



Emily McKechnie

Call: 2005

emckechnie@wilberforce.co.uk

Clerks' Details

+44 (0)20 7306 0102
tcj@wilberforce.co.uk

Qualifications and Appointments

- MA Law (First Class), St John's College, Cambridge
- LLM (First Class), St John's College, Cambridge
- Whitehead Scholar St John's College, Cambridge
- Wright Prize, St John's College, Cambridge
- Hardwicke and Lord Denning Scholarships, Lincoln's Inn

"A great advocate who is very user-friendly, bright and someone who provides excellent client service."

Chambers & Partners

Memberships

- Association of Pension Lawyers
- ACTAPS
- Commercial Fraud Lawyers Association
- Chancery Bar Association
- COMBAR

Publications

- 'Pension trustees' duties of care and skill' (2009) *Practical Law Company*
- 'Trust to the Future' (December 2007) *New Law Journal Vol 157* (with [Michael Furness QC](#))

Practice Overview

Emily specialises in commercial and traditional chancery work. She has particular expertise in cases involving pensions, contentious trusts and probate, fraud, complex professional liability, and high value commercial disputes, often involving an international element.

Emily is recommended in Chambers & Partners. She is described as "very easy to work with and very bright. She is on top of the pensions material from a technical perspective" (2019). Previous editions have noted that she is "very adept at finding practical solutions around very difficult and complex issues" and "very good with clients and extremely professional. She's a good orator and very good at conveying things verbally in an understandable manner" (2017). She is also "a great advocate who is very user-friendly, bright and someone who provides excellent client service" (2016), "a star of the future" (2014), having "a fantastically clear analytical mind" and being "very commercial in her judgment" (2015).

Legal 500 describes Emily as "a great advocate who is user friendly and very bright" (2019), "meticulous and smart" (2017), "assiduous and able to translate complex ideas into simple propositions" (2016), being "one to watch" (2014) and "a rising star" (2014) who "gets stuck in to the detail in a proactive and intelligent way" (2015).

Emily is a robust advocate who enjoys the litigious aspects of her practice. She regularly appears in both the High Court and county courts, representing clients in interlocutory and final applications, as well as at trial and on appeal. Emily is frequently instructed as junior to Queen's Counsel within and outside Chambers, as well as on her own account.

In recent years Emily has been instructed in cases involving an international element, including disputes arising in Dubai, Hong Kong, Bermuda, Mexico, Nigeria, Switzerland, Grand Cayman, Cyprus and Guernsey.



Commercial

Emily has a wealth of experience in matters concerning a range of commercial and business disputes, including cases concerning fraud, complex contracts, joint ventures, partnerships, quasi-partnerships, financial services, arbitration clauses and commercial property disputes. She is a robust advocate who applies commercial common sense to complex cases and has a strong tactical understanding of the conduct of litigation.

Emily's experience incorporates the wide-ranging issues frequently arising in the context of insolvency and bankruptcy, including transactions to defraud creditors, preferences, transactions at an undervalue, validation orders, the valuation of contingent claims, receivers' powers and duties and extension orders.

Cases in which Emily has recently been involved include:

- *IPCO (Nigeria) Ltd v Nigerian National Petroleum Corp* – proceedings concerning the enforcement of a Nigerian arbitration award in England (with [John Wardell QC](#)).
- *Grupo Mexico SAB De CV & ors v Infund LLP & ors* – acting for Grupo Mexico and its CEO in a claim to rectify the Register of Companies on the ground that Infund LLP was restored to the register by fraud (with [John Wardell QC](#)).
- *Francis v Knapper & ors* [2016] EWHC 3093 (QC) – a claim for fraudulent misrepresentation and conspiracy to deceive arising out of the sale of a holiday park in Cornwall (with [Jonathan Seidler QC](#)).
- Advising the PPF in connection with its claim as a creditor in the proposed CVA for BHS (with David Allison QC).
- *Care London Ltd v Nationwide Building Society* [2015] EWHC 3890 – acting for Nationwide Building Society in connection with a long-running claim for final charging orders. The issues included an alleged sale of the beneficial interest in property and a claim for relief under section 423 of the Insolvency Act 1986.
- *PCP Capital Partners Ltd & ors v Bogolyubov & ors* – representing the claimants in a multi-million pound contractual and restitutionary claim relating to the provision of services to facilitate a £173m investment in Dubai-owned property (with [John Wardell QC](#)).
- Advising upon the meaning and effect of an arbitration clause in a commercial agreement against the background of a wider trust dispute in Guernsey.
- *Andrews v Nationwide Building Society* – representing Nationwide Building Society in a claim concerning the implication of terms into legal charge documentation and the effect of anti-set-off clauses.
- *His Majesty King Abdullah the Second King of the Hashemite Kingdom of Jordan v Carnwath & ors* – acting for the Kingdom of Jordan in connection with a dispute concerning proprietary estoppel and rights to enfranchise commercial property.
- Advising in relation to the power of a major financial services provider to refuse to award a final bonus under an annuity contract containing a guaranteed annuity rate.
- Acting for the claimant in proceedings concerning the winding up of a partnership and an order for an account.
- *In the matter of Gatnom Capital and Finance Ltd* – appearing for the petitioning creditor in connection with a dispute between two Russian nationals which concerned complex business transactions conducted through a number of English and offshore companies. Emily successfully obtained a non-party costs order against the sole director of Gatnom Capital & Finance in relation to costs incurred during proceedings to revoke a fraudulently-induced CVA (In the matter of Gatnom Capital, 29 November 2011, unreported, before Newey J).
- Providing advice to a major port authority against the background of the *PNPF Trust Co Ltd* litigation concerning its financial obligations to a pension scheme (with Timothy Howe QC).
- *Hayburn Rock Associates Ltd v The Norwich Union Life Insurance Company Ltd & ors* – acting for a financial services provider in connection with a dispute over the provision of guaranteed annuity rates by Norwich Union and the duty to treat customers fairly under the FCA Handbook.



Commercial continued

- Acting for the defendant national landfill site operator in defence to claims in nuisance (with [David Phillips QC](#) and [Martin Hutchings QC](#)).
- Acting for the claimant landowner in a claim for specific performance of a contract for the sale of land to a development company. The case also involved allegations of dishonest misrepresentation (with [Jonathan Seidler QC](#)).