



serle court

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## Gareth Tilley

Year of Call: 2007

*"A very thorough and detail-oriented barrister".  
"An excellent advocate."*

*"He is very sharp and practical. He works quickly and is very realistic in his judgement."  
"He is extremely thorough in his consideration of the evidence and when drafting pleadings and other documents. He has proven to be an excellent advocate in court."*

Chambers & Partners

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## Practice Overview

Gareth's practice focuses on fraud, and breakdowns within long-term business and personal relationships. This covers misrepresentation, breach of fiduciary duty, breach of confidence, employee competition, breach of contract, shareholder disputes, trust claims, asset tracing, proprietary estoppel claims, unjust enrichment and accessorial liability, plus associated interlocutory and enforcement matters such as freezing injunctions and committal applications. Gareth also acts in cases of professional negligence, insolvency, and regulatory/disciplinary matters, particularly where they touch on the above areas.

Gareth's cases often have an international element, and he has acted and advised in cases in the courts of the Caribbean and Channel Islands. Gareth is appointed to the Attorney General's A Panel of Junior Counsel to the Crown and is a Bar Standards Board Prosecutor. Before being called to the English Bar Gareth was admitted as a legal practitioner in New South Wales and worked as a judicial assistant in the Equity Division of the Supreme Court of New South Wales.

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## Areas of Expertise

### Civil Fraud

Gareth is experienced in a broad range of fraud litigation, including misrepresentation claims, tracing and constructive trust claims arising from misappropriation of assets and business opportunities, employee competition cases, and breach of fiduciary duty more generally. He is also experienced in the range of various interim applications commonly arising in fraud claims, such as freezing injunctions, Norwich Pharmacal and Bankers Trust orders.

#### Case of note include:

*E-Distribuzione S.p.A. v China Taiping Insurance (UK) Co Ltd* (2024-): resisting enforcement in England of an Italian judgment for c.€13m relating to surety bonds sold by an allegedly fraudulent agent (with Philip Marshall KC and Professor Jonathan Harris KC (Hon)).

*Manolete Partners PLC v Hick & Ors* (2023-): representing one of the defendant company directors in a claim for breach of fiduciary duty and conspiracy relating to the alleged misappropriation of assets from a solar energy company.

*MUT 103 Limited (in liquidation) v WTUK Limited* (2023-): representing the liquidator of an Irish company in a c.€20m claim for dishonest assistance against a payment services provider arising from the collapse of the German Property Group Ponzi scheme.

*Vandaglas GmbH v Meredith* (2023-): representing one of the defendant trustee sellers in a c.£10m claim for breach of warranty and conspiracy in relation to the sale of a glass manufacturing company.

*Blue Side Services SA v Kea Investments Limited* [2022] EWHC 2449 (Comm): attempted corporate hijacking of a BVI investment company by serial fraudster Rizwan Hussein. Successfully struck out 3 sets of proceedings, obtained general civil restraint order against the fraudster and third-party costs order against an economically interested individual.

*Kea Investments Limited v Wikeley Family Trustee Limited* (2022-): advising the claimant victim of a worldwide conspiracy in the form of allegedly fraudulent claims and demands in the courts of Kentucky and the BVI brought by the trustee of New Zealand trust. Interim anti-suit injunctions obtained in New Zealand.

*Snow v Maxwell Hodge Ltd* (2021): claim against two law firms following an apparent bridging loan fraud perpetrated by an employed solicitor.

*HMRC v IGE USA Investments* (2018-2021): representing HMRC in its claim to rescind a tax settlement worth c.£700m for misrepresentation/non-disclosure: [2021] EWCA Civ 1534, [2021] 3 WLR 313 - whether claim to rescind agreements for fraud in equity subject to a 6 year limitation period (permission granted to appeal to the Supreme Court); [2020] EWHC 1716 (Ch), [2021] Bus LR 424 – whether specific disclosure can be ordered under the Pilot Scheme for the purposes of an amendment application to allege fraud (with Philip Jones KC).

*Kea Investments Ltd v Watson* [2020] EWHC 2599 (Ch): successful committal application against a fraudster for breaches of mandatory orders; immediate custodial sentence imposed (with Elizabeth Jones KC and others).

