



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

“He inspires confidence in clients, is first class on his feet and a pleasure to deal with.”

Chambers & Partners 2021

Memberships

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

Publications

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

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.

The 2021 edition of Chambers and Partners describes James as *"User-friendly, and good on the commercial aspects of the case."* *"Very thorough. Good on the contractual side as well as pure property disputes."* *"He inspires confidence in clients, is first class on his feet and a pleasure to deal with."* *"He's measured, understated and thoughtful in his advice."* with a *"fantastic mind. [He] brings together the financial and real estate worlds seamlessly."*

While Legal 500 2021 describes him as *"bright and extremely approachable"* *"Incisive, quick to spot all possible arguments"* and *"He has a lovely way with clients, coming across as very calm, unflappable and extremely intelligent."*



Practice Overview continued

Comments in past directories include: "excellent"; "exceptionally intelligent" with a "brilliant ability to analyse contractual situations", providing "very balanced and measured advice"; "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 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***.