



Jamie Holmes

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Clerks' Details

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Qualifications and Appointments

- BCL, Balliol College, Oxford (awarded a scholarship by the Oxford Law Faculty)
- LLB, King's College London (1st Class, joint top of university) (awarded a scholarship by the King's Law Faculty)
- AKC, King's College London
- Awarded a number of university prizes including top overall marks in university in: second year LLB examinations, Property law, Tort law, IP law and Russian law
- Taught the law of trusts and wills at University College London
- Lincoln's Inn, Denning Scholar.
- Baker McKenzie Moot Competition, 1st place, King's (2011) – judged by Lord Clarke JSC

Memberships

- COMBAR
- Chancery Bar Association
- The Association of Pension Lawyers
- The Property Bar Association

Publications

- [Human Rights & Private Sector Tenants](#) [2017]
Wilberforce Property Update (Issue 3) February 2017
- [Public Aspects of Pensions Law](#) [2017] (with [Jonathan Hilliard QC](#))
- [AG v Rosenlund](#) [2016] JRC 062 & 078; [2016] Lloyd's Rep. 495 – case note and commentary (with Nicholas Medcroft)

Practice Overview

Jamie's practice includes all of Chambers' practice areas, focussing around insolvency, trusts, commercial and civil fraud work.

Jamie appears as sole counsel and as a junior in both the High Court and County Court, for instructing solicitors based across the country and internationally; with significant experience working day-to-day in teams based in multiple time zones around the world. His principle practice areas are:

- Insolvency
- Commercial Litigation and Arbitration
- Civil Fraud
- Trusts, Estates & Probate
- Pensions Regulatory work
- Property, including Landlord & Tenant

Jamie recently spent a month in late 2018 on secondment to Ogier's offices in the Cayman Islands where he worked with Rachael Reynolds, Mark Kish and Ulrich Payne and their team on a number of international civil fraud, insolvency and contentious trusts matters.

Notable recent instructions in contentious matters include:

- Acting for defendants in on-going £60m civil fraud proceedings in the Commercial Court alleging liability under foreign law for preventing the enforcement of a US\$200m NAI arbitration award (with [Jonathan Crow QC](#), [Elspeth Talbot Rice QC](#) and [Graeme Halkerston](#)) listed for trial estimated to last 3 weeks in July 2020.
- Acting for the claimant in on-going confidential LME arbitration proceedings seeking remedies including a multi-million pound award for breach of contractual delivery obligations (with [Alan Gourgey QC](#) and [Bobby Friedman](#)).
- As sole counsel successfully resisting in part an interim injunction, and obtaining fortification of the usual cross-understanding, sought against respondent defendants to a claim brought by their tenant of commercial premises including allegations of fraud and claims for damages and lost profits in excess of half a million pounds. Jamie continues to act in this on-going matter with [Tiffany Scott QC](#).



Practice Overview continued

- Acting for the defendant appellants in the recently reported decision of *Devoy-Williams v Hugh Cartwright & Amin* [2018] 5 Costs L.R. 1105 concerning the relationship between a part 36 offer accepted 11 days after the proceedings were struck out for non-compliance with an unless order in circumstances that were found to be dishonest, and where that finding was made following ad hoc live evidence at an interim hearing (with [John Wardell QC](#)).
- Acting for claimants in an 8-day trial in March 2018 in confidential US\$60m ICC arbitration proceedings in Singapore, as part of an international team based in both Asia and the United States, concerning claims for breach of contract in relation to a petrochemical plant (with [Graeme Halkerston](#)).
- Acting for defendants to £13m civil fraud proceedings in 2017 in the Companies Court arising out of an insolvency (with [Marcia Shekerdermian QC](#)).
- Acting for Trustees in the pensions regulatory action concerning the Silentnight DB Scheme, which resulted in the reported decision of the Admin Court in *Grace Bay II Holdings v The Pensions Regulator* [2017] Pens L.R. 7 (with Monica Carss-Frisk QC, Fraser Campbell and [Jonathan Hilliard QC](#)).
- Acting for defendants in banking proceedings in Leeds District Registry of the Chancery Division arising out of a special administration pursuant to the Investment Bank Special Administration Regulations (with Nicholas Medcroft).
- Acting for foreign government claimants in civil fraud asset recovery proceedings in the Commercial Court, including seeking orders for preservation of assets and evidence (with [David Phillips QC](#) and [Nikki Singla QC](#)).

Property

Jamie acts and advises as sole counsel on property matters including:

- As sole counsel successfully resisting in part an interim injunction, and obtaining fortification of the usual cross-undertaking, sought against respondent defendants to a claim brought by their tenant of commercial premises including allegations of fraud and claims for damages and lost profits in excess of half a million pounds. Jamie continues to act in this on-going matter with [Tiffany Scott QC](#).
- Assisting [Martin Hutchings QC](#) in advising a funder on the merits of an appeal to the Privy Council of a decision of the Court of Appeal of Trinidad & Tobago.
- Possession hearings of all kinds in the County Court and High Court, whether concerning residential or commercial property, trespassers, or seeking or resisting forfeiture.
- Settling pleadings and advising in more complex or out of the ordinary possession claims.
- Advising concerning the compromise of possession proceedings where the defendant counterclaimed an interest in the property, the freeholder had lost capacity and a sale was necessary to pay for the freeholder's medical care, and the only available asset for a compromise was the provision for the defendant in the freeholder's will.
- Acting as an expert in foreign proceedings in Hong Kong on aspects of English conveyancing.
- Advising in a 1954 Act dispute that settled thereafter following exchange of evidence.
- Acting for defendant seeking summary judgment on a claim for c. £22,000 by an investor in an offshore property development (settled shortly before hearing).
- Setting aside default judgment for c. £17,000 concerning tenant deposits transferred pursuant to contracts of sale of a number of properties, which were protected and governed by the MyDeposits rules.
- Advising and acting for landlord seeking damages in a small claims trial against tenants seeking recovery of their deposit.
- Obtaining and resisting the grant of charging orders.



Property continued

- Advising on the validity of commercial leases in a number of different contexts, including with regard to the *1954 Act*, registration issues, proprietary estoppel, allegations of sham, and disputes with landlord's mortgagee and s99 of the *1925 Act*.
- Advising on the proper construction of a number of residential leases with regard to liability for repairs and/or service charges.
- Advising at the pre-action stage on a potential claim concerning a Common Intention Constructive Trust over a family home.
- Advising at the pre-action stage on a potential claim to enforce freehold covenants against a developer.
- Advising on a leasehold enfranchisement dispute.
- Advising on a party wall act dispute.
- Appearing at CMCs, CCMCs and other directions hearings.