

OUR PEOPLE

Marie-Claire O’Kane

CALL 2013

LEGAL 500, 2024

"Good analysis, good with clients, and commercial."



✉ m.okane@4newsquare.com

☎ +442078222063

Marie-Claire practises in the areas of commercial litigation, civil fraud and asset recovery. She has significant trial experience of some of the largest, most procedurally complex proceedings and associated urgent injunctive relief. Marie-Claire is ranked as a Leading Junior in Commercial Litigation by the Legal 500, 2024.

Marie-Claire has experience of a vast range of commercial disputes across multiple sectors, including those involving allegations of fraud, bribery, conspiracy and unlawful interference, as well as complex breach of trust, taxation and insurance matters. She has experience of advising on and obtaining key interim remedies including worldwide freezing injunctions, anti-suit injunctions, Chabra injunctions, proprietary injunctions, imaging orders, injunctions in the employment law context, asset disclosure orders and receivership orders, both domestically and internationally. Marie-Claire also acts for and against financial institutions, financial advisers and other professionals accused of negligence and misconduct.

Marie-Claire is a graduate of Harvard Law School, Oxford University, University of Paris II and Trinity College Dublin. She has taught law as a visiting tutor at the London School of Economics and King’s College London.

Current and recent instructions include:

- Acting in multi-million dollar civil proceedings arising out of the collapse of Greensill Capital (led by Roger Stewart KC).
- Acting for the claimant in *Suppipat & Ors v Narongdej & Ors* [2023] EWHC 1988 (Comm) an unlawful means conspiracy, fraud and bribery claim, in which damages of US\$850m were awarded (led by Justin Fenwick KC and George Spalton KC).
- Acting for the applicant in *Qatar Investment and Project Developments Holding Co v Phoenix Ancient Art SA* [2023] EWHC 1916 KB, a fraudulent misrepresentation and deceit claim (led by Roger Stewart KC).
- Acting for the claimant in a multi-million pound claim arising out of a tax scheme against a Big Four accountancy firm (led by Graham Chapman KC).

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 Litigation and Civil Fraud

Marie-Claire is instructed in some of the most complex and large-scale claims before the Commercial Court. She is currently acting as junior counsel for the claimant in multi-million dollar civil proceedings arising out of the collapse of Greensill Capital; and as junior counsel for defendant auditors in a multi-million pound dishonest assistance claim based offshore. She recently acted as junior counsel for the successful claimants in a 19-week Commercial Court fraud trial in *Suppipat & Ors v Narongdej & Ors* [2023] EWHC 1988 (Comm) and for the successful applicant in *Qatar Investment and Project Developments Holding Co v Phoenix Ancient Art SA* [2023] EWHC 1916 KB. Marie-Claire has substantial experience of complex tax disputes, including acting as junior counsel for the claimant in a multi-million pound claim against a Big Four accountancy firm.

Marie-Claire has had extensive involvement in obtaining various key interim remedies including worldwide freezing injunctions, anti-suit injunctions, proprietary injunctions, asset disclosure orders and receivership orders, both domestically and internationally.

Further instructions include:

- Acting as junior counsel in a claim against the Government of the British Virgin Islands relating to an airline project, involving allegations of fraud, unlawful means, bribery and defamation.
- Acting as junior counsel in the *SKAT* litigation, featured in The Lawyer's Top 20 cases of 2021.
- Acting as junior counsel in a \$2 billion claim brought by the Libyan Investment Authority against Société Générale, seeking rescission of various financial transactions.
- 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 as junior counsel in proceedings for a freezing injunction in respect of misappropriation of company funds.
- Acting as junior counsel in defence of a claim for fraudulent breach of directors' duties and knowing receipt.
- Acting as junior counsel in a multi-million dollar breach of trust claim against a professional trustee.
- Assisting as junior counsel 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 claim involving allegedly negligent drafting of an all-monies clause in a company guarantee.
- Acting as sole counsel in a claim relating to an 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.

Professional Liability and Regulation

Marie-Claire has extensive experience of acting for both claimants and defendants in claims involving a broad spectrum of professional advisers, including tax advisers, auditors, insurance brokers, barristers, solicitors, IFAs and professional trustees, often involving sensitive regulatory and disciplinary issues. She is currently acting for the claimant in a multi-million pound claim against insurance brokers in respect of liabilities incurred as a result of a catastrophic accident in the USA and as junior counsel for defendant auditors in defence of a multi-million pound claim involving allegations of dishonest assistance, breach of contract and negligence. She also recently acted for the claimant in a multi-million pound claim arising out of a tax scheme against a Big Four accountancy firm and a US law firm and as junior counsel in a c.\$70m claim against a professional trustee in relation to the management of an offshore trust. Marie-Claire is an Editor of the Ninth Edition of Jackson & Powell on Professional Liability.

Further instructions include:

- Acting as junior counsel in defence of a multi-million pound claim against insurance brokers arising out of arson at a commercial premises
- Acting as junior counsel in proceedings involving a potential breach of confidence claim against a barrister.
- Acting as junior counsel in defence of claim brought against a barrister in respect of allegedly negligent conduct of Employment Tribunal proceedings.
- Acting 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 as junior counsel 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 as junior counsel in defence of a multi-million pound valuer's negligence claim.
- Acting as junior counsel 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.

Insurance

Marie-Claire has acted for and advised both policyholders and insurers across a wide range of insurance disputes, including business interruption claims arising out of the Covid-19 pandemic, successor practice disputes under the SRA Minimum Terms and Conditions, as well as duty of fair presentation and dishonesty issues. Her insurance practice is complemented by her experience of claims against insurance brokers, in respect of which she is currently acting for the claimant in a multi-million pound claim against insurance brokers in respect of liabilities incurred as a result of a catastrophic accident in the USA. Marie-Claire is a contributor to the 4 New Square Insurance Law Review.

Further instructions include:

- Advising on successor practice dispute issues arising under the SRA Minimum Terms and Conditions.
- Acting as junior counsel in drafting proceedings for an insurance coverage arbitration arising out of dishonesty/fraud and alleged breach of duty of fair presentation.
- Advising as junior counsel 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 as junior counsel 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.
- Acting, as junior counsel, 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.

Public Law and Inquiries

Marie-Claire has extensive public inquiry experience, largely involving matters of scientific or technical complexity. She was recently appointed by Baroness Heather Hallett as junior counsel to the Covid-19 Inquiry, dealing with the module addressing the development, delivery and impact of vaccines and therapeutics during the pandemic. She is also instructed as junior counsel to the largest group of bereaved, survivors and former residents in the Grenfell Tower Inquiry, involved in (amongst others) modules addressing the testing, performance and manufacture of construction products and the associated regulatory regime. She also acts *pro bono* in numerous appeals before the First-tier Tribunal (Asylum Support) as duty scheme advocate with the Asylum Support

Appeals Project.

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, YFLA and PNBA.
