

## MATTHEW SMITH

Year of call: 1991

Clerked by: Stephen Loxton Harry Young

AREAS OF EXPERTISE:  
Costs & Litigation Funding



### Profile

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The most senior member of the costs team in terms of call and one of only three counsel to also be a qualified costs draftsman, Matthew is able to deal with any civil costs dispute. Moreover, his knowledge of the law outside costs makes him particularly adept at dealing with the more unusual topics that may arise in costs litigation, such as novel points of principle, costs in tribunals, children and costs etc.

Matthew has a niche practice in dealing with issues concerning contracts of retainer, including advising the steps which are required to mend (or undermine) 'broken retainers'. This goes hand-in-hand with his specialism in non-contentious costs. He has drafted a number of retainers (both conditional and non-conditional), and is adept at giving advice which is aimed at maximising profit (both for defendant firms and claimant firms) and minimising risk.

Matthew also has wide experience of group litigation, applications for security for costs, issues concerning success fees, after the event insurance, costs concerning patients, costs concerning children, and fixed costs.

Matthew is an experienced costs mediator and CADR Panel member.

**Year of Call: 1991**

### Areas of Expertise

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#### Costs & Litigation Funding

### Memberships

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Associate of the Association of Law Costs Draftsmen

### Publications:

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Matthew writes (along with other members of the costs team) the Costs Brief for the New Law Journal.

Recent articles include:

- Back to the Future, New Law Journal (2009) Vol.159 No.7370 Pages 740-742
- Multiplex Lessons, New Law Journal (2009) Vol 159 No 7350/51 Pages 31-33
- Protective costs orders, New Law Journal (2008) Vol.158 No.7335 Pages 1223-1224
- Beating offers, New Law Journal (2008) Vol.158 No.7323 Pages 782-783
- Interest on Costs, New Law Journal (2008) Vol.158 No.7316 Pages 514-517
- Costs draftsmen's success fees, New Law Journal (2008) Vol.158 No.7307 Pages 216-217
- Election, New Law Journal (2007) Vol.157 No.7288 Pages 1256-1257 and 1308-1309
- Post-entitlement agreements, New Law Journal (2007) Vol.157 No.7278 Pages 890-891
- Costs Capping, New Law Journal Vol.157 No.7269 Pages 546-548
- Conduct and Costs, New Law Journal (2007) Vol.157 No.7259 Pages 216-217
- Medical Agency Fees and Rectification of Retainers (2006) ALCD Journal, July, Pages 1-3
- Part 18 Requests in Costs, New Law Journal (2006) Vol.156 No.7251 Pages 1880-1881
- Quantum of ATE premiums, New Law Journal (2006) Vol.156 No.7242 Pages 1471-1472

- Avoidance and Costs, New Law Journal (2006) Vol.156 No.7239 Pages 1358-1359
- Qualitative Breaches and CFAs, New Law Journal (2006) Vol.156 No.7236 Pages 1242-1243
- Medical Agency Fees, New Law Journal (2006) Vol.156 No.7228 Pages 946-947
- Costs Cutting, New Law Journal (2006) Vol.156 No.7223 Pages 737-739
- Materiality, New Law Journal (2006) Vol.156 No.7219 Pages 592-593
- Costs Draftsmen's fees, New Law Journal (2006) Vol.156 No.7214 Pages 364-365
- Estimates, New Law Journal. (2005) Vol.155 No.7202 Pages 1813-1815
- CFA Revocation Regulations, New Law Journal (2005) Vol.155 No.7192 Pages 1347-1348
- ATE insurance and the FSA, New Law Journal (2005) Vol.155 No.7189 Pages 1241-1242
- RSA Pursuit, New Law Journal (2005) Vol.155 No.7185 Pages 1097-1099
- Success, Conduct and Costs, New Law Journal. (2005) Vol.155 No.7181 Pages 939-941
- Restricting the scope of split success fees, New Law Journal (2005) Vol.155 No.7177 Pages 765-766
- Costs Capping, New Law Journal (2005) Vol.155 No.7176 Pages 749-751
- VAT and Costs, New Law Journal (2005) Vol.155 No.7171 Pages 539-540
- Qualitative Breaches, New Law Journal (2005) Vol.155 No.7167 Pages 377-378
- Success Fees, New Law Journal (2005) Vol.155 No.7163 Pages 214-215

## Qualifications

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University:  
Cambridge (Trinity Hall)  
Degree:  
MA  
Year of Call:  
1991 (Lincoln's Inn)

Other information:  
Examination for associate membership of the ALCD (2009)

## Recommendations

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### Chambers UK 2021

"A costs specialist who is methodical and very commercially minded. He thinks things through deeply to find the right solution." "Diligent, thorough and sensible," "he is a man who produces excellent skeleton arguments." "Matthew cuts to the chase and is very succinct in his arguments."

### Legal 500, 2020

"He has a great eye for detail."

### Chambers UK 2020

"Matthew brings a calmness to the most difficult of costs disputes and is always prepared to go the extra mile to assist." "He is first-class on matters concerning solicitors' retainers and is a persuasive advocate."

### Chambers UK 2019

"Matthew is very dogged and highly respected," and "his written work is great."

### Legal 500 2019

"His knowledge of costs law is first-rate."

### Chambers UK 2018

"Matthew is a barrister who is very shrewd; he understands what is required in order to get the best for his client and never loses his commercial focus."

### Legal 500 2018

"An excellent advocate with an eye for detail."

### Chambers UK 2017

"Competent and personable, he's very sensible and can cut to the chase quickly with his advice." "Light on his feet, he reacts well to judges, and is responsive and accessible."

### Chambers UK 2016

"He is extremely knowledgeable, is a pleasure to work with and is a good advocate. He displays not only an understanding of the law in this field but of the approach the courts take to costs."

"He is patient, knowledgeable, personable and a strong and persuasive advocate."

