



James Ayliffe QC

Call: 1987

QC: 2008

jayliffe@wilberforce.co.uk

Clerk's details

+44 (0)20 7306 0102

tcsqc@wilberforce.co.uk

Qualifications and Appointments

- First in Philosophy Politics & Economics
New College, Oxford
- Distinction in Diploma of Law.
City University, London

“The epitome of the modern QC”

Chambers & Partners

Publications

- [Transaction Avoidance in Insolvencies](#), OUP (2012)
- [Hill and Redman's Law of Landlord and Tenant](#) (2016) Specialist Editor

Memberships

- Chancery Bar Association
- COMBAR
- Commercial Fraud Lawyers Association
- Professional Negligence Bar Association
- Property Bar Association
- Member of the Bar of the British Virgin Islands

Practice Overview

James is an experienced QC providing advice and advocacy services across a wide range of commercial fields, including business and financial contracts, banking, company, insolvency, financial services, civil fraud, professional negligence, real estate and contentious trust matters.

Disputes and issues arising, directly or indirectly, from the ownership or exploitation of real property assets feature particularly prominently in James's work.

Much of James's work has an international dimension with cases involving jurisdictions as diverse as BVI, Cayman Islands, Channel Islands, Cyprus, South Africa, Netherlands, Isle of Man, Gibraltar, New York and Ukraine.

James is currently ranked in the legal directories (Chambers & Partners, Chambers Global and/or Legal 500) in the following fields:

- Commercial (Chancery)
- Financial Services
- Real Estate Litigation
- Professional Liability
- International & Offshore.

Recent editions of the directories describe him as (among other things): "very, very good to work with", "very user-friendly", "extremely good in court", "very good at reading judges and anticipating what they will say", "a fantastic mind", "very knowledgeable", "good strategically", and giving "concise advice which saves time and instils confidence" (Chambers & Partners 2019); "great with clients", "strong strategically", having an "excellent advocacy style", "very commercial", and "pro-active and hardworking" (Legal 500 2019); "exceptionally intelligent" with a "brilliant ability to analyse contractual situations", providing "very balanced and measured advice", "excellent" advocacy and written work, and "a very safe pair of hands" (Chambers & Partners 2018); "a very talented individual" with a "good client manner" (Legal 500 2017).

Comments in past directories include: "the epitome of the modern QC"; "an excellent legal brain"; "a real team player" who "works alongside everyone to achieve the right result"; "always adopts a practical commercial approach"; "superb at anything", "excellent", "a fine barrister with a charming manner", "very good with clients", "a first rate intellect with a user-friendly manner that engenders confidence", "has the ability to digest information and



Practice Overview continued

advise coherently on the most complex of legal arguments, "an excellent communicator who provides supremely intelligent advice", "very confident in implementing the advice he gives", "a real specialist", "his advocacy is fantastic and he is able to sway the judge's mind", "a great guy to work with", "fantastic", "dynamic", "level-headed and focused", "easy to deal with", "always on top of his cases", "a splendid understated style", "held in high regard", "widely respected", "meriting the most notable compliments", "intellectually tough", "will stand up to anyone", and "a star of the commercial Bar".

James also acts as an arbitrator, mediator and expert.

Commercial

James's experience in the commercial field includes:

- banking & finance;
- civil fraud;
- company;
- financial services;
- insolvency;
- joint ventures & partnership.

See separate pages for further details on the above practice areas.

Some examples of other commercial cases handled by James include:

- advising major provider of outsourcing services regarding termination and 'step-in' issues;
- advising private equity firm regarding issues arising under an agreement for the sale of shares in a Turkish retail business;
- acting for local authority in dispute with major waste recycling business regarding the proper interpretation of their respective obligations under long-term contract for recycling of waste;
- acting for well-known FTSE 100 company in LCIA arbitration concerning operation of complex £2bn re-financing arrangements;
- advising private equity firm regarding contractual rights against vendor of software business;
- advising packaging company in relation to dispute with its logistic services supplier regarding proper performance of its contractual obligations;
- acting for printing company defending a multi-million pound claim by a government agency for breach of contractual duties to protect confidential material from theft;
- acting for hotel owner in multi-million pound LCIA arbitration relating to alleged breaches of operating and management agreement in respect of a major hotel in Saudi Arabia;
- advising Russian investment bank in relation to claim by executive recruitment firm for fees for alleged services in connection with the recruitment of top executives;
- representing provider of share and bond trading services in multi-million pound dispute with IT suppliers;
- representing licensor in defence of US\$80m LCIA arbitration regarding alleged breach of international licence agreement governing use of well-known brand and trademark in connection with sale of handbags;
- advising manufacturer of street cleaning vehicles on contractual claim against company responsible for the cleaning of London boroughs;
- Acting for international financial services group defending £20m claim for alleged fraudulent misrepresentation in relation to the sale of insurance business;



Commercial continued

- representing vendors of air conditioning business in claim for deferred consideration for sale of shares;
- advising local health authority in relation to issues arising under complex contractual outsourcing arrangements;
- acting for licensor in US\$20m claim for alleged repudiation of an international licence for the use of a well-known brand in connection with the sale of watches.

James has been listed in the directories for commercial chancery work for many years. Chambers & Partners 2019 notes the breadth of his commercial chancery practice and describes him as *"extremely good in court"*, *"very good at reading judges and anticipating what they are going to say"*, *"good strategically"* and *"strong"* on drafting. Chambers & Partners 2018 similarly referred to him as *"a very strong chancery commercial performer who is proficient in banking, civil fraud, partnership, real estate and trusts cases"* whilst Chambers & Partners 2018 described him as *"a veteran of the Commercial Chancery Bar"* and *"a strong chancery commercial performer"*.

Much of James's commercial work has offshore or cross-border elements. Some representative cases include:

- acting for Russian joint venture partner in successful defence of BVI proceedings for alleged misrepresentations in relation to establishment of joint venture vehicle;
- acting in BVI proceedings for setting aside of statutory demand served on joint venture company on grounds of prospective inability to pay US\$6 million loan note;
- acting for Dubai and Brunei investors in LCIA arbitration concerning alleged breaches of hotel management agreement in respect of hotel in Saudi Arabia;
- acting for defendant to US\$30m claim by Cayman- and Netherlands Antilles-based hedge fund vehicles;
- advising Jersey financial regulator regarding responsibility of overseas firms operating through serviced offices and other facilities in Jersey;
- advising in relation to alleged misappropriation of Ukrainian media interests and enforcement of US judgment against Cypriot company (owned by Channel Islands trust) to which such interests had been transferred.

The international dimension in James's commercial work is reflected in his listing for offshore work in the directories. Chambers & Partners 2019 describes him as *"truly international in his scope"* and *"very user-friendly, very knowledgeable and someone who provides clear advice"*. The Legal 500 also notes the range of his offshore work.