



John Martin QC

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QC: 1991

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Clerks' Details

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Qualifications and Appointments

- Deputy High Court Judge since 1993
- Judge of the Courts of Appeal of Jersey and Guernsey since 2007
- Justice of the Court of Appeal of the Cayman Islands since 2013
- MA (Cantab)

“Highly regarded for his wisdom and superb advocacy”

The Legal 500

Memberships

- Chancery Bar Association
- COMBAR
- Professional Negligence Bar Association

Practice Overview

John Martin is an exceptionally experienced and effective advocate in a very wide range of commercial chancery and business disputes. He is adept at leading a team of specialists in complex litigation, whether within or without his own specialties.

He has a particular expertise in contentious trust cases, in company and insolvency matters, in contract disputes of all types (often with a complex technical background) and in tort (particularly the economic torts, having appeared for the successful party in the leading modern House of Lords case on unlawful means conspiracy, *HMRC v Total Network* [2008] 1 AC 1174).

He deals also with professional liability disputes in these and other commercial chancery areas. His practice is both domestic and international: Overseas, he has dealt with matters originating in Hong Kong, Singapore, the US, Australia, Canada, Russia, Switzerland, Italy, Bermuda, Gibraltar, Netherlands Antilles, Nevis, the Cayman Islands and the Channel Islands among others, and has appeared in the courts of many of these jurisdictions.

He is a (part-time) appeal court judge in Jersey, Guernsey and the Cayman Islands and has been a deputy High Court judge for over 20 years; and he is an experienced arbitrator in international and domestic disputes. He is also a qualified mediator.

John Martin QC is described by **Who's Who Legal: UK Bar 2016** for Private Client as the "go-to silk" at chambers for contentious trust cases and as a "great tactician"

John Martin QC has been consistently recommended in the legal directories, Chambers & Partners 2015 describe him as "*an enormously impressive man*" with "*tremendous gravitas*" and "*who is terrific on his feet*". Previous editions note his "*great attention to detail*" and "*superb advocacy*". He is also commended as being "*prescient in his advice and has an incredible willingness to be part of the team. He doesn't pontificate from afar, and provides invaluable analysis*".

Chambers & Partners 2016 further describe him as a seasoned member of the Chancery Bar who takes on, inter alia, instructions on matters concerning trusts, property and charity issues. He also regularly acts as a mediator. "*He has been around a long time, and he knows it all.*"



International Arbitration

John Martin has substantial experience of conventional dispute resolution (as a single tribunal or as part of a three-person tribunal) and of alternative dispute resolution, as arbitrator or participant in arbitration.

The following are examples:

- Acting as single arbitrator in an ad hoc arbitration relating to a dispute about telecommunications provision at Canary Wharf.
- Acting as single arbitrator in an ad hoc arbitration relating to a dispute between British and Canadian companies over payment for extraction of water from the Manchester Ship Canal. An attempt to appeal the award was rejected by the Commercial Court on the ground that the decision was "plainly right".
- Acting as single arbitrator in an ad hoc international arbitration involving a major foreign national telecoms company relating to a dispute between British and Swedish companies over tele-warehousing. In the course of this arbitration, it became necessary to decide the scope of the inhibition in sections 48(5)(b) of the Arbitration Act 1996 on an arbitrator making an award of specific performance of a contract relating to land. An appeal against the decision on jurisdiction was dismissed by the Chancery Division: *Telia Sonera Ab v Hilcourt (Docklands) Ltd* [2003] EWHC 3540 (Ch).
- Acting as counsel in a long-running ICC international arbitration in Paris relating to a dispute between British and Italian companies over rights to software updates reflecting improvements to a naval gun supplied to 39 navies worldwide.
- Acting as counsel in a LCIA international arbitration relating to a dispute over veto rights in shareholders' agreements affecting the conduct of a major international commodities producer.
- Nominated as single arbitrator in a LCIA international arbitration in Paris relating to a dispute between Norwegian and French companies relating to closing adjustments in a share sale agreement affecting an oil and gas exploration company operating in Turkey.