Gerard Clarke

Year of Call: 1986



Practice Summary

Gerard Clarke is a widely experienced dispute resolution lawyer and advocate with experience in commercial disputes and in regulatory and public law. Gerard is experienced in onshore and offshore commercial litigation, arbitration, and mediation, including fraud and asset recovery claims, trust disputes, and corporate insolvency and restructuring, and in judicial review, regulatory disputes, and sport and media law. Gerard has extensive experience of interlocutory, trial, and appellate advocacy, in courts and tribunals at all levels in the UK, BVI, and Cayman. Gerard has advised the Governments of the UK, Hong Kong, the Cayman Islands, Jersey, Guernsey, and the Isle of Man.

Gerard has extensive experience of commercial litigation covering a wide range of business sectors, and recent specialist expertise in the growing fields of litigation funding and ATE insurance.

Recent work includes very large scale BVI company/commercial and trusts litigation for clients from multiple jurisdictions including Russia, PRC, Hong Kong, and Malaysia. Cases include *Alfa Bank v Emmerson* in the BVI Commercial Court (acting for Alfa Bank), *Wilton v AFS Trustee*, a complex multi-jurisdictional trusts dispute, and *Nissan v Carlos Ghosn*, a high profile BVI dispute concerning the superyacht MV Shachou allegedly owned by former Nissan CEO Carlos Ghosn.

Cases include:

R (Durand Academy) v Ofsted [2017] EWHC 2097 (Admin) - Challenge to education regulator.

Roberts v Attorney General [2016] EWHC 3219 (QB) - Duty of care of Police inspectorate

R (Barda) v Mayor of London [2015] EWHC 3584 (Admin) - Freedom of assembly and expression: protests in Parliament Square

Axis International v Civil Aviation Authority of the Cayman Islands [2014] CILR - Judicial review of aviation regulator.

R (Gallastegui) v Westminster City Council [2012] EWHC 1123 - Protest in Parliament Square - freedom of assembly and expression.

Stafford Hospital Public Inquiry 2011-2014 - Public Inquiry into preventable deaths at NHS hospital.

R (Associated Newspapers) v Leveson Inquiry [2012] EWHC 57 (Admin) -Challenge to Leveson Inquiry re witness anonymity

Gerard has advised and represented media organisations and individuals in the film, television and record industries. Sports law experience includes representing the UK Premier League, Football League, and their member clubs in disputes with the Professional Footballer’s Association, advising the Premier League and UEFA on the player transfer system, advising leading Formula One teams on driver contracts, advising and representing Premier League football clubs, and disciplinary and doping cases before the governing bodies and tribunals of various sports.

Memberships

- UK Chancery Bar Association
- UK Bar European Group
- Combar

Education

- First Class Honours, Modern History
- Wadham College, Oxford, 1984 (BA and MA)
- Diploma in Law University of Westminster, 1985

Areas of Expertise

- Administrative Public Law
- Human Rights Equalities
- Commercial
- Elections
- Inquiries And Inquests
- Professional Discipline And Regulatory
- Sport Media And Entertainment
- Business Crime