



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.*"



Trusts, Tax, Probate and Estates

John Martin has an extensive practice in international and domestic contentious trust work.

Examples of cases he has been involved in in recent years are as follows:

- Acting in the final proceedings in the Thyssen case in Bermuda and the Cayman Islands, involving protracted and hostile negotiations for the partition of the trust fund.
- Representing the interim administrators of the estate of a Georgian oligarch as party to well-publicised litigation by Boris Berezovsky.
- Representing minor and unborn beneficiaries in extensive and hard-fought negotiations for the partition of a CAD multi-billion trust established by a Canadian in Bermuda.
- Acting for younger members of a family in successfully resisting an attempt by their brother in English proceedings to overturn a confidentiality clause in an order compromising previous family trust proceedings.
- Acting in long-running proceedings in the Cayman Islands concerning a challenge to a trustee's decision to make an IPO in relation to the company through which the trust's business was conducted.
- Acting in proceedings in Bermuda concerning trustee oversight of a major international business owned by the trust.
- Acting in the first bouts of the Wahr-Hansen protracted and hostile proceedings in the Cayman Islands brought by an administrator appointed by a Scandinavian tax authority to recover very substantial sums allegedly misappropriated from a trust.
- Acting in proceedings in Canada relating to the diversification of a £ multi-million pound fund with major land holdings in England.
- Acting in proceedings in the Cayman Islands concerning the validity of a clause purporting to forfeit the interest of a beneficiary who challenged any decision of the trustee or protector: *AN -v- Barclays Private Bank & Trust (Cayman) Limited and others* [2007] WTLR 565.
- Acting in relation to Jersey proceedings concerning the conduct of a company by a beneficiary of a Guernsey trust that controlled the company.
- Acting in relation to Jersey proceedings concerning the conduct of a company by a beneficiary of a Guernsey trust that controlled the company.
- Acting in proceedings in Gibraltar concerning alleged breaches of trust in a substantial fund.
- Acting in a family dispute concerning the removal of a newly-appointed trustee and protectors.
- Acting in relation to trusts of bond issue effected in Netherlands Antilles: part of protracted and well-publicised Bell Group litigation primarily based in Australia.
- Acting in a family dispute concerning division of a renowned collection of porcelain.
- Acting in connection with de facto revocation of trusts affecting very substantial proceeds of the sale of an international business, involving proceedings in Nevis, BVI and London.