



Reanne MacKenzie

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Reanne MacKenzie is developing a broad practice as sole and junior counsel across a range of Chambers' specialisms including commercial litigation, group actions, property, employment and financial services, including consumer credit. She has gained wide experience of high value commercial litigation and arbitration, including acting for the successful claimant group in the Post Office Group Litigation.

Reanne graduated from Emmanuel College, Cambridge with a First in History. She was awarded a distinction on the GDL and an outstanding on the BPTC, both from City University Law School. She was awarded the Pegasus Scholarship from Inner Temple and spent 6 weeks on secondment in Bermuda.

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Commercial

Reanne has experience of being led in complex commercial litigation and arbitration, with particular focus on contractual disputes. She is also instructed in her own right as sole counsel in commercial claims. Reanne is one of the five counsel team, all from Henderson, that achieved a stunning victory for over 500 Subpostmaster claimants in the *Post Office Group Litigation*. The claimants sued the Post Office in relation to the correct construction and interpretation of the Subpostmaster contract ("the Common Issues") as well as its point of sale and accounting IT system ("the Horizon Issues"). The Common Issues Judgment is a landmark case on relational contracts and implied terms.

Reanne and the team further succeeded against the Post Office in its failed recusal application (and subsequent attempt to appeal) as well as the Post Office's application for permission to appeal the Common Issues Judgment, which was denied after an oral hearing.

The claimants were also successful in the Horizon Issues trial and Reanne was part of the legal team that successfully concluded the Group Litigation with a negotiated settlement favourable to the Subpostmasters.

The success of the Post Office Group Litigation revealed the true extent of the miscarriage of justice suffered by many Subpostmasters, which has led to many Subpostmasters having their criminal convictions quashed by the Court of Appeal.

The Post Office Litigation was identified by 'The Lawyer' as one of its Top 20 cases for 2018 and has received extensive media coverage, including being named the civil litigation case of the year by the civil litigation case of the year by the 'Civil Litigation Brief'.

Reanne also regularly acts in a variety of commercial disputes as both sole counsel and as part of a chambers' team including *Libyan Investment Authority & Ors v King & Ors* [2023] EWHC 265 (Ch) where she successfully defended a claim for misrepresentation and unlawful means conspiracy in context of a failed joint venture to develop a hotel and retail park at one of the last undeveloped junctions on the M25.

Representative Cases

- *Bates & Ors v Post Office Limited (No 6 Horizon Issues)* [2019] EWHC 3408 (QB)
Acting for over 500 Claimants in claim against Post Office relating to its point of sale and accounting IT systems.
The case was identified by The Lawyer as one of its Top 20 cases for 2018.
Final Judgment in the Post Office Group Litigation (December 2019)
- *Bates & Ors v Post Office Limited (No 5 Common Issues Costs and PTA)* [2019] EWHC 1371 (QB)
- *Bates & Ors v Post Office Limited (No 4 Recusal)* [2019] EWHC 871 (QB)
- *Bates & Ors v Post Office Limited (No 3 Common Issues)* [2019] EWHC 606 (QB)
Landmark victory in the Post Office Group Litigation (March 2019)

Product Liability & Group Litigation

Reanne is experienced in group litigation acting for both claimants and defendants. She was part of the counsel team who successfully acted for the 550 claimant subpostmasters in the *Post Office Group Litigation*. Reanne has also acted in large scale vaccine damage cases and acted for a defendant car manufacturer in the *NOx Emissions Group Litigation*. Reanne is experienced in group litigation procedure including the various options available under GLOs, collective redress in the CAT and representative actions. Reanne has a wealth of experience in being involved in setting up group litigation and is able to give strategic advice about the entire process and best options available on a case specific basis. Reanne also has a breadth of experience from being seconded to law firms specialising in group litigation and collective redress.

Reanne previously assisted in preparing the successful interlocutory application for security for costs in the *Seroxat Group Litigation* (led by Charles Gibson KC). Reanne also acted for the Government in the high profile *Cyprus Colonial Group Litigation*. Reanne travelled to the national archives in Nicosia, Cyprus in order to

assist in the preparation of the case. This work was of great assistance to the case and in assisting the parties to reach a settlement.

Representative Cases

- *Sandra Bailey & Others v GlaxoSmithKline UK Limited [2017] EWHC 3195 (QB)*
As a third six pupil Reanne assisted in preparing the interlocutory application for security for costs in the Seroxat Group Litigation (led by Charles Gibson QC).
- *Volkswagen NOx Emissions Group Litigation (2018/19)*
- *The Cyprus Colonial Group Litigation*
- *The Post Office Group Litigation (2018/19)*
Acting for over 500 Claimants in claim against Post Office relating to its point of sale and accounting IT systems.
The case is identified by The Lawyer as one of its Top 20 cases for 2018.
Landmark victory in the Post Office Group Litigation

Banking, Finance & Consumer Law

Reanne has a wealth of experience in acting in consumer credit cases. Most recent Reanne has appeared countless times up and down the country appearing in motor finance commissions claims and energy supplier commission claims. Reanne is an experienced advocate in dealing with the full panoply of secret commission claims that are becoming more prominent across a range of sectors.

