



## Elizabeth Jones QC

Year of Silk: 2000

Year of Call: 1984

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### Overview

Described recently by Chambers & Partners as "superlative and top of the tree" and as a "renowned trial advocate", Liz is widely recognized as a first class litigator, noted for her intellectual rigour, hands-on approach and team work. In addition to general commercial/contract/company disputes, she has particular expertise in civil fraud and asset tracing, banking and financial services (including regulatory work), contentious trust and probate, and has nearly 30 years experience in the music business. Most of her cases are complex, multi-party and often cross-jurisdictional disputes. Liz is noted by clients and directories for her highly persuasive advocacy and her ability to master and control very large scale and often cross jurisdictional litigation. She regularly works in the Channel Islands and is called to the Bar in the BVI.

Liz also has significant regulatory and disciplinary experience, having been Complaints Ombudsman for LIFFE between 2000 and 2008. Liz is a well known mediator, and this forms a small but significant part of her practice. She also sits as a deputy High Court Judge in the Chancery Division.

Liz has fought several cases in different jurisdictions where the governing law of the dispute was Saudi law, in particular in the areas of contract law, agency, tort, and commercial distribution within Saudi Arabia.

### Areas of expertise

- Civil Fraud
- Commercial Litigation
- Trusts and Probate
- Sports, Entertainment and Media
- Banking and Finance
- Financial Services
- Intellectual Property
- Chancery
- Company
- Regulatory and Disciplinary
- Partnership and LLP
- Offshore

## Recommendations

Banking and Finance (*Legal 500*)

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

Chancery: Traditional (*Chambers & Partners*)

Commercial Litigation (*Chambers & Partners, Chambers Global and Legal 500*)

Fraud: Civil (*Chambers & Partners, Legal 500 and Who's Who Legal: UK Bar*)

Media & Entertainment (*Chambers & Partners, Legal 500*)

Mediation (*Chambers & Partners, Legal 500*)

Offshore (*Chambers & Partners, Chambers Global*)

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

Trusts (*Chambers & Partners and Chambers Global*)

## Quotes

Legal 500

'An extraordinarily smart practitioner, who has a clear strategy from the outset of a case.'

'She is a highly effective advocate who is not afraid to get heavily involved in the detail of a case. She fights fearlessly for her client, but does not shrink away from giving unpalatable advice when it is in the client's best interest.'

'Recommended for fraud-related trust matters.'

'The word excellent doesn't do her justice; an outstanding silk in every respect.'

'She is simply outstanding and has the best grasp of even the most complex cases.'

'She is always on top of the detail and takes charge of a case from day one.'

Chambers & Partners

'Very good at strategy; she knows what she's doing, she moves the pieces and she wins.'

'She is a very clever and forthright opponent, who is a steely advocate.'

'When she walks into a room, people shut the hell up. She just has an aura.'

"Acute intelligence married to commercial awareness."

"She's fantastically good - I don't know anyone with the capacity to absorb information as quickly as her."

"She works well in a team and is fabulously clever, yet has the ability to wear her cleverness lightly."

"She gets to grips with intricate detail in a short space of time. She's also very impressive on her feet."

"She's fierce on her feet and the clients absolutely love her."

"When we have something extremely difficult she is who we talk to. She is never fazed. Her written work is as impressive as her oral advocacy."

"She has outstanding tactical judgment and the ability to co-ordinate numerous parties to work together."

"She's very careful and forensic".

## Civil Fraud

Liz has spent much of her professional life dealing with fraud, breach of fiduciary duty and other wrongdoing.

Currently instructed in several different fraud matters, including an international arbitration alleging breach of duty of good faith against a major manufacturer, the asset and profit tracing stage of a major fraud trial, and a claim to set aside a series of Forex contracts on the grounds of bribery of an agent.

[2018] EWHC 2016 *Glenn v Watson*: 3 month fraud trial preceded by months of interlocutory applications. The

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court set aside contracts whereby £129m was transferred, on the grounds of deceit, breach of fiduciary duty and bribery. See also [2017] 4 W.L.R. 48 on waiver of duties of confidence or privilege.

[2016] EWHC 475 *Kanev-Lipinski v Lipinski*: successfully set aside a freezing order obtained without notice.

6 December 2016 (unreported): *Conapro-Dena v Republic of Gambia*: claim against the Republic of the Gambia defended on the grounds that a former ambassador had been bribed to procure the contract.

[2014] UKPC 37 *Alhamrani v Alhamrani*: upheld findings of dishonesty in relation to evidence given in the BVI court and previously in the courts of Saudi Arabia.

2011-12: claim against a trust company by former clients in relation to fraudulent conduct of former managing director. 28 party settlement on excellent terms achieved.

*Inter-Continental Bank v Akingbola* [2011] EWHC 605 (Comm). Fraud against bank by former Chief Executive.

*Alhamrani v Alhamrani* [2009] JLR 301: Conspiracy to pervert the course of justice, forgery, perjury, suborning of witnesses and alteration of computers to prevent proper disclosure.

The long running Omar saga in which the wife and mistress of a deceased domiciled in Egypt defrauded the estate of approximately \$10m, using the usual panoply of bearer shares and Panamanian and Liechtenstein entities; 2 separate actions, first against the wife and mistress and subsequently against a major bank for dishonest assistance; *Re Omar (a bankrupt)* [2000] B.C.C. 434.

