

OUR PEOPLE

Marie-Claire O’Kane

CALL 2013



✉ m.okane@4newsquare.com

☎ +442078222063

Marie-Claire’s practice spans commercial law, civil fraud, construction, insurance, professional liability and public law. She has particular experience in high profile, complex and sensitive disputes.

Recent instructions include:

- Acting in *Suppipat & Ors v Narongdej & Ors*, a complex \$2 billion fraud claim, featured in The Lawyer’s Top 20 cases of 2022.
- Acting in the SKAT litigation, concerning an alleged \$1.5 billion fraud, featured in The Lawyer’s Top 20 cases of 2021.
- Successfully defending a high profile fraud claim brought against the Government of the British Virgin Islands.
- Appointment as junior counsel to the Covid-19 Inquiry by Baroness Heather Hallett, Chair of the Inquiry.
- Acting on behalf of a group of Bereaved, Survivors and Residents in the Grenfell Tower Inquiry.

Marie-Claire studied 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. She is an Editor of the Ninth Edition of Jackson & Powell on Professional Liability.

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

Privacy Policy

Click here for a [Privacy Policy](#) for Marie-Claire O’Kane.

Expertise

Commercial Law

Instructions include:

- Acting, with Justin Fenwick KC, in *Suppipat & Ors v Narongdej & Ors*, a complex \$2 billion fraud claim, featured in The Lawyer's Top 20 cases of 2022.
- Acting, with Nicholas Davidson KC, in defence of a claim for fraudulent breach of directors' duties and knowing receipt.
- Acting, with Graham Chapman KC, in a multi-million dollar breach of trust claim against a professional trustee.
- Assisting George Spalton KC in an application for an anti-suit injunction to restrain the continuation of foreign proceedings in breach of an arbitration agreement.
- Acting, with George Spalton KC in high profile claim against the Government of the British Virgin Islands relating to an airline project.
- Acting, with Jonathan Hough KC, in the SKAT litigation (listed as one of "The Lawyer" magazine's Top 20 Cases of 2021).
- Acting, with George Spalton KC, 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 Neil Hext KC in proceedings for a freezing injunction in respect of misappropriation of company funds.
- Acting as part of a large 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).
- Acting, with Justin Fenwick KC and Benjamin Wood, in a claim involving allegedly negligent drafting of an all-monies clause in a company guarantee.
- Acting as sole counsel in a claim relating to allegedly negligently drafted shareholders' agreement.
- Acting as sole counsel in a claim relating to allegedly negligent advice given on the sale of a business as a going concern.
- Advising on limitation in claim relating to allegedly negligent advice on rent review provisions in a commercial lease.

Civil Fraud

Instructions include:

- Acting, with Justin Fenwick KC, in *Suppipat & Ors v Narongdej & Ors*, a complex \$2 billion fraud claim, featured in The Lawyer's Top 20 cases of 2022.
- Acting, with Nicholas Davidson KC, in defence of claim for fraudulent breach of director's duties and knowing receipt.
- Acting, with George Spalton KC in high profile claim against the Government of the British Virgin Islands relating to an airline project.
- Acting, with Jonathan Hough KC, in the SKAT litigation (for a non-fraud defendant) (listed as one of "The Lawyer" magazine's Top 20 Cases of 2021).
- Acting, with George Spalton KC, 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.
- Acting as part of a large 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).
- Assisting Neil Hext KC, in proceedings for a freezing injunction in respect of misappropriation of company funds.

International Arbitration

Instructions include:

- Successfully defending high profile claim against the Government of the British Virgin Islands relating to an airline project, led by George Spalton KC.
- Acting in a construction claim arising out of Middle East based project.
- Acting as Tribunal Secretary to Chairman of an ICC Tribunal in connection with a major construction project in East Africa (FIDIC Yellow Book).
- Assisting George Spalton KC in an application for an anti-suit injunction to restrain the continuation of foreign proceedings in breach of an arbitration agreement

Professional Liability

Instructions include:

