

**Overview**

Banking and Financial Services  
Commercial Disputes  
Consumer Credit  
Pensions  
Professional Liability  
Property

## Profile: Overview

Peter's practice has three core areas: **Banking and Financial Services, Property Litigation and Professional Negligence**. Having started his career in the City as a fund manager at a leading investment bank, he has a particular interest in matters involving asset management and the sale and distribution of investment products.

### Banking and Financial Services

Misselling claims concerning a wide variety of financial products form a substantial part of Peter's practice. In recent years, Peter has appeared perhaps more often than any other member of the Bar at hearings concerning a claimant's date of knowledge for limitation purposes in the context of financial advice, including in the Court of Appeal in *Jacobs v Sesame Ltd*. Click [here](#) for more details of Peter's practice in this area.

### Property

Peter's property practice includes cases concerning the enforcement of mortgages and the management of property investment portfolios. He appeared for the lender in the Court of Appeal in *Graves v Capital Home Loans Ltd*, one of a limited number of authorities considering the unfair relationships provisions of the Consumer Credit Act in the context of mortgage enforcement. Click [here](#) for further details of Peter's practice in this area.

### Professional Negligence

Peter's professional negligence practice reflects his two other core practice areas. In addition to his involvement in claims against financial practitioners, Peter acts not only for claimants but also for defendant professionals and their insurers in matters arising from conveyancing, secured lending and other property transactions. He has appeared in two of the recent line of cases involving claims against solicitors (including for breach of trust and breach of warranty of authority) in respect of losses resulting from identity fraud: *Dreamvar (UK) Ltd v Mishcon de Reya* (with *Jeremy Cousins QC*) and *Ikbal v Sterling Law*. He is frequently instructed to attend the mediation of professional negligence claims. Click [here](#) for further details of Peter's practice in this area.

### Pensions

A significant proportion of Peter's financial mis-selling practice concerns pension products. He has been instructed in numerous recent claims brought by members of occupational schemes or holders of personal pension plans who have been persuaded to invest (usually via a SIPP) in a variety of failed or fraudulent ventures. Many such claims involve issues as to the obligations and potential liability of the SIPP operator. Click [here](#) for further details of Peter's practice in this area.

### Other work

In addition to commercial disputes in the banking and financial services sector, Peter has acted in various cases involving the commercial application of trust or other equitable principles. Furthermore, Peter's expertise in the field of investment overlaps with those practice areas where clients tend to make extensive use of investment products and services: in particular, charities and private clients. In the course of his career at the Bar, Peter has acquired experience of most areas of Chancery work. Click on the Practice Areas menu to the left for further details of Peter's practice in the relevant area. .

### Brexit

COMBAR has produced a series of detailed papers explaining the potential effect of Brexit on various areas of commercial legal practice. Peter is one of the authors of the paper on Financial Services, contributing to chapters on the Mortgage Credit Directive 2014/17/EU (in so far as it affects mortgage brokers and intermediaries) and the Alternative Investment Fund Managers Directive 2011/61/EU. Click [here](#) to read the COMBAR Brexit Papers.

Peter is permitted to accept instructions under the Bar public access scheme and is always happy to consider doing so in suitable cases (in particular, where an institutional client is seeking specialist advice or a client is seeking preliminary advice with a view to instructing solicitors in due course).

#### Recent articles

*Redress due to insolvent companies: set-off and floating charges* (2018) 1 JIBFL 16 (Butterworths Journal of International Banking and Financial Law, January 2018). It is increasingly common for customers to obtain redress from their bank by way of a scheme set up by the bank or its regulator. Where the customer is insolvent, questions may arise as to whether the bank can avoid making a monetary payment by asserting a set-off or relying on a floating charge. This article analyses some of the difficulties which can arise in such cases and considers the factors to be taken into account. Click [here](#) to read it on LexisLibrary (login required).

*Consequential loss exclusions in financial mis-selling claims* (Butterworths Journal of International Banking and Financial Law, May 2017). *Star Polaris LLC v HHIC-PHIL Inc* [2016] EWHC 2941 is the latest decision in two conflicting lines of authority on what is meant by the expression "consequential loss" in the context of exclusion clauses. This article analyses *Star Polaris* and considers the categorisation of losses arising from the mis-selling of financial products. Click [here](#) to read it on LexisLibrary (login required).

#### Online articles

*The Channel Islands Financial Ombudsman's first full year: ten bullet points* (June 6, 2017) The Channel Islands Financial Ombudsman (CIFO) jurisdiction has been in place since November 2015. What sort of complaints has it been receiving? And how has it been dealing with them? Click [here](#) to read more.

