



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)

“Clearly destined for great things, a true rising star”

The Legal 500 2020

“One to watch in the future”

Chambers & Partners 2020

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 2019 for Commercial Chancery and Pensions work, and as a leading junior for his Property and Pensions work in the 2019 edition of The Legal 500. 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 2020, Chancery: Commercial: *"A real rising star who is a real team player and has amazing judgement and knowledge." "He displays a valuable and unerringly reliable intuition about how courts will respond to arguments both in interim applications and more generally. He is unflappable and makes himself available when you need him. He wears his considerable intellect lightly and is genuinely a pleasure to work with."*
- Chambers and Partners 2020, Pensions: *"He's an incredibly hard-working and technical lawyer. He has an approachable manner and a sharp intellect." "One to watch in the future."*
- The Legal 500 2020, Property: *"Clearly destined for great things, a true rising star."*
- The Legal 500 2020, Pensions: *"Real expertise in pensions matters, a true technician and extremely hardworking."*



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.