
Jane McCafferty QC

Jane has established a thriving practice as the 'go to' senior junior for commercial litigation and arbitration with an employment angle. She is an experienced trial advocate with particular experience in complex, multi-party litigation and arbitrations involving 'team moves', misuse of confidential information or civil fraud by directors, partners and employees. Jane has particular expertise in the financial services and asset management sectors and is regularly instructed to seek or resist applications for injunctive relief.

Jane is consistently ranked as a Tier 1 Junior and is ranked as one of the top 100 Juniors in the Chambers & Partners Bar 100. She was nominated for Chambers & Partners Employment Junior of the Year in 2016.

Specialisms

Employment

Jane's employment practice involves high value claims in the financial services sector including bonus disputes, high profile whistle blowing and discrimination claims, often with an international dimension. She has particular expertise in disputes involving FCA/PRA regulated firms or persons and recently co-chaired ELA's response to the FCA's consultation paper on the FCA's power to issue warning notices.

Jane was senior junior in one of the Lawyer's Top 20 Cases of 2016: the high-profile 'team move' dispute between one of London's most successful fund managers Marathon Asset Management LLP against a departing team of employees.

In 2016, Jane was instructed in the two most high-profile employment tribunal claims of the year. She appeared for Jeremy Clarkson in the well-publicised employment tribunal claim brought by his former producer against the BBC, and advised Chelsea FC in relation to aspects of the tribunal claim brought by former Chelsea team doctor Eva Carneiro.

Commercial Dispute Resolution

Jane has established a thriving practice as the 'go to' senior junior for commercial disputes involving fraud or wrongdoing by individuals leaving a business to set up in competition, especially where there is an employment or partnership/LLP angle.

A distinguished advocate, Jane has particular expertise in complex, multi-party litigation and arbitrations involving 'team moves', misuse of confidential information or civil fraud by directors, partners and employees. She has specialist knowledge of, and expertise in, the financial services and asset management sectors and is regularly instructed to seek or resist applications for injunctive relief.

Recommendations

"Incredibly bright and client-friendly" **Legal 500**

"A very impressive senior junior of silk quality" **Legal 500**



Professional Summary

Called 1998
Appointed QC 2019

Contact Details

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Clerk Martin Pownall

Clerk Harry Gilson

[Contact Clerks](#)

"She is very, very clever, and also clearly a fighter, and it is that combination which makes her so deadly" **Chambers & Partners**

"She has an encyclopaedic knowledge of cases and combines personability with razor-sharp advocacy" **Chambers & Partners**

"Her contribution to cases is simply stunning" **Legal 500**

A *"superstar"* experienced in complex multi-party litigation who *"focuses her energy on the things that matter"* **Who's Who Legal**

"A super-brain, who is exceptionally brilliant on financial services matters because she really understands the sector" **Chambers & Partners**

"continues to display a level of skill and professionalism beyond her year of call" **Legal 500**

"technically excellent" "leading QC in the making" **Chambers & Partners**

"Absolutely superb, she is possibly the best senior junior I have ever worked with. Phenomenal in every respect" **Chambers and Partners**

Recent Cases

ICAP v Berry

[2017] IRLR 811; [2017] 3 Costs LR 531, [2017] EWHC 1321 (QB), QBD, June 6 2017

Sale of the entire shareholding in a business to another company did not amount to a transfer for TUPE purposes when the two businesses remained distinct.

Hosking v Marathon Asset Management LLP

[2016] EWHC 2418 (Ch)

Senior junior in this landmark case on the meaning of 'remuneration' in the context of 'claw back' of profits following breach of duty. Far-reaching ramifications for remuneration in financial services funds which are structured as LLPs.

Tymon v (1) Clarkson and (2) BBC

2016

Instructed for former *Top Gear* presenter Jeremy Clarkson in the race discrimination claim brought by a BBC producer after the well-publicised 'fracas'.

Dr Eva Carneiro v Chelsea FC and Jose Mourinho

2016

Instructed to advise Chelsea FC on aspects of high profile discrimination employment tribunal claim brought by former team doctor

EG Solutions PLC v Hughes, HQ16X01432

2016

Instructed in claim to enforce restrictive covenants against former employees and new employer after contested hearing for interim relief.

Kingswood IOPTUS Steele Limited v Apex & others

2016

Sole counsel instructed on application for injunctive relief on behalf of corporate and individual defendants in claim alleging breach of contract and conspiracy in setting up in competition/diverting business following previous merger of companies.

IBM v Morgan

2016

Proceedings to enforce a restrictive covenant in contract of employment.

Deer v University of Oxford

[2015] EWCA Civ 52

Sole counsel for the University before the CA which held that a former employee did not suffer a detriment for the purposes of the victimisation provisions of the Equality Act 2010 when her former employer, relying on legal advice, decided not to respond to a Subject Access Request under the Data Protection Act 1998 in order to preserve its position in litigation.

Education

First class degree in Law from Newnham College, Cambridge.
George Long Prize for Jurisprudence
Scholar of Newnham College and a Squire Scholar of the University.
First in LLM in European Community Law (Cantab)
Placed first in University in the Law and Policy of the Single European Market.



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