

Marie-Claire O’Kane

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Marie-Claire O'Kane practises in the areas of commercial law, international arbitration, professional liability, property litigation, construction, insurance and public law.

Prior to coming to the Bar, Marie-Claire studied law at Harvard Law School, Oxford University, University of Paris II Pantheon-Assas and Trinity College Dublin. She has taught law as a visiting tutor at the London School of Economics and King's College London and has acted as an Assistant Examiner in tort law at the University of London.

Marie-Claire is an Editor of the Eighth Edition of Jackson & Powell on Professional Liability. She edits the chapter on the liability of Art Professionals, with Roger Stewart QC.

Further detail on Marie-Claire's expertise is set out below.

Privacy Policy

Click here for a **Privacy Policy** for Marie-Claire O'Kane.

Areas of Expertise

Commercial

Current and past instructions include:

- Acting as junior counsel in the SKAT litigation on behalf of a non-fraud defendant.
- Assisting in an application for an anti-suit injunction to restrain the continuation of foreign proceedings in breach of an arbitration agreement.
- Acting as junior counsel in a deceit claim brought by a group of financial institutions based in the USA/Cayman Islands/Luxembourg/Jersey against a group of Turkish companies and related individuals.
- Assisting in an application for a freezing injunction made by a company in respect of the misappropriation of funds by a former employee.
- Acting as part of a counsel team in a USD 2 billion claim brought by the Libyan Investment Authority against Société Générale, seeking rescission of various financial transactions (listed as one of “The Lawyer” magazine’s Top 20 Cases of 2017).
- Advising a UK based company on the regulatory impact of the Insurance Distribution Directive.
- Acting as sole counsel in a range of claims made against IFAs, mortgage brokers, insurance brokers.

International Arbitration

Past instructions include:

- Assisting in an application for an anti-suit injunction to restrain the continuation of foreign proceedings in breach of an arbitration agreement.
- Assisting in an ICC arbitration concerning a dispute relating to an oil and gas exploration licence.

Professional Liability

Current and past instructions include:

- Acting as junior counsel in the SKAT litigation on behalf of a non-fraud negligence defendant.
- Acting as junior counsel in the defence of a multi-million pound negligence claim brought against a barrister.
- Defending a large scale solicitors' negligence claim – led by Ben Hubble QC – in relation to advice given on off-plan property transactions.
- Acting as sole counsel in the defence of a claim brought against a barrister in respect of the provision of allegedly negligent advice on a personal injury claim.
- *Ocean Finance & Mortgages Limited v Oval Insurance Broking Limited v Senior Wright Limited* [2016] Lloyd's Rep. I.R. 319 – led by Ben Hubble QC – acting for producing broker in Part 20 claim against placing broker in relation to allegations of a failure to advise a mortgage broker to make a blanket notification to insurers.

Property litigation

Past instructions include:

- Acting as sole counsel in a four day trial concerning issues of trespass, prescriptive rights of way and nuisance.
- Acting for various lenders in multiple possession related matters.

Construction

Current and past instructions include:

- Acting as junior counsel in Phase 2 of the Grenfell Inquiry on behalf of a group of the bereaved, survivors and residents.
- Defending claim brought by subcontractor against contractor in respect of disputed sums owed for variations and additional works carried out in multiple social rent and private sale residential properties.
- Defending a negligence claim brought against an architect.
- Acting as junior counsel in a construction adjudication brought against civil and structural engineers in respect of negligent design.
- Acting as sole counsel in a claim for breach of contract/negligence brought against a private building control inspector in relation to an alleged failure to advise of non-compliance with Building Regulations.

Insurance

Recent instructions include:

- Assisting drafting a written opinion on English reinsurance law for use in Dutch proceedings.
- Advising a UK based company on the regulatory impact of the Insurance Distribution Directive.
- Advising a construction professional on coverage issues under an NHBC Buildmark Policy.

Public law

Marie-Claire is presently instructed as junior counsel in Phase 2 of the Grenfell Inquiry on behalf of a group of the bereaved, survivors and residents.



She frequently acts as a volunteer duty scheme advocate with the Asylum Support Appeals Project (ASAP) and appears regularly in the First-tier Tribunal (Asylum Support).

Marie-Claire is committed to undertaking *pro bono* work and is happy to accept such instructions.

Qualifications & Memberships

LLB (Ling. Franc.), Trinity College Dublin (First Class Honours); BCL, University of Oxford (Distinction); LLM, Harvard Law School; BPTC.

Marie-Claire is a member of NAWIC, YIAG, TECBAR and PNBA.

Insights

Professional negligence round up: what were the key areas of development in 2017 and what are the battlegrounds for the future?

4 January 2018

Article written by Helen Evans, Thomas Ogden and Marie-Claire O'Kane discussing the key areas of development in 2017 for professional negligence and the battlegrounds for the future.

Eighth Edition of Jackson and Powell on Professional Liability - Editor