



James McCreath

Call: 2009

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Clerks' Details

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Qualifications and Appointments

- BA Oxon (First Class), DipLaw (City) (Distinction)
- Major Scholar (Inner Temple), Scholar (Balliol College, Oxford)

“He masters complex cases with relative ease”

Chambers & Partners, 2016

Memberships

- Chancery Bar Association
- Commercial Bar Association

Publications

- Co-editor (with Andrew Mold) of the negligence section of *Cordery on Legal Services*
- Contributor to Atkins' Court Forms (Restrictive Covenants)

Practice Overview

James has a growing reputation as an up and coming junior in Chambers' core areas, with a practice focusing on commercial disputes, property, pensions, trusts, and associated professional liability. He has been recommended in Chambers & Partners 2015 and 2016 for Commercial Chancery work (the first junior of his call to be ranked in this field), and in Chambers & Partners 2016 for Pensions. The directories noted his communication skills, his ability to get on top of the details of a case, and his attention to client service. He was also "highly recommended" in Legal Week's 2016 'Stars at the Bar'.

His recent highlights include acting as junior Counsel for the successful appellant in *Cavendish Square Holdings BV v Makdessi* [2015] UKSC 67, [2015] 3 WLR 1373, in which the Supreme Court redefined the test for identifying a contractual penalty. That was his second appearance in the Supreme Court in two years, having previously appeared for the successful appellant in *Manchester Ship Canal Company Ltd v United Utilities Water Plc* [2014] UKSC 40, [2014] 1 WLR 2576.

James' practice combines both advisory and litigious work and he has a busy practice acting in cases as junior to silks inside and outside Chambers, often in cases involving an international element or proceedings in several different jurisdictions. Alongside these, he also undertakes his own substantial cases and regularly appears as an advocate, appearing at all levels up to and including the Court of Appeal.

He has been recommended in the directories in the following terms:

- Chambers and Partners 2016, Chancery: Commercial: *"A notable young junior who has a growing reputation among solicitors and peers alike", "He is thorough and articulate and demonstrates very good research skills."*
- Chambers and Partners 2016, Pensions: *"He masters complex cases with relative ease, and is always helpful no matter what the demands of the case are."*
- Chambers and Partners 2016, Chancery: Commercial: *"He has an excellent grasp of detail and is very user-friendly and available."*



Trusts, Tax, Probate and Estates

James practices across a range of contentious trust and estate matters. He is involved in matters relating both to onshore and offshore structures, and his recent cases include:

- Acting in a number of applications to remove trustees and executors (including as junior to [Brian Green QC](#) in a matter relating to a very substantial BVI trust).
- Acting and advising on allegedly 'sham' trusts in divorce proceedings.
- Acting and advising in cases relating to dispositions of trust property (including challenges to those dispositions).
- Acting in various proceedings against trustees for breach of trust.
- Acting in various proceedings against solicitors for allegedly negligent advice relating to estate and inheritance tax matters.