



Giles Richardson

Year of Call: 1997

"He is incredibly quick, clever and reliable, he's a good man to have when you're in a tight corner. A silk in junior's clothing."

Chambers & Partners

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Practice Overview

Giles specialises in trusts, company and fiduciary obligations litigation, both in London and offshore, as well as associated professional negligence and fraud work. He also acts in high value financial remedy actions in the Family Division.

Giles is a highly ranked junior for Traditional Chancery, Commercial Chancery, Offshore, Trusts and Family/Matrimonial: Trusts/Tax Experts in Chambers & Partners, in Chambers Global, and Chambers High Net Worth, being described as *"outstanding – incredibly technically able and on top of his game, but very easy to work with."* He is also recommended in Legal 500 for Private Client: Trusts and Probate (*"A silk in all but name, a complete workhorse with phenomenal ability to pick up a huge and complex case and master it overnight"*) and for Company law (*"a great strategist"*) and Offshore work (*"Exceptionally good: clients get a QC quality"*).

Areas of Expertise

Private Client Trusts and Probate

Davidson v Seelig [2016] EWHC 549: instructed to advise and act in High Court proceedings, one of the first after the Supreme Court decision in *Pitt v Holt / Futter v Futter*, to invoke the "Re Hastings-Bass" jurisdiction to set aside defective exercises of power by trustees, in this instance in relation to exercise of powers of appointment in 2003 under complex family trusts first settled in 1967.

High Commissioner for Pakistan v Prince Mukkaram Jah, his exalted Highness the Nizam VIII of Hyderabad: instructed to represent and advise the estate of the 7th Nizam of Hyderabad in relation to a c. £20m bank account deposited in London by the 7th Nizam in 1947 to which Pakistan, India and his grandsons also lay claim, the case concerning alleged informal trust arrangements and successive testamentary dispositions by the 7th Nizam.

DIA v Pugachev: acted for New Zealand trustees of trust structures established to benefit the family of a Russian banker, whose assets were pursued by various Russian entities.

Re EAIC [2014] WTLR57: instructed on behalf of joint administrators from KPMG of schemes of arrangement dealing with an insolvent insurance company who were also the trustees of a c.£20m trust fund held for the benefit of its policy holders. The trustees faced a real issue with their ability under the trust instrument to make payments to entitled policy holders in a commercially sensible and efficient manner. A claim was therefore made in the High Court for, effectively, a variation of the trust under s.57 of the Trustee Act 1925 to permit payments to be made, relying on a novel approach to s.57 and dependent on actuarial advice. The claim succeeded.

A Ltd v B and others [2013] JRC075: instructed to advise and provide an Opinion for production before the Royal Court by the Qualified Member of a Jersey foundation in the first (reported) decision on the ambit of appropriate directions obtainable by a council member or foundation. The Court noted ([16]) that his Opinion was a "very clear and helpful opinion from which we have drawn extensively for the purposes of this judgment".

Barclays Wealth Trustees (Jersey) Ltd v Equity Trust (Jersey) Limited: acting in proceedings against the former trustee of unit trusts investing in Eastern European property developments for alleged breaches of trust and significant losses arising therefrom.

Emerald Bay Worldwide Limited v Barclays Wealth (Guernsey Judgment 16/2013): instructed on the trial in Guernsey of a US\$8m by a BVI company held within a Jersey law trust against its Guernsey incorporated former directors for breach of duties of care and skill in relation to the acquisition of a jet airplane, raising a number of significant BVI company law issues, including its regime as to the indemnification of directors.

Walker v Egerton-Vernon and others: instructed on behalf of a personal trustee of the family trust of late Jack Walker (former Blackburn Rovers' chairman) in proceedings commenced against him and other trustees by beneficiaries in Jersey, following Jack Walker's death, involving breach of trust allegations concerning investment in Flybe and distributions to Blackburn Rovers football club.

Pearson v Lehman Brothers Finance SA and others [2010] EWHC 2914 (Ch.): advising and appearing at trial arising from the collapse of Lehman Brothers, acting for principal US Lehman entities in relation to funds held within the Lehman estate in London, in claims giving rise to important issues as to the trust principles applicable to intermediated securities.

Company

Protec International Ltd v Stout: instructed in English proceedings following Guernsey proceedings which determined the shareholdings and directorships of a Guernsey company to claim diverted intellectual property assets against an English company held by former joint venture partners.

F G Hemisphere v Gecamines [2012] UKPC 27: instructed to act in the Privy Council appeal of a Congolese state owned mining company seeking to resist enforcement by a U.S. distressed debt fund of state debts against c.US\$120m of its assets arising from a Jersey joint venture vehicle.

Raffiesenlandesbank v Maxfold LLP and others: instructed on behalf of the corporate directors of English LLPs and of the foreign directors of those corporate directors in a fraud action brought against them by an Austrian Bank alleging their complicity in that fraud, in which the LLPs were allegedly used as conduits to facilitate the extraction

of €1.4m from the bank. The claim raised complex and interesting issues of company law and the effects of incorporation as to the extent to which an (allegedly) defrauded party can proceed directly against the officers of such alleged conduits in a fraud (and indeed against the officers of such officers) rather than having to collapse the structure through liquidations.

