

Matthew McDonagh

Year of Call: 1994

Direct Access: Yes

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Matthew McDonagh is a trial advocate. Appearing regularly before **regulatory and disciplinary** tribunals, coronial courts and the Crown Court, he also appears before the Administrative Court on statutory appeals and judicial review applications. Motivated and imaginative, Matthew presents with a charm, charisma and calm that is remarked upon by Judges, solicitors and lay clients.

Matthew specialises in the forensic analysis and cross-examination of witnesses and complicated expert evidence. Matthew's excellence in this field has been acknowledged by his consistent rankings over a number of years in the independent legal directories and their accompanying testimonials. In the last year, Matthew was nominated by both the Legal 500 and Chambers and Partners as their Professional Disciplinary and Regulatory Law Junior of the Year.

Matthew has become a 'go to' barrister in cases that involve scrutiny of contested expert evidence. Matthew is regularly instructed to cross-examine experts in all types of jurisdiction. Clients – both individuals and corporate organisations – often require emergency assistance in a wide range of areas and to know whether the expert evidence of the other side can be impugned successfully. Matthew provides fast and accurate advice to clients and is able to meet their demands pragmatically managing deadlines as appropriate.

In addition to his busy practice, Matthew is a Middle Temple Advocacy Trainer and lectures regularly on medico-legal, regulatory and disciplinary matters. He has provided forensic training to expert witnesses. Matthew is a Pupil Supervisor and mentors other barristers through his Inn. He also has sat regularly as a Crown Court Recorder since 2009.

Matthew is permitted by the Bar Council to accept instructions directly under the Public Access scheme and does this regularly through the clerking team at Outer Temple Chambers.

Areas of Expertise

Commercial Disputes

Matthew is often instructed in commercial disputes many of which involve allegations of fraud. Examples of such cases include: –

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- HMRC prosecution of a banker charged with Conspiracy to Cheat the Revenue involving alleged dishonest investments in the British Film Industry;
- Carbon credit fraud;
- Wine investment fraud;
- HBOS banking fraud;
- SFO prosecution of share investment Boiler Room fraud;
- Cash for Crash Insurance fraud;
- NHS fraud arising from the Covid Pandemic;
- NHS claim and prescription fraud.

Matthew is comfortable assimilating paper-heavy cases quickly. He has successfully represented those under investigation and prosecution by the SFO, HMRC, and the NHS Counter-Fraud Authority. He has experience of dealing with multi-jurisdictional POCA proceedings (in jurisdictions that include Spain, Iceland and the United States), restraint, tracing, international financial regulation and forensic accountancy.

Sports Law

Matthew contributes on the Outer Temple Chambers [Law in Sport](#) activity. He has also been appointed to the Sports Resolutions UK Panel of Arbitrators and [Mediators](#). Matthew sits on the disciplinary tribunals of a number of Olympic sports including rowing and boxing since 2020. Matthew has provided legal advice to sports tribunals, governing bodies, coaches and athletes. Among this advice he has advised upon football contracts, image rights issues and commercial matters.

He is also a member of the Sports Resolutions Pro Bono Panel accepting instructions for athletes in a wide variety of disputes. Matthew has successfully completed post-graduate study (Sports Law PG Cert. at DMU) in Sports Law and has embraced this aspect of [regulatory](#) practice which allows his love of sport and [advocacy](#) to flourish.

Matthew's passion for those involved in the sport's industry is evident in his efforts to increase his involvement in this type of work which has included pro bono representation at first instance and appellate level. He regularly attends and presents at industry events including Law in Sport and OTC presentations. He has published comments on legal aspects arising from the sector and continues to write on issues of interest (please read more [here](#)).

Matthew is highly experienced at dealing with the press and media attention that many of his cases attract. He knows and recognises that the control of the 'news story' is sometimes as important as the 'news story' itself. Matthew has great experience with and has represented other clients involved in the sports industry, including Image Rights Consultants, Financial Advisors, Football Managers, Accountants and Marketing Professionals. Barristers dealing with this area of work must be sensitive to the wide-reaching ramifications of their cases that may not always be present in other forensic fields. This means that Matthew's experience and first-hand insight of these sensitive situations has proven to be invaluable for his clients.

