



## Dakis Hagen QC

Year of Silk: 2017 Year of Call: 2002

*“Excellent to work with: approachable, responsive, and always adds value to the case.”*

Chambers and Partners

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## Practice Overview

Dakis Hagen QC specialises in Chancery litigation, both commercial and traditional. His cases usually involve international structures, most often trusts and estates, allegations of fraud or professional negligence and asset tracing. Dakis is ranked in Chambers & Partners for Chancery: Commercial and Chancery: Traditional (Band 1) as well as for Trusts (Band 1), Offshore (Band 1) and Family/Matrimonial: Trusts/Tax Experts (Star Individual). Chambers HNW has placed him in Band 1 for Traditional Chancery. The Legal 500 ranks him for Civil Fraud and Offshore. He is named in the Legal Week Private Client Global Elite.

Before taking silk Dakis won Chancery Junior of the Year at the Chambers Bar Awards (2014) was nominated in 2018 for Chancery Silk of the Year and has been nominated this year for STEP Advocate of the Year. The international nature of Dakis' practice has meant that he is instructed both by London solicitors and also directly from overseas (including from the USA, the Caribbean, Bermuda, Luxembourg, Switzerland, Gibraltar and the Channel Islands). He has appeared as leading counsel in courts in the Cayman Islands, BVI, Bermuda and Gibraltar as well as frequently in London. He is co-chairman of the Legal Week Trusts & Estates Litigation Forum (formerly known as the "Provence conference", now held in Marrakesh).

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## Areas of Expertise

### Private Client Trusts and Probate

*Wong & Anr v Grand View Private Trust Company & Ors* (Bermuda) – substantial international trust litigation

regarding the validity of five Bermudian purpose trusts.

*Re B Trust* (Cayman Islands) - appeared as leading counsel for a protector committee in connection with a proposed distribution and reorganisation of a very substantial trust holding significant positions in a valuable European enterprise.

*HSBC v Tan Poh Lee & Ors* (Cayman Islands) – advised the trustee in complex proceedings concerning jurisdiction challenges and conflict of laws issues arising in litigation straddling Cayman and Singapore.

*St John's Trust Company (Pvt) Ltd v Tamine* [2018] EWHC 3629 (Ch) – appeared as leading counsel for the corporate applicant in successful injunction proceedings against a former director which sought to freeze property subject to proprietary claims and the summary delivery up of company documents.

*Re the estate of Scherbakov (Deceased)* (ongoing) – leading counsel for certain beneficiaries in complex high value international probate litigation in London and BVI.

*Crociani* (appeals) - leading English counsel for one of the main appellants in massive breach of trust litigation in Jersey.

*Barker v Baxendale Walker* [2018] 1 W.L.R. 1905 - appeared for appellant in successful appeal (English Court of Appeal) regarding professional negligence claims in relation to a defective employee benefit trust tax scheme.

*Re X, Y, Z Trusts* [2017] SC (Bda) 111 Civ - appeared as leading counsel for the majority of the beneficiaries of a suite of Bermuda settlements holding a substantial trading business in proceedings regarding their proposed re-organisation.

*Liberation Management v Rothschild* — leading English counsel for corporate trustee in alleged investment management negligence claim in Guernsey (settled confidentially).

*Hagen v Hagen* - appeared as leading Chancery counsel for the respondent in this substantial and much publicized divorce involving the family behind Viking River Cruises (settled confidentially).

*AAZ v BBZ* [2017] W.T.L.R. 765— appeared as Chancery counsel for applicant. Largest financial remedy award on divorce in English history (£453m). Case involved Bermuda trust, Manx and Panamanian companies.

*Wooldridge v Wooldridge* [2016] Fam. Law 451— among largest Inheritance Act cases to come to trial in England. Represented a successful defendant at trial. In a separate reported judgment ([2016] 3 Costs LO 531) client awarded costs on the indemnity basis.

*High Commissioner for Pakistan v National Westminster Bank & Ors* [2015] EWHC 3052 (Ch). Case concerning ownership of disputed fund frozen in a London bank since 1948.

*Trustee L & Anr v Attorney General & Ors* [2015] Bda LR 4 – appeared at the substantive hearing of a long running Beddoe application in Bermuda, first to consider proper stance of trustees of purpose trusts faced with an adverse proprietary claim to the whole of their funds.

*Rothschild Trust Guernsey Limited v Novatrust Limited* - advised Rothschild in a substantial trustee investment negligence case in the Royal Court of Jersey (settled confidentially).

*Trilogy Management v YT litigation* (eg [2013] JRC 016). Advised corporate trustee within this \$0.5 billion charitable structure in litigation concerning the charity's proposed restructuring.

