



Martin Griffiths QC

Essex Court Chambers
24 Lincoln's Inn Fields
London WC2A 3EG
United Kingdom

Tel: +44 (0) 20 7813 8000
Fax: +44 (0) 20 7813 8080
Email: mgriffiths@essexcourt.net

Practice

- Banking, securities, derivatives
- Civil liberties & human rights
- Commercial fraud & asset recovery
- Confidentiality
- Employment law
- Financial services & disciplinary tribunals
- Injunctions & arrests
- Media & entertainment
- Sports law

Martin Griffiths QC has a versatile general commercial practice including but by no means limited to employment law. He is an experienced lead trial advocate in all divisions of the High Court.

Although many of his clients are from the financial and banking sectors, he is also instructed in cases from the worlds of sport, media, stolen antiquities and other diverse sectors. His practice is in London. However, he is increasingly being instructed in cases overseas, including appearances in the Court of Appeal of the Eastern Caribbean, and in the Cayman Islands.

He is a member of the Bar Council and on the Committee of the Employment Law Bar Association. He was appointed a Recorder in 2009 and sits as a part time judge in the Crown Court. He is Chairman of the Professional Conduct Sub Committee of the London Maritime Arbitrators Association.

His many reported cases include leading authorities on the law of directors' duties and trusts (**Ultraframe** [2005] EWHC 1638 (Ch)), PAYE taxation and share options (**McCarthy v McCarthy & Stone plc** [2008] 1 All ER 221 Court of Appeal), garden leave and injunctions (**William Hill v Tucker** [1999] ICR 291 Court of Appeal), the duty of trust and confidence (**Reda v Flag Ltd** [2002] IRLR 747 Privy Council), repudiatory breach and restrictive covenants (**Cantor Fitzgerald v Bird and others** [2002] IRLR 867 *The Times* 30 July 2002; also *The Independent*, *Guardian*, *Daily Telegraph*, *New York Post*, *Wall Street Journal*, etc), Formula 1 sports sponsorship (**Jordan Grand Prix v Vodafone Plc** [2003] 2 Lloyd's Rep 874), European law (**Alabaster v Woolwich Plc and the Secretary of State for Social Security** [2004] IRLR 486), diversion of business opportunities (**Crown Dilmun v Sutton and Fulham River Projects Ltd** [2004] 1 BCLC 468) and costs (**Ultraframe (UK) Ltd v Fielding and others (No 2)** [2007] 2 All ER 983 Court of Appeal).

Recommendations

Martin Griffiths QC is regularly recommended in **Chambers Guide to the Legal Profession** and **The Legal 500** and other independent publications. "Peers know they are 'in for a hard

time' if they are against Griffiths on account of his 'ability to convey complex ideas with elegant, articulate advocacy'. (Chambers Guide). *"Martin Griffiths QC is 'a brilliant silk and a real fighter with a winning streak'."* (Legal 500). He has been described as someone who *"balances intelligence and aggression,"* and presents a *"well-rounded performance"* in the courtroom. Clients find him *"very easy to work with, good on his feet, clear, sensible and brilliantly intelligent."* He is an *"on the ball"* advocate who *"has it all."* *"User friendly"* and *"very very clever"*. He has *"a brain like a bacon slicer"* according to *The Lawyer*. Other descriptions (from Chambers Guide) include *"Highly analytical, quite awesome"*, *"an absolute terrier"*, *"quietly spoken but has a spine of steel"* and *"first class"*. **The Insiders Guides** described him as *"clever and tenacious"*.

Specific Areas

Employment Law

Martin acts for employers and employees, typically in high value and high profile cases. Recent cases include whistleblowing, discrimination, TUPE, and other cases in (or on appeal from) the Employment Tribunal. In the High Court and Court of Appeal, his cases include bonus disputes, share option claims, restrictive covenant injunctions, confidential information claims and a variety of contract claims arising between employers and employees. He is a Committee member of the Employment Law Bar Association (ELBA) and is in charge of the Employment Law Appeals Advisory Scheme (ELAAS).insurance

Media & Entertainment

Martin has acted both for companies and individuals in the theatre, press, radio, television, internet and other media. The cases have included issues of remuneration, commission, privacy and confidentiality, copyright, takeovers and breakaways, poaching, defamation, freedom of speech, sponsorship, service contracts, renewals, and other contractual and corporate issues.

Sports Law

Martin represents a variety of sportsmen and sporting bodies, from footballers to Formula 1 teams and sponsors. His cases are usually contractual disputes and include injunctions as well as trial and advisory work. He also advises in regulatory matters.

Commercial Law

Martin is a member of COMBAR. He acts for investment and retail banks (and central banks), hedge funds, brokers, commodities dealers, the international trade sector, insurance companies, manufacturers and re-sellers, and other commercial clients, including trading partners, employees, directors and commercial agents. His commercial work includes Commercial Court litigation, arbitration, disputes over forum, and general contract and commercial claims and advice.

Chancery and Company Law

Martin is a member of the Chancery Bar Association. He is a Contributing editor to the leading textbook *Company Directors: Duties, Liabilities and Remedies* (Oxford University Press, 2009). His many cases in the Chancery division include boardroom battles, insolvency issues, unfair prejudice petitions, partnership disputes, removal of administrators, asset tracing and fraud, tax, and general Chancery commercial actions. His international Chancery work has included rights of way and succession disputes.

Revenue work

Martin has advised in a variety of tax cases, and has appeared in the Court of Appeal and below in taxation disputes, including PAYE, National Insurance, share option taxation, post termination receipts, and tax indemnity disputes.

Arbitration and Mediation work

Martin is the Chairman of the Professional Conduct Committee of the London Maritime Arbitrators Association. He acts as an advocate in arbitration disputes, including disputes in which there is overlap or conflict between arbitration and High Court (or overseas Court) jurisdictions. He is also available to sit as an arbitrator with the benefit of the well-developed arbitration support offered by Essex Court Chambers. He is frequently instructed in mediations. A large proportion of his cases result in amicable settlements, as a result of effective early analysis of the matters in issue, credible threat (where necessary) to opponents, and realistic and creative identification of solutions by way of alternative dispute resolution.

Overseas and International work

Martin has acted in commercial and other cases in the Cayman Islands, instructed by the Attorney General and others. He has appeared as Leading Counsel in the Court of Appeal of the Eastern Caribbean in defamation and real property matters. He has also acted for member states of the European Union in a number of stolen antiquities cases. He has advised and appeared in many cases litigating aspects of European law, including employment and human rights law, and has been instructed in the European Court of Justice. He has appeared in the Privy Council on appeal from jurisdictions including Hong Kong, Anguilla, Antigua, and Bermuda. He is also admitted to practice in the Dubai International Financial Centre Court.

Other work

Martin's skills and experience as an advocate and as a lawyer who likes to analyse and find practical resolutions for complex cases and difficult situations makes him a versatile practitioner.

If you would like more information about his experience or suitability for a particular case, please speak to his senior clerks, David Grief and Joe Ferrigno; or the other members of his clerking team, Paul Sullivan and Anthony Carroll, on 020 7813 8000. Alternatively please contact clerksroom@essexcourt.net