

## **Imran Benson**

Call: 2005



### **Overview**

Imran is an experienced litigator who is well known for a robust but charming style of advocacy alongside responsive and highly personable client service. He enjoys working closely with his clients to find the right strategy to achieve their commercial goals and to build the best possible case. He focuses on professional liability, commercial litigation, costs and insurance disputes and is often sought out in other areas. He gives clear and straightforward advice even in the most complex and nuanced situations.

He is ranked in the legal directories for both professional negligence and costs and was nominated by both Legal 500 and Chambers and Partners as their Professional Negligence Junior of the Year for 2024 (having been nominated in 2023 by Legal 500 as well). He was in one of The Lawyer's Top 20 cases of 2024 in a major construction case and is in the same list for 2025 in a major group litigation claim. Imran is instructed by national, City and international law firms, as well as institutional clients and HNW individuals. He is regularly instructed on his own to go against KCs. On the heaviest cases he occasionally juniors to very experienced commercial silks (currently by KCs at Fountain Court and One Essex Court).

He is happy to work on a CFA/DBA basis in the right case. He also accepts direct public access instructions from sophisticated non-lawyers.

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### **Professional liability**

A substantial part of Imran's practice involves professional liability work focusing on lawyers, construction & property and financial professionals.

### **Lawyers**

Imran's lawyer's liability practice is extensive. It typically includes: all kinds of property related disputes, fraud, litigation gone wrong and failed non-contentious

transactions such as business sales, SPAs, tax avoidance, art purchases and wills claims. He spent several years acting in £multi-million group claims arising out of failed fractional ownership schemes (care homes, hotel rooms etc). He is acting in a £10m negligence claim against a leading regional firm alleging dishonest assistance by the conducting solicitor. He has sued well-known KCs and sued and defended large City firms.

## **Construction & Property**

Imran has considerable construction professional expertise, acting for and against architects, engineers, clerks of works, cladding specialists, QS and more. For example he was instructed in a 3 month c.£100m TCC trial commencing in October 2024 (which featured in The Lawyer's Top 20) on behalf of the excess insurer of an insolvent architects practice about a vast mixed use development. He often deals with cases where there is an overlap of construction negligence, insurance issues and sometimes fraud.

Imran has a deep knowledge of the property professional sector. He spent 3 years as a member of the RICS Conduct and Appeals Committee, which disciplines RICS members and has first-hand experience of supervising the management of a substantial central London commercial estate.

He has acted in cases involving all the leading London based international real estate firms. This typically involves alleged negligent valuations of development sites with large GDVs (£1m – £120m) or valuations of industrial, retail, residential, office and alternative properties such as casinos, hotels, utilities, student housing and data centres. He deals in related claims involving LPA Receivers and distressed sales. In April 2025 he successfully defended a large valuer's firm in connection with purpose built student accommodation valued at £16.5m.

His practice also includes complaints about advisory services and property management work. Post crash he was instructed in a range of high value and complex claims (£20m – £60m) concerning the valuation of City of London office blocks and the effectiveness of associated debt securitisation.

## **Finance**

Imran's work relating to financial professionals covers auditors, accountants, actuaries, business sales brokers, IFAs, insolvency practitioners, tax advisors (including investment scheme promoters), pension professionals and insurance brokers and corporate advisors.

Recent cases have involved defending an accountancy firm in a £5m claim connected with an MBO and acting for a business brokerage in a £6m deferred consideration dispute. He has considerable experience in claims involving inappropriate advice and investments, pensions professionals, claims involving private equity, inadequate accounts reporting, failed tax avoidance schemes, He acts both for and against such professionals and is adept at reading financial statements. Many of these claims involve cross claims against other professionals – in respect of which he has broad and deep experience.

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## **Costs**

Imran has a busy contentious and non-contentious costs practice typically involving City firms. Recent instructions have come from firms such as Herbert Smith, Weightmans, Macfarlanes and Crowell & Moring. He is often instructed to help negotiate and formalise complex fee arrangements at an early stage of a claim where there is a delicate dance between clients/lawyers/funders or when a major problem has surfaced. He attacks or defends such arrangements where necessary.

In particular he has a deep expertise in costs issues associated with group litigation/competition claims. For instance he acts for Mercedes/Herbert Smith Freehills in the NOx litigation, where costs of more than £500m were claimed.

