clerks@blackstonechambers.com
+44 (0)20 7583 1770

Madelaine Clifford



Year of call: **2021**
Degree: **BA, LLB Hons (First Class, top of year) (Bond), BCL (Distinction) (Oxon), MPhil in Law (Oxon)**
Languages: **French (working knowledge)**

Madelaine has a diverse and busy practice, with a particular focus on commercial litigation, civil fraud, international arbitration, sports law and public law. Madelaine is regularly instructed in complex and high value disputes, which often involve coordinated proceedings across multiple jurisdictions. Madelaine has appeared unled before the Commercial Court, King's Bench Division, County Court, employment tribunal and various sports disciplinary bodies. She has also appeared as junior Counsel in teams on larger cases.

The most recent highlights of Madelaine's practice include:

- Acting for the successful Third to Fifth Defendants, Mashreq and joint receivers appointed by it, in the trial of competing claims to an assigned debt of US$37m owed by KESP to AIML in proceedings arising out of the high profile liquidation of the Abraaj Group: [2026] EWHC 65 (Comm).
- Acting for the successful Claimants, the Commercial Bank of Dubai and certain SPVs, in a two week trial for final declaratory and injunctive relief to restrain the enforcement of a c.AED 582 million (c.£120 million) foreign judgment obtained by fraud and obtained an indemnity costs award in the Claimants' favour post trial: [2025] EWHC 1810 (Comm); [2025] EWHC 2329 (Comm).
- Acting in contempt proceedings in which a foreign defendant was committed to the maximum term of two years' imprisonment for breach of asset disclosure provisions in a worldwide freezing order: [2025] EWHC 2709 (Comm).
- Acting for the Defendant foreign companies in administration in an arbitration claim brought by the Republic of India under section 45 of the Arbitration Act 1996: [2025] EWHC 1738 (Comm).
- Acting in a 12 week trial concerning high profile sports disciplinary charges related to false accounting and other regulatory breaches.

Before coming to the Bar, Madelaine practiced as a solicitor at a top-tier law firm in Australia. She also studied for two postgraduate qualifications under scholarships at the University of Oxford, where she was a Research Assistant and an Associate Editor of the Oxford University Commonwealth Law Journal.

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EXPERIENCE

Commercial

Madelaine accepts instructions in all areas of commercial law.

Cases

X (Companies) v Y (Directors and Consultants)

Advising on certain issues related to misuse of confidential information in the context of confidential settlement discussions between the claimant entities and various defendants. The parallel High Court proceedings were discontinued and then ultimately dismissed (assisting Craig Rajgopaul).

R (Individual) v Motor Insurers Bureau (2022)

Acting for the Motor Insurers Bureau in a claim brought by an individual seeking recovery of insurance in reliance on the EU Motor Insurance Directive (assisting Tom de la Mare QC and Jason Pobjoy).

AXA France Iard SA v Santander Cards UK Ltd

[2022] EWHC 1776 (Comm)

Acting for the successful claimants in resisting strike out of their claims for compensation totalling approximately £644 million in respect of losses incurred in relation to the mis-selling of PPI (assisting Andrew Green QC, Fraser Campbell and Timothy Lau).

MI Squared Limited v King and Corbin and Ors

[2022] EWHC 331 (Comm)

Acting for the claimant in its claim for an urgent injunction to restrain the defendant directors and minority shareholders of Corbin & King Limited from allegedly committing breaches of the shareholders' agreement (assisting Fraser Campbell).

Municipio de Mariana and others v BHP plc and BHP Ltd (ongoing)

Advising on certain jurisdictional and foreign law issues in relation to the largest group litigation brought in England and Wales, resulting from the collapse of the Fundao Dam in Brazil (assisting Hanif Mussa QC).

Rahbarpoor v Suliman

[2022] EWHC 1093 (Ch)

Acting for the defendants in a claim seeking a declaration and damages in connection with the beneficial ownership and possession of a property in London (assisting Fraser Campbell).

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Re: Advice on Contracts for Difference (2022)

Advising a contracting party as to its contractual position under various Contracts for Difference entered into in connection with an offshore windfarm project (assisting Kieron Beal QC and Jason Pobjoy).

Chep Equipment Pooling v ITS Ltd

[2022] EWHC 741

Acting for the Claimant in respect of multiple jurisdictional challenges in a claim involving issues of breach of fiduciary duty, dishonest assistance and conspiracy brought against parties domiciled in five different jurisdictions (assisting Victoria Windle QC).

