



serle court

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## James Weale

Year of Call: 2007

*"He is super bright, hard-working and responsive. He's bursting with great ideas and energy. He is a superb draftsman and a strong oral advocate. He is also a real team player and a pleasure to deal with." "His written work is just absolutely excellent and he is very, very sensible in his approach."*

Chambers & Partners

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## Practice Overview

James has a very busy commercial chancery practice with a focus on domestic and international commercial and trusts disputes. He has been recognised as a leading practitioner in those fields in Chambers and Partners, Legal 500, Chambers Global, Chambers High Net Worth, and Who's Who Legal where he is described as a "brilliant lawyer" and a "Superstar".

He regularly appears (both as sole and junior counsel) in the English High Court and has appeared several times in the Court of Appeal. He also has considerable experience in overseas jurisdictions (including as sole counsel) including Bermuda, the DIFC, the BVI, the Cayman Islands, Jersey, Guernsey, Gibraltar and Panama.



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## Areas of Expertise

### Commercial Litigation

*Wong v Grand View Private Trust Company and ors* (Case No. 44 of 2018) (ongoing). Instructed by MJM Ltd (Bermuda), Baker McKenzie (Taipei) and Stewarts (UK). James acts with Richard Wilson KC in one of the highest-value trust cases to have been litigated in any jurisdiction. The claimants sought to set aside multi-billion dollar purpose trusts on various grounds. A 6-month trial took place between April and October 2022. The trial judgment ([2022] SC (Bda) 44 Com (22 June 2022)) is now the subject of an appeal to the Bermuda Court of Appeal, which has been listed for 10 days in January 2025.

*IBM United Kingdom v LzLabs GmbH & Ord* (ongoing) [2023] EWHC 2142 (TCC); [2023] EWHC 1595 (TCC); [2023] EWHC 1183 (TCC). Instructed by Quinn Emanuel Urquhart & Sullivan LLP (UK). James acts with Nicholas Saunders KC, Matthew Lavy KC and Craig Morrison KC for the claimant in a substantial claim based on (among other matters) the alleged reverse engineering of IBM Mainframe software in breach of contract. The trial has been listed for 3 months in April 2024.

*LLC Eurochem North-West-2 v (1) Societe Generale S.A. (2) Societe Generale Paris (3) Societe Generale Milano (4) ING Bank N.V. (5) ING Bank N.V. – Milan Branch (6) Technimont S.P.A. (7) LLC MT Russia* (ongoing). Instructed by Clifford Chance LLP. James acts with Camilla Bingham KC for ING Bank in a substantial claim for payment under performance bonds. The case raises important questions as to the application and scope of EU sanctions.

*Navigator Equities Ltd v Deripaska* [2022] 1 W.L.R. 3656; [2022] 2 All E.R. 995, Times, February 7, 2021, Times, April 1, 2022, [2023] EWHC 788 (Comm). James acts with Jonathan Crow KC for the claimants in committal proceedings against Oleg Deripaska. Following the dismissal of the contempt application by HHJ Pelling KC, permission to appeal was granted by [Lord Justice Philips](#) and the substantive appeal has been listed in March 2023.

*Klaturov and Anor v Revetas Capital Advisors LLP and Anor* [2023] EWHC 470 (Comm). Instructed by Willkie Farr & Gallagher (UK). James acts for the Claimants in a substantial partnership claim for unpaid remuneration, a buyout payment and a profit share. James successfully defended an application for reverse summary judgment / strike out

and the case has been listed for trial in December 2023.

*Schwartz v VGV (UK) Ltd* [2020] EWHC 2227 (Ch). Instructed by McDermott Will and Emery. James acted for the successful applicant in committal proceedings against a trustee and protector following a 5-day trial before Mr Justice Roth. Please click [here](#) to view the judgment.

*Cobussen Principal Investment Holdings Ltd v Akbar* [2020] EWHC 476. Instructed by DWF Beckman. James acts for the claimant in an application for a charging order over a London property worth £9 million. In his judgment handed down on 2 March 2020, Mr Justice Edis gave guidance on the role of solicitors in ensuring their client's compliance with their disclosure obligations. Judgment on the claimant's application is awaited following a 3-day trial before Mr Justice Edis. Please click [here](#) to view the judgment.

*Wong v Grand View Private Trust Company Ltd and ors* (Civil Appeal No. 5A of 2019). Instructed by MJM Ltd (Bermuda) and Baker McKenzie (Taipei). James acts with Richard Wilson QC in one of the most important trust cases in recent years, which raises the question of whether or not a trustee's decision can be invalidated on the basis that it undermines a trust's substratum. The case concerns a trust worth over USD 500 million. Having allowed the appeal of the decision of Kawaley J in its judgment of 9 April 2020, the Court of Appeal has since given permission to appeal to the Privy Council. Please click [here](#) to view the judgment.

