



## Joseph Giret QC

**Year of Call:** 1985

**Year of Silk:** 2010

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## Overview

Joseph Giret QC is a barrister and mediator. He is registered with the respected regulatory body, the Civil Mediation Council as a mediator and is Bar Council / Society of Mediators accredited. His practise is a blend of advisory, drafting and court appearances through litigation or mediation whenever possible. His personal skill sets are perfectly suited to bringing solutions for clients through mediation. He is on the panel of available mediators through 3PB chambers. He has been described in Court as an *"Iron fist in a velvet glove"*.

With 35 years of experience building his skills, Joseph puts his clients' best interests front and centre. He is a problem solver and delivers sensible and appropriate solutions whilst being *"one of the most approachable and friendly QC's we have had the pleasure to instruct"*.

Joseph enjoys a formidable reputation for his civil and commercial expertise. His expertise covers:

- Business and Commercial law, including Intellectual Property and Company and Partnership Disputes
- Chancery commercial
- Alternative Dispute Resolution and Mediation
- All Litigation: embracing all stages from preparation to trial proceedings
- Civil and Criminal Fraud investigations / allegations including FCA instituted proceedings
- Professional Discipline and Negligence
- Sports disputes of every type and nature.

For more information please refer to the Practice Area drop downs below or [click here](#).

Joseph is qualified to accept instructions directly from members of the public and professional clients under the Direct Public Access scheme.

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.

### Notable recent cases:

**FCA -v- R.M** - Advising and acting for client charged with contravention of financial regulations in an action brought by FCA on behalf of shareholders. £5M claim.

**HM -v- OL** - Shareholders dispute and breaches of Directors duties arising from a residents' management company and association.

**W.I + S.I -v- TW** – \$20M claim for repayment of investment sums obtained by fraud, in respect of a high net worth building project in Brazil that failed. Linked Claims filed in USA.

**P Ltd and S.T + B.M** – Claim against former employee, and Iraqi national for restoration of monies taken as part of a sophisticated fraud on Iraqi employer; monies hidden in 40 separate accounts including a number in Iraq.

**N.M -v- Crystal Palace FC** – Claim by former Education supplier to young and aspiring academy players for breach of employment contract.

**D.H + N.H -v- S+HB+P Ltd** – Family business / shareholders dispute over entitlements and construction of shareholders agreements.

Acted on behalf of the **Bermuda Royal Gaming Commission** against former whistleblower employee. Injunction obtained to be served out of the jurisdiction [USA]; object to prevent further disclosures in contravention of employment contract; high level Governmental concerns about highly confidential information being made public and wrecking a scheme to bring Casinos to Bermuda.

## Recommendations

‘A silk who gets straight to the crux of a matter.’

**Legal 500 2022**/Commercial Litigation/Leading Silks/South Eastern Circuit

Joseph Giret QC of 3PB is recognised for his expertise in a wide range of high-value commercial disputes, many of which with international and offshore elements. Solicitors continue to instruct the set because of its ability to 'provide specialist advice, the range of experience its barristers are able to offer and its geographical reach'.

‘His advocacy before judges is impeccable.’

**Legal 500 2021**/Commercial Litigation/Leading Silks/South East

The **Legal 500 Bar Directory 2014** recommends Joseph as a leading commercial silk.

**Legal 500** recommended commercial silk, described as an *"Iron fist in a velvet glove"* and *"Assertive, succinct and shrewd"*. *"He puts people at ease exceptionally easily"*.

### Client recommendations:

*"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"*

## Professional bodies

- 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

# Expertise

## Commercial

Joseph is a specialist commercial law Barrister with an emphasis on insolvency law and company law. He enjoys a formidable reputation for his civil and commercial expertise and is recognised by the Legal 500 as a leading commercial silk. Joseph 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 & 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;

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.

## Articles

*Truth Matters – Enhanced Measures for the Taking and making of Witness Statements for use at Trial*

3PB's commercial and property Silk [Joseph Giret QC](#) and 3PB pupil barrister [Amanda Fernandez](#) examine the impact of Practice Direction 57AC on Witness Evidence at Trial ("PD57AC"). This will apply to witness statements for use at trials in the Business and Property Courts, specifically to claims issued next week - after 6 April 2021 - or to existing proceedings where the witness statements for trial are signed on or after 6 April 2021.

[View Article](#)

3PB's Joseph Giret QC analyses whether an acceptance by conduct overrides a requirement for signature in a contract

[View Article](#)

## 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 include:

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 commencement of a 15 day trial by negotiating a satisfactory compromise and settlement.

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