Acted as "counsel to the inquiry" in relation to the investigation carried out by Gavin Lightman Q.C. (as he then was) into what had happened to money donated during the miners' strike of 1984-5.

## Commercial Litigation

Liz has particular expertise in dealing with very large scale litigation.

2017: very substantial arbitration under the rules of the Japan Commercial Arbitration Association involving a claim by a distributor in relation to conspiracy and breach of duties of good faith against a Japanese OEM.

*Alhamrani v Alhamrani*. [2014] UKPC 37, HCVAP 2012/026 (Privy Council July 2014, Eastern Caribbean Court of Appeal, September 2013, BVI Commercial court December 2012).

*Drayne v McKillen* [2011] EWHC 3326 (QB). Ownership of shares in a company owning Claridges etc.

*Pink Floyd Music Ltd v EMI Records Limited* [2010] EWHC 533 (Ch); (2010) 107(12) L.S.G. 25. Construction of contract.

*Speed Investments Ltd v Formula One Holdings Ltd (No1)* [2005] 1 WLR 1233, (No 2) [2005] 1 WLR 1936 and (No 3) [2004] EWHC 3215. Acting for banks who had enforced security over shares in the holding company of Formula One.

## Trusts and Probate

Contentious trust and probate forms a significant part of Liz's practice, especially where breach of duty or dishonesty are involved. She is well known for her ability to manage complicated large scale and multi-party

trust disputes. Most such cases settle before trial and confidentially.

Currently and recently involved in major trust disputes in the UK, Bahamas and Jersey.

*Roadchef (Employee Benefit Trusts) Ltd v Hill* [2015] 1 P. & C.R. DG15; successfully masterminded the settlement of a claim for breach of fiduciary duty which had been running on for years in the absence of a mechanism for settlement in the case of a trust with a shifting body of beneficiaries; eventually the settlement agreement was approved by the court in a confidential hearing.

*Re Dunlop Settlement* [2013] JRC 029, *Re Capita Trustees* [2011] JLR Note 29. Advised a Jersey trust company in relation to a trust where none of the assets, the liabilities and the beneficiaries could be identified with certainty, where sham was asserted and where the trustee was conflicted.

2009: *Alhamrani v Alhamrani*: Led a team of 5 counsel and several Jersey advocates at short notice in the Alhamrani litigation in Jersey, Jersey's largest ever trust action, which settled after 100 days of trial.

Acted for Dame Shirley Porter in the last stages of Westminster CC's attempts to recover the judgment debt against her by proceedings against several Guernsey trusts.

## Sports, Entertainment and Media

Liz has nearly 30 years experience in the music business, and has advised several record companies in relation to some of their best known clients.

*Pink Floyd Music Ltd v EMI Records Limited* [2011] 1 WLR 770 (CA), [2010] EWHC 533 (Ch); (2010) 107(12) L.S.G. 25. Construction of contract.

*Barrett v Universal Island Records Ltd* [2006] EMLR 21. Successfully defended Universal-Island Records and the Marley family in proceedings brought by former members of the Wailers claiming ownership of song copyrights, breach of recording contracts and breach of performers' rights.

Represented EMI in several disputes between EMI and Apple Corps, most memorably the dispute over putting the Red and Blue albums onto CD: *EMI Records Ltd v Apple Corps Ltd* [1994] EMLR 73.

Represented Elton John in the seminal music business case of *Elton John v Dick James Music*, establishing the principle that a record/publishing company owes fiduciary duties in the exploitation of the relevant copyrights; *John v James* [1991] FSR 397.

## Banking and Finance

Liz has regularly acted in banking and financial services cases. She was Complaints Ombudsman for LIFFE in 2001-8.

*Inter-Continental Bank v Akingbola* [2011] EWHC 605 (Comm).

*Redwood Master Fund v TD Bank Europe Ltd* [2006] BCLC 149.

*Saudi Arabian Monetary Agency v Dresdner Bank AG* [2004] 2 Lloyd's Rep 19, [2005] 1 Lloyd's Rep 12.

*R v B*: Acted for a claimant against a bank in relation to \$10m paid out on a forged signature in the context of a

prime bank instrument fraud. (Settled during trial)

More than 20 years of involvement in the futures market, including advising disciplinary appeal committees and advising on rules and legislation.

Conducted a substantial enquiry into market manipulation 2006-2008.

Mediated the first market manipulation matter to go to mediation and several regulatory mediations since.

## Qualifications

BA (First Class), King's College, Cambridge

## Memberships

COMBAR

Chancery Bar Association

Association of Contentious Trust and Probate Lawyers

## Enquiries and Investigations

Acted as “counsel to the inquiry” in relation to the investigation carried out by Gavin Lightman Q.C. (as he then was) into what had happened to money donated during the miners’ strike of 1984-5.

Conducted a substantial enquiry into market manipulation 2006-2008.

Liz is also chair of trustees of SAPERE, a charity which promotes philosophical enquiry in schools and communities ([www.sapere.org.uk](http://www.sapere.org.uk)).