Reanne acts for a range of lenders in PPI claims. Reanne has a wealth of experience of successfully taking these matters to final hearings and has assisted in devising a coordinated strategy for lenders adopting a more robust approach to defending PPI claims.

Reanne also has a developing practice in both bringing and defending claims under section 75 of the Consumer Credit Act as well as advising companies on potential breaches under the Financial Services and Markets Act 2000 and the related Regulated Activities Order 2001.

Reanne maintains a busy practice acting in consumer cases generally and is extremely experienced with cases under the Consumer Rights Act 2015, CPUT Regulations and Insurance Act 2015. Her past experience includes representing owners of luxury/ super cars in claims where insurers seek to avoid cover in a consumer insurance policy.

Employment

Reanne routinely appears in the Employment Tribunal and advises in a range of employment matters both for employers and employees. This includes strategic advice merits and procedure, such as on the enforceability

of restrictive covenants, as well as on settlement and negotiation. Reanne is experienced in drafting and reviewing employment contracts, with a view to preventing claims arising. She is also experienced on obtaining springboard relief. She has further acted in cases in the International Labour Organisation tribunal on behalf of ex-employees of the Africa Development Bank.

Offshore

During 6 weeks in Bermuda in January and February 2020 as the Inner Temple Pegasus Scholar, Reanne saw a broad range of offshore litigious work, including contentious trust matters, employment cases, and share purchase agreement disputes. She also assisted on various hearings, including discharging an *ex parte* order granting recognition of an English liquidator, an application for the appointment of provisional liquidators and the winding up of various companies. She also prepared applications for letters rogatory and assisted in preparing an appeal against the Bermuda Medical Council. Reanne is comfortable advising on substantive offshore matters as well as assisting ancillary support matters within the jurisdiction of the English courts.

Environmental and Public Law

As a third six pupil Reanne assisted senior counsel in advising clients in relation to the EU Landfill Directive and waste acceptance procedures at landfill sites. She was also part of the counsel team that sought to judicially review the Prime Minister's decision to trigger Article 50. Reanne also has experience of defending Health and Safety and Environment Agency prosecutions and is adept at appearing in the criminal courts.

Representative Cases

- *Wilson & Others v The Prime Minister [2018] EWHC 3520 (Admin)*
Acting for the Claimants in seeking permission to judicially review the Prime Minister's decision to trigger Article 50 on the basis that corrupt and illegal practices by Vote Leave as well as possible Russian interference, and the criminal investigation into the largest donor Arron Banks, before and during the referendum, undermined the integrity of the result and rendered the decision to leave the EU void.

EU Law

Reanne has assisted senior counsel in various research tasks in relation to intra-EU ISDS and the Energy Charter Treaty ("ECT") as well as the future of intra-EU Bilateral Investment Treaties ("BITs").

Reanne assisted in preparing the claimant's successful appeal to the Court of Appeal in *Micula v Romania and European Commission* (as Intervener) (led by Professor Sir Alan Dashwood QC and Patrick Green QC).

Representative Cases

- *Micula v Romania and European Commission (as Intervener) [2018] EWCA Civ 1801*

Acting for the Claimant in his successful appeal to the Court of Appeal in which the Court accepted that the grant of security of by Romania must be a quid pro quo for the upholding of the stay (led by Professor Sir Alan Dashwood QC and Patrick Green QC).

Personal Injury

Reanne is frequently instructed in personal injury claims. She has experience of representing insurers and claimants, and has been instructed both on her own account and as part of a larger team. Reanne has experience of a range of different personal injury matters, including road traffic accidents, fatal accidents, employers' liability, occupiers' liability, as well as attending joint settlement meetings.

Property

Reanne is regularly instructed in property disputes, including in an advisory capacity, such as the proper procedure for evicting tenants. She has represented various housing associations, local authorities and private landlords. Reanne also has experience of bringing and defending mortgage possession hearings as well as claims for forfeiture and orders for sale. Reanne has also been instructed to appear at the First Tier Tribunal in long-term leasehold disputes. She also is experienced in obtaining charging orders under CPR part 73.

Memberships

- COMBAR
- Health & Safety Lawyers' Association

Education

- BA (First Class Honours, Cantab)
- MA (Cantab)
- BPTC Exhibition Scholarship from Inner Temple
- GDL Exhibition Scholarship from Inner Temple
- Dick Longden Prize from Emmanuel College, Cambridge