Suppipat & Ors v Narongdej & Ors

[2021] Comm Ct

Acting for the Claimants in a multi-jurisdictional fraud claim against 17 separate defendants, for damages of more than $1 billion. The claim raises issues of limitation, characterisation of loss and conflict of laws (assisting Victoria Windle QC).

London Oil & Gas, in administration v Thomson & Others

[2021] Ch D

Acting for a Defendant to a claim for fraudulent trading and breach of directors' duties, valued at over £200 million (assisting Victoria Windle QC).

Kinsella and Anor v Emasan and Anor

[2021] Ch D

Acting for the Claimants in their claims, valued at tens of millions of Euros, for breach of contract, enforcement of debt, misrepresentation, and estoppel (assisting Victoria Windle QC and Tom Coates).

Global Plastic v Inivos

[2021] Comm Ct

Acting for the Claimant in a breach of contract/quantum meruit claim arising from the supply and purchase of PPE equipment during the COVID-19 pandemic (assisting Victoria Windle QC).

Shield v Shield (2022) Circuit Comm Ct

(2022) Circuit Comm Ct

Acting for the successful defendant in defending a claim for alleged breach of an oral indemnity agreement (assisting Fraser Campbell).

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Re International Sports Body

(2022) Comm Ct

Acting for the defendant in an ongoing High Court claim for breach of a joint venture agreement (assisting Fraser Campbell).

Re: A Distribution and Sponsorship Agreement

[2021]

Advising an electronic money distributor in a dispute arising under a Distribution Agreement and Sponsorship Agreement (assisting Victoria Windle QC).

Chiswick International Holdings Limited v Holyoake and Ors

(2022) Circuit Comm Ct

Acting for the claimant in their claim for contractual debt and damages in respect of a loan agreement between the claimant and defendants related to a property development project (assisting Fraser Campbell).

A (Company) v B (Company) (London Court of International Arbitration, 2021)

[2021]

Acting for the proposed claimant in a prospective arbitration under the LCIA Rules 2020 regarding the termination of a multimillion-dollar License, Supply and Marketing Agreement for a chemotherapy drug (assisting Victoria Windle QC).

Re Property Development Company

(2022) Comm Ct

Acting for the defendant to a claim seeking repayment of certain shareholder loans (assisting Fraser Campbell).

Cossac Holdings Limited v Preferred Management Limited

(2022) Ch D

Acting for the successful respondents to a petition seeking winding up on the just and equitable ground and relief for alleged unfair prejudice ground (assisting Fraser Campbell).

Employment

Madelaine accepts instructions in all areas of employment law.

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Cases

M [Employee] v S [Employer]

Advising on certain issues of statutory interpretation under the Employment Rights Act and Equality Act in the context of a dispute as to entitlements under an employment contract (assisting Craig Rajgopaul).

X (Companies) v Y (Directors and Consultants)

Advising on certain issues related to misuse of confidential information in the context of confidential settlement discussions between the claimant entities and various defendants. The parallel High Court proceedings were discontinued and then ultimately dismissed (assisting Craig Rajgopaul).

Peninsula & Anor v Collins & Anor (2022) High Court

Acting for the claimant employer in declaratory and final injunctive relief against two senior former employees in relation to the enforceability of restrictive covenants (assisting Craig Rajgopaul).

U (Individual) v V (Inter-dealer Broker) (2021)

Acting for the respondent and certain of its employees in respect of a third claim brought by the claimant alleging indirect discrimination, including seeking orders for strike out and deposit orders. Strike out had already been achieved of previous claims in the civil court and employment tribunal and a limited civil restraint order was in place – the third claim was withdrawn prior to the hearing (assisting Craig Rajgopaul).

Nissan Motor (GB) Limited & Anor v Passi (2021) High Court

Acting for the defendant employee in relation to a claim in the High Court brought by his former employer alleging misuse of confidential information and seeking injunctions for the return of that information (assisting Craig Rajgopaul).

D [Employee] v A [Employer]

Acting for the respondent employer in claims brought against it by a former employer for direct race discrimination, harassment, and victimisation (assisting Craig Rajgopaul).

EU Law

Madelaine accepts instructions in all areas of EU & competition law.