*The Original Alternative Ltd v Bayley* [2019] EWHC 2286 (Ch): dispute over ownership of a hijacked internet domain. Mandatory interim injunctions obtained pending expedited trial; [2019] EWHC 3629 (Ch) successful committal application for breach of injunction with immediate custodial sentence imposed.

*Glenn v Watson* [2018] EWHC 2016 (Ch): successful claim to rescind loan agreements of over £100m on grounds of misrepresentation, breach of fiduciary duty and bribery. See also [2017] 4 WLR 48 (whether pleadings effected a waiver of confidence); [2017] EWHC 256 (Ch) (expert evidence); [2016] EWHC 3346 (Ch) (specific disclosure); [2016] EWHC 1011 (Ch) (reporting restrictions); [2016] EWHC 1012 (Ch) (strike-out application re allegations of fiduciary relationship); [2016] EWHC 1928 (Ch) (strike-out application in relation to US tax allegations) (with Elizabeth Jones KC and others).

*PKR Ltd v Bhukhureea* (2016): fraud claim by an online gambling company against an accounts employee. Summary judgment obtained against the fraudster.

*JSC BTA Bank v Ablyazov; Boodle Hatfield v Tyshchenko* [2015] EWHC 424 (QB): representing Boodle Hatfield in the enforcement stage of judgment against the assets of one of Mr Ablyazov's associates, whose former wife claimed to be the beneficial owner of the property in question following a divorce settlement.

*Levenes (a firm) v Brown & Anor* (2014): acting for the claimant law firm in fraud claim against former employees; worldwide freezing injunction obtained.

*Re Fingood LLP; Polegoshko & Ors v Ibragimov & Ors* [2015] EWHC 1669 (Ch), [2015] All ER (D) 273 (Jun): successful claim regarding legal and beneficial ownership of an LLP following fraudulent alteration of Companies House records; [2014] EWHC 1535 (Ch) successfully opposing defendants' application for an anti-suit injunction to restrain the claimants' participation in related litigation in Lithuania.

*AB v CD* (2013): acting for the successful claimant in a confidential arbitration involving a freezing injunction and secret profits claims made between property development partners (with John Machell KC).

*Eklund v Parliament Lane Management Ltd & Ors* (2011-2012): representing certain beneficiaries of Gibraltar trusts alleging fraud by an agent in relation to the acquisition of properties in Spain.

*New Media Holding Company LLC v Kagalovsky & Ors; Kagalovsky v Gusinski; Hudson v New Media Holding Company LLC* [2011] EWHC 3068 (QB): English side of New York proceedings alleging the misappropriation of a Ukrainian television station (with Augustus Ullstein KC).

*Re X Trusts* (2011); representing trustees of substantial Jersey trusts alleged by a European revenue authority to be shams or fiscally transparent.

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## Commercial Litigation

Gareth deals with a wide range of commercial and contractual cases and has particular experience of large-scale litigation, particularly with an international dimension.

### Case of note include:

*E-Distribuzione S.p.A. v China Taiping Insurance (UK) Co Ltd* (2024-): resisting enforcement in England of an Italian judgment for c.€13m relating to surety bonds sold by an allegedly fraudulent agent (with Philip Marshall KC and Professor Jonathan Harris KC (Hon)).

*GL Dameck Ltd v Albion Agencies Limited* (2023): defending a claim that certain rights to exploit the “UMBRO” sportswear brand are held on trust for the claimant licensee.

*E v I (confidential UNCITRAL arbitration)* (2022-): representing the defendants in a c.£7m claim alleging mismanagement of a Ugandan infrastructure joint venture.

*BRG Noal GP S.à r.l v Kowski* [2022] EWHC 867 (Ch): dispute over control over a €1bn private equity fund, application for interim anti-suit injunction to restrain Luxembourg proceedings said to be interfering with the management of the fund (with Philip Marshall KC and Adil Mohamedbhai).

*Amiel v Kunstler* (2021-2022): representing Belgian diamond traders in the enforcement of an Israeli judgment on a guarantee in England. The dispute centers on the contested beneficial entitlement to the proceeds of a Christie’s art auction.

*Volumatic v Ideas for Life* [2019] EWHC 2273 (IPEC); claim for specific performance of an alleged agreement for the assignment of patents in a banknote transporter pouch.

*M v C (confidential 1996 Act arbitration)* (2018): c.£10m arbitration claim arising from a data leak said to have compromised a tender process.

