MAITLAND

+44 (0)20 7406 1200

FIONA DEWAR

CALL: 2005

fdewar@maitlandchambers.com Email Clerks



OVERVIEW

Fiona has a diverse and lively practice spanning Chambers' key areas of expertise. She is particularly experienced in commercial, civil fraud, company, partnership, and insolvency matters; as well as cases involving land, property, trusts, charities and professional negligence.

Her breadth of experience means she is well-placed to act in cases that span more than one area and those involving difficult or novel points of law. It also affords her a wide perspective on litigation strategy and she has experience acting and advising across the full gamut of interim, procedural and tactical responses to disputes: including asset freezing and recovery procedures; search and disclosure orders; jurisdiction and other "knock-out" challenges; and settlement strategies.

Fiona enjoys working closely with solicitor and barrister colleagues as part of a team in larger, heavy-weight litigation, as well as providing responsive and hands-on assistance as sole counsel. She is particularly experienced in running cases as sole advocate; with extensive advocacy and cross-examination experience across multiple tribunals and appellate levels. Fiona has a wide client base which includes government departments, banks, insolvency practitioners, international and domestic business-owners, leading third sector organisations; as well as private individuals experiencing litigation for the first time.

EXPERTISE

CIVIL FRAUD

Fiona regularly acts for and against parties of accused of fraud and in the tracing, preservation and recovery of stolen assets.

Her case experience includes heavyweight international fraud actions; corruption and bribery in the banking and financial sector; dishonesty by directors, business-partners, employees, and agents; fraud-based claims by creditors and office-holders under the insolvency legislation; allegations of fraud and misrepresentation against professional advisers; multi-party conspiracy claims; and responses to organised criminal schemes and scams (including phishing and APP fraud) and claims based on ***Quincecare*** duties.

Fiona is well-versed in the technical, practical and strategic aspects of such claims and the wide arsenal of procedural and tactical options that might be deployed, including freezing orders; search and disclosure orders; tracing and recovery procedures; and ADR strategies.

During her early years in practice, Fiona was seconded to the Serious Organised Crime Agency.

Notable cases in this area include:

- Tugushev v Orlov [2019-2021]: acting (led by Christopher Pymont KC and George Hayman KC) for the defendant to a $350m claim fraud and conspiracy claim relating to the ownership of one of the largest international fishing enterprises in the world. Notable interim judgements reported at [2019] EWHC 645 (Comm) (jurisdiction) and [2019] EWHC 2031 (Comm) (discharge of worldwide freezing order). 16 week trial in 2022 ultimately vacated.
- UBS v KOMMUNALE WASSERWERKE LEIPZIG GMBH [2013-2017]: acting at first instance and in the Court of Appeal (led by Nicholas Peacock KC) for Landesbank Baden-Wurttemberg in the long-running UBS Swaps litigation – a multi-party finance dispute raising a wide range of issues including bribery, fraud, conflict of interest, capacity, fraudulent misrepresentation and construction of ISDA master agreements. The original trial lasted 15 weeks and was one of the Lawyer's "Top 20 Cases of 2014".
- ikon litigation [2015-2016]: Acting (led by Nicholas Peacock KC) in the Ikon litigation, a 13-party foreign exchange trading dispute. Issues in the litigation included fraud, attribution, directors' duties, dishonest assistance, unlawful means conspiracy, misrepresentation, accounts, conflict of laws, freezing injunctions.

COMMERCIAL LITIGATION & ARBITRATION

Fiona has wide experience of domestic and international commercial and business disputes, including at their intersection with fraud actions and company, partnership, property and insolvency law.

She acts regularly in cases involving breach of contract/ duty claims; economic torts; fraud, bribery misrepresentation

DIRECTORY QUOTES

"Fastidious, calm and measured."

Legal 500 UK Insolvency (2013)

QUALIFICATIONS

- BA Jurisprudence (Oxon)

NOTABLE CASES

- *Brian Glasgow (Bankruptcy Trustee Of Harlequin Property SVG Ltd) (Applicant) v ELS Law Ltd & 11 Ors (Respondents) & Bar Council Of England & Wales (Intervener) (2017)*
- *UBS AG v Kommunale Wasserwerke Leipzig GMBH (2017)*
- *Oakdene Homes Plc (In liquidation) v Carl Stephen Turpin (2016)*
- *UBS AG (London Branch) & Ors v Landesbank Baden-Wurttemberg & Ors (2014)*
- *Brian Foulser, Doreen Foulser v Revenue & Customs Commissioners (2011)*