hailshamchambers

Clerks: **020 7643 5000**

Margaret Griffin

Call: 2004



Overview

Margaret has a formidable reputation in the fields of commercial chancery and professional liability litigation. She has particular expertise in dealing with contentious trust matters, claims by and against trustees, director and officer (D&O) claims, company disputes including shareholder disputes/unfair prejudice petitions, fiduciary duties, civil fraud matters and professional liability matters, in particular in the context of probate and trust disputes. Margaret is very experienced in obtaining injunctions in the High Court and other urgent, and non-urgent, interim remedies in matters across her practice areas.

Margaret is consistently recommended as a leading junior by the legal directories in the fields of commercial, chancery and professional negligence litigation. She is described in the directories as being “fearless”, “utterly tenacious”, “unstoppable” and “something to be reckoned with” in the courtroom. As well as being known for the quality of her advocacy, Margaret has a reputation for being commercially astute, a tough negotiator, and someone who “fights tenaciously for her clients”.

Margaret was described in the Legal 500 2027 Directory as “Calm under pressure. Great at strategy. Articulates the complex in plain terms. Fantastic on her feet.”

Legal500
LEADING JUNIOR
UNITED KINGDOM
2027

Commercial law

Margaret has extensive experience in all aspects of commercial litigation work.

Margaret's practice covers a wide range of contractual disputes, often involving company and property issues. Margaret is regularly instructed to deal with loan claims, guarantee claims, sale of goods, misrepresentation and business sale disputes. Recent instructions include:

- Advising on a multi-million pound conversion and damages claim against a company liquidator arising from a breach of an agreement granting exclusive access to a construction site for an unlimited period of time, upon the grant of particular permits, to carry out a number of agreed processes upon the waste product on site and the extraction of product.
- Acting for one of multiple defendants in a claim that involved competing claims to development land valued in excess of £9m.
- Advising on the validity and enforceability of a loan agreement for a sum in excess of £5m and issues pertaining to jurisdiction.
- Advising and drafting a defence and counterclaim in a claim for the repayment of a loan and damages for conspiracy.
- Advising the seller in a claim for significant damages arising from breach of warranties provided in a share purchase agreement.
- Advising and drafting a defence to a claim in respect of the ownership of prestige sports cars.
- Advising in respect of an undue influence defence to a substantial personal guarantee claim.
- Successfully representing a defendant at trial in a claim for damages for misrepresentation in respect of the sale of real property, in particular the acreage of the plot and other matters.

Commercial chancery litigation

Margaret has particular expertise in commercial chancery matters, and is regularly called upon to advise in contentious trust matters (frequently acting in cases concerning the beneficial ownership of real property and shares), tracing claims, shareholder claims, property disputes, fiduciary duties, partnership and civil fraud matters.

Margaret regularly acts for and against professional, and non-professional, trustees, and directors. She is experienced in advising trustees, and beneficiaries, as to how best to protect their position and the trust, including obtaining privacy and secrecy orders, "momentous decision" approval orders, prospective costs orders and Beddoe relief in the High Court.

Recent instructions include:

- Representing professional trustees in complex and highly sensitive contentious trust litigation where the assets of the trust were worth in excess of £12m.

Privacy/secrecy orders and a momentous decision approval order were obtained in the High Court.
- Acting in a multi-million pound fraud, breach of trust and fiduciary duty claim in the context of a shareholder dispute where the assets being fought over were valued to be in excess of £35m.
- Representing a mother and son in a high value (£10m) and complex breach of fiduciary and statutory duty claim against directors in the context of an unfair prejudice petition.
- Representing a petitioner in an unfair prejudice petition and breach of directors' fiduciary and statutory duty claim at a 4-week trial in the High Court where a loss of £4.5m was established.
- Successfully defending, in an exceptionally lengthy and hard-fought piece of litigation, one of three defendants in a claim for £17m for alleged dishonest assistance of breaches of fiduciary duty and knowing receipt of trust property, involving arguments relating to limitation following the Supreme Court handing down judgment in the case of *Williams v. Central Bank of Nigeria* [2014] UKSC 10 during the course of the litigation. A number of the decisions made in this case have been reported and are the subject of comment in the White Book.
- Defending a settlor of a trust holding land worth in excess of £9m.
- Advising and representing children, via their litigation friend, of a multi-million pound settlement in respect of the validity of the trust and on issues pertaining to the removal and replacement of the trustees.
- Successfully representing a beneficiary of an express and constructive trust against a claim made by her brother-in-law and sister-in-law who sought to claim ownership of her home. This was a bitterly fought family dispute that was heard over the course of 15 days in the High Court.

