope of Solicitors’ Minimum Terms and Conditions
- *Kidsons v Various Underwriters* (Comm Ct & CA) – dispute over the effectiveness of claims arising from the mis-selling of exotic tax avoidance products
- *Standard Life v Collins & others* (Comm Ct) - litigation arising out of the collapse of Cattles plc
- *Connaught v Capita* (Comm Ct) - group litigation arising out of the collapse a significant bridging lender (Tiuta plc)
- *Keydon Estates Ltd v. Eversheds* (Ch) – correct measure of loss in ‘loss of profit’ cases
- *Webster v Sandersons* (QB & CA) - recoverability of reflective loss
- *Shawton Engineering Ltd v DGP Design Ltd* (TCC & CA) – dispute over whether construction work at Sellafield fell within the scope of a PII policy
- *AIB v Mark Redler & Co* (Ch, CA & SC) – appropriate remedies for breach of a bare trust
- *Hedrich v. Standard Bank Ltd* (QB & CA) – solicitor’s liability for wasted costs arising from breach of disclosure obligations
- *Fulham Holdings Limited v. Nicholson Graham Jones* (Ch & CA) – correct measure of loss in claim against solicitors arising from the takeover of Fulham FC
- *Mengiste v EFFORT* (Ch & CA) – litigation arising out of an attempt to secure English jurisdiction over an Ethiopian dispute
- *Gill v Humanware Europe plc* (EAT & CA) – consideration of the wasted costs jurisdiction in Employment Tribunals and the EAT
- *Redstone Mortgages v B Legal Ltd* (Ch) - test cases on solicitors obligations towards mortgagee client
- *MEX v Hindle Campbell* (Ch) – group litigation against solicitors said to have been involved in a significant conspiracy to conduct mortgage fraud
- *Dewey & Lebeouf v Kerself Spa* (Comm) – litigation arising out of a failed Italian bond issue
- *University of Keele v PWC* (Ch & CA) – liability for PRP advice
- *Wey Bridging v Ernst & Young and Hacker Young* (Comm Ct) – claims arising out of widespread frauds committed within a financial services company
- *BHA v Al Zarooni; BHA v Butler* - prosecutions for misuse of anabolic steroids in racehorses
- *SIMPLE VERSE* - acting for the Qatari royal family in their successful appeal to overturn the demotion of SIMPLE VERSE as winner of the St Leger

- *Arachi v Fallon* – a successful attempt by the owner of a racehorse to obtain a last-minute injunction to prevent a retained jockey from riding a rival horse in the English Derby
- *BHA v Hughes; BHA v Swyer; BHA v Cosgrave; BHA v Haylin* - applications that substantial suspensions imposed by overseas sporting regulators should not be reciprocated in England as being in breach of natural justice
- Various high-profile Rule K Arbitrations
- Various national and international selection disputes
- Numerous disciplinary hearings before the Bar Standards Board, the FCA, the SRA, the FRC, the RCVS and other regulatory bodies

Privacy Policy

Click here for a [Privacy Policy](#) for Graeme McPherson QC.

Areas of Expertise

Sports Law / Sports Arbitration

“Very knowledgeable, and good to work with at a senior level.” – *Legal 500, 2020*

“His advocacy is supreme and he can always be relied upon for a high standard of written work. He has a complete understanding of sports matters and the ability to advise in a practical manner. As a trainer himself, he has unparalleled understanding of horse racing at the Bar.” – *Chambers & Partners, 2020*

“A genius in all things equestrian.” – *Legal 500, 2019*

“Excellent advocate.” “Also a licensed trainer and has a deep knowledge of the horse racing industry.” “The best option if you can get him.” – *Chambers & Partners, 2019*

Graeme is considered to be one of the top silks practicing in the field of sports law. He is regularly instructed by governing bodies and competitors alike in domestic and international disciplinary matters across a huge variety of sports, as well as in connection with commercial disputes arising in a sporting context. He appears regularly before a wide range of domestic and international Tribunals.

Graeme is a Sports Legal Arbitrator member of Sport Resolutions’ Panel of Arbitrators and is regularly nominated by Sport Resolutions and parties to sit in that capacity (including as a Rule K Arbitrator in football disputes). He has (as Chair or sole Arbitrator) conducted numerous arbitrations in recent years across an array of sports – football, rugby, cricket, athletics, motor sport, horse racing and other equestrian activities, swimming and other aquatic sports, shooting and numerous Summer and Winter Olympic and other sports. Recent appointments include the resolution of issues arising out of the cancellation and postponement of sporting events due to the worldwide COVID-19 outbreak.