*Basin Supply Corporation v (1) Rouge LLC (2) Claude Barret* [2018] CFI 057 (6 September 2020) James (instructed by Dentons) acted for the successful claimant in a claim to enforce the terms of a promissory note and a related guarantee. This followed James' successful dismissal of a [jurisdiction challenge submitted to the JJC](#). H.E. Justice Ali Al Madhani held that an express choice of law agreement in a negotiable instrument was valid and enforceable (para 37). Moreover, the Court rejected the Second Defendant's case that the guarantee was unenforceable by reason of a material variation pursuant to the rule in *Holme v Brunskill* (1871) 3 Q.B.D. 495 (paras 48-59). James also obtained an order for costs to be assessed on the indemnity basis (para 65). A link to the judgment can be found [here](#).

*Sofer v SwissIndependent Trustees Ltd* [2020] EWCA Civ 699; [2019] EWCH 2071 (Ch). Instructed by RadcliffesLeBrasseur. James acts (with Richard Wilson QC) for the defendant trustee in a \$20 million dollar fraud claim. The decisions of HHJ Matthew (sitting as a Deputy High Court Judge) and the Court of Appeal give important guidance on the requirements of a pleading of fraud or dishonesty. The matter is to be listed for trial in 2021. A link to the judgment can be found [here](#).

*Paraskevaides v Citco Trust Corporation Limited* BVICM 2018/00448 – 30 March 2020 (Eastern Caribbean Court of Appeal); 18 July 2018 (Eastern Caribbean Supreme Court): Instructed by Ogier (BVI). James acted (with David Chivers QC) on behalf of five defendants in a dispute relating to an alleged trust over shares in a substantial construction business based in Cyprus. The Court of Appeal gave important guidance on the standing of beneficiaries to seek injunctive relief.

*Filatona v Trading Ltd v Navigator Equities Ltd* [2020] EWCA Civ 109. Instructed by Clifford Chance (led by David Railton QC). James acted for the successful respondent in a 2-day appeal which gave important guidance on the relationship between principles of agency law and contractual constructions. The appellant has sought permission to appeal to the Supreme Court. A link to the judgment can be found [here](#).

*Filatona Trading Ltd v Navigator Equities Ltd* [2019] EWHC 173 (Comm). Instructed by Clifford Chance (led by Jonathan Crow QC) in a 5-week trial. James acted for successful defendants to four claims made pursuant to sections 67&68 of the Arbitration Act 1996. The claims follow a substantial (\$95 million) arbitration award in favour of the defendants in which James also acted. A link to the judgment can be found [here](#).

*National Bank of Kuwait v SBM Bank (Mauritius) Ltd* (Cassation No. 5/2018 (JT)). Instructed by Dentons (led by Rupert Reed QC). James acts for the claimant (SBM) in a substantial fraud claim against multiple defendants. The claimant successfully resisted a jurisdiction challenge brought by the National Bank of Kuwait. James appeared as sole

advocate in the DIFC in an application for a freezing order. A link to the judgment can be found [here](#).

*Chernukhin v Danilina* [2019] 1 W.L.R 758; [2018] 4 Costs L.R. Instructed by Clifford Chance (led by Jonathan Crow QC). James acted for the successful appellant in an appeal of the quantum of security for costs ordered by Cockerill J [2018] EWHC 39 (Comm). The Court rejected the application of a sliding scale by reference to the risk that a judgment would be unenforceable in a foreign jurisdiction. In the same litigation, James successfully resisted the claimant's application for permission to rely upon documents disclosed in proceedings in support of her alleged rights under the Data Protection Act [2017] EWHC 3052 (Comm) (Teare J). A link to the judgment can be found [here](#).

*Orion Holdings Overseas Limited and others v Mohammed Abu Al Haj and others* CFI 033/2015, 8 February 2018 (DIFC): James acted (with Rupert Reed QC) on behalf of the claimant liquidator in successfully resisting a jurisdiction challenge brought by a Swiss Bank. The Court rejected the bank's argument that it should decline jurisdiction on the basis that the contracts which the claimants sought to set aside were subject to an exclusive Swiss jurisdiction. A link to the judgment can be found [here](#).

*Paraskevaides v Citco Trust Corporation Limited* BVIHCM 2018/064 - 18 July 2018 - Eastern Caribbean Supreme Court: Instructed by Ogier (BVI). James acted (with David Chivers QC) on behalf of five defendants who succeeded in their application to set aside an ex parte injunction. The dispute related to an alleged trust over shares in a substantial construction business based in Cyprus.