Company law

Margaret has a wealth of experience in company law matters, particularly in cases involving issues of unfair prejudice, just and equitable winding up and derivative actions.

Margaret frequently acts in claims against directors and accessories, particularly in the context of shareholder disputes and civil fraud claims. Recent cases include:

- Successfully representing the petitioner in an unfair prejudice petition in which a breach of a director's fiduciary duty claim was successfully made and losses to the company in the sum of £4.5 million was established. The petitioner's shareholding was valued to be in excess of £6.5m.
- Acting for two petitioners in an unfair prejudice petition in which a serious breach of fiduciary duty claim is alleged and the value of the petitioners' shareholding is estimated to be £10m.
- Successfully representing and defending an alleged accessory to a fraud and dishonest and deliberate breach of fiduciary duty claim for a sum in excess of £17m. The case concerned an allegation of fraud on a highly valuable family

business over the course of decades which required extensive deployment and consideration of expert evidence across a range of disciplines, including handwriting evidence, document dating evidence, forensic accountancy evidence, building surveying and quantity surveying evidence.
- Representing a son in his claim to a share in a real property portfolio valued at £35m. The claim involved allegations and counter allegations of breach of fiduciary duty and fraud and disputes in relation to the validity of a trust executed by family members.

Professional liability

Margaret specialises in professional liabilities litigation (professional negligence and breach of duty claims), with a particular focus on claims arising in a commercial, company, trust and property context. Margaret's own expertise, and extensive litigation experience, in these areas means that she is superbly placed to deal with such claims.

Margaret regularly acts for and against:

- Professional and non-professional trustees;
- Directors and officers;
- Solicitors in respect of non-contentious retainers, such as will, trust and contract drafting;
- Solicitors and barristers in the context of failed litigation/litigation gone wrong;
- Architects, surveyors, builders and other property professionals.

Margaret has been instructed on a number of complex, document heavy and high-value claims against directors for breach of fiduciary and statutory duty, and related accessorial claims, such as:

- *Hague Plant Ltd v Hague* [2018] EWHC 2517 (Ch)
- *Hague Plant Ltd v Hague & Ors* [2017] EWHC 2021 (Ch)
- *Hague Plant Ltd v Hague & Ors* [2014] 3383 (Ch)
- *Hague Plant Ltd v Hague & Ors* [2014] EWCA Civ 1609
- *Hague Plant Ltd v Hague & Ors* [2014] EWHC 568 (Ch)

She is experienced and adept at deploying expert evidence across a range of disciplines in the context of these claims, including document dating, handwriting, quantity surveying, building surveying and forensic accountancy expert evidence.

Injunctions and interim remedies

Margaret is regularly instructed to seek injunctive and other interim relief in matters across her practice areas, recent examples include:

- Interim and final privacy and secrecy orders
- Freezing injunctions
- Mandatory injunctions
- Delivery up of company documents and records
- Specific disclosure
- Security for costs

Margaret regularly accepts instructions on an urgent basis and can deal with such cases at very short notice and outside of normal business hours.

What others say

“Calm under pressure. Great at strategy. Articulates the complex in plain terms. Fantastic on her feet.” *Legal 500, 2027*

"She has excellent knowledge and experience, especially in cases with an element of trusts, probate or private client work. Extremely efficient." *Legal 500, 2026*

"A junior with excellent judgement. She fights tenaciously for her clients." *Legal 500, 2025*

"A first-rate, serene advocate, who sees angles where others do not." *Legal 500, 2025*

"I always welcome practical, realistic advice from counsel, and I know Margaret is very good at that." *Chambers UK, 2023*

"She is an excellent communicator, and has an incisive eye for the important issues in a case." *Legal 500, 2023*

"An extremely able and intelligent operator, tactically astute and thorough in her knowledge and preparation." *Legal 500, 2023*

“Margaret is unstoppable. Her business acumen is second to none and her advocacy is superb” *Legal 500, 2022*

“Margaret is a strong advocate and a tough negotiator, and combines these skills with an excellent client manner which instils great confidence” *Legal 500, 2022*

“Margaret is excellent. She has great attention to detail, as well as being pragmatic and providing detailed advice” *Legal 500, 2022*

“Very diligent, perceptive, thorough and robust. Someone in whom you immediately have confidence, whether in conference or in court.” *Legal 500, 2021*

“Very thorough with a good grasp of detail; utterly tenacious.” *Legal 500, 2021*

