



## IAIN G. MITCHELL KC



### Year of Call

1976

### Year of Silk

1992

### Devil Masters

A.G.C. McGregor KC

Herbert A. Kerrigan KC



## Practice Profile

Iain G Mitchell KC was called to the Scottish Bar in 1976, and took silk in 1992. He was called to the English Bar and commenced practice in England in 2012. He was accredited as a mediator by the Mediation Bureau (Scotland) in 1997 and by Mediation Forum Ireland in 2007. He is a member of the Scottish Council for International Arbitration and sat on the bench as a Temporary Sheriff from 1992 to 1997.

Iain is an experienced litigator with a wide and varied civil practice, with strengths in Business and Banking law, European Law, Public Procurement Law, Employment Law and Public Law, as well as being rated by Chambers Directory in Band 1 for Information Technology and the only Scottish Silk recommended by the Legal 500 for Intellectual Property and Information Technology Law.

He has appeared in over 60 reported cases, including two in the House of Lords: *Moncrieff v Jamieson* [2007] 1WLR 2620 (the leading modern case on easements) where he succeeded in definitively establishing the existence of an easement of parking in the laws of both Scotland and of England and *Clarke v Fennoscandia Ltd* 2008 SC (HL) 122, a case concerning the enforcement of foreign decree allegedly obtained fraudulently in the US Third Circuit, and involving issues of Scots, English, French, European, United States, and Colorado law. He is currently heavily engaged in litigations in both England and Scotland seeking redress for bank customers in cases of alleged mis-selling of Interest Rate Swap Agreements, having acted for the claimants in *Grant Estates Ltd. v Royal Bank of Scotland Ltd* [2012] CSOH 133, the first of such cases to be decided. He is also a leading member of QA legal, an international grouping of barristers, solicitors, financial experts and others who are pre-eminent in this field.

His work is informed by extensive practical experience in business, the charitable and voluntary sectors, politics, and his keen interest in the arts and heritage. His sensitivity to commercial realities has frequently been commented upon and this, together with his substantial experience, enables him to develop innovative solutions, giving holistic advice which places the needs of clients in a wider commercial setting.

One client described Iain as "inquisitive, perceptive and open-minded, and these qualities make him extremely effective." An experienced solicitor said of him: "Iain Mitchell exudes confidence and knowledge and when he speaks you want to listen".

## Education & Professional Career to Date

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LL.B (Hons) University of Edinburgh, 1973  
Certificate in Christian Studies (University of Aberdeen) 2006  
FSA Scot 1973  
FRSA 1988

## Areas of Practice

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- Clinical and Professional Negligence
- Commercial
- Media Law, Privacy and Defamation
- Public Law

## Directories

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Recommended in Chambers & Partners UK Bar Guide 2024

Band 1 for Information Technology  
Band 2 for Intellectual Property  
Band 3 for Commercial Dispute Resolution

Recommended in the Legal 500 UK Bar Guide:

Band 2 for Commercial Disputes

'A leader in legal issues concerning open source technology, and one of the world-leading authorities on it and public sector.'

Recommended in The Legal 500 UK Bar Guide 2020

Band 1 for Intellectual Property, Information Technology and Media

"He is unafraid to take an unconventional approach to cases."

Band 1 for Commercial Litigation

"A very knowledgeable silk."

## Additional Information

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Languages: French and Italian