*Can 'active cash' really beat the stock market?* (June 19, 2016) Courts are often faced with evidence that a customer went to an advisor because they wanted to diversify away from cash in the hope of a better return. But do we overestimate the risk that cash will underperform? Click [here](#) to read more.

#### Current seminars and webinars

FORTHCOMING 31 January 2018 (London) - *Fraud during the conveyancing process and critical advice for solicitors* - Peter and [Jeremy Cousins QC](#) will be speaking at the sg Hot Issues in Property Transactions conference. Click [here](#) to read more or book.

23 November 2017 - *Residential property law yearly round up (2017)*. Peter co-presented this LexisNexis webinar with [Michael Large](#) of Prettys. Peter covered two topics: (i) Identity fraud and other conveyancing frauds: protecting yourself and your client and (ii) Alteration or rectification: correcting a "mistake" on the register (*NRAM v Evans*). The webinar is still available: click [here](#) for a YouTube preview or [here](#) to purchase online.

12 October 2017 (Gibraltar) - *Gibraltar & Brexit - The funds and investment sectors* - Peter was one of the speakers at the Chancery Bar Association's Gibraltar Conference. He discussed the potential consequences of Brexit for passporting under UCITS IV and the AIFMD. Click [here](#) to read Peter's paper.

25 May 2017 (London) - *Conveyancing Fraud and Solicitors' Liability* - Peter and [Jeremy Cousins QC](#) reviewed the current state of the law following the much publicised decision in *Dreamvar (UK) Ltd v Mishcon de Reya*.

18 May 2017 (Dr Johnson's House, London) - *William Woodfall - who do you think he was?* Peter spoke at Dr Johnson's Bluestocking Salon about the life of William Woodfall (b. 1771), barrister of the Middle Temple and original author of *The Law of Landlord and Tenant*.

26 April 2017 (Nottingham) - *Conveyancing Fraud and Solicitors' Liability* - Peter and [Jeremy Cousins QC](#) presented to an audience including members of the Nottinghamshire Law Society at an event kindly hosted by Browne Jacobson LLP.

20 April 2017 - *Mortgages in 2017*. Peter co-presented this LexisNexis webinar with [Paul Sams](#), Head of Conveyancing at Eric Robinson Solicitors, The topics included (i) further advances and "tacking" (the "*Black Ant*" case) and (ii) the Mortgage Credit Directive and the potential effect of Brexit. The webinar is still available: click [here](#) for a YouTube preview or [here](#) to purchase.

14 March 2017 - *Financial Regulation After Brexit*. Peter was one of the speakers at a COMBAR seminar, the panel being drawn from the authors of the COMBAR Financial Services Sub-Group's Brexit report. Click [here](#) to read the full report.

28 February 2017 - *Chancery Limitation Periods*. Peter and [Andrew Brown](#) presented this seminar for the Chancery Bar Association New Practitioners Programme. Peter's case studies and source materials are available online [here](#) (login required).

#### Press

*A CPD revolution* - Stephen Honey (Counsel magazine, September 2016) Click [here](#) to read.

#### Education

Exhibitioner of Corpus Christi College, Cambridge

Commendation in Diploma in Law (University of Westminster)

The Everard Ver Heyden Foundation Prize for Advocacy (Inns of Court School of Law)

#### Memberships

Chancery Bar Association

COMBAR

Financial Services Lawyers Association (FSLA)

Society of English and American Lawyers (SEAL)

#### Other Details

VAT Registration Number: 628226146

Bar Membership Number: 29009

#### Judgment at Nuremberg

Peter played chief US military prosecutor Col. Tad Parker in the Tricycle Theatre's 2011 production of *Judgment at Nuremberg* (the cast of which consisted entirely of lawyers). The initial run raised over £40,000 for the [Tricycle's Education, Social Inclusion and Artistic Programme](#) and the [Corinne Burton Memorial Trust](#). A revival at the Bridewell Theatre in March 2013 raised over £10,000 for [Paul's Cancer Support Centre](#). Click [here](#) to read John Cooper QC's article in Counsel magazine about the original Tricycle production and [here](#) to read Nigel Pascoe QC's review for Counsel of the Bridewell revival.

"Peter Dodge was a powerful prosecutor, giving no ground" - Counsel

"The poor man's Richard Widmark" - Sir Ivan Lawrence QC

