

## Graeme McPherson QC

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Silk: 2008

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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

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## Areas of Expertise

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### Insurance & Reinsurance

**“He is a brilliant advocate with a fantastic eye for detail.”** – *Legal 500, 2020*

**“Very impressive.” “A competent pleader.”** – *Chambers & Partners, 2020*

**“First rate, very user friendly and a great strategist.”** – *Legal 500, 2019*

Graeme is regularly involved in complex and high-value insurance litigation and arbitrations. He has extensive experience of litigating and arbitrating claims arising under various business interruption wordings. He has extensive experience of a wide variety of market and bespoke policy wordings. He is regularly appointed as Arbitrator to resolve coverage disputes.

Recent and ongoing reported/substantial cases and arbitrations include

- *Zurich Professional Limited v Brown & Barnes* (Ch) – scope of Solicitors’ Minimum Terms and Conditions
- *Shawton Engineering Ltd v DGP Design Ltd* (TCC & CA) – dispute over whether construction work at Sellafield fell within the scope of a PII policy
- *Kidsons v Various Underwriters* (Comm & CA) – dispute over the effectiveness of claims arising from the mis-selling of exotic tax avoidance products
- *Keydata litigation* (Comm) – fraud claims arising of film schemes
- litigation arising out of the arbitration of a Hong Kong construction dispute
- an arbitration arising out of the collapse of a Guernsey-based financial services provider
- Acting for a leading UK actuarial firm in connection with a notification dispute with its PI insurers
- Acting on behalf of various layers in a number of significant aggregation arbitrations
- Acting on behalf of insurers challenging the adequacy of notification of claims in pension & bond mis-selling claims
- Acting on behalf of non-executive directors in an AIM-listed investment company in a coverage dispute with D&O insurers arising from Russian litigation
- *Re X* (Scotland/Comm) – an insurance dispute concerning conspiracy and fraud claims arising out of the liquidation and administration of Rangers FC

## Qualifications & Memberships

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

### **Education**

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

## **Insights**

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### **Jackson & Powell on Professional Liability**

1 December 2016

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