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Cases

Re: A Pharmaceutical Company

(2022)

Advising a pharmaceutical company on the merits and evidential requirements of an application for a preliminary injunction before the General Court of the EU (assisting Fraser Campbell).

A (Individuals) v European Parliament (General Court, ongoing)

Acting for the claimants in an application to the General Court seeking to annul a decision of the European Parliament to withhold access relating to the public expenditure of a Member of European Parliament (assisting Jason Pobjoy).

R (Individual) v Motor Insurers Bureau (2022)

Acting for the Motor Insurers Bureau in a claim brought by an individual seeking recovery of insurance in reliance on the EU Motor Insurance Directive (assisting Tom de la Mare QC and Jason Pobjoy).

Arbitration

Madelaine accepts instructions in all areas of arbitration.

Cases

X (US consultant) v Y (Russian investor) (London Court of International Arbitration, 2022)

Acting for the claimant investment consultant in an arbitration brought under the LCIA Rules 2020, seeking damages for breach of a London arbitration agreement following New York proceedings that were struck out for lack of jurisdiction (assisting Fraser Campbell).

X (Company) v Y and Ors (Directors) (London Court of International Arbitration, 2022)

Acting for the claimant company in a proposed arbitration under the LCIA Rules 2020, seeking damages for multiple breaches of a shareholders' agreement (assisting Fraser Campbell).

A (Company) v B (Company) (London Court of International Arbitration, 2021)

[2021]

Acting for the proposed claimant in a prospective arbitration under the LCIA Rules 2020 regarding the termination of a multimillion-dollar License, Supply and Marketing Agreement for a chemotherapy drug (assisting Victoria Windle QC).

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Public & Regulatory

Madelaine accepts instructions in all areas of public & regulatory law.

Cases

R (YA & Ors) v Secretary of State for the Home Department (Admin Court, 2022)

Acting for a family seeking reunion with a family member who had been granted asylum in the UK. The case raised issues regarding the Immigration Rules, Article 8 ECHR, and Article 3 of the United Nations Convention on the Rights of the Child (assisting Jason Pobjoy).

R (Coughlan) v Minister for the Cabinet Office

[2022] UKSC 11

Acting successfully in defending an appeal to the Supreme Court of a claim for judicial review concerning whether the government was permitted to authorise the use of identification requirements at the local government elections in May 2019 (assisting Hanif Mussa QC).

R (Prisoner) v Secretary of State for Justice (2022)

Advising the Secretary of State in relation to a challenge to a decision taken by him not to seek the views of the Parole Board on the suitability of a prisoner for transfer to open conditions (assisting Jason Pobjoy).

R (Johnson) v Parole Board

[2022] EWHC 1026 (Admin)

Acting for the Parole Board in a case regarding the circumstances in which it becomes functus officio upon setting a date for a prisoner's release (assisting Fraser Campbell).

J v J (FamDiv of High Court, 2022)

Advising the Secretary of State for Justice (as an intervener) on issues relating to the service of orders and other documentation on victims of domestic violence residing in refuges (assisting Jason Pobjoy).

R (Secretary of State for Justice) v Parole Board [2022] EWHC 1282 (Admin)

Acting for the Secretary of State for Justice in his successful challenge to a decision of the Parole Board to direct early release of a prisoner on the basis that the Parole Board was required to base its decision solely on the need to protect the public (assisting Sir James Eadie QC and Jason Pobjoy).

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R (AAA & Ors) v Secretary of State for the Home Department (Admin Court, ongoing)

Acting for the claimants in a judicial review challenging the Secretary of State's decisions to remove the individual claimants to Rwanda pursuant to her policy of removing asylum seekers from the UK to Rwanda, as well as the lawfulness of the Rwanda removal policy itself (assisting Sam Grodzinski QC, Jason Pobjoy, Paul Luckhurst, Emmeline Plews, Will Bordell and Rayan Fakhoury).

Discrimination

Madelaine accepts instructions in all areas of discrimination law.

Cases

U (Individual) v V (Inter-dealer Broker) (2021)

Acting for the respondent and certain of its employees in respect of a third claim brought by the claimant alleging indirect discrimination, including seeking orders for strike out and deposit orders. Strike out had already been achieved of previous claims in the civil court and employment tribunal and a limited civil restraint order was in place – the third claim was withdrawn prior to the hearing (assisting Craig Rajgopaul).