He has appeared in a number of significant costs cases including the leading case at the Court of Appeal on non-party costs orders in the context of small family businesses and a large number of appeals arising from the endless reforms to the costs parts of the CPR.

He has acted and continues to act for High Net Worth individuals, assisting them and their staff with resolving litigation gone wrong situations. He brings a practical and highly responsive attitude to such cases – happy to deal with WhatsApp calls on a moments notice.

Imran also regularly deals with detailed assessments/preliminary points/item-by-item challenges both inter-partes and solicitor/client in the SCCO or elsewhere. He occasionally sits at the SCCO as a Deputy Costs Judge and has vast familiarity with all these issues.

He accepts appointments as an assessor or delegate to deal with costs issues in heavy commercial arbitrations. His commercial and costs practice as a practitioner as well as his judicial experience, means he is focused on delivering fair and quick resolutions. This is normally on a fixed fee basis. He has written the chapter on Arbitration in the Butterworths Costs Encyclopedia.

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## **Commercial law**

Imran has a broad, busy and substantial company and commercial disputes practice and regularly acts in insured D&O claims as well as in FSMA and securities litigation.

Typically this arises out of fraud, SPA disputes, failed domestic and international investments or general contractual or quasi-contractual disputes. He has acted for and against banks and financial institutions both large and small for many years.

By way of example:

- In 2024 he successfully acted for a group of Nigerian businesses in a dispute with their currency e-money provider involving issues under the Proceeds of

Crime Act 2002 and appropriate consent and a Voluntary Requirement (VREQ) under the Electronic Money Regulations 2011. Imran's strategy enabled dozens of businesses to each obtain the release of hundreds of thousands of pounds of their money which had been frozen for years.

- He is currently engaged in a £18m corporate fraud claim against a former CEO and FD. This has involved co-ordinating a WFO and Search & Imaging Order and ancillary applications in 10 overseas jurisdictions and numerous contested interlocutory applications including a hearing in the Court of Appeal in June 2025 about freezing injunctions.
- *Van Zuylen v Whiston-Dew* [2021] EWHC 2219 – commercial fraud case involving offshore trusts, FSMA 2000, breach of trust, breach of fiduciary duty and deceit. Widely reported in the Times and Daily Mail. Led by KC at Fountain Court.
- Successful application under the Cross Border Insolvency Regulations 2006 for recognition of a foreign representative of main proceeding.
- *Cool Seas v Interfish* [2018] EWHC 2038 – 17 day trial before Rose J concerning a s.994 petition and cross-petition with cross allegations of fraud relating to a £multi-million business. Sole counsel against KC and Junior.

Imran regularly obtains and resists a wide range of injunctions: domestic and international freezers, search orders and employee anti-poaching injunctions.

He has a deep interest in the art market and has worked on matters concerning auctioneers, art ownership, theft and damage claims.

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## **Insurance**

Imran regularly acts in insurance disputes concerning coverage and brokerage.

Recent work has included advising a number of insureds in relation to BII Covid claims, a successful defence at arbitration of a declinature decision by a Legal Expense Insurer on the basis of (amongst other things) provocation by the insured. He has advised on aggregation rights arising out of innocent misselling of a fraudulent investment scheme. He regularly advises on the solicitor's and ICAEW minimum terms. He is involved in fights about successor practices.

He regularly advises on coverage and carries out coverage interviews. He successfully defended QBE on a declinature decision in an accountant's case both at arbitration and on subsequent appeal to the Commercial Court. He has overturned arbitration coverage decisions on the basis of breach of natural justice. He successfully acted as sole counsel in a dishonesty coverage arbitration worth in excess of £20m where opponents were represented by 3 KCs and 4 juniors over the course of the case.

However, his insurance expertise is much broader. He has been involved in a number of fire/property damage claims, recovery claims and a full range of D&O disputes – especially involving fraud. He knows the importance of meticulous

attention to detail and the need to take swift and robust action.

He has acted on disputes between broker and underwriter about commission, premium, validation and IPR. He has knowledge of (and indeed written a chapter on) Takaful (Islamic insurance). He acts in broker's negligence claims and is very familiar with the difficult tactical decisions to be made in such cases.