*Chaggar v Chaggar* [2018] EWHC 1203 (QB). Instructed by Shakespeare Martineau (led by Richard Wilson QC) on behalf of the successful claimant in a week-long trial in the High Court (Birmingham) in a complex contractual dispute involving allegations of fraud and economic duress. The judgement of Mr Justice Morris includes important guidance on the restrictions which apply to the purchase by a company of its own shares. A link to the judgment can be found [here](#).

*LCIA Arbitration: (1) Vladimir Chernukhin (2) Navigator Equities Limited v (1) Oleg Deripaska (2) Filatona Trading Limited (3) Navio Holdings Limited*. Instructed by Clifford Chance (led by Jonathan Crow QC) on behalf of the claimants in a shareholders dispute arising out of an extremely valuable real estate site in central Moscow. The claimants sought a buy out of their interest in a Cypriot SPV on the basis of oppressive conduct under s.202 of the Cyprus Companies Law. The claimants successfully resisted a jurisdiction challenge following a 3-day hearing in September 2016 and subsequently succeeded in obtaining an order for their shares to be bought out for \$95 million following a 2-week hearing in March 2017.

*A v A; A v Line Trust Corporation Corporation & Ors* (2017/CACIV/01) (Gibraltar). James acted (with Deborah Bangay QC, Dakis Hagen QC and Jonathan Harris QC (hon)) for the applicant in one of highest value divorce cases in recent years. The dispute involved two complex overseas trust structures and generated 6 claims in 3 different jurisdictions (England, Gibraltar and the Cayman Islands). James acted as the applicant's principal advocate in the Court of Appeal in Gibraltar and in related proceedings in the Chancery Division. A link to the judgment can be found [here](#).

*Campbell v Campbell* [2017] JRC 108. Instructed by Dickinson Gleeson for the successful claimant in a complex claim for a declaration of trust over various assets including company loans in the Royal Court. The case raised a number of novel points of law in relation to the incidence and application of constructive trusts in Jersey. A link to the judgment can be found [here](#).

*Tseitline v Mikhelson* (2015-). Instructed by Dechert (with David Lord QC) on behalf of the claimant in a multi-million dollar claim against one of the wealthiest businessmen in Russia arising out of a contract relating to a substantial commercial development in the centre of St Petersburg. The claimant succeeded before Phillips J in establishing that personal service was effected in London ([2015] EWHC 3065 (Comm)).

*Keown v Nahoor* [2015] All ER (D) 53 (Dec). Instructed (as sole counsel) by Vanderpump & Sykes on behalf of the claimant in a c.£750,000 claim for fraud, knowing receipt and unjust enrichment against the claimant's former

accountant and two third parties. The claim succeeded before David Halpern QC (sitting as a Deputy Judge of the High Court).

*Blight v Brewster* [2012] 1 WLR 2841; [2012] Pens LR 203; James acted for the respondent in an appeal which concerned whether or not a debtor could be compelled to draw down a pension fund in order to discharge a judgment debt.

*Cherney v Deripaska* (2012). Instructed by Dechert (with Mark Howard QC and David Foxton QC) on behalf of the claimant in a claim for \$4 billion in relation to a disputed interest in the world's largest aluminium company, United Company Rusal. The case settled shortly after the commencement of the trial.

*Cherney v Deripaska* [2009] 2 All E.R. (Comm) 456. Instructed by Dechert (led by Geoffrey Vos QC, David Foxton QC and David Lord QC) on behalf of the Claimant in relation to successful application for permission to serve out of the jurisdiction. The judgment is one of the leading modern authorities on this topic.

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## Private Client Trusts and Probate

*Wong v Grand View Private Trust Company and ors* (Case No. 44 of 2018) (ongoing). Instructed by MJM Ltd (Bermuda), Baker McKenzie (Taipei) and Stewarts (UK). James acts with [Richard Wilson KC](#) in one of the highest-value trust cases to have been litigated in any jurisdiction. The claimants sought to set aside multi-billion dollar purpose trusts on various grounds. A 6-month trial took place between April and October 2022. The trial judgment ([2022] SC (Bda) 44 Com (22 June 2022)) is now the subject of an appeal to the Bermuda Court of Appeal, which has been listed for 10 days in January 2025.

*Hamersmith-Stewart v Cromwell Trust Company Ltd and Ors* (ongoing). Instructed by Graham Thompson. James acts with Richard Wilson KC for one of the defendants in substantial trust litigation in The Bahamas.

