

John Briggs

Called to the Bar 1973

+44 (0)20 7696 9900

johnbriggs@southsquare.com



John specialises in domestic and cross-border insolvency, commercial and chancery litigation, professional negligence and disciplinary proceedings (involving insolvency practitioners), partnerships, financial services and proceeds of crime.

Over the years John has appeared in many high profile cases particularly in the field of personal insolvency, insolvent partnerships and deceased insolvents, including Kevin Maxwell, Asil Nadir, Jonathan Aitken, Kerry Katona, Sean Quinn, Seifert Sedley (solicitors), Nicholas Phillips (the Queen's cousin - deceased), Boris Berezovsky (Russian oligarch - deceased) and Boris Becker.

John is described in Chambers & Partners 2017 (Band 1) as having a "wealth of experience and a fantastic bedside manner with the clients." "His advice is clear and timely, and his knowledge and understanding of the Bankruptcy Court is invaluable."

For many years John has been the Joint Senior Author of the leading insolvency textbook *Muir Hunter on Personal Insolvency*. He was until recently a Deputy Insolvency and Companies Court Judge of the High Court in London and is now a member of the IPA's Regulation and Conduct Committee. Before practising as a barrister, John was a jurist-linguist in French and Italian at the European Court of Justice in Luxembourg.

Insolvency and Restructuring

Over 40 reported cases in litigation related to corporate and personal insolvency in the High Court, Court of Appeal and House of Lords.

Recent cases include:

- ***Wilson and Maloney v McNamara and Others*** [2020] EWHC 98 (Ch), Bankrupt's overseas pension and EU law
- ***Re Emerald Meats*** (London) Ltd [2019] EWHC 433 (Ch), liquidator's assignment of claims
- ***MSD Cash and Carry Plc*** (in liquidation) [2018] EWHC 1325 (Ch), preference and directors misfeasance
- ***Re Jamaica Tavern Limited*** (in liquidation) 2018 EWHC 594 (Ch), removal of liquidators
- ***Oraki and Oraki v Bramston and Defty*** [2017] EWCA Civ 403, professional negligence claim against trustees in bankruptcy
- ***Fielding v Hunt*** [2017] EWHC 247 (Ch); [2017] EWHC 406 (Ch) Liquidators powers; costs
- ***Rose v McGuire*** [2013] EWCA Civ 429, bankrupt's permission to sue trustee in bankruptcy
- ***Bramston v Haut*** [2013] EWCA Civ 1637, discharge from bankruptcy/ IVAs
- ***Re Eichler*** [2011] BPIR 1293, COMI under the EU Insolvency Regime
- ***Re Delberry*** [2008] EWHC 925 (Ch), receivers' fees/misfeasance/production of documents

Offshore

- **Wilson and Maloney v McNamara and Others**, 2021 pending before ECJ in Luxembourg
- **Irish Bank Resolution Corporation v Quinn** [2012] NI Ch 1, cross-border insolvency
- **Handelsmann BV v Hill** [2011] BPIR, Counsel for trustee in bankruptcy in EC Insolvency Regulation case before the Dutch courts
- **FG Hemisphere Associates v Democratic Republic of Congo** [2010] JRC 484, vulture fund litigation against DRC English Counsel acting for third party debtor

Other cases include advising on company liquidations, receiverships and bankruptcies in Cyprus including the recent receivership and liquidation of the supermarket chain GRV North Fruit Ltd and advising on Bahamian and Hong Kong bankruptcy law and advising and acting for the Viscount of Jersey in cross-border insolvency proceedings.

Acted as expert on English corporate and personal insolvency law in recent Irish cases (including **Apperley Investments Ltd v Monsoon Accessorize Ltd** [2020] IEHC 514) and in “Concordato Preventivo” of Corneliani SpA before the Italian courts.

Awards and Recommendations

Chambers & Partners *“Excellent on personal insolvency issues”*
“He is a go-to for difficult problems that need solving in a commercial way”
“Pre-eminent in terms of personal insolvency and is quite excellent in what he does”

Career

2014 Membership and Authorisations Committee of the IPA
2011 Called to the Northern Ireland Bar
1991 Appointed Deputy Registrar in Bankruptcy and Companies (was until recently Deputy Insolvency and Companies Court Judge of the High Court)
1973-1975 Jurist Linguist at the European Court of Justice (Luxembourg)
1973 Called to the Bar of England and Wales

Memberships

ILA
R3
INSOL International
INSOL Europe
Chancery Bar Association
British Italian Law Association

Publications

Joint Senior Author of ***Muir Hunter on Personal Insolvency*** (Thomson Sweet and Maxwell, 1987 to date)

Contributor to ***Cross-Border Insolvency Fourth Edition*** (Sheldon, Bloomsbury, 2015)

Contributor to ***Rayden & Jackson on Relationship breakdown finances and Children*** (Lexis Nexis, 2016)

Consultant Editor to ***Bankruptcy and Personal Insolvency Reports*** (Jordans, 1996 to date)

Joint Author ***Asset Protection Trusts*** (Keyhaven, 2018)

Junior Author of ***Williams & Muir Hunter on Bankruptcy*** (Stevens, 1984 to 1987)

Contributor to ***Insolvency Intelligence***.

Consultant Editor to ***Halsbury's Laws*** , Volume 5, Bankruptcy and Individual Insolvency (May 2020)

Speaker at INSOL Europe Annual Conference (October 2020) Sorrento, Italy and Technical Co-Chair of INSOL Europe Spring Conference 2021.

Education and Qualifications

1972 Examens du Doctorat d'Université, Nancy, France

1971 King's College London University, LLB Hons

Languages

French, Italian

Spanish (working knowledge)

Interests

Travel, walking (Chiltern Society walk leader and contributor to Society's "50 Best Walks"), Languages (Highgate Literary and Scientific Institute), history and politics.