

Andrew Vinson



Call 2000



Clerks

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Appointments

Recorder (Northern Circuit 2023)

Junior Counsel to the Crown (Regional Panel A)

Member of the Legal Services Panel of the Government of the Virgin Islands

Lead Ethics Trainer for the Northern Circuit

Member of the Liverpool Business and Property Court Forum Committee

Memberships

Chancery Bar Association

Northern Business and Property Bar Association

Property Bar Association

Commercial

Andrew has a substantial and well-recognised commercial litigation practice with extensive experience in the following areas:

- Shareholder and share sale disputes, including derivative claims, unfair prejudice petitions, breach of fiduciary duty and breach of share purchase agreements
- Confidentiality and restraint of trade
- Banking and all areas of securities
- Partnership disputes
- Sale and carriage of goods, both domestic and international
- Professional negligence, in particular solicitors, surveyors and accountants
- Asset finance and recovery

He is frequently instructed in relation to obtaining or resisting injunctive relief, including freezing and preservation/delivery up orders, as well as the enforcement of restrictive covenants and the preservation of confidential information. He has significant experience in cases with an international flavour and choice of law/jurisdiction issues.

Andrew strives in every case to respond promptly to the needs of his client and provide the best practical and commercial solution to legal problems. This approach has led to Andrew being described as “a good commercial man who’s very good at giving advice to corporate clients” and someone “who does a fantastic job and really cares for his clients” in the legal directories, where he has consistently been recommended for commercial dispute resolution since 2007.

Andrew’s expertise has led to a number of presentations on commercial topics to professional audiences. Most recently he has talked alongside Business & Property Court Judges on the subjects of unfair prejudice petitions and derivative claims as well as on freezing and proprietary injunctions.

Insolvency Lawyers Association

Education

- BA (Hons) Modern History, The Queen's College, Oxford (Class I, 1998)
- Common Professional Examination, The College of Law (Distinction, 1999)
- Bar Vocational Course, The Inns of Court School of Law (Very Competent, 2000)
- Harmsworth Exhibition, Middle Temple (1999)

He has authored the following articles:

October 2020: “*Restrictive Covenants in Leases and Restraint of Trade: the Supreme Court’s Change of Mind*” PLC Magazine

March 2021: “*Proprietary Estoppel and the Interface with Property Contracts*”: Lexis Nexis

April 2021: “*Proprietary Estoppel and the Relationship with Oral Contracts*”: Trusts and Estates Law and Tax Journal

He is currently contributing to a book on Director’s Duties.

Andrew also acts in commercial cases as a member of the Attorney General’s Regional A Panel. In 2023 he was appointed as a member of the Legal Services Panel of the Government of the Virgin Islands.

Commercial Cases

Andrew’s recent reported cases in a commercial sphere include:

Etta Healthcare v Steven Aimson & Ors [2024] EWHC 1209 (Ch): acting for the successful Claimant in a claim based upon unlawful means conspiracy against a company’s former managing director, his wife and another former senior employee culminating in an 8 day trial. The case concerned breach of restrictive covenants in employment and shareholder agreements, misuse of confidential information and breaches of equitable duties of confidence as well as procuring breach of contract.

Hope Capital 2 Ltd v Jones [2024] EWHC 1308 (Ch): successfully resisting an appeal against the entry of summary judgment for over £2.5 million against the Defendant guarantor (represented by two counsel) where various issues were raised about the enforceability and continuing validity of the guarantee relied upon.

Jenkinson and McHale v Rotherham Rugby Club [2024] EWHC: successful claim brought in a representative capacity on behalf of over 50 members of a company limited by guarantee who had purportedly been voted out as members at an EGM.

Glocin Ltd v Bancibo SE [2022] EWHC 1858 (Ch): conflict of laws (UK/Czech) in relation to contractual liability and entitlement to commencement insolvency proceedings in the UK.

Borra v Comissioners for Her Majesty's Revenue & Customs and another [2022] EWHC 1195 (Ch): 3 day trial relating to annulment/alteration of a bankruptcy order and the correct identification of alleged debtor including overseas witnesses appearing via videolink.

Howe v Gossop [2021] EWHC 637 (Ch): successfully resisting an appeal following a 5 day trial concerning proprietary estoppel and entitlement to land at which Andrew had also represented the successful party.

The Secretary of State for Business, Energy and Industrial Strategy v Rosenblatt [2016] EWHC 2821 (Ch): 5 day trial seeking disqualification of directors based upon allegations of VAT fraud

Redrow Homes (Midlands) Ltd and others v Hothi and others [2012] L&TR 8: successful appeal to the Upper Tribunal in relation to the construction and operation of service charge provisions.

