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Adrian Briggs KC (Hon)



Year of call: **1989**
Appointed to silk: **2016**
Degree: **BCL (Oxon), MA (Oxon)**

Adrian Briggs combines practice at the Bar with being Emeritus Professor of Private International Law at the University of Oxford.

- 2024-date: Bencher of the Middle Temple
- 2021-date: Emeritus Professor of Private International Law, University of Oxford
- 2021-date: Emeritus Fellow, St Edmund Hall, Oxford
- 2004-2021: Professor of Private International Law, University of Oxford
- 1980-2021: Fellow and Tutor in Law, St Edmund Hall, Oxford
- 1980-2021: CUF Lecturer in Law, University of Oxford
- 1992-date: Editorial Committee, Lloyd's Maritime & Commercial Law Quarterly

EXPERIENCE

Private International Law

Adrian Briggs has long combined practice at the Bar with being Professor (now Emeritus) of Private International Law at the University of Oxford. His practice is dominated by advisory work, especially on all aspects of private international law, but with particular emphasis on the law on jurisdiction and the enforcement of foreign judgments. He is frequently instructed to give expert evidence, in the context of proceedings before foreign courts on questions of English private international law, such as whether judgments or settlements in foreign proceedings would be regarded as conclusive in England, on whether causes of action pleaded before foreign courts could be asserted in English proceedings, on how English courts would interpret particular jurisdiction clauses, and so on.

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His principal treatise is Civil Jurisdiction and Judgments, now in its seventh edition; the eighth edition, the definitive post-Brexit edition, will be published in 2025. His Private International Law in English Courts was first published by the Oxford University Press in 2014: it presented an account of the subject which reflected the then fact that most of the law was statutory and European, with the common law having been relegated to a residual, or marginalized to a peripheral, role, and that a book which explained the law as it was needed to be constructed with that in mind. The second edition, published in April 2023, undoes almost all the original work, and restates the law after the radical and undeniably messy separation from the European Union. He was for 15 years a member of the editorial team, working under (and learning much from) the General Editorship of Lord Collins of Mapesbury, of Dicey Morris & Collins, The Conflict of Laws, standing down after the publication of the 15th edition.

He also has a wide range of papers on all aspects of private international law, but especially civil jurisdiction and foreign judgments.

ACHIEVEMENTS

Publications

Books:

- Briggs, Private International Law in English Courts (Oxford) 1st edn, 2014; 2nd edn 2023.
- Briggs, Civil Jurisdiction & Judgments (Routledge) 7th edn, 2021 (8th edition due 2025).
- Briggs: Agreements on Jurisdiction and Choice of Law (Oxford University Press, 2008).
- Briggs: The Conflict of Laws (Clarendon Press, 5th edn, 2024).
- Dicey, Morris & Collins, The Conflict of Laws (15th edn, 2012): one of the team of specialist editors working under the general editorship of Lord Collins of Mapesbury.
- English Private Law: Chapter on Private International Law (Oxford): 3rd edn 2013.
- Private International Law in Myanmar (2016; published in electronic form on the website of the Oxford Law Faculty).
- The Law of Contract in Myanmar (2017: published in electronic form on the website of the Oxford Law Faculty) jointly with Andrew Burrows.

Articles and surveys:

(a) conflict of jurisdictions and of judgments: common law

- The Hague Judgments Convention 2019: [2024] LMCLQ 458
- When arbitration matters: [2024] LMCLQ 30
- Reframing Jurisdiction: A New Scheme (with A Dickinson): [2022] 41 CJQ 317
- The long arm of the law: [2021] LMCLQ 223
- A conflict of comity in the enforcement of judgments: [2021] LMCLQ 1

