

Raquel Agnello QC

Call: 1986
 Silk: 2009
 Education: BA Hons (Sussex); Diplome d'Etudes Juridiques Francaises, MCI Arb
 Appointments Deputy Registrar in Bankruptcy & Companies; Bencher of the Inner Temple
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Raquel Agnello QC is a specialist in corporate and personal insolvency as well as general company law. She also acts for the Pensions Regulator in relation to 'moral hazard' provisions and issues relating to insolvency, corporate law and pensions. Raquel sits in the High Court part time as a Deputy Registrar in Bankruptcy and also sits in the Companies Court. During 2011 she was elected as a Bencher of the Inner Temple.

She was appointed Queen's Counsel in 2009 and was named Insolvency Barrister of the Year 2008 at the Chambers & Partners Awards. In October 2010, she was selected as 'Barrister of the Year' at the Insolvency & Rescue Awards 2010 organised by Insolvency Today Magazine, recognising Raquel's reputation as an established insolvency practitioner. In January 2012 *The Lawyer* featured one of her cases in their Top 20 for 2012 which lists significant litigation. They also included her in The Hot 100 which lists 100 high-achieving names in the legal profession. She is a very popular choice as a speaker at various conferences including the annual insolvency conference arranged by LG as well as half day courses and the annual conference organised by R3.

Insolvency

Raquel is a well established and respected practitioner with over 20 years of experience. Recent cases include the ground breaking **Nortel/Lehman** case where Raquel successfully argued on behalf of the Pensions Regulator that a financial support direction under the Pensions Act 2004 constituted an administration expense under the relevant insolvency legislation. This case is now heading up to the Court of Appeal and thereafter probably the Supreme Court.

She has a strong record regarding voluntary arrangements although a lot of these cases are extremely confidential. Cases like **Inland Revenue v. Wimbledon Football Club** and **Chittenden v. Pepper** demonstrate her experience and she advises regularly in this area. The latter case laid down some important principles relating to voting at creditors meetings. Chambers & Partners referred to her as 'the queen of IVAs and CVAs' (2007). She frequently acts for directors in disputes against liquidators and also deals with the area of directors disqualification. Raquel also deals with disciplinary cases before the various regulatory bodies.

Raquel's reputation extends to dealing with complicated and difficult bankruptcies where she acts on both sides. She acted on behalf of the trustee in bankruptcy in both *Hickling v. Baker* and *Re Faithel* where she successfully obtained far-reaching orders against the bankrupts and related parties.

Her cases frequently involve decisions in ground breaking areas.

- In **Frankice Ltd v. The Gambling Commission [2010]** Raquel successfully argued that the proceedings instituted by the Gambling Commission were caught by the administration moratorium pursuant to paragraph 43 of Schedule B1 despite these being characterised by the Gambling Commission as being their administrative procedures in relation to the revocation of a gambling licence rather than any form of tribunal.
- In **Unidare v. Cohen**, she successfully argued that that the shareholder who had the voting 'power' for the purposes of section 435(10) of the Insolvency Act 1986 was the beneficiary and not the registered shareholder in a case where the shares are held on a bare trust.

She has also been instructed to act as an expert in English Insolvency law in relation to proceedings in Singapore.

Pensions

Raquel has become an expert in the fast growing area of 'moral hazard' provisions in the Pensions Act 2004.

- She has been successful on behalf of the Pensions Regulator in the cases of **Sea Containers, Nortel and Lehman** as well as in **Van de Wiele** (Bonas pension scheme), the first contribution notice case.

- She has acted for the Regulator in numerous other cases which remain confidential. She leads the team acting for the Regulator in the **Nortel/Lehman** case relating to financial support directions in insolvency cases and the decision by Mr Justice Briggs that an FSD constitutes an administration expense. This case is listed to come before the Court of Appeal in Q2 2011.

She is well respected for her ability to deal with areas of the law requiring multi-disciplinary skills, in her case insolvency, commercial and pensions law.

What others say

She has been recommended by Chambers & Partners and Legal 500 for many years as a leading barrister for insolvency law and for pensions. The directories highlight:

Raquel Agnello QC continues to impress market sources, who say that “she is tireless on her feet” and “firm, effective and persistent” in her addresses to the Bench. Not only is she “extremely bright,” but those who work with her say she is “great company and brilliant with clients.” She recently acted on behalf of the pensions regulator in the Nortel and Lehman Brothers litigation. (*Insolvency - Chambers UK 2012*)

Raquel Agnello QC of 11 Stone Buildings, who has “in-depth knowledge of insolvency law,” has carved out a particular niche in the market advising the Pensions Regulator’s office on the exercise of its moral hazard powers. (*Pensions - Chambers UK 2012*)

“Popular, charming and exceptionally gifted” silk Raquel Agnello QC is also recommended. (*Insolvency - Legal 500 2011*)

Raquel Agnello QC and Thomas Robinson at 11 Stone Buildings are well versed in handling insolvency and regulatory aspects of pensions cases. (*Pensions - Legal 500 2011*)

Raquel Agnello QC is “talented, articulate and enthusiastic.” She is praised for her “immediate understanding of the important issues in a case” and the clear direction she gives clients. She acted for the administrators of Sports Betting Media, and has also represented the Pensions Regulator with regard to insolvency-related issues. (*Insolvency - Chambers UK 2011*)

Raquel Agnello QC of 11 Stone Buildings, who has established a niche for herself acting for the pensions regulator. Not being a pure pensions specialist, she offers a different skill set to many of the people in the table, but is, nevertheless, viewed as being “someone with great judgement who isn’t afraid to bounce ideas off instructing solicitors. (*Pensions - Chambers UK 2011*)

A worthy addition to silk, she has “fantastic knowledge and an approachable manner.” Peers respect her courtroom skills, revealing: “She is always prepared to argue a point and to do so with gusto.” Although especially strong on pensions specialist bankruptcy work, she also advises on insolvencies in the sports sector and recently acted for the administrators of Sports Betting Media. (*Insolvency - Chambers UK 2010*)

Raquel Agnello QC is ‘very commercially focused and well respected by the Insolvency Court’. (*Legal 500 2010*)

Also recommended is Raquel Agnello QC from 11 Stone Buildings, who has worked with the Pensions regulator on highly technical work where insolvency impacts on pensions funds, ... (*Pensions - Legal 500 2010*)

Raquel Agnello is another “personable and forceful” junior who “comes across extremely well,” agree commentators. Pre-eminent in corporate and personal insolvency, she recently acted for the Pensions Regulator in Sea Containers. Her technical knowledge is “second to none,” and she is known for being “quick to understand the client and where they’re coming from.” (*Chambers UK 2009*)

“Feisty and experienced” junior Raquel Agnello stands out in court, agree peers. “A strong advocate with articulate, factual-based arguments,” she is said to be especially skilled at managing the court and witnesses. (*Chambers UK 2008*)

Such is her reputation she is sometimes referred to as “the queen of IVAs and CVAs.” (*Chambers UK 2007*)

Other

Languages: fluent Portuguese and French; conversational Swedish and basic German.

Educated in the United Kingdom, Sweden and France.

Lay Member of the Membership and Authorisation Committee of the Insolvency Practitioners Association

Member of: Insolvency Lawyers Association, Chancery Bar Association, the Chartered Institute of Arbitrators, and Human Rights Lawyers Association.