

**PAUL CHAISTY KC | MANCHESTER,
LEEDS & BIRMINGHAM**

Year of call: 1982

Year of silk: 2001

Qualifications: LLB (first class), BCL

Clerked by: Gary Young Harry Young

AREAS OF EXPERTISE:

Banking & Finance Commercial
Litigation Company Insolvency
International & Offshore Partnership
Private Client, Trusts and Probate
Professional Negligence Real Estate
Litigation Sport

**Profile**

Paul is a leading specialist in chancery and commercial litigation across all fields especially commercial disputes, corporate shareholder actions, civil fraud, partnership, banking, sports law and domestic and international arbitrations. Appears at all levels including Supreme Court/Privy Council, Court of Appeal, High Court and domestic and international arbitrations and is regularly instructed in litigation abroad including in the BVI, Cayman Islands, Singapore (where he is a registered overseas lawyer), the Isle of Man and in the Bahamas on an ad hoc basis.

A specialist trial lawyer with a strong reputation for tactical advice and ruthless cross-examination Paul regularly acts in connection with freezing injunctions, provisional liquidators and associated interim applications. Rated as "Star of the Bar" since 2015. Deputy High Court Judge in Chancery Division and QBD. Also a full member of Serle Court, Lincoln's Inn.

Year of Silk: 2001

Areas of Expertise**Banking & Finance**

Paul acts across a range of issues including shareholder disputes and unfair prejudice petitions and equitable winding up, director's duties, director disqualification, corporate liquidations. Currently acting in respect of a number of trials in the BVI concerning major shareholder interests in respect of business interests in China and Hong Kong and also Ukraine. A nominated QC to act on behalf of the Government on winding up cases and director disqualification applications.

Significant Reported Cases

- Shua v Camp and Furnace 2020 EWHC 687. Successfully acted in trial in respect of intellectual property, contract and company claims.
- The Hut Group Limited 2020 EWHC 5. Substantial shareholder/unfair prejudice action.
- Swiss Arbitration 2020. Acted in 2 week arbitration in Switzerland claims in respect of Joint Venture Agreement in relation to international sales business and acting on related litigation in BVI.
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- Ming 2017. Trial and Court of Appeal in BVI in respect of unfair prejudice and shareholder disputes. Appeal to Privy Council pending.
- Bhullar v Bhullar 2017 EWHC 407. Derivatives claims and allegations of breach of fiduciary duty.
- Polypearl v Building Research 2016 7 WLUK 781. Breach of confidentiality, contract and unfair terms.
- PAG Management Limited 2015 EWHC 2404. A public interest winding up petition related to a scheme designed to avoid rate payments on commercial properties.
- Bhullar v Bhullar 2015 EWHC 1943. A case involving alleged breaches of fiduciary duties and derivative claims.
- Sugarman v CJS 2014 EWCA 1239. A case involving voting rights and construction of articles of association.
- Ebbvale v Hosking 2013 UKPC 1. Appeal to privy council from the Bahamas court of appeal regarding a contested winding up petition and collateral purposes acted in Bahamas and Privy Council.
- Tristar v Lim BVI commercial Court 2009. Shareholder dispute relating to oil company operating in Indonesia.

Commercial Litigation

Paul has vast experience in all fields of commercial and business disputes including share and asset sale agreements and breach of warranty claims, misfeasance and breach of fiduciary duties, general areas of contract law and in particular claims of misrepresentation fraudulent and otherwise. Advocate across all fields and courts and particular emphasis on trials and also particular interim applications- freezing orders, search orders, security for costs and contested disclosure applications. Regularly advises and acts for professional partnerships and LLPs in respect of general partnership disputes and restrictive covenants and spring board injunctions.

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- Polypearl v Building Research 2016 7 WLUK 781. Breach of confidentiality, contract and unfair terms.
- Ghura v Dalal 2015 EWHC 605. Claims for damages relating to investments in development property in Dubai and counterclaims for breach of trust in relation to shareholdings.
- Gladman Commercial v Fisher 2013 EWCA 1466. Acted at first instance and court of appeal in respect of claims for damages for fraudulent misrepresentation and issues of joint tortfeasors.
- Access Bank v Akingbola 2012 EWHC 2184. Acted for director and founder of Nigerian bank facing claims for fraud in excess of £750 million.
- Yafai v Muthana 2012 EWCA 289. Acted at first instance and court of appeal partnership dispute as to investment and development land and issues of construction of partnership deed.
- DRL v Wincanton 2011 EWCA 839. Acted at first instance and in court of appeal dispute as to service agreements between national companies and issues of repudiatory breach.
- Whittle Movers v Hollywood Express 2009 EWCA 1189. Claims relating to fixed term distribution agreements with claims in restitution and quantum meruit.
- Lexi Holdings v Luqman 2008 EWHC 1639. Claims against directors in misfeasance amounting to in excess of £100 million.
- Sino Union v Rich Victory. Claims in BVI commercial court in respect of development land in Dominica and share ownership in trading company.

Company

Paul acts across a range of issues including shareholder disputes and unfair prejudice petitions and equitable winding up, director's duties, director disqualification, corporate liquidations. Currently acting in respect of a number of trials in the BVI concerning major shareholder interests in respect of business interests in China and Hong Kong and also Ukraine. A nominated QC to act on behalf of the Government on winding up cases and director disqualification applications.

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Insolvency

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International & Offshore

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Partnership

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Private Client, Trusts and Probate

In the area of wills and trusts, Paul has extensive experience in disputes both domestic and international between trustees and beneficiaries, the appointment, removal and replacement of trustees and executors and the administration of trusts and estates. He also has experience in acting for and against trust corporations both in the Courts of England and Wales and in advising in offshore jurisdictions.