*A v B (confidential JCAA arbitration)* (2014-2017): \$'000m international arbitration claim for alleged wrongful termination of a distribution agreement (with Elizabeth Jones KC).

*Heifer International Inc v Christiansen* [2013] EWHC 721 (TCC); [2013] BLR 346; effect of a Danish arbitration award on the question whether a debt secured by a charging order in England had been discharged.

*Alhamrani v Alhamrani & Ors* (2012-2013) (British Virgin Islands High Court); 7 week trial regarding the ownership of shares in a BVI company acquired under a contract governed by Saudi Arabian law (with Elizabeth Jones KC and Simon Hattan).

*Royal Bank of Scotland Group plc v Winterthur (UK) Holdings Ltd* (2008); £37m claim for fraudulent misrepresentation and breach of warranty arising from RBS’s acquisition of Churchill insurance (with Ian Glick KC and Simon Hattan).

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## Company

Gareth acts in a range of company law cases including directors’ duties cases, winding-up petitions, and shareholder disputes including minority oppression.

### Cases of note include:

*E v I (confidential UNCITRAL arbitration)* (2022-2023): arbitration of a shareholder dispute in a Ugandan infrastructure joint venture company, raising the question whether the alleged losses are barred by the rule against reflective loss.

*Re Graham Young (2007) Ltd; Kose v Modha* (2021-2022); defending an unfair prejudice petition relating to a joint venture to redevelop a pharmacy and medical centre.

*Re Keeping Kids Company; The Official Receiver v Batmanghelidjh* [2020] EWHC 2839 (Ch), [2021] 2 BCLC 181; [2021] EWHC 175 (Ch); represented the Official Receiver in the disqualification proceedings brought against the former directors of the collapsed charity Kids Company (with Lesley Anderson KC).

*Re UsThree Group Holdings Ltd* (2018); minority shareholder dispute within a successful IT company.

*Re Spartan Capital Limited; Kea Investments Ltd v Novatrust Limited* (2015-2017): defending a derivative claim on behalf of a BVI company along with representing the petitioner to wind up the same company either on the just and equitable ground or in insolvency (with Elizabeth Jones KC and others).

*Re Cadmus Management Ltd; Hanbury v Hogan* [2016] EWHC 3330 (Ch); [2017] BPIR 317: construction of s.181 of the Insolvency Act 1986 in relation to disclaimed leaseholds formerly belonging to a dissolved company.

*Re Quiet Moments Limited; Dufoo v Tolaini* [2013] EWHC 3806 (Ch); [2014] EWCA Civ 1536: “just and equitable” winding up petition in the context of a complex shareholder dispute in a quasi-partnership company.

*Alhamrani v Alhamrani & Ors* (2012) (British Virgin Islands High Court): 7-week trial regarding the ownership of shares in a BVI company acquired under a contract governed by Saudi Arabian law; heard simultaneously with an unfair prejudice petition (with Elizabeth Jones KC and Simon Hattan).

*Energenics Pte Ltd v Morgan* (2011-2012): defence of a claim to specific performance of a share sale agreement also involving allegations of breach of duty by the director of a Dominican company.

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## Private Client Trusts and Probate

Gareth has experience both of offshore trusts litigation (including in the long-running Alhamrani and Walker litigation in the Royal Court of Jersey), and English trusts law proceedings, especially where they are connected with a falling out in relation to a family business.

### Cases of note include:

*Ritblat v HMRC* (2023-2024): representing HMRC in proceedings relating to a settlement agreement under the Employee Benefit Trust Settlement Opportunity said to preclude HMRC’s attempts to tax over £100m of distributions from an offshore trust.

*GL Dameck Ltd v Albion Agencies Limited* (2023): defending a claim that certain rights to exploit the “UMBRO” sportswear brand are held on trust for the claimant licensee.

*Re Estate of Jones* (2021-2022): representing the claimant residuary beneficiary and co-executor of an estate in a trustee removal application under s.50 AJA 1985, where the defendant co-executor had threatened claims against the estate on behalf of a family-owned company.

*Re Estate of D* (2022): representing the claimant in a proprietary estoppel claim to an interest in a substantial estate.

