



## Dominic Dowley QC

Year of Silk: 2002

Year of Call: 1983

Email address: [ddowley@serlecourt.co.uk](mailto:ddowley@serlecourt.co.uk)

### Overview

Dominic Dowley QC is a highly-regarded commercial and contentious chancery silk with a wide and lengthy experience (both as a silk and formerly as a junior) of chancery and commercial litigation, including extensive experience of civil fraud litigation, contentious trusts, banking and financial services (including regulation), commercial litigation/arbitration, insurance and reinsurance, ancillary proceedings, asset-tracing and recovery. He has conducted lengthy trials both in England and abroad. His experience in foreign jurisdictions includes disputes concerning Guernsey, Jersey, Bermuda, the Bahamas, St Christopher & Nevis, the Isle of Man, the British Virgin Islands, the Cayman Islands, Liechtenstein, Switzerland, Qatar, Abu Dhabi and various of the United States.

### Areas of expertise

- Commercial Litigation
- Civil Fraud
- Trusts & Probate
- Chancery
- Insurance and Reinsurance
- Banking
- Financial Services
- Regulatory and Disciplinary
- Offshore

### Recommendations

Contentious Trusts: *(Citywealth Leaders List 2016)*

Chancery: Commercial *(Chambers & Partners and Chambers Global)*

Fraud: Civil *(Chambers & Partners, Legal 500)*

Offshore *(Chambers & Partners, Legal 500)*

Banking and Finance *(Legal 500)*

Commercial Litigation *(Legal 500)*

Private Client: Trusts and Probate *(Legal 500)*

## Quotes

"He displays excellent attention to detail; he finds all of the connections because he has such a good grasp of the detail" (Chambers Global 2015)

"He is a clear, incisive, quick-working advocate" (Chambers Global 2015)

"... has a fine academic mind and never drowns in detail" (Chambers & Partners)

"terrific on complex frauds because he is detail-minded and also has a strong strategic overview of a case" (Chambers & Partners 2011)

He handles banking work as part of a broad practice and is known as a "quick worker and a fine draftsman who has a real capacity for hard work" (Chambers & Partners 2011)

Recently been involved in banking cases concerning disputes over the management of both trust investments and hedge funds. Commentators agree that "he is perfect when you want someone with a sensible approach" (Chambers & Partners 2009)

An extremely experienced banking barrister whose involvement in the BCCI case has only served to increase his profile as an "able and bright individual who is a real pleasure to work with" (Chambers & Partners 2007)

"absolutely straight and upfront, providing excellent value for money" is a "delight to work with" (Chambers & Partners 2006)

"the master of documentation" in a wide ranging practice....(Chambers & Partners 2004)

"quick to see the overall picture and find a commercial solution" (Legal 500 2007)

## Commercial Litigation

*Tchenguiz v Serious Fraud Office* (instructed by Slaughter and May)

*Zayed Charitable Foundation v Union National Bank* (Abu Dhabi arbitration concerning banking security documents) (instructed by Clyde & Co)

*Chambal Ltd v French Arab Union Bank* (letter of credit/UCP) (instructed by Ince & Co)

*Novoship UK Ltd v Mikhaylyuk* (international commercial fraud) (instructed by Ince & Co)

*Fiona Trust* litigation (international commercial and shipping fraud) (instructed by Ince & Co)

*NOUK Ltd v Mirador Shipping* (international shipping fraud) (instructed by Ince & Co)

*SCAL v Beech* (Supreme Court of Bermuda; dispute over hedge fund management and remuneration) (instructed by Goodman Derrick)

*Omega Group Holdings Inc v Kozeny & Ors* (international financial fraud covering privatization of state property in Azerbaijan) (instructed by Macfarlanes)

*Houston Casualty v Danish Re* (Texas: reinsurance dispute) (instructed by Elborne Mitchell)

*Profilati Italia SrL v PaineWebber Inc* [2001] 1 Lloyd's Rep 715 (London Metal Exchange arbitration) (instructed by Richards Butler)

*Re Immigration and Nationality Directorate* (IT dispute; software performance; hardware performance)

*Avon Insurance plc v Swire Fraser Limited* [2000] Lloyd's Rep IR 535 (personal stop loss reinsurance; misrepresentation in relation to underwriting) (instructed by Elborne Mitchell)

*Axa Insurance Co Ltd v Swire Fraser Ltd* The Times 19 January 2000, Court of Appeal (instructed by Elborne Mitchell)

*Wire TV Ltd v Cabletel (UK) Ltd* 30 July 1997, Court of Appeal (instructed by Lewis Silkin)

*Amstrad plc v Seagate Technology Inc* 9 May 1997 (computer hardware breach of warranties claim) (instructed by Macfarlanes)

*Vijaya Bank v Solo Industries Ltd* (bank guarantee obtained by fraud; injunction) (instructed by Macfarlanes)

*Three Rivers District Council v Bank of England* [1996] QB 292 Court of Appeal (equitable assignment of right of action) (instructed by Lovells)

*Alliance & Leicester Building Society v Edgestop and others* [1994] 2 All ER 38; [1993] 1 WLR 1462 (vicarious liability for deceit by valuer/surveyor; contributory negligence) (instructed by Davies Arnold Cooper)

*British and Commonwealth Holdings Plc v Quadrex Holdings Inc* The Times 8 December 1988 (commercial contract; sale of shares; whether time of the essence; interim payment and summary judgment) (instructed by Herbert Smith)

*Dayco Corporation v Trachem Co Ltd* 27 November 1984 (international fraud; freezing orders) (instructed by Herbert Smith)