*Grand View Private Trust Co Ltd v Wong* [2022] UKPC 47, [2023] WTLR 149, 25 ITELR 630. Instructed by MJM Ltd (Bermuda), Baker McKenzie (Taipei) and Stewarts (UK). James acted for one of the successful appellants in a conjoined appeal before the Privy Council. The decision gave important guidance on the proper purpose rule.

*Schwartz v VGV (UK) Ltd* [2020] EWHC 2227 (Ch). Instructed by McDermott Will and Emery. James acted for the successful applicant in committal proceedings against a trustee and protector following a 5-day trial before Mr Justice Roth. A link to the judgment can be found [here](#).

*Moutreuil v (1) Andreewitch (2) Pier Investment Company Ltd* [2020] EWHC 2068 (Fam) James acted for the successful claimant in a claim to the beneficial ownership of 100% of the shares in company which held various property assets, including a valuable property in Chelsea. In his judgment, Mr Justice Cobb rejected the First Defendant's case that the shares had been transferred into the name of his partner as mere nominee. James also obtained an order for costs to be assessed on the indemnity basis. Following initial reporting restrictions, the judgment was published on 3 September 2020. A link to the judgment can be found [here](#).

*Wong v Grand View Private Trust Company Ltd and ors* (Civil Appeal No. 5A of 2019). Instructed by MJM Ltd (Bermuda) and Baker McKenzie (Taipei). James acts with Richard Wilson QC in one of the most important trust cases in recent years, which raises the question of whether or not a trustee's decision can be invalidated on the basis that it undermines a trust's substratum. The case concerns a trust worth over USD 500 million. Having allowed the appeal of the decision of Kawaley J in its judgment of 9 April 2020, the Court of Appeal has since given permission to appeal to the Privy Council. A link to the judgment can be found [here](#).

*Sofer v SwissIndependent Trustees Ltd* [2020] EWCA Civ 699; [2019] EWCH 2071 (Ch). Instructed by RadcliffesLeBrasseur. James acts (with Richard Wilson QC) for the defendant trustee in a \$20 million dollar fraud



claim. The decisions of HHJ Matthews (sitting as a Deputy High Court Judge) and the Court of Appeal give important guidance on the requirements of a pleading of fraud or dishonesty. The matter is to be listed for trial in 2021. A link to the judgment can be found [here](#).

*Paraskevaides v Citco Trust Corporation Limited* BVICM 2018/00448 – 30 March 2020 (Eastern Caribbean Court of Appeal); 18 July 2018 (Eastern Caribbean Supreme Court): Instructed by Ogier (BVI). James acted (with David Chivers QC) on behalf of five defendants in a dispute relating to an alleged trust over shares in a substantial construction business based in Cyprus. The Court of Appeal gave important guidance on the standing of beneficiaries to seek injunctive relief.

*Moutreuil v Andreewitch* [2020] EWHC 1301 (Fam); [2020] 4 W.L.R. 54. Instructed by LSGA Solicitors. James acted for the successful applicant in committal proceedings against her former partner in respect of breaches of a freezing injunction. A link to the judgment can be found [here](#).

*Knight v Courtney-Bennett* (unrep. 20 May 2020, Deputy Master Hanson). James acted for the successful claimant in a claim for relief from forfeiture under section 2 of the Forfeiture Act 1982. This was the first case in which relief was granted in the context of a “mercy killing”.

*AF v SF* [2020] 1 FLR 121. Instructed by Hughes Fowler Carruthers. James acted (with Philip Marshall QC and Dakis Hagen QC) for the successful respondent husband in complex matrimonial proceedings relating to a wealthy aristocratic family. The case raised a novel question concerning the application of the principle established in *Blight v Brewster* [2012] 1 WLR 2841 (in which James also acted) to family trusts.

*Scarle v Scarle* [2019] 4 W.L.R. 119. James acted for the defendant in one of the highest profile private client cases in recent years. The case was the first in 50 years to consider the meaning and effect of section 184 of the Law of Property Act 1984, which sets up a statutory presumption of the order of death where it is uncertain. The Court concluded that the presumption applied because there were too many variables to enable the Court to reach a reliable conclusion as to the order of death. A link to the judgment can be found [here](#).

*Hartogs v Sequent (Schweiz) AG* [2019] EWHC 1915 (Ch). Instructed by Sequent Trustees Ltd and FieldFisher. James acted for the successful defendant in an application to set aside various settlement on the grounds of mistake. The judgment of HHJ Hodge gives important guidance on the application of the principles set out in *Pitt v Holt* [2013] 2 A.C. 2018 in the context of tax avoidance. The claimant has since brought a claim in professional negligence against his former advisors which is ongoing. A link to the judgment can be found [here](#).