Paul undertakes all aspects of drafting, advisory and litigation work in the following areas:

- Wills, probate and administration
- Issues involving the validity of wills and trusts, construction and rectification claims
- Duties of Executors, Administrators and Trustees
- Breach of trust claims
- Inheritance Act claims
- Related professional negligence

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Professional Negligence

Regularly advises and acts in respect of professional negligence claims against solicitors and accountants. Currently engaged in a number of very high value claims arising out of promotion of and investment in film schemes and in respect of banks mis-selling of financial products.

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- Bhullar v Bhullar 2017 EWHC 407. Derivatives claims and allegations of breach of fiduciary duty.
- Polypearl v Building Research 2016 7 WLUK 781. Breach of confidentiality, contract and unfair terms.

- Redstone Mortgages v B Legal 2014 EWHC 3068. Claims in professional negligence against solicitors in respect of sub prime lending.
- Stoll v Wacks Caller 2010 EWHC 2299. Professional negligence claim acting for solicitors and claim dismissed for lack of causation issues.

Real Estate Litigation

Paul is a leading specialist in chancery and commercial litigation across all fields especially commercial disputes, corporate shareholder actions, civil fraud, partnership, banking, sports law and domestic and international arbitrations. Appears at all levels including Supreme Court/Privy Council, Court of Appeal, High Court and domestic and international arbitrations and is regularly instructed in litigation abroad including in the BVI, Cayman Islands, Singapore (where he is a registered overseas lawyer), the Isle of Man and in the Bahamas on an ad hoc basis.

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Sport

Paul acted in a number of high profile commercial cases involving sports related issues and clients. Acted at first instance and court of appeal for Wayne and Coleen Rooney in connection with agency agreements, West Ham United in respect of claims for damages following the Tevez affair and demotion of a premier league club also acted for West Ham United in respect of claims by former manager and currently acting for high profile football managers. Regularly consulted by premier clubs in respect of commercial interest relating to football activities.

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- Polypearl v Building Research 2016 7 WLUK 781. Breach of confidentiality, contract and unfair terms.
- Proactive v Wayne Rooney and Coleen Rooney 2011 EWCA 1444. Acted at first instance and court of appeal in case involving agents agreements and restraint of trade.
- Sheffield United v West Ham United. An FA arbitration involving substantial damages claims after demotion of Sheffield United out of premier league.

- Curbishley v West Ham United. Acted at FA arbitration on claim by former manager for compensation.

Memberships

COMBAR, Chancery Bar Association, NCCBA and Northern Chancery Bar Association

Appointments

Deputy High Court Judge authorised to sit in Chancery and Queen's Bench Division and Mercantile Court. Called to the Bar in the BVI and on ad hoc basis in the Bahamas. Qualified mediator.

Qualifications

LLB (first class), BCL

Recommendations

Chambers UK 2023

"Paul is one of the most formidable advocates that I've ever seen. Once he gets his teeth into something, he never lets go. He's incredibly pragmatic and approachable, and clients love him."

"Paul is a demon cross-examiner and a thorough barrister."

"Paul is a very impressive barrister who is immensely prepared."

"Paul Chaisty KC is absolutely brilliant advising in conference and as an advocate. He is able to adapt to court procedures all over the world."

Legal 500 2023

"Paul is the best trial lawyer. He brings a superb balance of strategic and commercial thinking with the need to prepare for trial from the outset. He is a first-rate exponent of the art of cross-examination, and usually leaves the opposing witness wishing they had not given a witness statement in the first place."

"Paul is direct and succinct, a very cogent cross examiner and very attentive to client needs in any one scenario. He is a good listener and he is always pitched against leading silks in London and always delivers."

"Paul is the best commercial silk in the north of England. He has a great analytical mind and is a ferocious advocate."

Chambers UK 2022

"He is one of the best silks we have ever worked with - at trial, for advisory work and drafting. He is very quick and succinct and is one of those people judges love. He is really effective and never labours points; he knows exactly what to say and what not to."

Legal 500 2022

"Very capable, he is clear in his advice to the clients. He is very robust and formidable in court."

"Paul is a superb trial counsel, his cross-examination is razor-sharp and on point. Always my trial counsel of choice."

"Paul is obviously very bright, but cross-examination and court skills are his forte. Paul recently won a major victory after a three week trial, attributable almost entirely to cross-examination skills. Paul demonstrates tenacity and strategy."

"Paul is a superb trial counsel; his cross examination is razor sharp and on point. Always my trial Leading Counsel of choice."

Chambers UK 2021

"A great tactician. He has seen it all."

"A very strong advocate."

"His drafting skills are excellent, his conferences with clients are well managed, and his advice is clear." "He is relentless, outstandingly good in cross-examination and tremendously prepared."

"In my view, the best trial lawyer in the country." "He is very well regarded in this field."

"Excellent technically, and as a strategist, his advocacy is confident and succinct. He does not waste time and is businesslike but thorough."

"He knows the law back to front." "He is accessible, he picks up the issues very quickly and he explains them really well to both qualified solicitors and non-qualified clients."

"If he says what he thinks the law is, then you know he's got it right." "Good on his feet and a good advocate. It comes naturally to him."

"He is very tenacious, well-prepared and hard-working, and turns things around quickly." "He is excellent in court."

Legal 500 2020

"He is a formidable trial Counsel, without doubt, my number 1 choice. He crafts his submissions so deftly, never wasting his words with the rhetoric and posturing that so many Counsel feel is necessary which is why he constantly holds the Judge's his attention whilst on his feet."

"He is a very impressive silk."

"On the detail, a fantastic and robust advocate and superb in conference. You want him on your side."

"An excellent silk."