Mortgages 1Ltd v Wong LTL 1/10/08: four day trial in relation to whether a party with cerebral palsy was bound by a mortgage or whether it was liable to be set aside for undue influence or due to non est factum along with a negligence claim against the solicitors involved in the transaction.

Andrew's other recent or ongoing commercial cases include:

Acting for a supplier to the NHS in relation to a multi-million dispute with a third party (which was represented by leading counsel) as to the terms for supply of testing kits for a nationwide cancer screening programme.

Acting for a major housing provider in two sets of proceedings by and against a university (represented by leading and junior counsel) relating to payment terms when properties were empty due to Covid-19 restrictions and also as to the impact of the extended limitation periods introduced by Building Safety Act 2022 on a claim based upon liability for the original design of the same.

Acting for the Defendant in an eight figure claim for breach of warranties in a share purchase agreement.

Successfully resisting the continuation of a derivative claim despite the subject matter being allegations of fraud.

Acting in a number of s994 petitions, including representing the petitioner in one relating to the operation of a solicitors firm.

Advising and representing a BVI company in relation to the validity and scope of its charges over property within the UK and in other jurisdictions.

Advising and representing a major UK developer in relation to the enforceability of an option agreement over substantial land and securing compliance with the same.

Representing an established asset finance house in the recovery of multi-million pound lending.

Successfully defending a substantial claim for breach of a Financial Services consultancy agreement over the course of a five day trial.

Representing the Claimant in relation to jurisdictional issues as to whether proceedings relating to a failed contract for the marketing of a Cypriot property development should be determined in the UK or Cyprus.

Recommendations

“Andrew is excellent in all his work – with clients and solicitors and in advocacy settings. In mediation, he is calm and rational, but has fire for his clients and is no pushover. He is always happy to explain and assist as required.”

Chambers and Partners 2024

“Andrew is extremely knowledgeable and always prepared to help or assist with an ad hoc query or more meaningful instructions. He is passionate for his clients and while he remains calm, he is also forceful in his points.”

The Legal 500 2024

“Andrew gives sound and practical advice.”

“Andrew’s academic brilliance makes him stand out. He adopts a practical and commercial approach to delivering advice and communicating with clients.”

Chambers and Partners 2023

‘Andrew always offers sensible, pragmatic advice to achieve the best results for the client. He is commercially minded and conscious of the costs consequences of the available courses of action. Although he always advises upon the pros and cons of seeking a settlement, he is not afraid to advise clients to proceed to trial when this is in their best interests.’

The Legal 500 2023

“He is extremely intelligent and extremely knowledgeable, and is able to channel his knowledge into being a really effective barrister. He makes effective submissions to judges and doesn’t lose sight of the structure of his arguments.” “He delivers his advice with conviction and confidence. When he tells you something it becomes believable and persuasive, which clients like, and it adds value.”

“He is very commercially minded and a fount of knowledge in chancery matters.”

Chambers and Partners 2022

“Robust and to the point. He has a good grasp of difficult concepts.”

“Well-prepared, calm and effective advocate who gets his point across succinctly.”

The Legal 500 2022

Andrew has been consistently recommended for chancery and commercial litigation in the legal directories every year since 2007.

“His legal knowledge and analysis are superb.” “He is a very good black letter lawyer, who presents his cases very well on paper and has real clarity of thought.” “He gives very practical advice.”

“He is very thorough, with a good handle on difficult situations.” “He really knows his stuff and is very pragmatic.”

Chambers and Partners 2021

“Andrew is both thorough and knowledgeable. He is approachable and very hard working. I have no hesitation in recommending and referring my clients to him safe in the knowledge that they will be very well represented both with his written advice and as an advocate at court.”

“Attention to detail, ability to breakdown complex issues and discuss with the client in a meaningful way, honest and clear advice.”

The Legal 500 2021

“He gives very good, practical advice with sound legal reasoning.”

“He is pragmatic, clear and his advocacy is very persuasive. He won’t shy away from difficult arguments.”

“He is detailed, effective and strategic.”

Chambers and Partners 2020

“Personable, thorough and intelligent.”

The Legal 500 2020

“He does a fantastic job and really cares for his clients.”

“He is very intelligent, as well as being straight-talking, pragmatic and diplomatic. He is sympathetic, honest and does not mess around.”

“A good commercial man who’s very good at giving advice to corporate clients.”

Chambers and Partners 2019

“He reads the court well.”

The Legal 500 2018/19

“He is one of the true intellectuals at the Bar, and really is a smart chap.”

“Andrew is frighteningly efficient, extremely clever and reads a case very well.”

“He is considered and measured.”

Chambers and Partners 2018

Beyond the Bar

Andrew is widely travelled and enjoys skiing, walking and photography.