*Walker v Egerton-Vernon* [2014] JRC 025 - Dakis advised a corporate defendant in this £127 million breach of trust dispute in Jersey.

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## Civil Fraud

*St John's Trust Company (Pvt) Ltd v Tamine* [2018] 12 WLUK 436 – appeared as leading counsel for the corporate

applicant in successful injunction proceedings against a former director which sought to freeze property subject to proprietary claims and the summary delivery up of company documents.

*Akhmedova v Akhmedov* [2018] EWFC 23 - appeared as leading counsel for judgment creditor on enforcement application, regarding ownership of a superyacht allegedly worth \$487m, where court pierced corporate veil of a Liechtenstein anstalt, set aside a number of dispositions under s. 423 of Insolvency Act 1986 and extended a worldwide freezing order.

*Kerman v Akhmedova* [2018] 4 W.L.R. 52 - appeared in Court of Appeal with Hodge Malek QC in case regarding witness summons of a solicitor ordered to give evidence on whereabouts of client's assets (following a failed assertion of privilege). Case considered fraud exception and scope of LPP.

*Officeserve Technologies Ltd (In Liquidation) v Anthony-Mike* [2017] B.C.C. 574 - represented former Executive Chairman of a failed tech company accused of misapplying corporate funds for his own benefit.

*UL v BK* [2013] EWHC 1735 - key case on freezing injunction principles and without notice applications.

*CR v MZ & Ors* [2013] EWHC 295 sham trust/forgery case relating to the ownership of a substantial London property and its holding company. Appeared for the successful claimant. Claimant won with indemnity costs.

*Bagus Investments Limited v Kastening* [2012] W.T.L.R. 1675 (Jersey). Rejection of an attempt to introduce into asset tracing proceedings, arising from a criminal fraud, a claim in knowing receipt (rejected on grounds of limitation and a failure properly to plead the relevant cause of action). English counsel for successful respondent.

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## Professional Negligence

*Barker v Baxendale Walker* [2018] 1 W.L.R. 1905 - appeared for appellant in successful appeal (English Court of Appeal) regarding professional negligence claims in relation to a defective employee benefit trust tax scheme.

*Liberation Management v Rothschild* — leading English counsel for corporate trustee in alleged investment management negligence claim in Guernsey (settled confidentially).

*First Names v Zedra* - leading English counsel for corporate trustee in alleged investment management negligence claim in Jersey (settled confidentially).

*Rothschild Trust Guernsey Limited v Novatrust Limited* - advised Rothschild in a substantial trustee investment negligence case in the Royal Court of Jersey (settled confidentially).

*Walker v Egerton-Vernon* [2014] JRC 025 - Dakis advised a corporate defendant in this £127 million dispute in Jersey regarding alleged investment management negligence.

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## Commercial Litigation

*Akhmedova v Akhmedov* [2018] EWFC 23 - appeared as leading counsel for judgment creditor on enforcement application, regarding ownership of a superyacht allegedly worth \$487m, where court pierced corporate veil of a Liechtenstein anstalt, set aside a number of dispositions under s. 423 of Insolvency Act 1986 and extended a worldwide freezing order.

*LWR Nominees v Aziz* (24/11/2017 Gibraltar) - successful application for a stay of a claim for a declaration of non-enforceability in Gibraltar of future judgments in English proceedings. Appeared as leading counsel alongside Prof Jonathan Harris QC (Hon.) (general editor of Dicey & Morris).

*Officeserve Technologies Ltd (In Liquidation) v Anthony-Mike* [2017] B.C.C. 574 - represented former Executive Chairman of a failed tech company accused of misapplying corporate funds for his own benefit. Case turned in part on construction of a commercial settlement agreement.

*Liberation Management v Rothschild* — leading English counsel for subsidiary of a major bank in alleged investment management negligence claim in Guernsey (settled confidentially).

*First Names v Zedra* - leading English counsel for former subsidiary of major bank in alleged investment management negligence claim in Jersey (settled confidentially).

*Rothschild Trust Guernsey Limited v Novatrust Limited* - advised subsidiary of a major bank in a substantial trustee investment negligence case in the Royal Court of Jersey (settled confidentially).