D [Employee] v A [Employer]

Acting for the respondent employer in claims brought against it by a former employer for direct race discrimination, harassment, and victimisation (assisting Craig Rajgopaul).

Civil Liberties & Human Rights

Madelaine accepts instructions in all areas of civil liberties and human rights law.

Cases

R (YA & Ors) v Secretary of State for the Home Department (Admin Court, 2022)

Acting for a family seeking reunion with a family member who had been granted asylum in the UK. The case raised issues regarding the Immigration Rules, Article 8 ECHR, and Article 3 of the United Nations Convention on the Rights of the Child (assisting Jason Pobjoy).

Ukraine v Russia (European Court of Human Rights) (ongoing)

Acting for Ukraine in a landmark inter-state case involving allegations of mass and gross violations of multiple Convention rights (assisting Tim Otty QC and Jason Pobjoy).

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The J. Paul Getty Trust & Ors v Italy (European Court of Human Rights, Application No. 35271/19) (ongoing)

Acting for the Applicant trust and trustees in their claims against the Italian Government alleging breaches of A1P1 following the making of forfeiture orders over the "Getty Bronze" statue currently exhibited in the Getty Museum in Los Angeles (assisting Tim Otty QC and Jason Pobjoy).

Public International Law

Madelaine accepts instructions in all areas of public international law.

Cases

Ukraine v Russia (European Court of Human Rights) (ongoing)

Acting for Ukraine in a landmark inter-state case involving allegations of mass and gross violations of multiple Convention rights (assisting Tim Otty QC and Jason Pobjoy).

The J. Paul Getty Trust & Ors v Italy (European Court of Human Rights, Application No. 35271/19) (ongoing)

Acting for the Applicant trust and trustees in their claims against the Italian Government alleging breaches of A1P1 following the making of forfeiture orders over the "Getty Bronze" statue currently exhibited in the Getty Museum in Los Angeles (assisting Tim Otty QC and Jason Pobjoy).

Sanctions

Madelaine accepts instructions in all areas of sanction law.

Cases

Re: Advice on Transport Sanctions (2022)

Advising the Department for Transport on various issues relating to the operation and enforcement of the Russia (Sanctions) (EU Exit) Regulations 2019 on the detention of aircraft and ships in UK airports and ports following the outbreak of the Russia-Ukraine war (assisting Jason Pobjoy).

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Re: Advice on Russian Sanctions (2022)

Advising the Foreign, Commonwealth and Development Office on various issues relating to the operation and enforcement of the Russia (Sanctions) (EU Exit) Regulations 2019 following the outbreak of the Russia-Ukraine war (assisting Jason Pobjoy).

Data Protection, Freedom of Information & Privacy

Madelaine accepts instructions in all areas of data protection, freedom of information & privacy law.

Cases

Birchall v BBC (First-tier Tribunal (General Regulatory Chamber), 2022)

Acting for the BBC in an appeal against the decision of the Information Commissioner that information relating to the BBC's marketing spend fell within the journalism derogation and/or the commercial interests exemption (assisting Jason Pobjoy).

A (Individuals) v European Parliament (General Court, ongoing)

Acting for the claimants in an application to the General Court seeking to annul a decision of the European Parliament to withhold access relating to the public expenditure of a Member of European Parliament (assisting Jason Pobjoy).

Keighley v BBC (First-tier Tribunal (General Regulatory Chamber), 2022)

Acting for the BBC in an appeal against the decision of the Information Commissioner that information relating to BBC training materials on impartiality fell within the journalism derogation (assisting Jason Pobjoy).

ACHIEVEMENTS

Education

2019 – 2020 (BCL), Distinction (Dist), Merton College, University of Oxford

- Awarded Merton Lawyers' BCL Scholarship
- Awarded Bond University Alumni Scholarship

2013 – 2016 (BA (French and International Relations), LLB Hons), First Class, Bond University, Australia

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- Awarded University Gold Medal in Law (1st in year)
- Awarded Una Prentice Award for Top Female Law Graduate in State of Queensland
- Awarded Highest Achievement in French Language (1st in year)
- Awarded Highest Grade Point Average in Faculty of Law (All High Distinctions) (4.0/4.0)
- Awarded 17 First in Class Awards
- Awarded Best Advocate (Government) in International Criminal Court (ICC) Moot, The Hague
- Awarded Best Advocate in Hon. Michael Kirby Contract Law Moot, Melbourne, Australia

VAT registration number: 430410846

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