



Michael Brindle QC

Call date

1975

Silk date

1992

Summary of Practice

Work in the commercial/corporate sphere and in employment law. Emphasis on banking and financial services, company law, professional negligence in financial and commercial matters, insurance, arbitration and international trade. Experience in City-related matters, including litigation arising out of audits, take-overs and rights issues. Practice in chancery as well as commercial and common law courts. Sits as international arbitrator.

Recommendations (Practitioners' Guides)

Michael Brindle QC was awarded "Barrister of the Year" at The Lawyer Awards 2010 and is ranked in both Chambers UK & Legal 500 as a leading silk; Comments include:

- "Unparalleled knowledge of banking law" Chambers UK – Banking and Finance 2011
- "A first-class advocate who has stunning legal insight." Chambers UK – Banking & Finance 2011
- "Extremely industrious but has a very natural style-despite the fact that he has prepared the case to the nth degree, he just stands and addresses the court as if he's in normal conversation." Chambers UK – Banking & Finance 2011
- "Class act whose name and reputation speak for themselves." Chambers UK – Commercial dispute resolution 2011
- "Absolutely first-class" Chambers UK – Financial Services 2011
- "Very good practitioner, he is extremely clever and has a good tactical approach to litigation" Chambers UK Civil Fraud 2011
- "Really at the top of his game" Chambers UK – International Arbitration 2011
- "very effective in litigation and arbitration" Legal 500 2010 Commercial litigation
- "A brilliant heavyweight litigator" Legal 500 2010 Commercial Litigation
- "*Silk that needs no introduction*" "*his consistency, efficiency & directness*" *have won him many admirers over the years & he is today as popular as he's ever been*" (Financial Services)
- "*much more approachable than other counsel at his level*" (Fraud)
- "intellectually powerful in and an obvious choice for difficult and large frauds." (Fraud: Civil)



Education/Professional CV

Westminster School

New College, Oxford MA

Entrance Scholarship (Ella Stephens)

1972 First Class Hons Classics

1974 First Class Hons Jurisprudence

1976-82 Part-Time Lecturer at New College, Oxford - Jurisprudence

Member of Financial Markets Law Committee

Chairman of Advisory Council of "Public concern at work"

Former Chairman of the Commercial Bar Association

Former Chairman of Bar Council Education and Training Committee and International Committee

Appointed to the SIAC, and Kuala Lumpur Panels of Arbitrators (Singapore and Malaysia)

Appointed to the DIFC Courts Register of Practitioners (Dubai)

Recorder of the Crown Court 2001

Deputy High Court Judge 1999

Notable Cases

Morgan Crucible Co plc v Hill Samuel (1991) Professional negligence and City institution - Chancery

Caparo v Dickman (1992) Professional negligence - auditors

Capel-Cure Myers v McCarthy (1993) Insurance policy construction Lloyd's market

Re Bishopsgate Investment Management (1993) Constructive trust

Deposit Protection Board v Dalia (1993) Depositor compensation

Shah v Bank of England (1994) Banking regulation

Cala Cristal v Al-Borno (1994) Mareva injunction - costs

Mellstrom v Bank of England (1995) Banking regulation

Football Association v Graham (1995) Sports Law

Sunlife v Securities and Investment Board (1995) Judicial review - financial services

Camdex v Bank of Zambia (1) & (2) (1996) Champerty and mareva injunctions involving a central bank

Pointwest Litigation - *BBL v Simmons & Simmons* (1996) Solicitors' negligence and banking practice

Credit Lyonnais v New Hampshire Insurance (1996) Insurance contract - Governing law

British Gas v Eastern Electricity (1996) Commercial contract - consent to assignment

Central Bank of Trinidad & Republic Bank Limited (1996) Bank regulation - Trinidad

Camdex v Bank of Zambia (3) (1997) Garnishee orders and a central bank

Re Mid-East Trading Limited (1997) Winding-up of foreign company - Chancery

BCCI v Price Waterhouse & Bank of England (1997) Interpretation of Banking Act 1987 - Chancery

Nuova Safim Spa v The Sakura Bank Ltd (1997) Derivatives

Bank Austria v Price Waterhouse (1998) Professional negligence - auditors

KAFCO v Trans-ammonia (1998) Arbitration - restraint of trade

Northern Rock v Archer (1998) Banking and sureties

Morgan Grenfell v SACE (1999) Export credit insurance and Italian law



Czarnikow-Rionda v Standard Bank (1999) Letters of Credit and fraud
Barclays Bank v Boulter (1999) Banking and sureties
Marks & Spencer v William Baird (2000) Certainty in contract and estoppel by convention
State of Brunei v Jefri (2000) Apparent or actual bias of judge. Breach of trust
Barings v Coopers & Deloittes (2001-2) Auditors negligence
Customs & Excise v Barclays Bank (2003-6) Freezing injunction and duty of care
HSBC v Fortis (2004) Mutual Funds in the Bahamas
Riyad Bank v. Ahli Bank (2005-6) Islamic finance
R. v FSA ex parte Yukos (2006) Regulation of foreign companies issuing in London
Charter Plc v City Index (2006-7) Contribution and constructive trust
Weissfisch v Julius (2006) Challenge to foreign arbitration
Springwell v JPMorgan Chase (2007-2010) Emerging markets investment through banks
IXIS v WestLB (2008) Securitisation
Stone and Rolls v Moore Stephens (2009) Auditors' negligence
Shah v HSBC (2009-11) Money laundering
Jivraj v Hashwani (2010-11) Arbitration and discrimination
Litigation in Chancery Division surrounding the insolvency of *Lehman Brothers* & trust relationships (2009-2011)
British Bankers Association v. FSA [2011] (judicial review of regulatory action)
Re Spacel Limited [2011] Cayman Islands – shareholder agreement – Syrian law
Re Fairfield Sentry Limited [2011] BVI Ponzi scheme and unjust enrichment

Publications

- "Does Constructive knowledge make a constructive trustee?", Published in Australian Law Journal and Trust Law and Practice in 1987
- "Money Laundering and the Criminal Justice Act 1988": International Tax Report May 1995 and Tolley's International Tax Planning (1996 and 2001)
- "Confidence, Public Interest and the Lawyer" published in Legal Ethics and Professional Responsibility by Ross Cranston (1996)
- "The Law of Bank Payments" with Raymond Cox QC: FT law and Tax (1996) (Fourth Edition 2010)
- "The Vienna Sales Convention and the capital markets" in Capital Markets Law Journal (2008)

Other Experience

Former Chairman of Trustees of "Public Concern at Work".

Former member of Financial Reporting Review Panel.

Special advisor to Trade & Industry Select Committee re "Export Licensing and BMARC".

Head of Chambers 2003 – 2008.

Working knowledge of French, Italian and Greek.