*Re W Trust* (2021): representing beneficiaries of a will trust in a dispute with the trustees regarding failures to

supervise trust-owned companies that fell victim to alleged breaches of fiduciary duty by the directors.

*Shokat v Khan* (2021): administration proceedings where the deceased had purportedly married twice, each time in a different foreign jurisdiction, leaving two wives each claiming to be the surviving spouse. Dispute as to the validity of the “marriages” under foreign law and the entitlements of the children and purported spouses under the 1975 Act.

*Re V and M Trusts* (2015-2021): claim by incoming Jersey trustee against outgoing trustee in relation to an allegedly negligent failure to invest a substantial fund.

*Re Rangers Football Club plc (in administration)* (2013-2014): representing the trustees of a pension fund that suffered losses arising from the collapse of the Glasgow Rangers football club (with Jonathan Adkin KC).

*Walker v Egerton-Vernon* (2013-2014): representing a trustee of a Jersey trust established by steel magnate the late Jack Walker in a £'000m claim for breach of trust (with Elizabeth Jones KC and Justin Higgo).

*Re X Trusts* (2011): representing trustees of substantial Jersey and Manx trusts alleged by a European revenue authority to be shams or fiscally transparent.

*BV Trustco v Vimercati* (2011): representing a beneficiary of a substantial trust in a Public Trustee v Cooper application.

*New Zealand Guardian Trust Company v Duzgan* (2010-2011): defending a claim to a constructive trust over a substantial London home said to arise in the context of a 3-way relationship between cohabitants.

*Alhamrani v Alhamrani* (2008-2009) (Royal Court of Jersey): representing the defendant protector/beneficiary of substantial Jersey trusts against claims of breach of trust, breach of fiduciary duty and breach of duties under a power of attorney. Trial settled after 101 hearing days (with Elizabeth Jones KC, Nicholas Harrison and Simon Hattan).

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## Partnership and LLP

Gareth acts in Partnership and LLP cases, particularly those involving an element of fraud or breach of fiduciary duty.

### Cases of note include:

*BRG Noal GP S.à r.l v Kowski* [2022] EWHC 867 (Ch); dispute over control over a €1bn private equity fund, application for interim anti-suit injunction to restrain Luxembourg proceedings said to be interfering with the management of the fund (with Philip Marshall KC and Adil Mohamedbhai).

*Re Fingood LLP; Polegoshko & Ors v Ibragimov & Ors* [2015] EWHC 1669 (Ch), [2015] All ER (D) 273 (Jun) successful claim regarding legal and beneficial ownership of an LLP following fraudulent alteration of Companies House records; [2014] EWHC 1535 (Ch) successfully opposing defendants’ application for an anti-suit injunction to restrain the claimants’ participation in related litigation in Lithuania.

*AB v CD* (2013); acting for the successful claimant in a confidential arbitration regarding a property development partnership involving allegations on both sides of secret exploitation of around 25 partnership business opportunities (with John Machell KC).

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## Professional Negligence

Gareth advises and acts in professional negligence actions that relate to other fields of commercial and chancery practice. Recent cases include:

*HMRC v Ernst & Young LLP* (2023-2024): representing HMRC in a claim in negligent misstatement against Ernst & Young arising from statements made on behalf of a taxpayer in the course of the Employee Benefit Trust Settlement Opportunity. This is the first case to consider whether taxpayers' agents owe a duty of care to HMRC.

*NWG UK Ltd v Vantis Tax Limited* (2021-2022) representing Peter Stephenson and related parties in a c.£65m claim against tax advisers arising from allegedly negligent advice in relation to restructuring of part of the Able Group (with Philip Jones KC).

*Snow v Maxwell Hodge Ltd* (2021): claim against two law firms following an apparent bridging loan fraud perpetrated by an employed solicitor.

*Re V and M Trusts* (2015-2021): claim by incoming Jersey trustee against outgoing trustee in relation to an allegedly negligent failure to invest a substantial fund.

*Kea Investments Ltd v Fladgate LLP* (2019-2021): c.£40m claim by victim of a fraud against the law firm who acted for the fraudster (with Elizabeth Jones KC and Paul Adams).

*Annaloro & Garrow v Milestone International Tax Partners LLP* (2019-20): c.£2m claim against tax advisers for negligent establishment of an offshore structure from which funds were misappropriated.