“Margaret finds answers where others wouldn’t. She is tenacious beyond expectation and always goes above and beyond. She is simply the best.” *Legal 500, 2021*

“She is impressive and has gravitas." *Chambers UK, 2019*

“She’s excellent; she’s very good with clients and a very good trial advocate.” *Chambers UK, 2019*

“She has a good manner and is very thorough and good in court.” *Chambers UK, 2019*

“A talented and tenacious advocate with strong commercial awareness.” *Legal 500, 2019*

“Tenacious, stubborn and hard-working… She puts in a huge amount of work on cases.” *Chambers UK, 2018*

“She gets right to the heart of matters and can explain things well to clients. She is very good in front of judges too… Very knowledgeable and a confident advocate who performs very well in court.” *Chambers UK, 2018*

“She has a very unruffled approach to cases.” *Legal 500, 2017*

“A barrister with a very self-possessed demeanour.” *Legal 500, 2017*

“As well as being available to talk, she is down-to-earth in presenting quite difficult concepts to clients.” *Chambers UK, 2017*

“She is switched on and bright.” *Chambers UK, 2017*

“I’ve seen her in court and she’s something to be reckoned with. She has a very direct and no-nonsense style, and I think clients really like that.” *Chambers UK, 2017*

“Commercially astute, approachable and tenacious.” *Legal 500, 2016*

“An unrelenting advocate.” *Legal 500, 2016*

“She is calm and methodical, and has really good attention to detail.” *Chambers UK, 2016*

“She is thoughtful and thinks about things on a commercial level.” *Chambers UK, 2016*

“She is a safe pair of hands, and very pleasant.” *Chambers UK, 2016*

“Very good at explaining things and can always get her point across.” *Chambers UK, 2016*

Reported cases

Hague Plant Ltd v Hague [2018] EWHC 2517 (Ch) – commercial fraud case involving breach of fiduciary duty and breach of trust, successfully established before Barling J the mandatory nature of an order granting a company permission to amend its

particulars of way in a specified way and breach of an unless order.

Hague Plant Ltd v Hague & Ors [2017] EWHC 2021 (Ch) – successfully defended before Norris J an Application to amend Pariculars of Claim to, *inter alia*, introduce an allegation of reckless breach of fiduciary duty.

Hague Plant Ltd v Hague & Ors [2016] EWHC 2663 (Ch) –15 day trial of a Preliminary Issue before Norris J concerning a fraud perpetuated for several decades which involved document dating, forensic accountancy and quantity surveying expert evdience: issues determined in favour of Margaret's client which ultimately led to the £17m case against Margaret's client collapsing.

Bloor (trading as Doncaster Property Services) v Beresford & Ors [2016] EWHC 2663 (Ch) –successful Application before Sir David Eady to amend a Claim Form and Particulars of Claim and to rely upon expert forensic accountancy evdience.

Hague Plant Ltd v Hague & Ors [2014] 3383 (Ch) – multi-million pound civil fraud and breach of fiduciary duty claim before Norris J: lengthy trial of a Preliminary Issue ordered

Hague Plant Ltd v Hague & Ors [2014] EWCA Civ 1609 – successfully upheld (led) first instance decision in the Court of Appeal in a dishonest breach of fiduciary duty and dishonest assistance/knowing recept case in matters of general importance as to the proper approach to take to drafting particulars of claim in the context of a complex fraud case.

Hague Plant Ltd v Hague & Ors [2014] EWHC 568 (Ch) – successfully defeated a substantial Application (5 days) to re-amend Particulars of Claim against a silk.

NT v FS and others [2013] EWHC 684 – trial involving a bitterly fought family dispute over £.3.1m.

Singh v Kaur & Ors [2011] EWCA Civ 1554 – £2m trust dispute before the Court of Appeal: successfully upheld (unled) first instance decision in Margaret's client's favour.

Further information

Education and Memberships

- New Hall College, Cambridge University BA, MA English Literature
- City University of London, Graduate Diploma in Law
- Inns of Court School of Law, Bar Vocation Course
- Called to the Bar, Gray's Inn, 2004

Margaret Griffin's principal place of business is Jersey. All of Margaret's professional services (save for in-person Court appearances) will be performed from Jersey unless otherwise specified or agreed. All contractual terms, fee agreements and client

engagements must be approved by Margaret or her authorised representatives based in Jersey. Margaret's professional services are outside the scope of UK VAT and supplied from Jersey. Correspondence may be directed to Margaret's clerks at Hailsham Chambers.

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