## Civil Fraud

*Novoship UK Ltd v Mikhaylyuk* (international commercial fraud; offshore asset tracing and disputes concerning trust structures in various jurisdictions, including St Christopher & Nevis, Guernsey, Jersey, New York and Florida) (instructed by Ince & Co)

*Fiona Trust* litigation (international commercial and shipping fraud; offshore asset tracing including in Switzerland and British Virgin Islands: disputes concerning ownership and status of assets etc) (instructed by Ince & Co)

*NOUK Ltd v Mirador Shipping* (international shipping fraud; St Christopher & Nevis: offshore companies and trusts disputes) (instructed by Ince & Co)

*Omega Group Holdings Inc v Kozeny & Ors* (international financial fraud covering privatization of state property in Azerbaijan; proceedings in the Bahamas, Colorado, the Cayman Islands) (instructed by Macfarlanes)

*Vijaya Bank v Solo Industries Ltd* (bank guarantee obtained by fraud; injunction) (instructed by Macfarlanes)

*Alliance & Leicester Building Society v Edgestop and others* [1994] 2 All ER 38; [1993] 1 WLR 1462 (vicarious liability for deceit by valuer/surveyor; contributory negligence) (instructed by Davies Arnold Cooper)

*Dayco Corporation v Trachem Co Ltd* 27 November 1984 (international fraud; freezing orders) (instructed by Herbert Smith)

## Trusts & Probate

*The Earl of Durham v Lambton and others* (instructed by Withers)

*Novoship UK Ltd v Mikhaylyuk* (international commercial fraud; offshore asset tracing and disputes concerning trust structures in various jurisdictions, including St Christopher & Nevis, Guernsey, Jersey, New York and Florida) (instructed by Ince & Co)

*Fiona Trust* litigation (international commercial and shipping fraud; offshore asset tracing including in Switzerland and British Virgin Islands: disputes concerning ownership and status of assets etc) (instructed by Ince & Co)

*NOUK Ltd v Mirador Shipping* (St Christopher & Nevis: offshore companies and trusts disputes) (instructed by Ince & Co)

*Re M's Trusts* (international trusts disputes; Jersey and Isle of Man; terms of trusts, duties of trustees, entitlements of beneficiaries, jurisdiction) (instructed by Macfarlanes)

*Re A's Trusts* (International trusts disputes; beneficiaries' entitlements; asset management strategies; England/Jersey) (instructed by Macfarlanes)

*RCB Trustees* (Guernsey; discretionary management of trust investments) (instructed by Macfarlanes)

*Re Dragon Trust* (Bermuda: discretionary trust, availability of trust assets, liability of trustees) (instructed by Macfarlanes)

## Insurance and Reinsurance

*Rolls-Royce v Marsh* (broker's liabilities) (instructed by Seymours)

*Avon Insurance plc v Swire Fraser Limited* [2000] Lloyd's Rep IR 535 (personal stop loss reinsurance; misrepresentation in relation to underwriting) (instructed by Elborne Mitchell)

*Axa Insurance Co Ltd v Swire Fraser Ltd* The Times 19 January 2000, Court of Appeal (instructed by Elborne Mitchell)

*Houston Casualty v Danish Re* (Texas: reinsurance dispute) (instructed by Elborne Mitchell)

## Banking

*Zayed Charitable Foundation v Union National Bank* (arbitration concerning banking security documents in Abu Dhabi) (instructed by Clyde & Co)

*Chambal Ltd v French Arab Union Bank* (letter of credit/UCP) (instructed by Ince & Co)

*Three Rivers District Council v Bank of England* (No 3) [2002] 2 WLR 1220 House of Lords; [2001] 2 All ER 513 House of Lords (banking regulation in various jurisdiction including Luxembourg, New York, Abu Dhabi and the Cayman Islands; misfeasance in public office; European Community law; rights under European Directives) (instructed by Lovells)

*Re Qatar Financial Centre Regulatory Authority* (Qatar: banking regulation) (instructed by the authority)

*Reg v LAUTRO, ex parte Ross* [1993] QB 17 (administrative law; financial services; self-regulatory organisation) (instructed by Boodle Hatfield)

## Financial Services

*Zayed Charitable Foundation v Union National Bank* (arbitration concerning banking security documents in Abu Dhabi) (instructed by Clyde & Co)

*Chambal Ltd v French Arab Union Bank* (letter of credit/UCP) (instructed by Ince & Co)

*Three Rivers District Council v Bank of England* (No 3) [2002] 2 WLR 1220 House of Lords; [2001] 2 All ER 513 House of Lords (banking regulation in various jurisdiction including Luxembourg, New York, Abu Dhabi and the Cayman Islands; misfeasance in public office; European Community law; rights under European Directives) (instructed by Lovells)

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## Regulatory and Disciplinary

*Zayed Charitable Foundation v Union National Bank* (arbitration concerning banking security documents in Abu Dhabi) (instructed by Clyde & Co)

*Chambal Ltd v French Arab Union Bank* (letter of credit/UCP) (instructed by Ince & Co)

*Three Rivers District Council v Bank of England* (No 3) [2002] 2 WLR 1220 House of Lords; [2001] 2 All ER 513 House of Lords (banking regulation in various jurisdiction including Luxembourg, New York, Abu Dhabi and the Cayman Islands; misfeasance in public office; European Community law; rights under European Directives) (instructed by Lovells)

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## Qualifications

MA (Hons) New College, Oxford

Diploma in Law (with Distinction), City University, London

Bacon Scholar of Gray's Inn

Barstow Law Scholar

## Memberships

Commercial Bar Association

ACI Arb