



Matthew McDonagh

Year of Call: 1994

Direct Access: Yes

	matthew.mcdonagh@outertemple.com
	+44 (0)20 7353 6381



Matthew McDonagh is a trial advocate who appears on a regular basis before **regulatory and disciplinary** tribunals. He also appears frequently in the **criminal** jurisdiction. He is adept at 'Judge-only' advocacy before the Administrative Court and the Court of Appeal. Considered fearsome by some opponents, Matthew presents with a charm, charisma and calm that is regularly remarked upon by Judges.

Matthew's particular expertise is 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 publications including Chambers UK and the Legal 500 – and within the testimonials that accompany them.

Matthew is the "go to" barrister for those in crisis. These clients may require emergency assistance in a wide range of areas. They need fast and accurate advice. They need this advice to be given simply and confidently so that they can make informed decisions in the most stressful of times. And they need to know that their barrister will follow through so they may take action on the advice that has been given. Matthew gives his clients that clear opportunity.

In addition to his busy practice, Matthew is a Middle Temple Advocacy Trainer and lectures regularly on medico-legal and disciplinary matters. He is a Pupil Supervisor and mentors other barristers through his Inn. He also sits regularly as a Crown Court Recorder.

Areas of Expertise

Sports Law

Matthew leads on the Outer Temple Chambers **Law in Sport** activity. He has also been appointed to the Sports Resolutions UK Panel of Arbitrators and **Mediators**. He is also a member of the Sports Resolutions Pro Bono Panel accepting instructions for athletes in a wide variety of disputes. Currently involved in post-graduate study leading to an LL.M in Sports Law, Matthew has embraced this aspect of **regulatory** practice which allows his love of sport and **advocacy** to flourish. He has represented a number of professional sportsmen in courts and tribunals and has negotiated and advised upon football contracts, image rights issues and commercial matters. Very often it is a combination of his speedy and sensible advice

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DX: LDE 351 (Chancery Lane)

Abu Dhabi

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E: OTC-UAE@outertemple.com

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that avoids contentious issues developing into public hearings.

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. He regularly attends and presents at industry events. 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

Premiership footballer involved in complex contractual dispute arising from a purported termination of contract

Crown Court and Court of Appeal for Premiership Footballer acquitted of involvement in a drug conspiracy

Footballer acquitted of causing grievous bodily harm to two opponents on the football pitch

International Netball player assaulted by doctor during routine examination

Gambling irregularities at the British Horseracing Authority

International Sports Gambling Syndicate – advised upon British investment

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Employment dispute regarding Football Academy employee

Child Welfare issues from endemic failure to care for young players in football academy

Disciplinary & 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.

In the last twelve months Matthew has appeared and been instructed in regulatory proceedings involving Veterinary Medicinal Products, The Food Standards Agency, The Financial Conduct Authority, The Gambling Acts and The Football Association with regulatory hearings at Wembley Stadium. He has been instructed by both football players and football clubs.

Most regularly 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. 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 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.

Many of Matthew's instructions have been generated by personal recommendations from past clients. 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.

Additionally, Matthew is an FA registered intermediary and has represented a number of footballers in contract negotiations and commercial matters.

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 enquiries.

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Notable Disciplinary & Regulatory cases

Autistic doctor with genius IQ sexually harassing colleagues

Dentist assaulting patient during examination

Football club fighting points deduction after financial irregularities discovered

Solicitor investigated for fraud

Barrister prosecuted for sexual misconduct

Tinted lenses and the treatment of autism related symptoms at the General Optical Council

Business Crime & Regulatory

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 some leading fraud cases.

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Recent Fraud and Financial Crime cases include:

- Banker charged with Conspiracy to Cheat the Revenue arising out of a million pound tax rebate from investments in the British Film Industry
- Wine investment fraud
- HBOS banking fraud
- Boiler Room fraud

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- Cash for Crash Insurance fraud

Matthew is comfortable assimilating paper-heavy cases quickly. Matthew's fraud work most recently has seen him defend successfully in a number of SFO and other fraud prosecutions. He has experience of dealing with multi-jurisdictional POCA proceedings, restraint, tracing, international financial regulation and forensic accountancy. These skills have benefitted a number of those that he has represented.

General Crime

Matthew has 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.

Recent general Criminal cases include:

- Doctor facing sexual allegations arising from relationships with staff and patients
- Rape and GBH allegations following domestic abuse
- 50kg Cocaine importation conspiracy involving former Premiership Footballer
- Conspiracy to Murder involving drug dealers hiring assassins to eliminate rivals and those who were owed money.

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**

Recommendations

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