



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 2017

Publications

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

Practice Overview

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

Although the underlying legal issues may differ, much of his work is ultimately concerned with real estate assets of one form or another – for example, issues or disputes regarding the ownership, control, holding, management, financing or exploitation of such assets or advice or services provided in respect of such assets.

His work often has significant international dimensions, involving jurisdictions as diverse as BVI, Cayman Islands, Channel Islands, Cyprus, South Africa, Netherlands, Isle of Man, Gibraltar, New York and Ukraine.

In addition to providing advice and advocacy services, he acts as an arbitrator, mediator and expert for the purposes of expert determinations and also gives evidence as an expert witness on matters of English law.

He has been ranked in the legal directories for many years in the following fields:

- Commercial (chancery)
- Banking & finance
- International & offshore
- Professional liability
- Real estate litigation.

The latest directories describe him as (Chambers & Partners 2016) *“the epitome of the modern QC”, “an excellent legal brain” who is “good in a team”* and (Legal 500 2016) *“a real team player” who “works alongside everyone to achieve the right result” and “always adopts a practical commercial approach”.*

Comments in past directories include: *“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”, “a team player”, “intellectually tough”, “will stand up to anyone”, and “a star of the commercial Bar”.*

Memberships

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

Trusts, Tax, Probate & Estates

James has considerable experience of high-value contentious trusts and estates disputes, where his wider commercial experience and expertise is often invaluable.

Some representative matters include:

- acting for trustees of substantial Channel Islands trust in defence of multi-million pound claim for alleged breach of trust in relation to management of investment portfolio;
- representing an international bank trustee company in contested application by beneficiary for appointment of judicial trustee in respect of UK and offshore trusts;
- acting for principal beneficiary of trust of £100m landed estate in wide-ranging dispute with trustees and others regarding validity of trust and rights of beneficiary;
- advising trustees of Isle of Man trust regarding potential claim against investment advisers in respect of losses suffered on investments in a failed Lehmans fund;
- advising trustee in bankruptcy of well-known UK property tycoon in proceedings to recover hundreds of millions of pounds owing to creditors from assets held in Channel Islands trusts;
- acting for South African judgment creditor seeking to 'break open' a trust structure established across a number of offshore jurisdictions in order to enforce against hundreds of millions of pounds of assets transferred into trust by the judgment debtor
- acting for trustees of a Jersey property unit trust in dispute as to priority of their rights of indemnity and associated lien against trust property;
- acting for trustee facing a multi-million pound claim alleging breach of trust in relation to his dealings with trust property comprising shares in a real estate company;
- advising well-known firm of solicitors facing a multi-million pound claim arising out of a disastrous Beddoe application;
- acting for a high-net worth individual seeking to set aside trusts set up for the purpose of mitigating tax and to claim damages and an account of 'secret profits' from the advisers involved in setting up the trusts;
- advising a settlor regarding avoidance of a multi-million pound Bermudan trust on the grounds of mistake;
- acting for a firm of solicitors in successful defence of wide-ranging claims by beneficiary in relation to conduct of earlier trust litigation;
- acting for Hong Kong bank in proceedings to set aside a multi-million pound 'sham' trust established with a view to defrauding creditors; and
- advising on issues arising out of dispute between Russian oligarchs involving challenges to the validity of trust and nominee arrangements.