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## Intellectual Property

Gareth has experience of copyright, design and trade mark disputes and has a particular interest in cases where intellectual property rights arise in the context of a wider business dispute.

### Cases of note include:

*NMSM Group Ltd v The Nightingale UK Limited* (2014): IPEC trial over claim that gay bar "Queer Street" infringed the trademark of "Bar Queer", raising an issue of whether the relevant IP rights had been effectively transferred to the claimant.

*Temple Island Collections Ltd v New English Teas Ltd* [2012] ECDR 11; [2012] FSR 9: widely reported "Red Bus" copyright infringement case concerning the extent of protection of manipulated digital images (with Michael Edenborough KC).

*Martin Moore Ltd v Mark Plant Ltd* [2011] EWPC 25: claim of infringement of an EC registered design for door knobs.

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## Insolvency

Gareth advises and acts in insolvency litigation normally where it relates to the breakdown of a wider business dispute, for example between company members or partners in a failed business venture.

### Cases of note include:

*Re Palmer; Secretary of State for Business and Trade v Abdulali* [2024] EWHC 1722 (Ch): a leading case on the meaning of “property” in s.436(1) IA 1986 relating to a compensation scheme set up for subpostmasters affected by the Post Office “Horizon” IT scandal.

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## Chancery

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### Recommendations

Chancery: Commercial (*Chambers UK Bar*) 2022

Dispute Resolution: Commercial Chancery - UK (*Chambers Global*) 2021

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### Quotes

*"Gareth is thoughtful and structured in his thinking, and always ready to get stuck into a case."* (Chambers & Partners, 2025)

*"He is incredibly knowledgeable and knows the law inside out. He delivers his advice in a way that is easy to understand, and is particularly expert on law in foreign jurisdictions."* (Chambers & Partners, 2025)

*"Gareth is bright, hard-working and personable."* (Chambers & Partners, 2025)

*"Gareth deploys his seemingly encyclopedic knowledge of the case law with great dexterity and commercial awareness."* (Chambers & Partners, 2025)

*"Gareth is great to deal with, superb on the law and very pragmatic. He has good judgement and is a good drafter too."* (Chambers & Partners, 2025)

*"He has superior analytical skills, he is excellent at client management, and he produces written work that is first class."* (Chambers UK Bar, 2024)

*"Very responsive, very clever and very clear with clients. He's always happy to get stuck into a case and really delves into the detail."* (Chambers UK Bar, 2024)

*"Very bright, pragmatic and helpful, and someone who turns things round quickly."* (Chambers UK Bar, 2023)

*"He has a very can-do attitude in challenging situations."* (Chambers UK Bar, 2023) *"His advocacy is very persuasive."* (Chambers UK Bar, 2023)

*"A good, thoughtful opponent, who is effective without going over the top."* (Chambers UK Bar, 2023)

*"A very thorough and detail-orientated barrister."* *"An excellent advocate."* (Chambers UK Bar, 2022)

*"He is very sharp and practical. He works quickly and is very realistic in his judgement."* *"He is extremely thorough in his consideration of the evidence and when drafting pleadings and other documents. He has proven to be an excellent advocate in court."* (Chambers Global, 2021)



## Publications

'Restitution and the law of subrogation in England and Australia', (2005) 79(8) Australian Law Journal 518  
'Compulsory Acquisition of Shares', (2003) 1 Australian Corporation Practice Bulletin [6]

## In the Press

[\*Kids Company founder urges judge to spare her the 'stress' of a court case over the charity's financial meltdown after taking £42m of public money\*](#), Mail Online, 13 May 2019

*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

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## Education & Qualifications

University of Sydney – BA (Music), LLB (First Class)

Exeter College, Oxford – BCL (Distinction)

Inns of Court School of Law – BVC (Outstanding)

Hardwicke, Lord Mansfield and Megarry Scholarships, Lincoln's Inn

Winner of the Buchanan Prize and the Sir Louis Gluckstein Prize for Advocacy, Lincoln's Inn, 2007

Winner of the University of Oxford Shearman & Sterling Mooting Competition, 2006

## Appointments

Admitted as a legal practitioner of the Supreme Court of New South Wales 2004

Former researcher/judicial assistant to Justice Austin, Supreme Court of New South Wales 2004-5

## Memberships

Chancery Bar Association

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