



James Goodwin

Call: 2013

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Clerks' Details

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Qualifications and Appointments

- MA in Law, University of Cambridge, graded First (1st in University)
- LLM, University of Cambridge, graded First (1st in University)
- Awarded a number of University and college prizes, including the Chancellor's Medal for English Law and Tapp Scholarship
- Taught contract law at several colleges in the University of Cambridge
- Bedingfield Scholar of Gray's Inn

Publications

'[AIB v Redler](#)' (2014)
Wilberforce Legal Digest (Issue 1) March 2015

'Where there's a will there's a way: *Marley v Rawlings*' [2015]
Modern Law Review 140-150

'Purpose Trusts: Doctrine Policy' [2013] *King's Law Journal* 102-110

'Reflexive Effect and the *Bursells Regulation*' [2013]
Law Quarterly Review 317-320

'A Remotely Interesting Case' [2013] *Law Quarterly Review* 485-488

'Failure of Basis in the Contractual Context' [2013]
Restitution Law Review 24-45

'*Secret Profits, Opportunities, and Constructive Trusts*' [2013]
Restitution Law Review 85-92
(with Edward Granger)

'The last Defence of *Wednesbury*' [2012] *Public Law* 445-467

'Contract, Unjust Enrichment, and Risk' [2012] *Law Quarterly Review* 503-507

Practice Overview

James has a very busy and diverse commercial chancery practice. He regularly appears in the High Court and the County Court, both as sole counsel and as a junior. His principal practice areas are:

- Commercial litigation (including civil fraud)
- Pensions
- Trusts (both offshore and onshore), wills and probate
- Property
- Professional negligence

Recent notable instructions include:

- *Al-Dowaisan v Al-Salam*. James (led by Nikki Singla QC) acted for the Claimants in a wide-ranging commercial dispute. The judgment contains important guidance on fiduciary duties, the duty to account, and the defence of illegality in the context of tax evasion. See [2019] EWHC 301 (Ch).
- *Meridian v Batista*: James acts (led by Graeme Halkerston) for the successful applicant in the Cayman Islands, obtaining a Worldwide Freezing Order against the Brazilian oil magnate and sometime 7th richest man in the world, Eike Batista. The case makes new law in respect of the circumstances in which a court will grant WFOs against non-residents and in support of 'treble damages' claims.
- *Deutsche Bank v SHI and Vik; SHI v Sarek et al*: James acts (led by Tim Penny QC) for Receivers appointed over assets of a Turks and Caicos Islands company previously controlled by Alexander Vik. James has appeared as sole counsel in the English High Court, and has acted in litigation in England, Guernsey, and the TCI. See e.g. [2017] EWHC 3265 (Comm)
- The Pensions Regulator: James regularly acts both for TPR and for Targets in respect of regulatory action brought by the Regulator. The nature of such projects is often confidential, but James has significant experience of the Regulator's powers to impose Financial Support Directions and under s. 231 of the Pensions Act 2004.



Memberships

- APL associate membership
- Chancery Bar Association

Professional Liability

James is often instructed in relation to professional liability claims, especially where such claims interact with commercial chancery matters. Recent matters with which James has been involved include:

- *Bloxwich Pension Scheme*. James was instructed alongside Jonathan Hilliard QC to act for the defendant law firm facing professional negligence claims in relation to an alleged failure to equalise scheme benefits.
- Acting (led by Martin Hutchings QC) for a defendant property developer in respect of a large dispute over architectural services
- Assisting Lawrence Cohen QC in *Symrise v BM*, a professional negligence claim arising out of the Mexican tax implications of a highly leveraged acquisition by a private equity fund.
- Acting in a successful claim against a negligent estate agent.
- Advising in relation to professional negligence claims brought against solicitors, IFAs, and investment managers.