Notable Sports Law cases

- Football Association Tribunal for a football club appealing against sanctions imposed for financial irregularities;

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- Premiership footballer involved in complex contractual dispute arising from a purported termination of contract;
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- Crown Court and Court of Appeal for Premiership Footballer acquitted of involvement in a drug conspiracy;
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- Footballer acquitted of causing grievous bodily harm to two opponents on the football pitch;
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- International Netball player assaulted by doctor during routine examination;
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- Gambling irregularities at the British Horseracing Authority;
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- International Sports Gambling Syndicate – advised upon British investment;
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- Employment dispute regarding Football Academy employee;
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- Child Welfare issues from endemic failure to care for young players in football academy;
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- Successful representation of basketball coach alleged to have physical and emotionally abused young players.
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Professional Discipline & Regulatory

Matthew was instructed by healthcare regulators for many years, during which time he built up a solid reputation for providing firm and concise advice, fairness and thoroughness. He was favoured Counsel in cases of particular complexity and length. Matthew now uses these skills on a regular basis as he defends before the General Medical Council, General Dental Council and other regulators.

Matthew is particularly adept at simplifying complex areas of expert evidence. He has taught experts forensic skills in the preparation of expert reports and the giving of evidence. He is experienced at cases that are multi-patient and those that involve Performance Assessments. Matthew has appeared and been instructed in regulatory proceedings involving

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Veterinary Medicinal Products, The Food Standards Agency, The Financial Conduct Authority, The Gambling Acts and The Football Association.

Instructed in all areas of regulation and professional discipline, Matthew appears before Military Courts both domestically and internationally, Inquests, Professional Discipline and Regulatory Tribunals and the Administrative Division of the High Court. Many of those requiring advice and representation from Matthew have international aspects to their concerns. Most recently that has included jurisdictional issues arising in Cyprus, Iceland and Germany.

His background in criminal work gives him a clear forensic advantage in the most complex of these cases. Professional and Lay Clients instruct Matthew for his calmness in all circumstances, clarity and the imaginative manner in which he approaches his cases.

Matthew is instructed by a number of the leading solicitor firms for his practice areas. He also accepts instructions from indemnifiers, Hospital Trusts, Sport's Governing Bodies and other organisations.

Matthew's experience across many disciplines gives him an overall insight into issues that have particularly assisted his clients. Additionally, his background before the regulatory tribunals and the criminal courts places him in a strong position to represent professionals who find themselves before these courts and also at inquests and inquiries.

Notable Professional Discipline & Regulatory cases

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- Representation of neurologist involved in the largest patient recall in NHS history;

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- Autistic doctor with genius IQ sexually harassing colleagues;

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- Neuro-surgeon's wrong level spinal surgery and bribery;

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- Death arising from robotic surgery on heart valve;

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- Dental claims arising from computer fraud;

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- Death arising from 'bleeding out' following dental teeth extraction;

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- Solicitor investigated for fraud;

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- Barrister prosecuted for sexual misconduct;

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- Autism treatment via tinted lenses;

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- Sexual assault allegations by dental nurse on Practice owner.
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General Crime

Formerly practising from a leading set of criminal chambers, Matthew appeared regularly as a Leading and Junior Counsel in the Crown Court and the Court of Appeal in cases involving murder, firearms, rape, kidnapping and robbery. In recent years, he has continued to practise in criminal law and has appeared in fraud cases, a murder case, sexual assault cases and a poisoning case.

Matthew historically appeared for both the prosecution and defence in all areas of general criminal work. However, most recently he has only been instructed on behalf of defendants in criminal matters. He is known for his tough but measured approach.

Matthew has particular expertise in presenting complex technical evidence, often in cases involving expert witnesses and young or vulnerable defendants. He appears regularly as a Leading Junior.

Examples of General Criminal cases include:

- Baby-shaking murder;
- Sexual assault of dental nurse;
- Rape allegations following domestic abuse;
- Conspiracy to murder when assassins were hired by drug dealers to eliminate rivals.

Memberships

- Recorder of the Crown Court (2009)
- [Sports Resolutions UK](#) Panel of Arbitrators and Mediators
- [ARDL](#)
- [Fraud Lawyers Association](#)
- [Criminal Bar Association](#)
- [South Eastern Circuit](#)

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Recommendations



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