

# INSOLVENCY CONFERENCE 2022

Wednesday 13<sup>th</sup> July 2022

12.20pm – 6pm, followed by a drinks reception  
Convene, 22 Bishopsgate, London EC2N 4BQ

4.0 CPD

*This year's conference is focussed on contentious insolvency, with a diverse, insightful and entertaining programme covering the latest developments in personal and corporate insolvency litigation.*

## Timetable

12.20pm	Registration and lunch	3.05pm	BREAK
1.05pm	<b>Welcome from the chair</b> Marcia Shekerdeman QC	3.40pm	<b>Sham trusts and evading enforcement</b> John McGhee QC and Rachael Earle <ul style="list-style-type: none"> <li>What are sham trusts?</li> <li>Why do they matter?</li> <li>What evidence do you need to support an allegation of sham?</li> <li>Review of authorities and practical tips</li> </ul>
1.10pm	<b>Section 236 – <i>Al Jaber v Mitchell</i></b> Clare Stanley QC and Lemuel Lucan-Wilson <ul style="list-style-type: none"> <li>Overview of witness immunity</li> <li>Insolvency applications and "judicial proceedings"</li> <li>Limitations of the s.236 jurisdiction</li> <li>Practical impact: what claims are no longer available? What is left to be decided?</li> </ul>	4.05pm	<b>Developments in personal insolvency</b> Marcia Shekerdeman QC, Sri Carmichael and Jessica Brooke <ul style="list-style-type: none"> <li>Personal insolvency case law update</li> <li>Discussion of the impact of recent judgments</li> </ul>
1.35pm	<b>Berkeley Applegate costs</b> James Bailey QC, Graeme Halkerston and Tara Taylor <ul style="list-style-type: none"> <li>When they arise</li> <li>What they cover</li> <li>How you go about getting court approval</li> <li>Some of the pitfalls and red flags</li> </ul>	4.35pm	<b>Limitation and how to avoid it</b> Jack Watson <ul style="list-style-type: none"> <li>Concealment and <i>Canada Square</i></li> <li>Disclosure and attribution</li> <li>Getting creative</li> </ul>
2.05pm	<b>Contested reconstructions – how best to withstand the anticipated challenge</b> Lexa Hilliard QC, Zoë Barton QC and Jamie Holmes <ul style="list-style-type: none"> <li>Emerging differences between schemes and plans – what are the pros and cons?</li> <li>Does a CVA better serve your needs?</li> <li>Tenants' obligations – what are your best options to deal with significant liabilities against landlords?</li> </ul>	4.55pm	<b>Challenging office-holder decisions after <i>Baglan [2022] EWHC 647 (Ch)</i></b> Thomas Robinson, Daniel Scott and Daniel Petrides <ul style="list-style-type: none"> <li>Standing to challenge an office-holder's decision, e.g. under s.168(5) IA 86</li> <li>What test to apply? Does it depend on the nature of the decision under challenge?</li> <li>The relevance of the office-holder having taken advice</li> <li>The relevance of the HRA</li> </ul>
2.35pm	<b>Developments in directors' duties</b> David Pollard, Daniel Lewis and Bobby Friedman <ul style="list-style-type: none"> <li>Liability of directors and IPs as associated with the company</li> <li>Duties (and their breach) in relation to tax avoidance</li> <li>Breach of duty in relation to ESG criteria</li> </ul>	5.25pm	<b>5 minute pitch</b> Joseph Steadman, Lemuel Lucan-Wilson, Ram Lakshman and Benjamin Slingo
		5.55pm	<b>Closing remarks from the chair</b> Marcia Shekerdeman QC
		6.00pm	Drinks reception

### Registration fee

£120 + VAT for in-person attendance  
£40 + VAT for virtual attendance via Zoom