



serle court

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Elizabeth Jones KC

Year of Silk: 2000 Year of Call: 1984

“Success in big-ticket complex litigation depends on having a barrister who is able to master detail, who has a good strategic nose, inspires confidence, builds a team and follows through. Liz is all of these. A powerful advocate and down to earth. She is quite simply outstanding - the best at the English Bar at the moment.”

“Outstanding - at the very top of the tree - you do not want to be against her.”

The Legal 500

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Practice 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 is Head of Chambers.

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

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

Kea Investments Ltd v Wikeley Family Trust; devising and overseeing the execution of the strategy to deal with an international fraud in which the perpetrators obtained a default judgment in Kentucky. Litigation has ensued in Kentucky, New Zealand and Australia, including applications for orders preventing the defendant from leaving Australia and requiring him to give up his passport, anti-enforcement injunctions granted on the basis that the default judgment had been obtained by fraud, and orders for disclosure of assets and funding arrangements and for security for costs. In NZ: Jurisdiction judgment at [2023] NZHC 466 and in the CA at [2024] NZCA 48; final judgment on the basis of formal proof at [2023] NZHC 3260; final anti-enforcement injunctions were granted, damages for conspiracy were awarded and a purported assignment of the default judgment and the underlying cause of action was set aside on the basis that doing so was outwith the director/trustee's powers. In Australia; judgment of Cooper J on the application to set aside the interlocutory anti-enforcement injunctions and the passport orders at [2023] QSC 215. Currently awaiting judgments from the CA in NZ and Australia.

Kea v Watson ([2023] EWHC 1830 (Ch) and ([2023] EWHC 1768 (Ch)). Final award of equitable compensation for breach of fiduciary duty following the long running Spartan litigation, applying relevant principles in relation to apportionment and allocation of compensation recovered from proprietary claims and claims against third parties. Obtained orders protecting the confidentiality of the terms of some of the settlements involved with third parties which fell to be considered, drawing on principles allowing such protection where there is a real risk of harm through harassment.

Kea v Watson: [2020] EWHC 2599 (Ch) (liability) [2020] EWHC 2796 (Ch) (sentencing). A 17 day committal application conducted remotely in April-May 2020 resulted in the defendant being sentenced to 4 months in prison.

Glenn v Watson [2018] EWHC 2016: Judgment for deceit, breach of fiduciary duty and bribery after a 3 month trial. The Claimant succeeded in obtaining interest at 6.5% compounded annually: [2018] EWHC Ch 2483 and [2019] 4 W.L.R. 145 (CA). Enforcement proceedings have included a claim to enforce against an associate which gave rise to an important decision on service out of enforcement claims at [2019] EWHC 309 (Ch) and on the appropriate test

where a defendant sought to use money subject to a proprietary claim for legal fees: [2020] EWHC 472 (Ch). Other enforcement proceedings are taking place in Jersey and New Zealand.

Glenn v Watson [2017] 4 WLR 48. Waiver of confidentiality by referring to confidential communications in pleadings; whether party entitled to speak before trial to witnesses who were subject to a duty of confidentiality.

[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.

SFO v Litigation Capital One [2022] EWHC 3053 (Comm). Rights arising under a funding agreement in fraud litigation, with proprietary claims to assets from several defrauded parties, the litigation funder and the SFO. In particular, issues arising as to the effect of a declaration of trust contained in the litigation funding agreement, and the validity of appointment and role of trustees including the right to indemnity.

Kea v Watson: [2020] EWHC 2599 (Ch) (liability) [2020] EWHC 2796 (Ch) (sentencing). A 17 day committal application conducted remotely in April-May 2020 resulted in the defendant being sentenced to 4 months in prison.

Glenn v Watson [2018] EWHC 2016: Judgment for deceit, breach of fiduciary duty and bribery after a 3 month trial. The Claimant succeeded in obtaining interest at 6.5% compounded annually: [2018] EWHC Ch 2483 and [2019] 4 W.L.R. 145 (CA). Enforcement proceedings have included a claim to enforce against an associate which gave rise to an important decision on service out of enforcement claims at [2019] EWHC 309 (Ch) and on the appropriate test where a defendant sought to use money subject to a proprietary claim for legal fees: [2020] EWHC 472 (Ch).

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.

Private Client Trusts and Probate

Contentious trust and probate litigation forms a significant part of Liz's practice, especially where breach of duty or dishonesty are involved. Many of these disputes are settled or take place in private and so remain confidential. Liz has experience of litigation in this area in Jersey, Guernsey, BVI, Bahamas and Hong Kong as well as in the UK.

Frain v Reeves [2023] EWHC 73 [Ch]. Successfully opposed an application for permission to bring committal proceedings in connection with evidence given and a disclosure statement made in contentious probate proceedings. The application also raised the issue of whether the findings of fact in the underlying judgment in the probate proceedings could be relied upon as against the defendant in those proceedings, and against a witness in the underlying proceedings.

Re X Trusts [2022] WTLR 355; *Public Trustee v Cooper* application in relation to the proposed exercise of the trustees' powers to divide the assets of the trusts unequally between branches of the family; scope and nature of protectors' powers.

Kea v Watson [2021] JRC 009: arrears entre mains granted over debts due from various trusts to a judgment debtor: an attempt to obtain an arret over the judgment debtor's interest as a discretionary beneficiary of the trusts failed.

Kea v Watson [2019] 4 WLR 145 (CA); award of equitable compensation and the appropriate approach to compound interest where the defendant is accounting as a constructive trustee.