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## **Arbitration and international**

Imran has an arbitration practice involving both ad hoc and the commonly used rules. He has been to, amongst other places, Mauritius, the Middle-East and Channel Islands for professional reasons and is happy to travel where appropriate.

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## **Cyber and information technology**

Imran often acts in claims involving crypto, cyber and technology matters. This relates to cyber fraud and hacking, failed IT upgrade and modernisations programmes. He is familiar with many of the technical and legal concepts which apply in this developing area. He has advised indemnity insurers about the consequences of data hacks at well-known legal services providers. He acts in crypto fraud cases and is very familiar with the technical concepts.

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## **Group Litigation**

Imran has acted in a large number of collective actions, for both claimants and defendants, sometimes in the context of a formal GLO and sometimes under other procedural regimes. He is an expert in navigating the complex dynamics which can arise, and the specialist issues to do with funding, pleading and proving the case. Recent instructions include both generations of the NOx litigation and mass investor claims in property schemes.

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## **What others say**

"Imran is an excellent costs practitioner at the top of his game. He's very, very good." *Chambers UK, 2025*

"He's very experienced and very easy to work with when you're on the other side." *Chambers UK, 2025*

"Imran is client-friendly, good on paper and on his feet." *Chambers UK, 2025*

"An excellent senior junior with all-round ability." *Chambers UK, 2025*

"He gives clear advice and is extremely good on his feet. He's a joy to work with." *Legal 500, 2025*

"Imran is an intelligent, eloquent and perceptive barrister who is good at getting the ear of the court. He focuses on his client's best arguments and expresses them with economy and strength. He is also a creative thinker, good at finding new perspectives to recurring and seemingly intractable problems." *Legal 500, 2025*

"Imran has an understated but effective advocacy style." *Chambers UK, 2024*

"Imran's written advocacy is a masterclass and his style of writing is like Lord Denning's unique prose style." *Legal 500, 2024*

"Imran put a barrister's polish on the pleadings and was instrumental in pursuing a novel point which resulted in huge costs savings. He's very professional, gives a clear view and is ace with clients." *Chambers UK, 2025*

"Sound, cool and calm. Very astute." *Chambers UK, 2023*

"Imran is a calm and reassuring presence whose strategic advice and grasp of matters relating to Solicitors Act assessments is exceptional." *Chambers UK, 2023*

"He has a relaxed and approachable style that made him easy to work with, and his submissions feel well considered and persuasive." *Chambers UK, 2023*

"Imran is bright, very commercially minded in his approach, user friendly and a pleasure to work with." *Legal 500*

"Imran has exceptional knowledge of costs law and is an adept advocate who has a natural demeanour in the court room." *Legal 500, 2023*

"Excellent, a first-class senior junior. A superb barrister." *Chambers UK, 2022*

"He's got a very relaxed style, he doesn't panic and he has good advocacy skills." "Imran is very easy to use and has a good sense of humour." *Chambers UK, 2022*

"Approachable and has a laid-back style which is easy to work with." *Legal 500, 2022*

"He is an outstanding player in the professional negligence field. An extremely responsive barrister who knows the law inside out and deftly navigates the nuances of the case. He has real tenacity and is very good with clients." *Legal 500, 2022*

"An engaging litigator, good client-focus, quick thinking, and erudite." *Legal 500, 2021*

"Imran is exceptionally bright, attentive and very commercial; ensuring the legal position and the client's commercial objectives are considered in tandem. A very strong junior who provides forthright and clear advice." *Legal 500, 2021*

"He is very talented and produces strong pleadings but is also very good to deal with, and is happy to explore alternatives to trial." *Chambers UK, 2021*

"A good advocate with a nice calm style, who's highly persuasive." *Chambers UK, 2021*

"He's technically very, very good and he offers clear advice." *Chambers UK, 2021*

"Imran is approachable and provides succinct advice which, whilst offering different options, doesn't sit on the fence." *Chambers UK, 2020*

"He is a super barrister, who is articulate, bright and very sociable." *Chambers UK, 2020*

"He is a skilled advocate who is very good at handling the judge and his opponent." *Chambers UK, 2020*

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## **Recent cases**

*Skykomish v Gerald Eve LLP* [2025] EWHC 1031 – two-week trial successfully defended a £16.5m valuation of purpose built student accommodation, which subsequently sold for £4m. Won on breach and legal causation. Imran's cross examination was described by the Judge as a "*skilful, highly detailed, forensic cross examination*".

