

Joseph Leech

Call 2020



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Joseph Leech joined Chambers in October 2021, following the successful completion of his pupillage.

Joseph is a commercial junior with a broad practice. He has particular interests and experience in civil fraud, banking, insurance and work with a public law dimension, alongside general commercial litigation. Much of his work is international in nature and/or involves issues of conflicts of laws.

In 2021, Joseph spent three months as a full-time judicial assistant in the High Court, assisting Foxton J, Zacaroli J and Bacon J. He gained insight into judicial decision-making in both substantial trials and applications in a variety of commercial contexts.

Before coming to the Bar, Joseph studied history at Cambridge (where he took a Double Starred First) and at Yale (where he was the Henry Fellow).

Recent Highlights

Privilege and confidentiality

Instructed in an application for an injunction to restrain the Defendant's solicitors from acting in a claim for breach of confidence, involving allegations of improper access to the Claimant's privileged and confidential material (with Bankim Thanki QC and Tamara Oppenheimer QC).

McClellan & Ors v Andrew Thornhill QC [2022] EWHC 457 (Ch)

Assisting Zacaroli J (as a Judicial Assistant) in the 3-week trial of a professional negligence claim by a group of investors against a leading tax QC (one of The Lawyer's top 20 cases for 2021).

Appeal to the Supreme Court in a civil fraud case

Assisting (during pupillage) with the preparation of the successful Respondent's submissions to the Supreme Court in a civil fraud case considering the interaction between the Proceeds of Crime Act 2002 and the law of

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constructive trusts.

Banking disclosure

Assisting (during pupillage) with a bank's successful resistance to an order for the production of documents under the Bankers Books Evidence Act 1879 for use in foreign extradition proceedings.

Business interruption insurance

Assisting (during pupillage) with an insurer's successful application to strike out a claim concerning business interruption cover; now the leading case on 'closed list' disease clauses. (Rockliffe Hall Ltd v Travelers Insurance Co Ltd [2021] Bus LR 656) (assisting Ben Lynch QC).

Expertise

Administrative & Public Law

Notable Administrative & Public Law cases

Claimants in the Royal Mail Group Litigation v Royal Mail Group Ltd

Assisting Adam Johnson J (as a Judicial Assistant) in substantial litigation in which investors alleged a failure by Royal Mail Group to charge VAT on postal services over several decades, involving questions of EU law and the status of RMG as an emanation of the state.

Assisting, during pupillage, with the Solicitors Regulation Authority's successful resistance to an application for permission to appeal from the judgment of the Divisional Court.

Assisting in a prospective judicial review of a financial regulator following the retroactive application of a regulatory scheme.

Aviation & Travel

Notable Aviation & Travel cases

Assisting with the defence of a multi-million dollar claim for breach of an agreement for the sale of two aircraft and an engine (during pupillage).

Advising an engine component manufacturer on its liability for defective parts in an arbitration (during pupillage).

Advising on a complex multi-party negligence claim concerning damage to a military aircraft (during pupillage).

Banking & Finance

Notable Banking & Finance cases

Assisting with a bank's successful resistance to an application for a trial of preliminary issues in complex multi-party litigation concerning business loans (during pupillage).

Advising in a case concerning alleged deceit and misrepresentation in relation to LIBOR-rigging, raising fundamental issues in the law of misrepresentation (during pupillage).

Assisting with a bank's successful resistance to an order for the production of documents under the Bankers Books Evidence Act 1879 for use in foreign extradition proceedings (during pupillage).

Assisting with a bank's successful application to strike out a claim concerning interest rate hedging products on grounds of res judicata and abuse of process (during pupillage).

Assisting with a Bank's successful application to strike out references in the Claimant's pleaded case to a judgment given in French proceedings, in multi-jurisdictional litigation involving alleged breaches of confidence (during pupillage).

Advising a major bank on its defence to an unjust enrichment claim in which the claimant alleged that the bank's customer had fraudulently procured a payment from the claimant's account (during pupillage).

Civil Fraud

Notable Civil Fraud cases

Assisting with the preparation of submissions to the Supreme Court in a case concerning the interaction of the Proceeds of Crime Act 2002 and the law of constructive trusts (during pupillage).

Assisting with the preparation of the Claimant's case in litigation alleging fraudulent manipulation of billions of dollars of FX trades by employees of a bank (during pupillage).

Assisting with the defence of a claim by a sovereign wealth fund against a major bank involving allegations of corruption, breach of fiduciary duty, undue influence and illegality in the management of an investment portfolio (during pupillage).

Assisting with the defence of a claim for rescission of an agreement in a case involving allegations of duress, undue influence and corruption by Russian individuals (during pupillage).

Assisting with a claim involving the alleged misappropriation of a yacht (during pupillage).

Assisting with the defence of a claim for specific performance of an agreement for the sale of land, defended on grounds of illegality and involving allegations of money laundering and corruption (during pupillage).

Commercial Crime

Notable Commercial Crime cases

Assisting, during pupillage, with wide-ranging litigation in the Crown Court, the Divisional Court and the European Court of Human Rights, arising from the seizure of documents by the NCA at the request of the US authorities.