*Stevanovic v Knyvett* [2019] EWHC 214 (Fam) [2019] EWHC 381 (Fam); . Instructed by Russell-Cooke for the defendant beneficiaries in a multi-million pound claim under the Inheritance (Provision for Family and Defendants) Act 1975. James successfully opposed an application for interim relief under s.5 of the Act and subsequently opposed an application for relief from sanctions. The judgment of Mrs. Justice Lieven is the first reported case to consider the merits requirements of an application for interim relief.

*Crociani* (2018-). Instructed by Collas Crill (with Dakis Hagen QC) for one of the main appellants.

*Ubbi v Corrado* [2018] EWHC 1396: Instructed by Russell-Cooke for the defendant to a claim by the deceased's minor children under the 1975 Act in relation to a substantial (£4.5 million) estate. The claim was the subject of a 3-day trial in the High Court in January 2018. James succeeded in reducing the quantum of the claim (from over £2 million) to £386,290. A link to the judgment can be found [here](#).

*Paraskevaides v Citco Trust Corporation Limited* BVICM 2018/064 - 18 July 2018 - Eastern Caribbean Supreme Court: Instructed by Ogier (BVI). James acted (with David Chivers QC) on behalf of five defendants who succeeded in their application to set aside an ex parte injunction. The dispute related to an alleged trust over shares in a substantial construction business based in Cyprus.

*Gupta v Gupta* [2018] EWHC 1353 (Ch): Instructed by Farrer & Co for the claimant in a claim to challenge a will on the grounds of knowledge and approval. The claim was the subject of a 5 day trial in the High Court (Charles Hollander QC sitting as a Deputy Judge). A link to the judgment can be found [here](#).

*Griffin v Higgs* [2017] EWHC 2559 (Ch): Instructed by Mills & Reeve for the beneficiaries of a will trust in a claim brought for the removal of trustees. The claim was the subject of a 3-day trial in the High Court.

*Martin v Williams* [2018] 1 F.L.R. 125; [2017] W.T.L.R. 1041. Instructed by Frydenson & Co for the successful appellant/defendant in a claim under the 1975 Act before Mr Justice Marcus Smith. James succeeded in overturning the first instance judgment which had ordered an outright transfer of the estate's principal asset to the claimant (the deceased's long-term partner).

*Henchley v Thompson* [2017] EWHC 225 (Ch). Instructed by Withers (led by Richard Wilson QC) on behalf of the successful claimants in a trust dispute against one of the wealthiest businessmen in the United Kingdom. The claim involved an interesting question of whether a trust account is an absolute right or is in the discretion of the Court and the limitation period applicable to trust claims. A link to the judgment can be found [here](#).

*Ubbi v Corrado* (2017-). Instructed by Russell-Cooke for the defendant to a claim by the deceased's minor children under the 1975 Act. The claim was the subject of a 3-day trial in the High Court in January 2018. Judgment is awaited.

*Rothschild v De Souza* [2018] EWHC 1855. Instructed by Levison Meltzer Pigott. James acted (with Bren Molyneux QC) for the second respondent in a high-profile matrimonial dispute in relation to the ownership of various valuable companies and properties. A link to the judgment can be found [here](#).

*Van De Merwe v Goodman* [2016] 4 WLR 71; [2016] WTLR 913. Instructed by Berwin Leighton Paisner on behalf of the successful beneficiaries in an application to set aside a settlement on the grounds of mistake. The High Court (Morgan J) gave guidance as to where the boundary lies between mistake in contract and mistake in equity in circumstances in which a transaction is entered into by agreement. In a subsequent judgment [2016] EWHC 926 (Ch), Morgan J refused permission to appeal. A link to the judgment can be found [here](#).

*Elliot v Simmonds* [2016] EWHC 732 (Ch). Instructed for the Defendant to a probate claim in which the Defendant did not mount a positive defence but invoked the procedure under CPR 57.7(5). This is the first modern authority to give guidance as to the nature and scope of that procedure.

*Wooldridge v Wooldridge* [2016] Fam. Law 451. Instructed by Withers (initially as sole counsel and, later, with Richard Wilson QC) on behalf of the claimant in one of the highest value 1975 Act claims to come to trial.

*Earl of Cardigan v Cotton and others* [2015] W.T.L.R. 373. Instructed by Berwin Leighton Paisner (with Gilead Cooper QC) on behalf of the claimant in a claim to remove trustees and for compensation. Previously acted as sole counsel in relation to a successful amendment application before Barling J ([2014] W.T.L.R. 559). Following a 3-week trial, Newey J ordered the removal of one trustee and the payment of compensation for breach of trust.

