



Jamie Randall

Year of Call: 2017

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Practice Overview

Jamie is developing a busy practice which spans Chambers' core areas of expertise, with a particular focus on commercial and trust disputes with an international element. He is regularly instructed in matters involving general commercial and contractual disputes, trusts, wills and probate, inheritance act claims, company disputes, insolvency, and cross-border disputes. He frequently appears both led and unled in the English High Court and County Court. He has also been instructed to assist on disputes before courts in offshore jurisdictions, including Guernsey, Bermuda, the Bahamas, the BVI and the DIFC.

Jamie has undertaken two secondments, spending six months with the dispute resolution team at Kingsley Napley LLP and three months with the contentious trusts and estates team at Farrer & Co. These have provided Jamie with invaluable experience of the requirements of solicitors and their clients and enabled him to advise in a highly commercial and pragmatic way.

Jamie completed pupillage in September 2018. His pupil supervisors were James Brightwell, Matthew Morrison, Gareth Tilley, and James Weale. Jamie completed the GDL (distinction) and BPTC (outstanding) at City University. Prior to coming to the Bar, Jamie gained a first class degree in Classics from Brasenose College, Oxford and spent three years working for the strategy consultancy firm, Oliver Wyman, where he predominantly focused on the financial services sector. During his time at Oliver Wyman, Jamie also completed the Chartered Financial Analyst exams. This experience is particularly useful in understanding and analysing the issues in high-value commercial disputes.

Areas of Expertise

Commercial Litigation

Jamie is developing a busy commercial litigation practice both onshore and offshore. Recent instructions include a shareholder dispute, which included obtaining an interim injunction, a dispute over whether payments were pursuant to a loan agreement or investments in the Defendant's business, a claim for the payment of commissions under an import agreement, a claim for loss of profits under a fuel purchase agreement, and an application to strike out a claim brought against the wrong defendants. Jamie also has experience of arbitrations and is currently acting for the defendant in an arbitration concerning oil and gas contracts in Kuwait.

Reliance v ASRR (ICC Case no. 24744/AYZ): Jamie acted as counsel for the Defendant in ICC arbitration proceedings relating to consultancy agreements in the oil and gas sector. The claim was for over \$6 million dollars and Jamie appeared as sole counsel in the three day final hearing.

Berkeley Square Holdings v Lancer Property Asset Management Limited [2021] EWHC 849 (Ch): Jamie acted as junior counsel for the Claimant (led by Philip Marshall QC, Jonathan Harris QC and Justin Higgs QC) in claims for dishonest assistance, conspiracy and breach of fiduciary duty.

Trafalgar v Hadley & Ors (BL-2020-000294): Jamie acts for the Claimant (led by Justin Higgs QC) in a substantial fraud claim against multiple defendants. Jamie appeared as sole counsel in successful applications for default judgment against two of the defendants and obtained an order vesting a property in the Claimant.

Cobussen Principal Investment Holdings v Akbar [2020] EWHC 476 (QB). Jamie assisted James Weale for the Claimant on a heavily contested application for specific disclosure and application for a charging order over property held under an offshore trust.

GIB v Aldwood [2019] EWHC 1666 (QB). Jamie acted for the Defendant (led by Lexa Hilliard QC) in a claim for £28m, which included applications to challenge jurisdiction and to discharge a Worldwide Freezing Order

Assisted Ruth den Besten (led by Andrew Onslow QC) acting for the respondent in a summary judgment application concerning the formation of a contract where it had not been signed and the parties had continued to negotiate (*Rosalina v New Balance* [2018] EWHC 1014 (QB)).

Assisted Gareth Tilley (led by Rupert Reed QC) in applications in the DIFC Court of First Instance for various types of injunctive relief to prevent one of the parties to a joint venture from taking further action that would make it impossible to run the school which they had established.

Assisted James Weale (led by Rupert Reed QC) in an application for a freezing injunction in the DIFC Court of First Instance relating to a claim for breach of contract and fraud of c. \$30m.

Assisted Dan Fritz in acting for the defendant in a claim alleging breach of contract and unlawful interference, following the termination of a contract for the provision of mortgage advisory services.

Civil Fraud

Berkeley Square Holdings v Lancer Property Asset Management Limited [2021] EWHC 849 (Ch): Jamie acted as junior counsel for the Claimant (led by Philip Marshall QC, Jonathan Harris QC and Justin Higgs QC) in claims for dishonest assistance, conspiracy and breach of fiduciary duty.

Trafalgar v Hadley & Ors (BL-2020-000294): Jamie acts for the Claimant (led by Justin Higgs QC) in a substantial fraud claim against multiple defendants. Jamie appeared in the successful application for default judgment against one of the defendants and obtained an order vesting a property in the Claimant.

Assisted Matthew Morrison (led by Philip Marshall QC) in acting for the claimant energy company in a High Court trial for claims that the defendants had committed the financial torts of unlawful interference, inducing breach of contract, and unlawful means conspiracy (*BES v Scrivener and Mooney*).

Assisted Matthew Morrison in defending a claim brought in the Royal Court of Guernsey for the fraudulent

assignment of a deed.

Assisted Matthew Morrison in advising the claimants on claims of fraud, breach of contract and breach of fiduciary duty in relation to a joint venture investment of over €50m.

Assisted Gareth Tilley in advising the claimant in relation to potential fraud and breach of fiduciary causing losses to a registered charity of c. £4m.

