

Louis Doyle KC

Year of call 1996 | Year of silk 2020

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Louis Doyle KC is a commercial silk with a particular reputation and experience in insolvency and company work and related financial litigation.

In the course of his insolvency practice Louis works on both the corporate and personal sides for office-holders, creditors (private and institutional) and other stakeholders, his cases commonly involving commercial claims litigated under the procedural umbrella of a formal insolvency. On the company and financial litigation side, he has very extensive experience in boardroom and shareholder litigation, financial disputes, including all forms of credit and security, guarantees, indemnities, letters of credit and negotiable instruments, bespoke funding and security arrangements and other financial instruments (including crypto, NFTs and other electronic coinage and the use of those tokens as security, fast developing areas in which he maintains a particular and wider interest). His practice regularly involves allegations of commercial fraud, acting for both claimants and defendants in roughly equal measure.

Louis has appeared in about fifty reported cases in his areas of interest. Since 1999 he has been named variously as a leading practitioner across insolvency/restructuring, commercial dispute resolution, and commercial chancery in both Chambers & Partners and the Legal 500. As one plaudit put it, "He is fantastic on his feet and has a very keen sense of how to pitch cases with judges and with opponents; he is well read, technically excellent and clients love him".

Louis's practice also regularly involves interim remedies, including injunctions, interim payments and summary judgment/striking out, director disqualification and public interest petition work (Attorney General panel member, 2001-2007).

Since taking silk, Louis's practice features an increasing element of non-contentious drafting and related advisory work, including, as a natural function of the transaction avoidance work in which he has specialised for years in an insolvency context, the planning and structuring of high-value transactions, with particular reference to the susceptibility to challenge and the legal and commercial risks in such arrangements. The financial value of such assignments frequently requires bespoke insurance arrangements; the commercially sensitive nature of that work precludes more specific disclosure.

As a silk Louis has also been instructed by a variety of professionals and interested stakeholders (notably funders), in the insolvency and company law fields in which he specialised, seeking advice on the regulatory position. That work is invariably highly sensitive and has extended to the requirements and obligations imposed by a variety of bodies, including the Solicitors Regulation Authority, the Insolvency Practitioners' Association, the Bar Standards Board and the Financial Conduct Authority.

Since its first publication in 2005, Louis continues to co-author what is now Doyle, Keay & Curl's Annotated Insolvency Legislation (12th edn, 2024, LexisNexis) (with Professor Andrew Keay and Joseph Curl KC of 9, Stone Buildings, Lincoln's Inn (where Louis is also a door-tenant) with the support of a team of assistant contributors). Since 2010 he has been an editor of the leading looseleaf, Gore-Browne on Companies (LexisNexis). Over lockdown, Louis also established and now edits the bimonthly journal, Kings Insolvency. (To be added to Chambers' free distribution database or to obtain past editions, simply email info@kingschambers.com). He has lectured widely to professional audiences on his areas of interest and has undertaken pro bono work regularly throughout his career at the Bar.

Louis has acted for clients from a very wide range of backgrounds, often in very challenging circumstances, assisted by what one plaudit refers to as his "remarkable emotional intelligence and ability to connect and communicate" with clients, other lawyers and judges. As a leader, he encourages team involvement and clear role delegation. Louis's usual approach involves at an early stage the identification of a client's aims and preferred outcomes in conjunction with an objectively realistic evaluation of merits and risk. His ethos is that a client's valuable resources are most effectively applied in getting to the root of a problem and its solution, rather than the generation of an impressive but not necessarily relevant display of knowledge. Louis is enthusiastic in appropriate cases about mediation and ADR, of which he has extensive experience. He is also prepared to consider innovative funding ideas, having acted (successfully) on a number of

Damages Based Agreements (DBAs) and DBAs “lite”.

Louis was born in Liverpool into a working-class family. He is married and has six children and two grandchildren. He qualified as a solicitor in 1994 before being called to the Bar in 1996 and joining what is now Kings Chambers in 1999 where he has been busy ever since with his ever-developing niche practice. For many years he served as an officer in the Army’s reserve parachute battalion. In 2017 he founded and headed up Kings Chambers Wellbeing. Outside of the Bar his non-executive involvement over the years in sectors including private healthcare provision, affordable housing and forestry has provided invaluable real-world insight and experience. In 2023 he accepted an invitation to join the advisory panel of an offshore litigation funder, a role in which he is primarily concerned with investment and placement of funds. His interests include fitness, music, literature, The Cormac McCarthy Society and Liverpool Football Club. In January 2023 he published an article in the Bar’s Counsel magazine on the nature and treatment of addiction, areas in which he maintains an ongoing interest.

