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Contact: E. Patricia Ebanks
Tel: (345) 938-2209

New Non-Resident FSD Judge Begins Sitting

Uniquely prepared to serve as a judge in the Financial Services Division of the Grand Court of the Cayman Islands, Justice Nigel Clifford, QC, commenced sitting late February. He will preside over a court before which he himself argued during nearly three decades in senior roles in the local legal fraternity.

Justice Clifford, who was sworn in via Skype in January as a non-resident judge, served formerly for many years with a local law firm as Senior Litigation Partner, with special responsibility for civil and commercial litigation. Since 1987 he also served in a number of legal, community and civil capacities.

Particularly focused on cross-border insolvency and liquidation of companies, the former local barrister has worked extensively with legal and other professionals in many international jurisdictions. This role included giving expert witness evidence in US and Panama courts on Cayman Islands' law. Notably, he served as the lead attorney for the Cayman Islands liquidators of BCCI, then the world's largest-ever financial insolvency that involved lawyers and other professionals in many jurisdictions around the world.

"I am pleased I can round off my career in the important Financial Services Division of the Court, and that I can use my relevant experience for this purpose," Justice Clifford said this week. "Cayman has been a very important part of my life and I am very grateful to have been given the opportunity to maintain my connection with the Cayman Islands and to serve in this capacity."

Welcoming the new judge to the FSD, Chief Justice Anthony Smellie said: "I am very pleased to be able to welcome Justice Clifford as a colleague of the Cayman judiciary," adding: "Our acquaintance goes back, of course, many years to when he first came to practise in Cayman and more latterly as he served as lead counsel in the BCCI liquidation for which I was the supervising judge."

The Chief Justice continued that in Justice Clifford the Judicial Administration was fortunate once more to have attracted someone "with the strong intellectual capabilities and unyielding work ethic required to meet the demands of the Grand Court, and especially of the FSD, in today's commercial environment."

Justice Clifford's local knowledge and experience of Cayman law and practice would enable him from the outset to deal with the full range of cases coming before this division of the Court, Mr. Smellie said, adding: "I hope that Justice Clifford and his wife Penny and their daughters will enjoy their times to come in Cayman, which I know they still regard with deep affection."

In addition to his previous role as a local barrister, the new judge served as President of the Cayman Islands Law Society in 2001. In that capacity, he was closely involved in government initiatives arising from the OECD, FATF and other reports. He was a member of the Private Sector Consultative Committee, during which service he undertook drafting and advisory work with special emphasis on corporate and international finance practice in the context of an international financial jurisdiction. In 2005 he became the first chairman of the Cayman Islands Law Reform Commission.

Involved also in civil initiatives, he was a founding director of the Cayman Hospice Care.

Beginning his professional life here in Cayman, he was employed in 1987 as an associate at Hunter & Hunter. Practising in civil and commercial litigation, he appeared before the courts of Cayman in a wide range of cases. He became Partner in 1991, and Senior Litigation Partner in 1995. He later became Senior Counsel in Appleby Cayman (formerly Hunter & Hunter). He was appointed Queen's Counsel in 2004.

Justice Clifford earned his LL.B (Honours) from Bristol University and was called to the English Bar by the Middle Temple in 1973. On the basis of his bar finals examination, he was awarded a Harmsworth Law Scholarship.

He spent his early years in Kenya, where he was born, graduating from high school there. Like their father, Justice Clifford's daughters, Josie and Louise, spent their formative years in an overseas jurisdiction, having had their early education here in Cayman.

Now resident in England, Justice Clifford anticipates commuting to Cayman several times per year as and when necessary. Under the Grand Court Rules preliminary work on cases can be arranged by video link and conference calls.



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