



## Daniel Lewis

Call: 2003

dlewis@wilberforce.co.uk

### Clerks' Details

+44 (0)20 7306 0102  
practicemanagers@wilberforce.co.uk

### Qualifications and Appointments

- BA (Modern History) St Catherine's College, Oxford
- BA (Law) Downing College, Cambridge

*“He is just as alive to the commercial aspects of litigation as he is to the technical position.”*

Chambers & Partners 2022

## Memberships

- Commercial Bar Association
- London Common Law & Commercial Bar Association
- Chancery Bar Association
- R3: Association of Business Recovery Professionals

## Practice Overview

Daniel practices in the fields of restructuring and insolvency, company law and commercial dispute resolution, including arbitration.

In both the insolvency and company law fields he is highly experienced in bringing and defending claims against directors, including claims for misfeasance / breach of duty, asset recovery cases and disqualification proceedings. He regularly acts on claims against directors arising from participation in tax schemes and tax evasion.

His insolvency practice has a particular emphasis on cases with an international element, particularly offshore asset recovery cases.

In the company law field, he is frequently instructed on cases concerning minority shareholders' rights and disputes over the control of companies (including petitions under section 994, just and equitable winding up and derivative actions).

He undertakes a broad range of commercial litigation, with experience of arbitrations under the LCIA, HKIAC and SCC Arbitration Rules.

He has particular experience advising and acting in cases engaging issues of compliance with FCA (and equivalent offshore regulators) requirements, including advising upon collective investment schemes, claims management companies, debt management companies and the regulation of investor funds.

He is a member of the R3 Fraud Group Committee which makes recommendations for reform and helps R3 respond to government consultations on fraud issues.

### Recent cases include:

- *Hunt v. Financial Conduct Authority* (Re Total Debt Relief Ltd (In Liquidation)) [2019] EWHC 2018 (Ch) - approval of distribution plan for FCA regulated debt management business.
- *Re DCL Hire Ltd* (In Liquidation) [2019] EWHC 2086 (Ch) - appeal on relief from liability of directors.
- *Devon Commercial Property Ltd v. Barnett* [2019] EWHC 700 (Ch) - defending claim against receivers alleged to have conflict of duty.
- *Brewer v. Iqbal* [2019] B.C.C. 746 - defending claim against liquidator alleged to have sold television channels at an undervalue.



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## Practice Overview continued

- In the matter of H S Works Limited [2018] EWHC 1405 (Ch) - resolves the question of the extent to which the provisions of Part 7 of the Insolvency Rules apply to Insolvency Applications.

Recent directories quotes include:

### Chambers and Partners 2021

Highly popular in the market for his advocacy style and personable manner. He undertakes wide-ranging insolvency work with a particular emphasis on claims arising from participation in tax avoidance schemes. He is also well regarded for his handling of professional negligence claims both for and against insolvency office holders. He is noted for his expertise in international insolvency matters.

*"He's a very charming advocate who is well liked by courts and is very user-friendly. He's very much a team player and is very commercial."*

### Chambers and Partners 2020

*"He inspires confidence in his ability and is a very good advocate."*

*"He is excellent in his drafting, his advice is extremely helpful and he is excellent on his feet in court. He is very effective in winning the sympathy of the court and is very hands-on."*

*"He is very client-savvy and good at explaining complex issues to clients and cutting to the chase on complex issues. He inspires confidence in his ability and is a very good advocate."*

*"He has a wealth of knowledge in the field of insolvency."*

### Chambers and Partners 2019

*"He is very pleasant but resilient with a sharp intellect."*

*"He has a wealth of knowledge in the field of insolvency."*

*"He is intelligent, sure-footed and excellent to work with."*

### Chambers and Partners 2018

*'He is very easy to work with and a great asset to the team. He is bright, technically able and clients like working with him.'*

*'He is an exceptional junior - very smart and commercial'*

### The Legal 500 2021

*'Works extremely hard and gets to grips with the detail.'*

### The Legal 500 2020

*'His pleadings are persuasive and thorough, and his advice is clear and concise.'*

## International Arbitration

- Acting as lead advocate in an arbitration under LCIA Rules claiming payment for the provision of telecommunications services to an offshore telecommunications provider, where variations to the contract were alleged to have been procured by misrepresentation by the respondent (2020).
- Acting as junior advocate in an arbitration under HKIAC Administered Arbitration Rules on a claim for professional negligence against a firm of solicitors arising from their role in the flotation of a Chinese manufacturing company on AIM (2020).
- Acting as junior advocate for a high-profile Russian individual in an arbitration under the LCIA Rules against his former lawyer alleging collusion with his competitors in selling his shares at an undervalue and for personal profit (2015-2017).
- *Naibu Global International Co Plc v Daniel Stewart and Co Plc* [2020] EWHC 2719 (Ch) - resisting application for a stay pursuant to section 9 of the Arbitration Act 1994, where the claimant was found to not to be a "person claiming under or through" another party to the arbitration agreement.