

# Joseph Giret QC

## General Information

Described in court as an “Iron fist in a velvet glove”, Legal 500 says Joseph Giret “puts people at ease exceptionally easily”. His practice is a blend of advisory, drafting and court appearances through litigation. Qualified under the Direct Public Access scheme., Joseph accepts instructions directly from members of the public and professional clients.

With 35 years of experience, Joseph puts his clients’ best interests front and centre. A problem solver, he delivers sensible and appropriate solutions whilst being “one of the most approachable and friendly QC’s we have had the pleasure to instruct”.

- “Exemplary technical and analytical skills”
- “Excellent choice of barrister for sensitive complex commercial litigation”
- “His skills in presenting the case were sublime... assertive, succinct and shrewd”

Joseph has lived and worked in the offshore jurisdiction of Bermuda, which operates under an American-style fused profession model. While in Bermuda, he has worked closely with attorneys from the USA and with very high net worth company representatives.

## Areas of law

Joseph enjoys a formidable reputation for his civil and commercial expertise, which includes:

- Business and Commercial/Chancery Commercial/Company and Partnership disputes
- Intellectual Property
- Professional Discipline & Professional Negligence
- Civil and Criminal Fraud investigations
- Allegations including FCA instituted proceedings
- Alternative Dispute Resolution and Mediation
- Sports disputes of every type and nature

## Commercial

Recognised by the Legal 500 as a leading commercial silk, Joseph is a specialist commercial law barrister with an emphasis on insolvency law and company law. He has particular experience advising and representing clients in a wide range of high-value commercial disputes, breach of contract, trademark disputes and franchise agreements. His experience also extends to advising and representing legal and financial professionals in claims for liability.

Joseph welcomes instructions across the following areas:

- Company and partnership disputes
- Insolvency and bankruptcy
- Trademark disputes
- Franchise agreements
- Professional liability claims

## Recent disputes

Joseph frequently undertakes drafting and advisory work in multi-million-pound claims, including:

- A claim brought by a Hong Kong-based company in a dispute over the construction of a profit-sharing contract and

franchise agreement

- A high-value claim by a firm of solicitors against a former partner and director for breach of fiduciary duties under both common law and statute as a company director
- Acted for a partnership of medical professionals in an acrimonious dispute over the terms of their partnership agreement

### **Public and Regulatory**

Joseph's experience includes all types of regulatory disputes, advising on regulatory aspects of sports law, the Royal Pharmaceutical Society and The GMC. He has had the conduct of disputes with HMRC offences (VAT, Company Act and Tax issues), insider share dealings, as well as fraud, bribery and corruption allegations. He is a highly experienced yachtsman with experience in marine law issues.

### **Recent disputes**

- Acting for the defendants £1.5m claim brought before the Queens Bench Division by the HMRC in a claim for under-declared profits and siphoning off cash into property purchases. The matter was successfully resolved before the commencement of a 15-day trial by negotiating a satisfactory compromise and settlement

Joseph leads legal teams in lengthy and complex trials, acting at every tribunal level. He also acts for parties involved in mediation and arbitration.

### **Memberships**

- Leading Silk 2022 - Legal 500 rankings
- Bar Council
- Association of Regulatory & Disciplinary Lawyers
- British Association of Sports Lawyers
- London Common Law and Commercial Bar Association
- Civil Mediation Council
- Society of Mediators

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