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## International and Offshore

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### Chancery

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#### Recommendations

Chancery: Commercial; Chancery: Traditional; Trusts; Offshore; Family/Matrimonial: Trust Tax (*Chambers UK 2021*)

Civil Fraud; Offshore (*Legal 500 2021*)

Dispute Resolution: Commercial Chancery, Offshore, Private Wealth: Trusts (*Chambers Global 2019*)

Private Client (*Who's Who Legal: UK Bar, 2019*)

Private Client Global Elite 2018 by Legal Week

Chancery: Commercial, Chancery: Traditional, Offshore, Trusts (*Chambers and Partners*)

Fraud: Civil, Private Client: Trusts and Probate, Professional Negligence (*The Legal 500 2017*)

Private Client (*Who's Who Legal 2017*)

Chambers & Partners: UK Bar 100 2014

Future Stars of the Bar 2008, The Times (online)

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#### Quotes

"Just fantastic to work with - he's highly responsive, clear, and an amazing advocate." - Chambers UK 2021

"He is brilliant at tailoring his approach to the offshore courts - he really knows how to deal with each jurisdiction individually." – Chambers UK 2021

"Excellent to work with: approachable, responsive and always adds value to the case." – Chambers UK 2021

"Delightful and hugely capable young silk – brilliant with clients and very hard working" – Legal 500 2021

"just fantastic to work with - highly responsive, clear, and an amazing advocate," Chambers High Net Worth 2020

"friendly, bright and good with clients" Chambers High Net Worth 2020

"he is one of the finest barristers I've ever come across - he understands and empathises with clients." Chambers High Net Worth 2020

"You don't always get the combination of technical legal knowledge and excellent oral advocacy, but he has both. He is wonderful to watch, an excellent oral advocate who completely charmed, amused and entertained the judge. He's a joy to watch in court,

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” Chambers High Net Worth 2019

“a very smooth operator, incredibly astute, hugely pragmatic and a real pleasure to work with.” Chambers High Net Worth 2019

“a really excellent reputation” Chambers High Net Worth 2019

"There is no other chancery barrister with the same level of experience and understanding of how the family division works." Chambers Global, 2019

"He is a serious high flyer and obviously a very good, extremely accomplished barrister." Chambers & Partners 2019

"A very pleasant and articulate man, who is a clear and sensible advocate and the sort of silk you know will be very client-friendly." Chambers & Partners 2019

"A delight to work with, he is very hard-working and incredibly bright. He ticks all the boxes and will go from strength to strength as a QC." Chambers & Partners 2019

"Rightly regarded as a rising star especially on trusts cases." Chambers & Partners 2019

"A delight to work with, very hard-working and incredibly bright. He ticks all the boxes." Chambers & Partners 2019

"He has a mastery of detail and is always incredibly dedicated to his clients." Chambers & Partners 2019

"There's no other chancery barrister with the same level of experience and understanding of how the family division works." Chambers & Partners 2019

"He brings a wealth of experience to the table, and has an almost unparalleled ability to simplify complex legal principles and facts for the benefit of both solicitors and lay clients." Chambers & Partners 2019

"Very active in major fraud disputes." The Legal 500 2019

"A brilliant young silk." The Legal 500 2019

"He is super intelligent." The Legal 500 2019

"Has the ability to instil confidence in clients." The Legal 500 2019

“Very good in court, very persuasive, highly eloquent and he puts his point across forcefully and clearly” Chambers & Partners 2018

“Fabulous to work with... technically excellent” Chambers & Partners 2018

“Very good at strategising and winning arguments” Chambers & Partners 2018

“Very appealing in court” Chambers & Partners 2018

“Incredibly clever... Commercial and able to think strategically” Chambers & Partners 2018

Highly regarded silk Dakis Hagen QC is praised by international sources for his expertise in complex contentious trusts cases with international components. He is highly commended for his “*excellent reputation in the trust and matrimonial disputes area*”. Who's Who Legal, Private Client 2017.

## Publications

['No, the Norway option won't turn Britain into a vassal state' \(March 2019\) CityAm](#)

*Void vetoes and judicial discretions: recent developments in the law of disclosure in private trust administration* (J.I.T.C.P. 2015, 22(1), 5-12)

*What's past is prologue or is it? Re the Representation of BB and its consequences* (T.&T. 2013, 19(5), 469-474)

*Judiciously encouraging: the advantages, disadvantages and scope of the Thomas principle* (Trusts & Trustees, 17(9): 840-845)

Former editor of the Practical Law Company's online guide to the rule in *Re Hastings-Bass*

*The unruly rule in Re: Hastings-Bass: are the limits still unclear?* (Trusts & Trustees 2007 13(7): 238-241)

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## **Education & Qualifications**

MA (double first) - Peterhouse, Cambridge

University GDL - City University

Lord Mansfield, Lord Bowen and Hardwicke Scholar - Lincoln's Inn

## **Memberships**

Chancery Bar Association

Commercial bar Association

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