

Marcus Croskell

Barrister (Call Date: 2003)



Marcus is an experienced practitioner and noted as a leading junior barrister in the 2019 edition of the Legal 500 for the UK and international in contract and commercial disputes. He receives instructions from solicitors and takes direct instructions from individuals seeking expert criminal and commercial legal advice. In addition, Marcus acts for all parties in regulatory matters such as licensing, health and safety cases and environmental issues.

General Civil and Commercial Litigation

Whether you need advice or representation, Marcus accepts instructions in a broad range of commercial disputes that affect both businesses and individuals in the UK and around the world. His international work has involved working with parties in the Caribbean, Africa and Asia. He has experience in debt recovery and construction litigation. Furthermore, he regularly undertakes cases involving complex contractual disputes, negligence and insolvency.

In personal injury matters, road traffic accidents and credit hire claims, he acts on behalf of Claimants and Defendants, as well as appearing at every level including high value High Court disputes.

Housing and Property Disputes

Marcus accepts instructions in a variety of landlord and tenant or property owner disputes.

He has represented HMO landlords when prosecuted by local authorities as well as challenged management fees on behalf of private tenants at the First-tier Tribunal. He has advised social landlords providing both written advice and/or representation in disrepair and possession claims including anti-social behaviour on behalf of local authorities, registered providers and charities. His public law tenant work has seen him undertake the above plus pursuing unlawful eviction and homelessness claims including judicial review.

He regularly advises on commercial and residential property disputes. The residential housing matters have included boundary disputes and applications under the Trusts of Land and Appointment of Trustees Act 1996. Marcus is experienced in assisting clients that wish to bring or challenge claims for adverse possession, the registration of easements or other issues with entries on the register before the Land Registration division of the First-tier Tribunal (Property Chamber). On the commercial side, claims have considered the status of business leases as well as resolving complex contractual High Court disputes arising from large scale property investment.

Costs and Detailed Assessment

Marcus is experienced in acting for clients at the Senior Courts Costs Office at the Royal Courts of Justice on complex and high value detailed assessments as well as county court costs assessments. In particular, he has advised and represented clients where the ATE premium is contested including at provisional assessments. A case Marcus acted on at first instance was upheld by the Court of Appeal in 2018. He can provide cogent and straightforward advice on the CPR regime post-*Mitchell* and *Denton* including budgeting, costs capping and costs management.

Criminal

Areas of criminal law expertise include:

General crime

Fraud and confiscation

Road traffic or motoring law

Regulatory work including trading standards, environmental law, HMO regulations & health and safety



Qualifications/Education

BSc (Hons) (Southampton)

Memberships/Appointments

Housing Law Practitioners Association
Social Housing Landlords Association
Criminal Bar Association

Publications/Articles

- 1) *A foreign problem – jurisdiction of English Courts now and post-Brexit* – 02/07/18 – <http://www.ealaw.co.uk/articles/a-foreign-problem-%e2%80%93-jurisdiction-of-english-courts>
- 2) *Late Agreement to Avoid Case Management Conferences* – 02/09/15 – <http://www.ealaw.co.uk/articles/late-agreement-to-avoid-case-management-conference>
- 3) *Proportionality in POCA Proceedings* – 23/09/14 – <http://www.ealaw.co.uk/articles/proportionality-in-poca-proceedings>
- 4) Co-author of chapter on ‘Oversees assets’ under Proceeds of Crime Act 2002 in *Fraud:*

Law, Practice & Procedure (Butterworths 2005) : ISBN:0 7545 2434 5.

Cases

- *Bloody Bay Hotel Development Limited v Besso Limited* (2019), unrep – High Court dispute for fraud and concealment of secret profits in the broking of international insurance policies
- *Sullivan v Ruhan, McNally & Cooper* (2019), unrep – High Court dispute for property dispute concerning a large property in London docklands and conversion to a data centre
- *Bennett Gould & Partners Ltd v O’Sullivan* [2018] EWHC 2450 QB – High Court dispute for fraudulent and negligent misrepresentation in forming a joint venture and bribery
- *Chin v Sliwinski & Others* (2017), unrep – High Court dispute on enforcement of debt
- *National Car Parks Ltd v Barrington-Fuller & Others* (2016), unrep – High Court dispute regarding personal guarantees

What Others Say

Legal 500 - Recommended Leading Individual in Commercial, Banking and Insolvency:

Marcus is noted in The Legal 500 as a top tier leading junior barrister and noted for being “extremely approachable and focused” (2014); **“mastering complex matters quickly and assists with developing strategies”** (2015); **“He adds value and has a real commitment to his cases”** (2016); **“experienced in contractual and insolvency disputes”** (2017) and in 2018 that **“He has notable expertise in contractual matters.”**

“Just wanted to personally thank you for today, you were awesome... I am really pleased with the outcome... and you can be rest assured I will recommend you to all I know.” – Rob, Southend

“Marcus did a brilliant job, the only thing I would add to that is I would rather he defended me than prosecute me!” – Glenn, Bury St Edmunds

“We know that our client was extremely grateful for Marcus’s assistance on this matter and we are also delighted with the services Marcus provided.” – Solicitor, Leonard Gray LLP

