

ANDREW GRANTHAM QC

Year of call: 1991

Clerked by: Gary Young Harry Young

AREAS OF EXPERTISE:

Arbitration Banking & Finance Civil Fraud Company Dispute
Resolution Insurance International Private Client, Trusts and
Probate Professional Negligence



Dispute Resolution

Andrew's experience includes the following areas: applications for freezing injunctions and asset preservation orders; carriage of goods; civil fraud and asset recovery; financial services including mis-selling of derivatives; insurance and reinsurance contract disputes; sale of goods including retention of title and share and business sale disputes.

Significant Reported Cases

Carr v Formation plc [2018] EWHC 3116 (Ch). In this case Andrew successfully applied for permission to adduce expert evidence on behalf of one of the Defendants on the issue of market practice in a claim for recovery of an alleged secret commission paid to a football agent on the basis that such evidence was relevant to the issues of unlawful means conspiracy and limitation, in particular deliberate concealment.

Dutton v Minards [2015] EWCA Civ 984 [2015] 6 Costs L.R. 1047. In this case Andrew successfully acted on behalf of the Claimants in the Court of Appeal in a case concerning the exercise of the Court's discretion as to costs following the deliberate late acceptance by the Defendants of a Part 36 offer made by the Claimants which on its face was less valuable than a previous Part 36 offer made by the Defendants.

Webster v Liddington [2014] EWCA Civ 560; [2014] P.N.L.R. 26. In this case Andrew acted successfully on behalf of a group of claimants as junior counsel. It is the leading authority on responsibility for misrepresentations contained within literature produced by a third party handed over to representees.

Parking Eye v Somerfield Stores [2012] EWCA Civ 1338; [2013] Q.B. 840; [2013] 2 W.L.R. 939; [2012] 2 Lloyd's Rep. 679. Andrew acted successfully on behalf of Parking Eye as junior counsel. It was referred to extensively by the Supreme Court in *Patel v Mirza* the leading authority on the effect of illegality on the enforceability of contracts. The Court of Appeal considered the effect of an intention to perform a contract in an illegal manner and introduced the principle of proportionality in determining whether the illegality was such as to preclude contractual enforcement.

BVM Management v Yeomans [2011] EWCA Civ 1254. Andrew acted alone on behalf of the Claimant. The Court of Appeal considered the proper interpretation of contracts that were partly oral and partly in writing and held that a term providing for termination on three months' notice was not inconsistent with an agreement for a two year term.

DRL Ltd v Wincanton Group Ltd [2011] EWCA Civ 839 Andrew acted on behalf of the claimant/appellant. The Court of Appeal allowed the appeal accepting that the claimant had accepted the defendant's repudiation.

George Hunt Cranes Ltd v Scottish Boiler & General Insurance Co Ltd [2001] EWCA Civ 1964; [2002] 1 All E.R. (Comm) 366; [2003] 1 C.L.C. 1; [2002] Lloyd's Rep. I.R. 178; (2003) 147 S.J.L.B. 60. Andrew acted alone on behalf of defendant the insurance company and successfully argued both at first instance and on appeal that a term of an insurance contract amounted to a claims condition so that the insurers were entitled to refuse to indemnify the insured claimant following a breach of the term.

Profile

Andrew practises almost exclusively in Commercial and Chancery Dispute Resolution including Arbitration and International Disputes. He also undertakes some non-contentious work.

He was called to the Bar following a short career as a full time law lecturer at Wadham College, Oxford and part time lecturer at King's College, London.

Andrew specialises in cases of high value and considerable complexity. He has particular expertise in contractual and corporate disputes and regularly appears against QCs and other senior junior Counsel. His clients include banks and major public companies as well as a number of smaller manufacturing and other companies and professional firms.

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Areas of Expertise

Arbitration

Banking & Finance

Civil Fraud

Company

Dispute Resolution

Insurance

International

Private Client, Trusts and Probate

Professional Negligence

Memberships

Northern Circuit Commercial Bar Association

COMBAR

Northern Chancery Bar Association

Chancery Bar Association

Professional Negligence Bar Association

British and Irish Commercial Bar Association (Treasurer)

Publications

Commercial Litigation Pre Emptive Remedies (Sweet & Maxwell)

Appointments/ Qualifications

St Catherine's College, Oxford: BA 1988 (Jurisprudence), BCL 1989, MA 1997

Chartered Institute of Arbitrators: Fellow 2001

Recommendations

Legal 500, 2020

"Instils complete confidence in clients."

Chambers UK 2020

"He knows everything about everything; he is incredibly clever. He is great at getting to the heart of matters from a legal point of view, makes everything clear and concise and judges love him." "He is very intelligent and knows everything about the law. He is safe and reliable - you can trust his advice."

Chancery "Super bright and very responsive." "He is very detailed."

"He is extremely thorough, knowledgeable and approachable." "He is a technically excellent and vigorous advocate. Clients immediately respect and trust his advice." "He has a fantastic mind and an extraordinary eye for detail."

Chambers UK 2019

"Extremely diligent, always fully prepared, and someone who gives very good, straightforward advice. "

"He is very thorough and really gets to know the ins and outs of cases." "He is very capable and is always able to make the best of difficult situations."

Legal 500 2019

"Very dedicated and extremely hard working."

Chambers UK 2018

"A fiery advocate."

"He has marvellous attention to detail. If there is a document-heavy and complex piece of litigation, he is very well suited to it. He never lets you down." "He is thorough, knowledgeable and approachable."

Legal 500 2018

"He is remarkably thorough and has a real eye for detail."

Chambers UK 2017

"A very brainy lawyer who always fights very hard for his client." "His written work and advice is always to a very high standard."

"An untiring and tenacious barrister." "He is extremely bright and offers a high standard of client service as well as sound, technical and commercial advice."

Legal 500 2017

"Always well prepared and conscientious with clients."

Chambers UK 2016

"A very proactive, quick and efficient practitioner."

"He is extremely thorough and an excellent advocate with a very good understanding of the law."

"He is very knowledgeable and gives good, concise advice."



Andrew Grantham

