



James Ayliffe QC

Call: 1987

QC: 2008

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Clerks' details

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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.

Insolvency

James has wide experience of insolvency issues and disputes, both corporate and individual, and a particular expertise in property-related insolvency. He is co-author of *Transaction Avoidance in Insolvencies*, OUP, 3rd ed (2018), and the specialist editor of the insolvency chapter in one of the principal practitioner texts on landlord and tenant law, *Hill & Redman's Law of Landlord & Tenant*.

Some representative cases include:

- advising landlord of valuable retail premises regarding potential challenge to CVA of well-known restaurant chain tenant;
- acting for creditor in bitterly contested proceedings to set aside statutory demand based company debtor's prospective inability to pay a US\$6 million loan note;
- acting for property group in proceedings for resurrection of dissolved group companies to pursue £100 million claims against a third party and appointment of a receiver of the claims with authority to commence legal proceedings to protect against potential limitation defences pending resurrection of companies;
- advising trustee in bankruptcy and liquidators of well-known property investor and his companies in attempts to recover assets worth in excess of £100m for the benefit of creditors;
- acting for administrators of HMV in defence of proceedings by its landlords for permission to retake possession of its flagship Oxford Circus store and other stores;
- acting for tax authorities of foreign state seeking avoidance of transactions by which insolvent tax debtor transferred more than £100m into offshore tax havens;
- obtaining a vesting order in favour of guarantor to help mitigate substantial on-going costs following disclaimer of lease by liquidator of insolvent tenant;
- advising lender regarding voidability of proposed transactions under ss 238–239 Insolvency Act 1986;
- advising landlords regarding entitlement to payment of rent as an expense in the tenants' administration;
- acting for well-known car dealership in a complex dispute arising out of the conduct of company administration;
- advising the purchasers of apartments in a luxury development regarding their options following insolvency of the developer/landlord.

Chambers & Partners 2018 notes that James "is the man for brain teasers at the interface of property and insolvency law".