- Acting, with Justin Fenwick KC, in proceedings involving a potential breach of confidence claim against a barrister.
- Acting, with Sian Mirchardani KC, in defence of claim brought against a barrister in respect of allegedly negligent conduct of Employment Tribunal proceedings.
- Acting, with Graham Chapman KC, on a multi-million dollar breach of trust claim against a professional trustee.
- Acting, with Jonathan Hough KC, in the SKAT litigation (listed as one of “The Lawyer” magazine’s Top 20 Cases of 2021).
- Acting, with Neil Hext KC, in defence of a multi-million pound claim against insurance brokers.
- Acting, with Ben Hubble KC, as junior counsel in *Various Claimants v Scott Fowler Solicitors (a firm); Wilsons Solicitors (2007) LLP Law Offices UK Limited t/a Wilsons Solicitors* in defence of a large-scale negligence claim concerning advice given by solicitors on off-plan property transactions.
- Acting, with Ben Hubble KC, in *Ocean Finance & Mortgages Limited v Oval Insurance Broking Limited v Senior Wright Limited* [2016] Lloyd’s I.R. 319 for a producing broker in a Part 20 claim against a placing broker in relation to allegations of a failure to advise a mortgage broker to make a blanket notification to insurers.
- Acting, with Patrick Lawrence KC and Clare Dixon KC, in defence of a multi-million pound valuer’s negligence claim.
- Acting, with Justin Fenwick KC and Benjamin Wood, in a claim involving allegedly negligent drafting of an all-monies clause in a company guarantee.
- Advising on potential claim against solicitors in respect of an allegedly negligently drafted shareholders agreement.
- Advising on limitation in respect of claim brought against solicitors for allegedly negligent advice on rent review provisions in a commercial lease.
- 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.
- Acting as sole or junior counsel in a range of claims made against solicitors, independent financial advisers, mortgage brokers and managing agents/estate agents.

Insurance

Instructions include:

- Acting, with George Spalton KC, in an upcoming insurance coverage arbitration arising out of dishonesty/fraud and alleged breach of duty of fair presentation.
- Advising, with Neil Hext KC, on claims arising out of business interruption coverage issues relating to the Covid-19 pandemic in respect of a variety of institutions including restaurants, hotels, golf clubs, laundries and nursing homes.
- Acting, with Neil Hext KC, in defence of a multi-million pound professional negligence claim against insurance brokers.
- Advising a health and safety consultancy professional services firm on business interruption coverage issues relating to the Covid-19 pandemic.
- Advising a breakdown recovery and roadside assistance company on business interruption coverage issues relating to the Covid-19 pandemic.
- Advising on the regulatory impact of the Insurance Distribution Directive.
- Advising on coverage issues under the NHBC Buildmark Policy.
- Assisting David Turner KC in drafting a written opinion on English reinsurance law for use in Dutch proceedings.
- Acting, with Ben Hubble KC, in *Ocean Finance & Mortgages Limited v Oval Insurance Broking Limited v Senior Wright Limited* [2016] Lloyd’s Rep. I.R. 319 in a Part 20 claim by producing broker against a placing broker in relation to allegations of a failure to advise a mortgage broker to make a blanket notification to insurers.

Construction

Instructions include:

- Acting as junior counsel in Phase 2 of the Grenfell Inquiry on behalf of Bereaved, Survivors and Residents Core Participant Group Team 1A.
- Acting, with Sian Mirchardani KC, in a construction adjudication brought against civil and structural engineers in respect of allegedly negligent drainage design.
- Acting, with Lucy Colter and Benjamin Fowler, in a construction claim brought against civil engineering sub-contractors in respect of allegedly negligent piling design.

- Acting as part of team of counsel in a construction claim arising out of Middle East based project.
- Advising on a potential claim against a subcontractor in respect of allegedly negligent installation of a domestic heating system.
- Acting as Tribunal Secretary to Chairman of an ICC Tribunal in connection with a major construction project in East Africa (FIDIC Yellow Book).
- 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.
- Acting as sole counsel in a negligence claim brought against an architect.

Public law and Public Inquiries

Instructions include:

- Acting as junior counsel to the Covid-19 Inquiry.
- Acting as junior counsel in Phase 2 of the Grenfell Inquiry on behalf of Bereaved, Survivors and Residents Core Participant Group Team 1A.

Qualifications

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 COMBAR, NAWIC, YIAG, TECBAR and PNBA.