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- What do you mean, 'non exclusive' ?: [2019] LMCLQ 329
- Service out: communis error frangit ius: [2019] LMCLQ 195
- Holiday torts and damage within the jurisdiction: [2018] LMCLQ 196
- Direct actions and arbitration: all at sea: [2016] LMCLQ 327
- The hidden depths of the law of jurisdiction: [2016] LMCLQ 236
- Judicial Assistance still in need of judicial assistance: [2015] LMCLQ 179
- In for a penny, in for a pound: [2013] LMCLQ 26
- Recognition of Foreign Judgments: a Matter of Obligation: (2013) 129 LQR 87
- The Subtle Variety of Jurisdiction Agreements: [2012] LMCLQ 364
- Forum non satis: Spiliada and an inconvenient truth: [2011] LMCLQ 329
- Foreign Judgments: the common law flexes its muscles: (2011) 17 Trusts & Trustees 328
- Recognition: foreign judgments or insolvency proceedings? [2010] LMCLQ 523
- Enforcing and reinforcing an English judgment: [2008] LMCLQ 421
- Note on Fiona Trust v Privalov: [2008] LMCLQ 1
- Recognition and enforcement of Russian Judgments in England: Vyestnik 2006, Part 3, 77
- Foreign Judgments and Human Rights: note on USA v Montgomery: (2005) 121 LQR 185
- Crossing the river by feeling the stones: re-thinking the law on foreign judgments: (2004) 8 Singapore Year Book of International Law 1
- Anti-suit injunctions in a Complex World: Chapter 12 of Lex Mercatoria: Essays in International Commercial Law, ed. Rose (2000)
- Self-restraint in the High Court of Australia: (1998) 114 LQR 27
- The unrestrained reach of an anti-suit injunction: [1997] LMCLQ 90
- Note on Seaconsar v Bank Markazi: [1994] LMCLQ 1
- Note on The Indian Grace: [1993] LMCLQ 451
- Jurisdiction clauses and judicial attitudes: (1993) 109 LQR 382
- Foreign judgments: more surprises: (1992) 108 LQR 549
- Forum non conveniens in Australia: (1989) 105 LQR 200
- Wider still and wider: the bounds of Australian exorbitant jurisdiction: [1989] LMCLQ 216
- Restraint of foreign proceedings: [1987] LMCLQ 391
- Which foreign judgments should we recognise today?: (1987) 36 ICLQ 240
- Forum non conveniens: the last word?: [1987] LMCLQ 1
- The validity of floating choice of law and jurisdiction clauses: [1986] LMCLQ 508
- Forum non conveniens: an update: [1985] LMCLQ 360
- The staying of actions on the ground of forum non conveniens: [1984] LMCLQ 227
- Forum non conveniens: now we are ten?: (1983) 3 Legal Studies 74
- No interference with foreign courts?: (1982) 31 ICLQ 189

(b) conflict of jurisdictions and judgments: European rules

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- The Empire strikes back: (note on M/T Prestige) [2024] LMCLQ 3
- Arbitration in Europe: the Luxembourg Torpedo (note on M/T Prestige) [2022] LMCLQ 543
- One-sided jurisdiction clauses: French folly and Russian menace: [2013] LMCLQ 137
- What should be done about jurisdiction agreements?: (2011) 12 Yearbook of Private International Law 311
- The Rejection of Abuse in International Civil Procedure: Ch 18 of de la Feria and Vogenauer (eds), Prohibition of Abuse of Law (2011)
- Timeo danaos on the Rock of Gibraltar: (2010) 126 LQR 20
- Fear and Loathing in Luxembourg and Syracuse (note on West Tankers): [2009] LMCLQ 161
- Who is bound by the Brussels Regulation? (note on Samengo-Turner): [2007] LMCLQ 433
- Jurisdiction over defences and connected claims: [2006] LMCLQ 447
- Learning to learn from others in Europe (with B. Dohmann QC): Festschrift für Peter Schlosser zum 70. Geburtstag, p. 161
- Note on Réunion Européenne: [1999] LMCLQ 333
- The Impact of Recent Judgments of the European Court on English Procedural Law and Practice: [2005] Zeitschrift für Schweizerisches Recht (2005) 124 II 231
- Forum non conveniens and Ideal Europeans: [2005] LMCLQ 378
- Note on Owusu v Jackson: (2005) 121 LQR 535
- Anti-suit Injunctions and Utopian Ideals (note on Turner v Grovit): (2004) 120 LQR 529
- Some points of friction between English and Brussels Convention jurisdiction: Andenas & Jacobs (eds), European Community Law in the English Courts, Ch 19.
- Note on Pearce v Ove Arup and Suzo v Coin Controls: (1997) 113 LQR 360
- Note on Marinari v Lloyd's Bank: [1996] LMCLQ 27
- Note on The Tatry: [1995] LMCLQ 161
- Note on The Sargasso: [1994] LMCLQ 470
- Note on Webb v Webb: (1994) 110 LQR 526
- Note on Continental Bank v Aeakos: [1994] LMCLQ 158
- Get your writs out? (Note on The Duke of Yare): [1992] LMCLQ 150
- Jurisdiction over restitutionary claims: [1992] LMCLQ 283
- The Brussels Convention reaches the House of Lords: (1992) 108 LQR 186
- Foreign judgments and the Brussels Convention: (1991) 107 LQR 531
- Forum non conveniens and the Brussels Convention again: (1991) 107 LQR 180
- Spiliada and the Brussels Convention: [1991] LMCLQ 10

(c) conflict of laws

- Peninsular and Oriental Steam Navigation Company v Shand and Lloyd v Guibert (1865): in Day & Merrett (eds), Landmark Cases in Private International Law (2023), ch 2
- Render unto Caesar (note on SKAT v Solo Partners): [2022] LMCLQ 345
- Which law applies ? A role for private international law: in Lim (ed) Cambridge Companion to International Arbitration (2021): chapter 4

