

Matthew Winn-Smith



Matthew has a broad general commercial and common law practice covering many areas in which chambers specialises. He enjoys the advisory side of his practice but particularly relishes court room advocacy. Matthew prides himself on his practical and user friendly approach. He accepts instructions on a Direct Access basis.

Further information

Qualifications

2003: Called to the Bar (Lincoln's Inn)

2002: Inns of Court School of Law, Bar Vocational Course

2001: University of Oxford (Regent's Park College); MA (Jurisprudence)

Memberships

- Chancery Bar Association
- COMBAR
- Property Bar Association

Interests

Triathlon, extreme endurance challenges (preferably not work related) and good food.

Commercial

Matthew has a general commercial practice dealing with all contractually based claims, guarantees, supply of goods and services, finance and credit transactions, company and partnership disputes, employment and insolvency.

Related cases of interest

Singh v Ark & Co Ltd [2019] EWHC 3728 (Ch) – Application for extension of time to make an application for permission to appeal against an earlier judgment.

Singh v Ark & Co Ltd [2019] EWHC 3655 (Ch) – Permission to appeal hearing considering the weighing up of factors relevant to a relief from sanctions application

Rahbarpoor v Suliman [2019] EWHC 1348 (Ch) – A procedural application relating to amendment of pleadings and costs.

De Mota v ADR Network & Co-Operative Group Ltd [2018]



Year of Call: 2003

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ICR D6; UKEAT/0305/16/DA – A successful appeal considering the application of early conciliation requirements and deciding that employment judges are not to look behind early conciliation certificates.

SQR Security Solutions Ltd v Badu (2016)
UKEAT/0329/15/DA – Successful appeal requiring a reconsideration of damages following new evidence provided by the employer potentially casting doubt on the employee's mitigation of loss.

Hills v Niksun [2016] EWCA Civ 115 (CA) – An appeal examining the determination of an employee's commission payable pursuant to his contract in circumstances where the trial judge substituted the employer's exercise of discretion for his own assessment.

Birdi v Specsavers Optical Group Ltd & others [2015]
EWHC 2870 (Ch) — 4 week trial of issues within s.994 petition.

Barclays Bank v Mukhtar-Zahid (2012) — Professional negligence claims against various valuers, surveyors and solicitors for about £14m plus a £2m claim pursuant to a personal guarantee.

Barons Bridging Finance Plc v Nnadiokwe [2012] EWHC 4078 (QB) — Set aside on basis of procedural irregularity.

Birdi v Dartford Visionplus Ltd (2012) UKEAT/0289/12/JOJ — Successful appeal against a refusal to adjourn on grounds of ill-health.

Bluestone ARM Ltd v Eastham [2012] EWHC 2750 (Ch) — Partnership dispute / appeal out of time.

Trad Hire & Sales Ltd v Holbrook Investments Ltd [2010]
EWHC 90 (Ch) — Interim injunction.

CIDA v LB of Barnet (2009) — Breach of arbitration clause.

Macleish Littlestone Cowan v Hajibassi [2006] EWHC 1587 (Ch) — Freezing injunction.

Re J S Gill [2004] EWHC 883 (Ch); [2005] BPIR 129 — Annulling bankruptcy.