Commercial Disputes

Notable Commercial Disputes cases

Instructed in a major international sale of goods claim raising complex issues of jurisdiction and choice of law (with Ben Lynch QC).

Advising on potential class action claims against a FTSE 100 company under ss. 90 and 90A of the Financial Services and Markets Act 2000 (with Alex Barden).

Assisting with the quantum trial in a multi-million dollar claim for deceit, breach of contract and unlawful means conspiracy concerned with misleading demand forecasts in the electronics industry (during pupillage).

Assisting in a dispute concerning the ownership of shares in an IT company (during pupillage).

Advising on the interpretation of an agreement for the management of arbitral claims against the state of Zimbabwe (during pupillage).

Assisting with the defence of a multi-million dollar claim for alleged mismanagement of an investment portfolio held by a high-net-worth individual (during pupillage).

Assisting with the defence of a claim for breach of a licensing agreement for furniture designs (during pupillage).

Financial Services

Notable Financial Services cases

Acting for the Financial Services Compensation Scheme in successfully resisting a claimant's application to set aside an order striking out his claim (as sole counsel).

Assisting counsel (during pupillage) in advising the Financial Services Compensation Scheme on issues around its statutory immunity and potential liability.

Insurance

Notable Insurance cases

Instructed by the insured in a multi-million pound claim against insurers under a product safety and recall policy, arising from the supply of defective goods (with Ben Lynch QC).

Rockliffe Hall Ltd v Travelers Insurance Co Ltd [2021] Bus LR 656

Assisting with the Defendant's successful application to strike out a claim concerning business interruption cover in the COVID-19 pandemic (assisting Ben Lynch QC during pupillage).

Assisting with an insurer's successful claim to operate a discharge clause in an ad hoc arbitration concerning cover for the costs of an inquiry (during pupillage).

Assisting with an insurer's Defence to a claim for breach of a brokerage agreement (during pupillage).

International Arbitration

Notable International Arbitration cases

Sodzawiczny v McNally [2021] EWHC 3384 (Comm)

Assisting Foxtton J (as a Judicial Assistant) in an application to enforce an award under s. 66 of the Arbitration Act 1996, raising questions as to the extent of the Court's discretion to refuse to enforce discretionary relief granted by the arbitrator.

Advising an engine component manufacturer in an LCIA arbitration (during pupillage).

Assisting (during pupillage) with an insurer's successful claim to operate a discharge clause in an ad hoc arbitration concerning cover for the costs of an inquiry (during pupillage).

Privilege, Confidentiality & Conflicts of Interest

Notable Privilege, Confidentiality & Conflicts of Interest cases

Instructed in an application for an injunction to restrain the Defendant's solicitors from acting in a claim for breach of confidence, involving allegations of improper access to the Claimant's privileged and confidential material (with Bankim Thanki QC and Tamara Oppenheimer QC).

Advising a firm (during pupillage) on the scope of its obligation to produce privileged documents to the SRA in compliance with a s. 44B notice.

Professional Discipline

Notable Professional Discipline cases

Assisting with the SRA's successful resistance to an application for permission to appeal from the judgment of the Divisional Court (during pupillage).

Assisting with the defence of disciplinary proceedings brought by the Insolvency Practitioners' Association against a number of insolvency professionals (during pupillage).

Advising a firm on allegations of breach of the Solicitors Accounts Rules (during pupillage).

Advising a firm on the scope of its obligation to produce privileged documents to the SRA in compliance with a s. 44B notice (during pupillage).

Assisting with the SRA's resistance to an application by the respondent solicitor to stay the proceedings on the grounds of his mental health (during pupillage).

Professional Negligence

Notable Professional Negligence cases

McClellan & Ors v Andrew Thornhill QC [2022] EWHC 457 (Ch):

Assisting Zacaroli J (as a Judicial Assistant) in the 3-week trial of a professional negligence claim by a group of investors against a leading tax QC (a top-20 case in The Lawyer for 2021).

Advising and assisting, during pupillage, with the defence of a c. £25 million negligence claim against a firm of solicitors arising from the development of a hotel.

Education

- BA (History), Pembroke College, Cambridge: Double Starred First
- MA (History), Yale University: Honors (Henry Fellow)
- GDL, City Law School: Distinction
- BPTC, City Law School: Outstanding

Memberships

- Lord Mansfield Scholarship, Lincoln's Inn
- Lord Bowen Scholarship, Lincoln's Inn
- Buchanan Prize, Lincoln's Inn
- GDL Scholarship, City Law School
- Henderson Chambers Prize, City Law School
- Maitland Advocacy Prize
- Henry Fellowship; full Fellowship for study at Yale or Harvard Universities, Henry Trust / Yale University
- Ranked first in the University in Preliminary Examinations, University of Cambridge
- Peter de Somogyi Memorial Prize, Pembroke College
- Blackburne-Daniell Prize, Pembroke College
- Howard Raingold Prize, Pembroke College
- Hansen Prize, Pembroke College
- Foundress Prize, Pembroke College
- Brian Riley Declamation Prize, Pembroke College
- Foundation Scholarship, Pembroke College
- Fung Scholarship, Hong Kong University / Fung Foundation

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Languages

- French (advanced)