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Belgravia Financial Services Group v First Vanguard: instructed on behalf of Hong Kong based directors and investors in a complex international company law dispute involving allegation of fraud and breach of fiduciary duty.

Commercial Litigation

First Peninsula Trustees Limited v Picard & others: instructed to act for the trustees of B.V.I. settlements which received substantial sums from Madoff feeder funds in relation to claims brought by the principal Madoff office holder in New York and in London.

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Lexingville Investments Ltd v BNP Paribas Securities Services SA: proceedings against BNP Paribas for alleged breaches of custodianship duties owed to it in dealing with client securities.

Civil Fraud

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Insolvency

Chancery

Banking and Financial Services

Professional Negligence

International and Offshore

Recommendations

Private Client (*Who's Who Legal: UK Bar, 2020*)

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Chancery: Traditional (Chambers High Net Worth, 2017-2019)

Chancery: Commercial, Offshore, Chancery: Traditional, Trusts (Chambers & Partners)

Chancery: Commercial, Offshore, Private Wealth: Trusts (Chambers Global)

Company, Private Client: Trusts and Probate (The Legal 500)

Citywealth Leaders List 2017 - Barristers - Contentious Trusts

Quotes

He is frequently trusted with complex multi-jurisdictional matters, and is also noted for his experience in matrimonial finance. *"He's fantastic. What he's really conspicuously good at is identifying a story you can tell a judge or to the other side; he spots weak points which he shapes into a narrative. He is tremendously effective at working out what will be effective,"* comments one market insider. Another comments that he *"always stays calm, and communicates brilliantly with clients."* (Chambers High Net Worth, 2019)

"A very able advocate and clearly someone who has an excellent grasp of detail. Giles gets right to the bottom of the complex cases and is extremely capable." "He is very diligent and can just plough through the detail in a very effective way." (Chambers & Partners, 2019)

"Technically very strong, he is also very responsive and the sort of barrister you definitely want as part of your team. He is very good in high pressured situations and understands the pressure of modern litigation." "Particularly commercial and strategic in his thinking, he has good tactical nous and can see the big picture." (Chambers & Partners, 2019)

"Provides all-round excellent advice delivered with charm, confidence and clarity." "He's an exceptional talent who gives comprehensible commercial advice." (Chambers & Partners, 2019)

"He is incredibly quick, clever and reliable, he's a good man to have when you're in a tight corner. A silk in junior's clothing." (Chambers & Partners, 2019)

"Giles is incredibly detailed, commercial and strategic in his thinking. He has good tactical nous and can really see the big picture." (Chambers & Partners, 2019)

"Super smart and highly commercial." (The Legal 500, 2019)

"He handles high-profile work concerning British Overseas Territories and Crown Dependencies." (The Legal 500, 2019)

"Incredibly user-friendly and hardworking." (The Legal 500, 2019)

"He is incredibly dedicated and not only is he very good at what he does, there is also a very easy working relationship with him which makes dealing with tricky offshore litigation much easier." (Chambers High Net Worth 2018)

"He is incredibly bright, responsive and commercial" (Chambers & Partners 2018)

"Has the ability to master a vast range of documents in a very short space of time and come up with some very effective arguments to strengthen claims." (Chambers & Partners 2018)

"A fantastic person to work with; his commerciality and tactical awareness are as strong as his exceptional intellect" (The Legal 500 2017)

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"Giles is technically excellent and superb on the detail, he is commercial and incisive, delivering clear and considered advice. He is also very user friendly and highly responsive" - (Citywealth Leaders List 2017)

"He has the ability to master a vast range of documents in a very short space of time and come up with some very effective arguments to strengthen our claim," states one source, while another lawyer notes: "He is very bright and very articulate; he is fast gaining some excellent experience." Another solicitor reveals that "he is particularly good at tricky litigation and the market rates him very highly." (Chambers High Net Worth 2017)

"Very clever, really great to deal with. He is commercial. We had a difficult meeting involving several silks and he brought everyone back on point. He is doing the bulk of the work", "He is just very good. His advice is clear. He is personable and good in a team. He is very commercially minded, and very clever." (Chambers High Net Worth 2016)

"He is incredibly user-friendly and hard-working." "He has excellent knowledge of the law and is good tactically. Clients love him." (Chambers Global 2015)

"He is very commercial and able to convert the esoteric into the everyday. You always feel like he has got it bang on right." (Chambers Global 2015)

Publications

Minority Shareholders - Law, Practice and Procedure (OUP 5th ed., 2015), co-author

Other

Called: 1997 (England & Wales); 2012 (British Virgin Islands)

Education & Qualifications

BA (First Class), BCL (First Class), Merton College Oxford

Memberships

Commercial Bar Association

Chancery Bar Association

S.T.E.P.