Assisted Gareth Tilley in acting for the claimant in relation to claims to set aside property transfers on the basis of fraud, undue influence and unconscionability.

Private Client Trusts and Probate

Jamie regularly acts in contentious trusts and probate proceedings both onshore and offshore. Recent instructions have included: applications by beneficiaries to remove trustees and/or executors; claims under the Inheritance Act 1975, including claims by spouses, adult children and minor children; a claim by a residuary beneficiary that property was held on constructive trust for the deceased; a claim that a will was invalid for undue influence or lack of capacity; advising a former trustee on a claim to an indemnity for his expenses from the proceeds of sale of a property; and an application to revoke an enduring power of attorney.

Schumacher v Clarke (PT-2018-000862): Jamie acted for the Claimant (led by Richard Wilson QC) in a claim to remove fellow executors and trustees of the estate of Dame Zaha Hadid.

Assisted Richard Wilson QC in the appeal against the judgment of Mostyn J refusing to allow a claim under the 1975 Act to be brought out of time (*Cowan v Foreman* [2019] EWCA Civ 1336).

Assisted James Brightwell (led by Simon Taube QC) in acting for the former trustees of the Tchenguiz Family Trust in eight appeals to the Privy Council. The primary issue was the application of Article 32 of the Trusts (Jersey) Law 1984 to a non-Jersey contract, but it also raised questions as to the right of restitution in the context of a contractual matrix and strike out for abuse of process (*Investec Trust (Guernsey) Ltd v Glenalla Properties Ltd* [2018] 2 WLR 1465).

Assisted Richard Wilson QC in the preparation of written submissions for a hearing in the Court of Appeal on the question of whether there was a sufficient level of unconscionability in order for a proprietary estoppel claim to be established (*Habberfield v Habberfield*).

Assisted James Weale in preparation for the hearing on costs following the trial of a claim under the Inheritance Act 1975 by the Deceased's infant children (*Ubbi v Corrado* [2018] EWHC 1396).

Jamie has written a number of articles on recent cases under the 1975 Act, including an article for Trust and Estates Law and Tax Journal on *Wellesley v Wellesley* and the grounds for obtaining relief.

International and Offshore

Bidzina Ivanishvili v Credit Suisse Trustee (Singapore): Jamie acted as junior counsel for the Claimant in breach of trust proceedings taking place in Singapore.

Advised on applications in the Bahamas Supreme Court to set aside default judgment and an assessment of damages of over \$6mm.

Advised (with Philip Jones QC) on the merits of an appeal to the Privy Council concerning adverse possession.

Assisted Adrian de Froment in an appeal to the Privy Council from the Court of Appeal of the Bahamas concerning issues of habeas corpus and constitutional relief.

Assisted Gareth Tilley (led by Rupert Reed QC) in applications in the DIFC Court of First Instance for various types

of injunctive relief to prevent one of the parties to a joint venture from taking further action that would make it impossible to run the school which they had established.

Assisted James Weale (led by Rupert Reed QC) in an application for a freezing injunction in the DIFC Court of First Instance relating to a claim for breach of contract and fraud of c. \$30m.

Company

Jamie has regularly advised on disputes between shareholders and directors, including unfair prejudice claims and derivative claims. Recent instructions include a shareholders dispute, including an application for an interim injunction to restrain further breaches.

Jamie is also regularly instructed to appear in the Companies Court, including applications for rectification of charges, the late registration of charges, restoration to the register and removal of information from the register.

Re Deal Partners Limited (CR-2021-000831): Jamie acts for the Petitioners (led by Dan Fritz) in a winding up petition on the just and equitable ground.

Re Klimvest (CR-2020-003966): Jamie acted for the Company in a winding up petition on the just and equitable ground.

Assisted James Mather in the successful application to prevent one of the two shareholders of a company from selling her shares, which she owned pursuant to a financial settlement following divorce (*Simonon v Simonon* [2019] 3 WLUK 383).

Assisted Gareth Tilley in defending a claim to rectify the register and a petition for unfair prejudice, following a director's misuse of expenses.

Insolvency

Jamie has appeared regularly in the Insolvency Court, including bankruptcy petitions, applications for charging orders, and applications to bring proceedings against an insolvent company.

Arbitration

Reliance v ASRR (ICC Case no. 24744/AYZ): Jamie acted as counsel for the Defendant in ICC arbitration proceedings relating to consultancy agreements in the oil and gas sector. The claim was for over \$6 million dollars and Jamie appeared as sole counsel in the three day final hearing.

Client Testimonials

Of all the Chambers with whom we enjoy a close relationship, Serle Court are absolutely at the top of the list. More friends than professional colleagues, they have within the set truly stellar performers both at Silk and Junior level – indeed the Juniors have little to choose between them in terms of skill set, application and all round team work. Our relationship with Chambers goes back to the late 1980s and our own growth has very much mirrored that of Chambers and operated at times hand in hand with them in our key practice areas. Serle Court has been able to secure additional new talent over the last few years, aside from the home grown ability it possesses and we look forward to many future years success and the pleasure of working with them.

Publications

Awards

Lord Denning Scholarship, Lincoln's Inn

Buchanan Prize, Lincoln's Inn

Hardwicke Entrance Award, Lincoln's Inn

Education & Qualifications

Brasenose College, University of Oxford: BA Classics (First Class)

City Law School: GDL (Distinction)

City Law School: BPTC (Outstanding)

Memberships

Commercial Bar Association
