



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

“Simply excellent. He’s hugely intelligent, hard-working and a master tactician. Superb on his feet, hugely persuasive and always a real pleasure to work with.” Chambers & Partners 2022

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

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 2022 edition of Chambers and Partners describes James as *“simply excellent. He’s hugely intelligent, hard-working and a master tactician. Superb on his feet, hugely persuasive and always a real pleasure to work with.”* He’s *“a very calm barrister who wears his intelligence lightly,”* with *“a fantastic mind. He brings together the financial and real estate worlds seamlessly.”* *“He is a superb, technically outstanding barrister.”*

While Legal 500 2021 describes him as *“hardworking. An excellent team player. Cautious but proactive, with strategic ideas and suggestions. Paperwork is very clear and precise, and work is produced on time.”* *“James has good broad commercial practice and is highly experienced.”*



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.

Professional Liability

James has extensive experience of professional liability matters, including matters relating to:

- solicitors;
- barristers;
- accountants;
- financial advisers;
- investment managers;
- trustees and fiduciaries;
- company directors;
- pension professionals (including actuaries and benefit consultants);
- surveyors and valuers;
- construction professionals (including architects and quantity surveyors).

James's experience includes not merely claims for negligence but also claims for breach of fiduciary duties, breach of trust, breach of warranty of authority, and contravention of regulatory and professional rules and regulations.

James also advises on professional indemnity insurance issues such as interpretation of policy provisions, aggregation of claims, declinature of cover, conflicts of interest/separate representation, and confidentiality/privilege issues.

James has been ranked in the field for many years. Chambers and Partners 2022 comments that he is "*simply excellent. He's hugely intelligent, hard-working and a master tactician. Superb on his feet, hugely persuasive and always a real pleasure to work with.*" "A very calm barrister who wears his intelligence lightly," a "superb, technically outstanding barrister." Chambers & Partners 2020 comments that he is "*simply outstanding: a persuasive advocate who provides measured and balanced advice.*" Chambers & Partners 2019 comments that he is an "*experienced practitioner who regularly takes on high-value professional negligence cases*", that he is "*particularly active on cases arising in the property and legal sectors*" but "*also handles claims relating to accountants, actuaries and financial advisors, among others*", and that he is "*very, very good to work with*". The Legal 500 2019 notes that he is also "*pro-active and hardworking*". Past editions of the directories have said of him that he is "*a very talented individual in the field*", "*his advocacy and written work is excellent*", he "*provides very balanced, measured advice*", is "*incredibly detailed*" and "*brings everything to a logical conclusion by the way he approaches problem solving*". They also note in relation to his professional negligence practice that he is "*superb at anything with a trusts angle*" as well as being "*good for technical pension cases*" and that he "*calms the clients down*" whilst also being "*prepared to stick his neck out when it's the right thing to do*".



Professional Liability continued

Some representative cases include:

- advising a private equity firm regarding £40m claim against well-known accountants for negligence in conduct of due diligence engagement;
- defending City solicitors facing £5m claim arising out of contract for sale of valuable development land in Kensington, London;
- defending financial services firm against claim by investor for breach of duty in relation to SIPP investment;
- defending well-known accountants against a multi-million pound claim for losses arising out of a PPP/PFI project;
- advising claimant on £40m claim against solicitors and counsel in relation to advice regarding settlement of legal proceedings;
- acting for bank on multi-million pound claim against construction professionals in relation to losses on a failed property development project;
- acting for Channel Islands trustees in defence of multi-million pound claim for alleged negligence in management of substantial investment portfolio;
- defending leading commercial QC against £6m claim in relation to conduct of litigation relating to commercial property development;
- advising liability insurers of company directors facing US \$200m claims for breach of duties owed to the company in relation to the management of failed investment fund;
- defending City solicitors against complex claim by pension scheme trustees arising out of failure to implement equalisation of retirement ages;
- acting for accountancy firm facing £50m claim arising out of allegedly negligent audit work in failing to detect that company was being run as a Ponzi scheme;
- acting for well-known firm of solicitors against £55m claim for alleged negligence in relation to grant of options for development of airspace above a portfolio of petrol filling stations;
- acting for pension fund administrators in relation to a claim by pension scheme trustees for losses arising out of failure to implement Barber equalisation;
- advising City solicitors regarding mitigation options in relation to a multi-million pound negligence claim in relation to advice regarding acquisition of property;
- advising indemnity insurer on coverage issues arising from multiple claims by lenders for losses arising out of mortgage frauds;
- defending City solicitors against multi-million pound claim for allegedly negligent implementation of tax saving scheme;
- acting for accountancy firm facing US\$30m claim by a hedge fund arising out of failure to warn of fraud in relation to proposed investment by the fund;
- defending City solicitors against £200m claim arising out of advice given in connection with the takeover of listed company;
- defending solicitor trustee against complex multi-million pound claim for negligence and breach of duties in management of trust assets over more than 20 years;
- acting for bank on a multi-million pound claim against well-known firm of valuers in relation to losses on development loan facility;
- acting for wealthy individual on multi-million pound claim against accountants/tax advisers in relation to negligent tax advice and failure to disclose 'secret commissions';
- advising pension fund trustees regarding a multi-million pound claim against City solicitors for alleged negligence in relation to advice regarding property acquisition;
- representing leading tax QC in defence of £10m claim for allegedly negligent advice in relation to a container leasing tax scheme;
- defending leading commercial QC in defence of a multi-million pound claim for alleged negligence regarding conduct of commercial litigation;



Professional Liability continued

- defending solicitors against substantial claims arising out of failed litigation over ownership of shares in Bonham's auction house; and
- acting for banking syndicate on a £100m claim against City solicitors in relation to advice regarding title to the 'Pointwest' property development.