*Cotton v Earl of Cardigan* [2015] W.T.L.R. 373, CA. Instructed by Berwin Leighton Paisner (with Gilead Cooper QC) on behalf of the appellant in relation to an application by trustees to "bless" the sale of the trust's principal asset, Grade I listed Tottenham House, for the sum of £11.25m. This was the first decision of the Court of Appeal to consider the procedural and substantive principles applicable to Public Trustee v Cooper applications. The Court of Appeal hearing followed two first instance decisions heard in private ([2013] EWHC 4460 (Ch) and [2014] EWHC 1123 (Ch)).

*Soomro v Khuwawar* [2015] All ER (D) 55 (Feb). Instructed for the successful claimant in the trial before Martin Mann QC (sitting as a Deputy High Court Judge). The Court ordered a declaration of beneficial ownership of the family property in favour of the Deceased's following an application of the principles set out in *Vandervell v IRC* [1967] 2 AC 291.

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## Insolvency

*Orion Holdings Overseas Limited and others v Mohammed Abu Al Haj and others* CFI 033/2015, 8 February 2018 (DIFC): James acted (with Rupert Reed QC) on behalf of the claimant liquidator in successfully resisting a jurisdiction challenge brought by a Swiss Bank. The Court rejected the bank's argument that it should decline jurisdiction on the basis that the contracts which the claimants sought to set aside were subject to an exclusive Swiss jurisdiction. A link to the judgment can be found [here](#).

*Re Footprint Wireless* (2017). Instructed by Morgan Rostron on behalf of the liquidator in a substantial claim against an alleged shadow director pursuant to the adjustment provisions of the Insolvency Act 1986. The claim, which had been listed for a 3-day trial in the High Court, settled on the day before trial

*Re Denham Park Ltd (in liquidation)* (2014-). Instructed by Devonshires (with Andrew Twigger QC) on behalf of a creditor seeking the replacement of liquidators in order to investigate the company's current liquidators and former directors in relation to the misappropriation of assets worth c.£30 million. A replacement liquidator was agreed following the hearing of the application.

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## Company

*Re BW Ltd; Re BW Funding Ltd* (2015). Instructed by Gibson Dunn and Walkers (Cayman) (with Andrew Twigger QC) on behalf of the respondents to a petition in the Cayman Islands for just and equitable winding up on the basis of alleged loss of substratum. The respondents formed part of a complex investment structure set up by Investcorp Bank BSC. The petitions were withdrawn as part of a settlement shortly before the hearing of the petition.

*Re FSC Andrews Ltd* [2015] EWHC 4042 (Ch). Instructed on behalf of the applicant by Leathes Prior (with Andrew Twigger QC) in relation to an application to strike out a s.994 petition on the grounds of abuse of process. The application succeeded in the High Court (the report of the *ex tempore* judgment is awaited).

*Thukral v The Official Receiver* (2014). Instructed (as sole counsel) on behalf of the appellant director who appealed the order of Registrar Derrett imposing a disqualification period of 11 years following a 5-day trial. The appeal succeeded before HHJ Jarman QC (sitting as Judge of the High Court) who set aside the order below and ordered a retrial.

*Hurd v TPL Holdings* [2014] All ER (D) 266. Instructed by Stewart Moore (with Richard Wilson QC) for the successful respondent to an application to strike out a s.994 petition before George Bompas QC (sitting as a Deputy High Court Judge). The case settled shortly after the hearing.

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## Art & Cultural Property

*David Wood v Timothy Sammons* (2015-). Instructed (as sole counsel) by Berwin Leighton Paisner on behalf of the claimants, the trustees of the WH Smith family trust, in relation to a claim to recover £1.6m arising out of a contract to sell a painting by Bernardo Bellotto.

*Robinson and Ors v Timothy Sammons* (2015-). Instructed (as sole counsel) by Forsters on behalf of the claimants, the executors of the estate of the late Viscount Bedisloe QC, in relation to a claim for the recovery of a painting by Thomas Gainsborough.

*Marquis of Northampton v Northampton BC* (2014). Instructed (as sole counsel) by William Sturges on behalf of the claimant in a claim to recover a rare Egyptian artefact, the Sekhemkha statue, from the Northampton Museum and Art



Gallery. The case settled before the statue was sold by the museum for £16million.

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## **Sports, Entertainment & Media**

Acted on behalf of David Greenwood and others in claims brought against them by the British Horseracing Authority for alleged betting conspiracies. Appeared before the BHA Tribunal and acted in High Court proceedings resisting an application for Norwich Pharmacal relief.