Louis’s ongoing and recent work includes:

- Instructed by a London firm of solicitors, acting with a senior regulatory silk and specialist junior at Matrix Chambers on a Group Litigation Order by which thousands of claims (the underlying cause of action having been identified and formulated by Louis) are advanced against a number of banks arising out of the banks’ conduct in applying set-off in conjunction with proving for debts in a large number of insolvency cases.
- Advising on risks of FCA action or intervention in respect of the arrangement and funding/acquisition of IVA proposals.
- Advising and acting on the availability of the doctrine of merger as a sub-species of *res judicata* on the handing down of judgment and the framing of interim payment orders as final orders pending quantum trial.
- Resisting (successfully) attempts at striking out a s.994 petition on the grounds of defective disclosure (involving more than 2 million documents, hard copy and electronic) under an unless order.
- Advising the joint administrators (later liquidators) of two companies at the heart of a group (including 15 special purpose vehicles) involving Ponzi-scheme-type fraud under the front of property development scheme offering high equity and bond yields to members of the public. The liquidations involved five sets of insolvency proceedings (all settled) against former or related protagonists and the devising of a distribution plan for the treatment of recoveries and their distribution as dividends to creditors of both company creditors with court approval on applications for directions.
- High-value proceedings for a liquidator and a litigation funder in claims for unpaid share capital including claims under the Insolvency Act 1986 (including s.74 calls), s.33 of the Companies Act 2006, breach of fiduciary duty and breach of trust, estoppel (by share certificate and otherwise), mistake and rectification. (All settled before trial).
- Obtaining orders at very short notice the appointment of receivers over a firm of licensed insolvency practitioners under s.37 of the Senior Courts Act 1981.
- Successful Part 8 claim for rectification of company register of shareholders and consequential relief (including an award of indemnity costs given the out-of-the-norm conduct of the defendants through their high-profile commercial solicitors), leading almost immediately to a buy-out at a fair (and generous) value of the clients’ shares.
- Advising (and continuing to advise) Boris Becker in relation to his ongoing bankruptcy.
- Advising and drafting pleadings against various banks for variety of DISP contravention in the handling of large-scale redress claims. (All settled).
- Acting for and advising (with Steven Flynn, Kings Chambers’ sports law team) the offshore owner of a failed Football League club. Since appearing at the first hearing before the Sporting Sanctions Appeal Tribunal on behalf of the administrators of Wrexham Football Club in 2001, Louis has acted on the administrations of fourteen Football League clubs (including Leeds United, twice).
- (Cayman Islands) Acting for the liquidators of an investment feeder-fund now in dissolution in respect of very high value claims arising out of a high-profile failed Cayman investment trust (contractual and statutory construction, partnership law, estoppel and tracing).
- Acting for two of three respondents, leading Professor Andrew McGee, on the return date of a freezing and proprietary injunction obtained by the Financial Conduct Authority alleging fraudulent promotion and marketing of collective investment schemes. (Settled).
- (British Virgin Islands) Advising (separately) liquidators of two heavily insolvent BVI companies on the scope of the conflict of laws principle prohibiting in a domestic state the enforcement of a revenue debt of a foreign state.
- Acting for two of three defendants in High Court misfeasance proceedings pleaded at circa £68m which raised issues including: limitation; extensive argument as to the scope of the duties of a director/trustee, in particular as to the scope of s.172(3) of the Companies Act 2006; quantum of equitable compensation arising out of a company engaged in tax planning for sophisticated investors. Case settled successfully at mediation before fifteen-day trial.
- Acting for petitioners on an especially acrimonious and bitterly fought s.122(1)(g) Insolvency Act 1986 “just and equitable” winding-up petition involving interlinked and long-standing family businesses. Involves difficult evidential issues relating to recordings and the provenance of documents where allegations and cross allegations of forgery and convening of board and shareholder meetings.
- Acting for Indian creditors in the winding-up in the Isle of Man of a holding company in relation to disputed claims concerning issues of proof, subrogation and separate proceedings in the the Isle of Man and the Supreme Court of India, and substantial assets in those jurisdictions, Bosnia, the US and the BVI.

Expertise

Banking and Finance

Commercial Litigation

Company

Insolvency

International and Offshore

Partnership

Professional Negligence

Sport

Significant Cases

Re Glendale Liverpool Limited (in liquidation) [2023] EWHC 1571 (Ch)

(HHJ Cawson KC, stay under the 1986 as a legitimate exit route from creditors' voluntary liquidation allowing suitably funded company to continue trading)

Aston Risk Management Ltd v Jones & Others [2023] EWHC 603

(Ch) (HHJ Cawson KC, successful on behalf of the claimants following 8-day trial; de facto directorship; breach of fiduciary duties; interim payments ordered pending quantum trial in November 2023. The claim involved statutory claims; claims for conspiracy; deceit; breach of fiduciary duty and trust; unjust enrichment; dishonest assistance in breach of trust; knowing receipt and estoppel (in various forms).