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- Private International Law and the Privy Council: in Mitchell and Watterson (eds), The World of Maritime and Commercial Law: Essays in Honour of Francis Rose (2020)
- Brexit and Private International Law: an English perspective: [2019] RDIPP 261
- Comity in Private International Law: (2012) 354 Recueil des cours 1-129 (Hague Lectures, 2011)
- The Development of Principle by a Final Court of Appeal in Matters of Private International Law, in Lee (ed) From House of Lords to Supreme Court (2011)
- Restitution and not-so-local authority swaps (with J Edelman): (2010) 126 LQR 500
- When in Rome, choose as the Romans choose: (2009) 125 LQR 191
- Misappropriated and Misapplied Assets in the Conflict of Laws: in Degeling & Edelman (eds) Unjust Enrichment in Commercial Law, 2008
- Contractual Agreements on choice of law: in Burrows & Peel (eds), Contract Terms (Oxford, 2007), Chapter 15
- A Map or a Maze: Jurisdiction and choice of law in the Court of Appeal: (2007) 11 Singapore Year Book of International Law 132
- The cost of suppressing insurrection: (2007) 123 LQR 182
- The further consequences of choice of law: (2007) 123 LQR 18
- The Meaning and Proof of Foreign Law: [2006] LMCLQ 1
- On the Application of the Statute Law of Singapore within its Private International Law: [2005] Sing JLS 189
- Public-private law protective schemes and the conflict of laws: [2004] LMCLQ 313
- Owing, owning and the garnishing of foreign debts: [2003] LMCLQ 418
- On drafting agreements on choice of law: [2003] LMCLQ 389
- The real scope of European rules for choice of law: (2003) 119 LQR 352
- The Duke of Brunswick and defamation by internet: (2003) 119 LQR 210
- Choice of Choice of Law: [2003] LMCLQ 12
- Public Policy in the Conflict of Laws: A Sword and a Shield?: (2002) 6 Sing J. Int & Comp L. 953
- The Revenue Rule in the Conflict of Laws: Time for a makeover: [2001] Singapore J.L.S. 280
- Jurisdiction at common law over restitutionary claims: Rose (ed), Restitution & The Conflict of Laws, Ch 2
- In praise and defence of renvoi: (1998) 47 ICLQ 877
- From complexity to anti-climax: restitution and choice of law: [1996] Rest. L.R. 88
- Choice of law in restitutionary claims: [1995] Rest. L.R.94
- Choice of law in Tort and Delict: The Private International Law (Miscellaneous Provisions) Act 1995: [1995] LMCLQ 519
- The international dimension to contribution claims: [1995] LMCLQ 437
- Note on Red Sea Insurance v Bouygues: (1995) 111 LQR 18
- The formation of international contracts: [1990] LMCLQ 192
- Conflict of laws: postponing the future: (1989) 9 Ox JLS 251
- Tort in the conflict of laws: (1989) 105 LQR 359
- Garnishment of an English debt: foreign complications: [1988] LMCLQ 429

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- What did Boys v Chaplin decide?: (1983) 12 Anglo-Am LR 237
- Polygamous marriages and English domiciliaries: (1983) 32 ICLQ 737

(d) Annual surveys

- Survey of cases on the Brussels Convention in the Court of Justice of the EC: annual volumes of the Yearbook of European Law from 1988 to 1997
- Decisions of British Courts on questions of Private International Law: annual volumes of the British Year Book of International Law European Law from 1996 to 2009

(e) lectures

- Secession from the EU and Private International Law: The Cloud with a Silver Lining: https://www.combar.com/wp-content/uploads/2020/02/Prof-Adrian-Briggs-QC-Brexit-lecture-24.1.17.pdf

(f) Myanmar Contract Law

- Chapters on Myanmar contract law in Volume 2 (Formation and Third Party Beneficiaries; 2018); Volume 3 (Contents of Contract and Unfair Terms; 2020); Volume 4 (Invalidity; 2022); and Volume 5 (Ending and Changing Contracts; due 2023) of Studies in the Contract Laws of Asia (eds Chen-Wishart, Sono and Vogenauer) (Oxford).

Selected earlier reported cases

- Bosworth v Arcadia Petroleum [2016] EWCA Civ 818
- The Bodo Community v Shell Petroleum & Development Co of Nigeria Ltd [2014] EWHC 1973 (TCC)
- Starlight Shipping v Allianz, The Alexandros T [2013] UKSC 70
- Antonio Gramsci v Stepanovs [2011] 1 Lloyd's Rep 647
- Deutsche Bank v Asia Pacific Broadband & Wireless [2008] 2 Lloyd's Rep 619
- Lewis v Eliades [2004] 1 WLR 692
- Base Metal Trading Ltd v Shamurin [2002] CLC 322
- Sarrio SA v Kuwait Investment Authority [1999] 1 AC 32
- Haji-Ioannou v Frangos [1999] 2 Lloyd's Rep 337
- Kleinwort Benson v City of Glasgow DC [1996] QB 678
- Boss Group Limited v Boss France SA [1996] 4 All ER 970
- Case C-68/93 Shevill v Presse Alliance [1995] ECR I–415
- Case C-432/93 SISRO v Ampersand [1995] ECR I–2217
- Kinnear v Falconfilms [1994] 3 All ER 42
- The Sargasso [1994] 3 All ER 180 at 189
- Spiliada v Cansulex [1987] AC 460 at 488

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