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.

Sports, Entertainment & 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 Financial Services

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 Lloyds 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.

Financial Services

Intellectual Property

Chancery

Company

Regulatory and Disciplinary

Partnership and LLP

International and Offshore

Mediation

Recommendations

Asset Recovery (*Who's Who Legal: UK Bar, 2023*)

Banking and Finance (*The Legal 500*)

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

Chancery: Traditional (*Chambers & Partners*)

Chancery (*Best Lawyers*)

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

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

Media & Entertainment (*Chambers & Partners, The Legal 500, Who's Who Legal: UK Bar*)

Mediation (*Chambers & Partners, The Legal 500, Who's Who Legal: UK Bar*)

Offshore (*Chambers & Partners, Chambers Global*)

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

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

Trusts (*Chambers & Partners and Chambers Global*)

Quotes

Chambers & Partners

"Elizabeth is a force of nature. She is exceptional at managing tricky matters. She is a very reassuring member of the team and she inspires confidence not only in lawyers but also in lay clients." (HNW, 2024)

"She was outstanding in the mediation I did with her recently. She took the issues that arose in her stride, dealt with them with creativity and determination, and persevered until we had a result." (HNW, 2024)

"Elizabeth Jones KC is a distinguished silk whose traditional chancery practice includes a substantial amount of international work. Due to her experience in commercial chancery, she is highly sought after for trust matters with a commercial aspect." (2024)

"A real leader, in every sense, she's always on top of her brief and excellent to work with." (2024)

"Simply the most authoritative and precise barrister you could wish to meet, she has fabulous presence in court and inspires huge confidence in the client." (2024)

"The one you want in your corner. She takes no prisoners." (2024)

"She is an absolute star, if I were in trouble I would go to her, which is always a mark for lawyers. She is robust when she needs to be and is seamless across every level of court." (2023)

"Elizabeth has a mastery of the detail." (2023)

"She is a brilliant advocate." (2023)

"Elizabeth is an impressive advocate. She is extremely effective in the way she presents herself." (2023)

"Elizabeth Jones KC is good at handling difficult personalities in mediation. She stays in contact post-mediation, prompting the parties to see if there is any scope to settle the dispute. Elizabeth is willing to go the extra mile to get things resolved." (2023)

"A great operator with a real presence in court." (2023)

"One is always taken by her willingness to go the extra mile to get things resolved." (2023)

"She has excellent judgement and is steely and effective in court." (2023)

"Elizabeth is excellent; she is an absolutely top analyst and performer." (2023)

"Liz is a simply brilliant leader. She throws herself into cases completely from the outset and her mastery of the issues and case management are unrivalled. She is stunningly bright and a ruthlessly effective and incisive cross-examiner. She also has brilliant strategic and commercial judgement and never takes bad points." (HNW, 2023)

"Superb. She is, in my experience, at the pinnacle of her powers. She immediately grasps the issues and focuses on putting forward the best case forward for the client. She covers every possible avenue and points out potential difficulties which need to be dealt with. She is available on demand, extremely quick in doing what she has to do and her written work is superb." (HNW, 2023)

"Frighteningly good. She is utterly thorough in her approach and always focuses on the key points." (2022)

"A phenomenal advocate." (2022)

"She leaves no stone unturned." (2022)

"A fantastic advocate that you want on your team. She lives and breathes her cases and her litigation strategy skills are unrivalled." (2022)

"Brilliant and cool-headed, she does the most complex and difficult cases and remembers every single page of disclosure. She is good at handling difficult clients and difficult issues, as she sees things through the client's eyes. Liz is just a fantastic leader of any team and will get to the heart of the case, however complex it is. She is a brilliant advocate and a real fighter." (2022)

"A brilliant, heavyweight operator who is as good as it gets." (2022)

"A brilliant advocate." Chambers HNW (2021)

"Elizabeth is the kind of advocate I'd want on my side - she is brilliant, cool-headed, and does the most complex and difficult cases." Chambers HNW (2021)

"A tough, no-nonsense advocate who applies herself to the case robustly." (2021)

"She's very strong in court and is a truly formidable advocate." "She is very robust and impressive on her feet. A top

performer." (2021)

"*Very bright and an incredibly tough commercial litigator. "She has a very good sense of where the case is going as she sees the big picture.*" (2021)

"*A truly brilliant silk.*" (2021)

"*Her fraud brain is incredible - she is technically bright and astute and for complex issues she is a go-to person.*" (2021)

"*She's phenomenal and has an extraordinary ability to get on top of material.*" (2021)

"*She's so impressive tactically as well, and has an absolute grasp of her cases.*" (2021)

"*....an incredibly tough commercial litigator.*" (2021)

The Legal 500

"*Stellar in every respect.*" (2022)

"*She has a fantastic mind and superb attention to detail.*" (2022)

"*Has a fabulous knowledge of the law and speed at assimilating information and detail that is second to none.*" (2021)

"*Fearsome, smart, focused and brilliant – you would not wish to be against her*" (2021)

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.

In the Press

Sir Owen Glenn KNZM ONZM and Kea Investments Limited v Eric Watson, Novatrust Limited and others [2018] EWHC 2016 (Ch), The Barrister, 5 October

Glenn v Watson Trust Dispute, STEP Journal, 2nd August 2018

Property Investor Gets OK To Drop £129m Deal in Fraud Case, Law 360, 1st August 2018

Education & Qualifications

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

Memberships

COMBAR

Chancery Bar Association
Association of Contentious Trust and Probate Lawyers