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## **Regulatory and Disciplinary**

*Law Society / Solicitors Regulation Authority.* Member of the Law Society's panel and have acted in several cases against solicitors whose practices have been intervened in by the Law Society. Instructed by Lester Aldridge, Blake Morgan, Devonshires and Shacklocks. Recent cases in the High Court include: *Law Society v Ahmad* (2015), *Law Society v Cassam* (2015), *Law Society v Franks* (2014), *Law Society v Enaw* (2014), *Law Society v Alabi* (2014), *Law Society v Hussein* (2014), and *Law Society v Ali* (2014).

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## **Insurance and Reinsurance**

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## **Banking and Financial Services**

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## **Civil Fraud**

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## **Professional Negligence**

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## **Charities**

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## **Matrimonial Finance: Trusts and Company law**

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## **UAE & DIFC Litigation**

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## **International and Offshore**

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## Recommendations

Chancery: Traditional (*Chambers & Partners High Net Worth, 2021-2023*)

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

United Arab Emirates: The English Bar: Commercial (*Legal 500 EMEA*)

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

Disputes Resolution: Commercial Chancery (*Chambers Global*)

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

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

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## Quotes

*"Very sensible and can be relied upon to run good arguments."* (Chambers & Partners, 2025)

*"He stands shoulder to shoulder with the solicitor and is really good with the client from an emotional intelligence perspective."* (Chambers & Partners, 2025)

*"He is someone you can always rely on; I do not know any barrister as responsive as him. In court he is completely unflappable, and out of it he works incredibly hard and is such a nice person."* (Chambers & Partners, 2025)

*"James is an exceptional junior who is a pleasure to work with. He's extremely personable, always on hand, bright and hard-working."* (Chambers & Partners, 2025)

*"James is incredibly organised, very bright, and very hard-working. He's all over the detail and incredibly sought after."* (Chambers & Partners, 2025)

*"James' oral advocacy combines outstanding analytical skills, in-depth knowledge of the facts and the law, forensic cross-examination skills and an intuitive understanding of what matters."* (Chambers & Partners, 2025)

*"James is very responsive, smart, sensible and a pleasure to work with. He is also very good on his feet."* (Chambers & Partners, 2025)

*"James has extraordinary experience for his years. He works incredibly hard, is completely unflappable and is someone you can always rely on."* (Chambers & Partners, 2025)

*"Very sensible and can be trusted to run good arguments."* (Chambers & Partners, 2025)

*"His drafting and attention to detail are second to none. James has the ability to focus on the core issues and crystallise the issues which need to be addressed. He expressed himself clearly and had a calming effect on the rest of the team."* (The Legal 500, 2025)

*"James is intellectually very strong. He has a pleasant style of advocacy and an enviable work ethic."* (The Legal 500, 2025)

*"His written submissions are crisp and his strategic input invaluable. He is highly responsive and a delight to work with."* (The Legal 500, 2025)

*"James's written and oral advice is excellent. He considers the factual background of a case with care and is always well-prepared."* (The Legal 500, 2025)

*"He is completely unflappable. I do not know any barrister as responsive as him. He is someone you can always rely*

*on, he works incredibly hard and he is such a nice person as well."* (Chambers & Partners High Net Worth, 2024)

*"James is an exceptional junior. He's extremely personable, always on hand, bright and hard-working. James is a pleasure to work with."* (Chambers & Partners High Net Worth, 2024)

*"He's incredibly organised, very bright and very hard-working. He's all over the detail and is incredibly sought after."* (Chambers & Partners High Net Worth, 2024)

*"Very bright, very responsive and someone who has the technical aspects spot on. His drafting skills impress."* (Chambers & Partners, 2024)

*"Academically strong, user friendly and a barrister who will bend over backwards for his clients. He's all over the detail in a case and is both a good drafter and a good advocate, who is very well respected."* (Chambers & Partners, 2024)

*"Incredibly hard working and a purveyor of excellent advocacy."* (Chambers & Partners, 2024)

*"James works very quickly and is able to juggle multiple complex matters at once. In particular, his drafting is very persuasive and clear."* (Chambers & Partners UK Bar, 2024)

*"A very impressive senior junior, who is very bright and responsive. He has the technical aspects of a case spot on and I like his drafting."* (Chambers & Partners UK Bar, 2024)

*"James is a really outstanding junior, who is a complete pleasure to work with and very collegial. A very powerful advocate, he's forceful, and very resourceful in developing legal arguments and submissions. He has a great command and mastery of words."* (Chambers & Partners UK Bar, 2024)

*"James excels above his level of call in all areas - his legal knowledge, the commercial sophistication of his advice, his advocacy and his user friendliness. are there for all to see."* (Chambers & Partners UK Bar, 2024)

*"He is brilliant and offers support legally and strategically that I always look for in a barrister. I cannot recommend him highly enough."* (Chambers & Partners UK Bar, 2023)

