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BIOGRAPHY

Andrew acts for retail and investment banks, trading houses and corporate clients in investigations, court proceedings and cross-border regulatory enforcement actions concerning benchmarks, structured products, financial instruments, commodities, fraud and financial crime. He is experienced in cases of market abuse and market manipulation.

In 2013, Andrew spent seven months on secondment with the litigation and regulatory team of an investment bank.

Andrew is also a contributing author to the [Association of Foreign Banks Update](#) and [Compliance & Risk Journal](#).

WHAT THEY ARE SAYING

'Andrew Tuson is a top tier legal adviser. Highly intelligent, strategic thinker, with a considered approach and razor sharp instincts. Financial Services litigation adviser of choice and highly recommended.' – Legal 500 2023

'Andrew Tuson is a recognised expert in the field of banking regulation. his approachable and attentive style coupled with robust knowledge and expertise attributes to the efficient problem-solving and effective resolution.' – Legal 500 2022

'Andrew Tuson (partner): an outstanding solicitor, extremely clever, commercially highly astute, superb at client handling, a great tactician, and a delight to work with.' - Legal 500 2022

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We are defending financial institutions from multiple claims for breach of the so called Quincecare duty and have seen claimant law firms increasingly seek to expand the scope of the duty to try to make financial institutions liable for any frauds taking place through their accounts. Where a bank is unknowingly or innocently “mixed up” in a fraud as a result of duly complying with the customer’s instructions (who are not themselves complicit in or aware of the fraud), the question is in what circumstances should the bank be held liable for any loss suffered on the basis of its purported greater ability to detect fraud. The answer to this question, eagerly awaited by many, has finally come from the Supreme Court in its judgment in Philipp v Barclays Bank UK PLC [2023] UKSC 25.

News

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BCLP delivers 2023 senior managers development program for the Association of Foreign Banks (AFB)

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Kingstar and others v Hassans (a law firm) and others: has the test for limitation been clouded by the Supreme Court?

The Supreme Court of Gibraltar this week found in favour of our clients and dismissed an application by the defendants to strike out our clients’ claim against them on all three grounds relied upon by the defendants. Our clients’ claims - which, after this week’s success, will now continue against Hassans law firm and two of Hassans’ partners - are premised on allegations of dishonest assistance. At trial, the court will ultimately decide whether Hassans and the named partners dishonestly (and with full knowledge of the circumstances) assisted one of our clients’ former directors, Joseph Ackerman, unilaterally and fraudulently - without the knowledge and consent of his co-director, Naomi Ackerman – to effect loans on uncommercial terms from their subsidiaries to other entities in which Mr Ackerman had a personal interest in breach of his fiduciary duties to our clients. In reaching its decision to dismiss the defen...

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Blog Post

Oct 21, 2022

Banking Bites – October 21 2022

Welcome to Banking Bites! This is our short summary flagging some key developments in your sector that we hope will inform your activities in your market. This edition covers: US FDIC Chair focuses on risk based mitigation to climate risks UK financial services regulator updates its rulebook Will UK mandate reimbursements for APP scams? Amended guidance to reflect UK's 2022 Money Laundering Regulations UK's Economic Crime Bill 2.0 enters legislative process The EU releases its eighth package of sanctions against Russia UK plans further response to Russian activities Bank of England to change stress testing to the UK banking system FCA outlines observations regarding transaction reporting and instrument reference data regimes New York Supreme Court issues decision that newly enacted provision of CPLR 5004 does not apply to foreclosure judgments