*Dowding v The Character Group PLC* [2024] EAT 153 – *Employment Appeal Tribunal decision about whistleblowing protections and indemnity costs orders, partially successful appeal.*

*Crypto Open Patent Alliance v Wright* [2024] EWHC 1809 – *acted in litigation about the alleged founder of BitCoin*

*AO v GC* [2023] KB – successfully acted for Gunnercooke in a claim alleging negligent drafting of a floating charge which was said to have caused the loss of £millions. Claim dismissed by consent on the 4th day of trial after Imran's cross examination of the claimant's key witnesses. Judge described counsel as "*silks in all but name*".

*Van Zuylen v Whiston-Dew* [2021] EWHC 2219 – *commercial fraud case involving offshore trusts, FSMA 2000, breach of trust, breach of fiduciary duty and deceit. Widely reported in the Times and Daily Mail.*

*Goknur v Organic Village* [2021] EWCA Civ 1037 – leading case on non-party costs orders in small company scenario

*De Sena v Notaro* [2020] EWHC 1031 – *defence at month long trial of a firm of solicitors facing a £5m+ fiduciary duty claim connected with a corporate demerger transaction. Claim dismissed with indemnity costs.*

*Malmsten v Bohinc* [2019] EWHC (1386) (Ch) – first proportionality decision at High



Court level. Successfully reduced the opponent's bill from £47,500 to £15,000.

*Confidential v X* – LEI coverage arbitration for insurer relying on, amongst other things, provocation clause.

*Hislop v Perde* [2018] EWCA Civ 1726, [2019] 1 WLR 201 – leading CA case on how Part 36 applies to fixed costs cases.

*Cool Seas v Interfish* [2018] EWHC 2038 – 17 day trial before Rose J concerning a s.994 petition and cross-petition with cross allegations of fraud relating to a £multi-million business. Sole counsel against KC and Junior.

*Oldham v QBE* [2017] EWHC 3045 (Comm) – successful defence on appeal from an arbitration about reimbursement of defence costs paid by an indemnity insurer pending a coverage dispute in which QBE ultimately succeeded.

*DB v Jacobs* [2016] EWHC 1614 – *effect of Part 36 offers on Calderbank offers*.

*Healey v Shoosmiths LLP* [2016] EWHC 1723 – 6 day trial, €2m claim concerning purchase of a super-yacht.

*Confidential* (Jan 2016) – acted for insolvent bank in claim against leading valuation firm re GDV of new-build Surrey mansion. Settled for £2.85m plus costs.

*Heatherville v Knight Frank* (2015, HHJ Bird, Manchester Mercantile) – acted for defendant in casino valuation claim. Claim discontinued with costs shortly before opening.

*Southern Rock v Brightside* (2014-2015) – bitter £multi-million litigation with leaders on both sides in many actions in different Courts concerning insurer/broker dispute about claims handling, brokerage fees, misuse of intellectual property rights etc. *Settled on satisfactory terms*.

*Santander v RA Legal* [2014] EWCA Civ 183 – breach of trust and s.61 relief – Imran successfully appeared at first instance unled, then came second at the Court of Appeal (led).

*Hallam v Baker Estates* [2014] EWCA Civ 661 – Imran successfully established that CPR3.9 does not apply to in-time applications for more time – this was a significant development in light of the topical litigation around Mitchell.

*Nicholson v Knox Ukiwa* [2008] EWHC 1222 – successful defence of 4th generation loss of chance claim, alleged under-settlement at mediation, arising out of wrongfully dishonoured cheques.

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## **Further information**

### **Appointments**



- Deputy Costs Judge of SCCO
- Former Member of RICS Conduct and Appeals Committee
- Bristol University Distinguished Alumni Lecturer
- Trustee of Inns of Court Bar Education Trust Charity
- Former Member of the Professional Indemnity Insurance Committee at the ICAEW

## Education

- LLB Bristol University
- Queen Mother Scholar
- Lady Templeman-Indo Goodwill award
- Chancery Bar Lodge Essay Prize

## Memberships

- LCLCBA
- PNBA
- SEC
- TECBAR
- Commercial Fraud Lawyers Association
- Financial Services Lawyers Association

ICO Data protection registration number: **Z9409766**.

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