*"An extremely effective barrister who is heavily in demand."* (Chambers & Partners UK Bar, 2023)

*"Really responsive, quick and precise in his drafting, and a phenomenally hard-working man."* (Chambers & Partners UK Bar, 2023)

*"James is extremely effective. He offers support both legally and strategically, and is someone that stands shoulder to shoulder with you."* (Chambers & Partners UK Bar, 2023)

*"A very bright junior. James has the perfect balance of charm and sophistication when presenting arguments. He works well under pressure and is responsive. He is also very easy to work with."* (Chambers & Partners High Net Worth, 2023)

*"James Weale is not only incredibly attentive, with an in-depth knowledge of trusts litigation in particular, but he is an impressive advocate and very easy to work with."* (Chambers & Partners High Net Worth, 2023)

*"James excels above his level of call in all areas: legal knowledge, commercial sophistication of advice, advocacy, and user friendliness."* (Chambers & Partners High Net Worth, 2023)

*"James is eloquent and persuasive in his advocacy; he thinks on his feet and has an excellent mastery of guiding the judge through the issues at hand. He is also very commercial in his decision making and advice."* (Legal 500 Middle East: The English Bar: Commercial 2023)

*"He is brilliant and offers support legally and strategically that I always look for in a barrister. I cannot recommend him highly enough."* (Chambers & Partners High Net Worth, 2022)

*"Excellent on every level" due to his "superb relationships with clients, skilled arguments, and appreciation of wider elements."* (Chambers & Partners High Net Worth, 2022)

*"He's absolutely excellent, I'd trust him with anything. He is definitely a rising star who works incredibly hard". "Exceptionally bright" and "gives first-class advice."* (Chambers & Partners High Net Worth, 2021)

*"James demonstrates strong work ethic and is solutions orientated. He manages to focus on the relevant issues and address them in a simple manner in the arbitration papers."* (The Legal 500 EMEA, 2021)

*"He is super bright, hard-working and responsive. He's bursting with great ideas and energy. He is a superb draftsman and a strong oral advocate. He is also a real team player and a pleasure to deal with." "His written work is just absolutely excellent and he is very, very sensible in his approach."* (Chambers Global, 2021)

*"Ticks all of the boxes - he is technically excellent, strategically aware and very commercial. On top of this he is very easy to deal with and down to earth."* (The Legal 500, 2021)

*"He is super bright, hard-working and responsive. He's bursting with great ideas and energy. He is a superb draftsman and a strong oral advocate. He is also a real team player and a pleasure to deal with." "His written work is just absolutely excellent and he is very, very sensible in his approach."* (Chambers & Partners, 2021)

*"A brilliant lawyer who is good with clients and gives spot-on advice." "He's absolutely fantastic - a complete hit with the clients. He's on top of the detail, is incredibly responsive and has great judgement."* (Chambers & Partners, 2021)

*"Has great attention to detail and is able to advise quickly and confidently."* (The Legal 500, 2021)

*"I'm such a big fan of his - a brilliant lawyer who is good with clients and gives spot-on advice,"* (Chambers & Partners High Net Worth, 2020)

*"He's absolutely fantastic, a complete hit with the clients. He's on top of the detail on everything, is incredibly responsive and has great judgement."* (Chambers & Partners High Net Worth, 2020)

*"A very strong junior who drafts beautifully. He's sharp, very good on his feet and works all hours."* (Chambers & Partners, 2020)

*"A really tenacious litigator and extremely dedicated. You can throw him into any situation and you know that he will steer things in a commercially effective way." "Brilliant on his feet and very quick."* (Chambers & Partners, 2020)

*"Is confident, robust and has formidable advocacy skills – he is all over the detail but never forgets the big picture."* (The Legal 500, 2020)

## **Publications**

Contributor to Palmer on Bailment (3rd ed.).

'Probate litigation: the incidence of costs', *Trusts & Trustees* 2015, 21(4), 449-456.

'A good arguable case for restricting the Canada Trust Gloss', *Journal of Business Law*, 2010, 1, 36.

'Still going strong: the irrepressible Hastings-Bass principle', *Trusts and Trustees*, 2010, 16(5), 340.

'Strike Out!', *New Law Journal*, 2009, 159 (7367), 630.

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## **Education & Qualifications**

LL.B (Hons) (1st Class) - University of Bristol (highest overall marks in second and final years)

BCL - University of Oxford  
(Lincoln College)

BVC - BPP Law School (Outstanding)

## **Memberships**

Chancery Bar Association

COMBAR

Association of Partnership Practitioners

2018: Registered as an Advocate before DIFC Courts

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