Graeme is a member of the Judicial and Appellate Committees of various sporting bodies and has been sat in that capacity to determine a wide array of disputes and charges. He has been a Chairman’s Panel Member of the FA Judicial Panel since 2018, a Panel Member of the Premier League Judicial Panel since its inception and Chair of the Board of Appeal of Table Tennis England since 2019. He has sat on the Rules and Regulatory Committees of a number of sports governing bodies.

Graeme is widely recognised as the leading Silk for equine sporting matters. He acts for and against trainers, jockeys, owners and bloodstock agents in litigation and is instructed by the British Horseracing Authority, the National Trainers Federation and the Professional Jockeys Association, as well as their overseas equivalents, to advise and to appear at Inquiries, Disciplinary hearings

and Appeal hearings around the world. He has also been instructed to represent professional riders from other equine disciplines at hearings before the FEI, CAS and the BOA.

As well as equine sporting work, Graeme is recognised in the Directories as a Tier 1 Silk in the wider sporting field, and has been instructed in recent years in connection with national and international disputes and disciplinary matters across an extensive range of sports including football (Premier League & FA), rugby union (RFU & World Rugby), athletics (IAAF), cricket, swimming, boxing, motor racing (including F1) and numerous other sports. He acts for sporting governing bodies, players, athletes, clubs and other entities in the full range of sports-related matters, including in relation to misconduct and other disciplinary issues, betting, selection, doping, funding, governance, media concerns, sponsorship contracts, broadcasting deals and other commercial matters. As well as acting as advocate and adviser in contentious disputes and disciplinary matters, he also accepts instructions in non-contentious matters, such as constitutional or transactional advice and drafting. He has appeared before domestic and international tribunals at all levels, including CAS.

Graeme was appointed to the specialist Advocates Panel for the 2012 Olympics and 2014 Commonwealth Games Legal Advice and Representation services, and represented competitors and governing bodies before the ad hoc CAS at each Games.

High profile and interesting sports cases in which Graeme has acted include

- *Mullins v. The Jockey Club* – a challenge in the courts to the decision of the Appeal Board of the Jockey Club to disqualify the winner of a Class 1 race. The case is now one of the leading authorities on the amenability of sporting bodies to judicial challenge
- *FEI v Whittaker* – successful defence of international showjumper accused of doping
- *BHA v Turner & Behan Re: CASELA PARK* – the successful prosecution of a trainer and jockey accused of ‘stopping’ a horse (i.e. deliberately and corruptly restraining a horse to prevent it from winning a race that it would have won), the first such successful prosecution in the United Kingdom for more than 20 years
- *Arachi v Fallon* – a successful attempt by the owner of a racehorse to obtain a last-minute injunction to prevent a retained jockey from riding a rival horse in the English Derby.
- *BHA v Howard Johnson* – the successful prosecution of a leading National Hunt racehorse trainer on welfare charges and charges arising out of the administration of anabolic steroids, the first of its kind in the United Kingdom
- *Burton v British Shooting* – acting for a clay pigeon shooter in the successful challenge of the decision of her national body not to select her for the Olympic Games
- *BHA v Al Zarooni; BHA v Butler* – prosecutions for misuse of anabolic steroids in racehorses
- *BHA v Hughes; BHA v Dwyer; BHA v Cosgrave* – applications that substantial suspensions imposed by overseas jurisdictions should not be reciprocated in England as being in breach of natural justice
- *Banks v BHA* – litigation over the scope of the duty of care owed by the BHA to ‘financial participants’ in horseracing
- *SIMPLE VERSE* – acting for the Qatari royal family on their successful appeal against the demotion of SIMPLE VERSE as winner of the St Leger
- *RFU v Wilmott* – defending a rugby player accused of attempting to traffic HGH
- *Sports Mantra v Force India* – acting in connection with a Formula 1 sponsorship dispute
- *BHA v Best & John* – charges arising from the ‘stopping’ of 2 horses by a jockey on the instruction of the trainer
- *Pelosi v West Bromwich Albion FC* – litigation over the scope of the FA’s Rule K arbitration provisions



Qualifications & Memberships

Graeme is a member of COMBAR, the ChBA, the PNBA, the ADRL and BASL.

Education

M.A. (Cantab.) (Law, First Class)

Insights

Jackson & Powell on Professional Liability

1 December 2016

Graeme authored the chapters concerning financial services regulation and financial practitioners for many years.