Broomhead v National Westminster Bank plc [2021] EWHC 105 (Ch)

(Chief Master Marsh): brought in as replacement for earlier trial silk leading Martin Budworth for appellant debtor alleging bad faith and fraud against bank on application for permission to amend. Involves pleading fraud and disclosure where party asserts disclosure complete.

Interactive Digital Systems Ltd v VST Enterprises Ltd [2021] EWHC 887 (Ch)

acting on behalf of minority contingent creditor applicant, supported by “just and equitable” petitioners, on opposed administration application. Appeal to Court of Appeal abandoned on debtor’s formal insolvency.

Re Burningnight Ltd [2020] EWHC 2663 (Ch) [2021] BCC 133

(Mr Philip Marshall QC: for the administrators, administration extensions opposed by significant creditors, factors relevant to discretion and jurisdiction to make winding-up order absent petition).

Re Moss Groundworks Limited [2019] 3079 (Ch)

(HHJ Eyre QC (now Eyre J), requirement on valuation and supporting evidence on pre-pack sale following initial refusal and adjournment – involving other counsel – before Snowden J)

WTA Global Holdings Ltd (In Liquidation) v Lombard North Central Plc (Circuit Commercial Court) [2019] EWHC 277 (Comm) [2019] 2 WLUK 702

(HHJ Klein, civil procedure, banking and finance, alleged misconduct by bank global restructuring group, breach of contract, limitation periods, measure of damages, non-compliance, striking out, summary judgments, unless orders)

Re Smooth Financial Consultants Ltd [2018] 8 WLUK 84

((HHJ Halliwell client money, misuse, level of knowledge applicable, obligation to resign as a director, director disqualification orders, disqualification periods)

Inform CPI Ltd v Tower Hamlets LBC (Commercial Court) [2018] EWHC 2730 (Comm); [2018] 6 WLUK 692

(HHJ Hodge KC, information technology, local government, burden of proof, interpretation, software licensing agreements, non-domestic rates and savings therein relating to business hereditaments)

Re Pappy Ltd (In Liquidation) [2017] 8 WLUK 344; [2018] B.P.I.R. 1451

(Directors, intra-group transfers, preference claims in liquidation)

Raithatha v Baig [2017] EWHC 2059 (Ch); [2017] 7 WLUK 583; [2018] B.P.I.R. 743

(Chief Insolvency & Companies Judge Briggs, issues of quantification of loss in context of misfeasance as regards failure of directors of Halal monitoring company to register company for VAT on professional advice)

Safier v Wardell [2017] EWHC 20 (Ch); [2017] Bus. L.R. 564; [2017] 1 WLUK 147; [2017] BPIR. 504

(HHJ Behrens; successfully established that, on bankruptcy annulment, monies paid by third party into Insolvency Services Account not susceptible to Secretary of State levy)

Re Dent (In Administration) [2016] EWHC 2650 (Ch); [2017] Ch. 422; [2017] 3 WLR. 198; [2016] 10 WLUK 599; [2017] BPIR 164

(Norris J, equity, administration, Agricultural Credits Act 1928, marshalling, partnerships, subrogation, trustees-in-bankruptcy)

Barclays Bank plc v Registrar of Companies [2015] EWHC 3140 (Ch) [2016] BCC 64

(Norris J, backdating of winding-up petitions)

Hunt v Withinshaw [2015] EWHC 3072 (Ch)

(Morgan J; ss.315 and 318 of the Insolvency Act 1986, vesting orders)

Hunt v Conwy County Borough Council [2014] 1 WLR 254

(Sir William Blackburne; leading case on bankruptcy disclaimer)

Appleyard v Wewelwala [2013] 1 WLR 752

(Briggs J; trustee's remuneration and call for amendment to insolvency legislation)

Linfoot v Adamson [2012] BPIR 1033

(applicable test on objection to treatment of proof by voluntary arrangement supervisor)

Stericker v Horner [2012] BPIR 845

(proprietary estoppel, undue influence and scope of Court of Appeal's decision in McGuinness v Norwich & Peterborough Building Society on statutory demand set aside)

Re MTB Motors Ltd (in administration) [2012] BCC 601

(retrospective administration orders)

Rehman v Chamberlain [2012] BCC 770

(Court's approach to alleged part consideration and s.245 avoidance of floating charge)

Re A Block Transfer Order by Kaye [2010] BPIR 602

(block transfer of large number of IVAs; expenses of creditors' meeting and associated formalities; jurisdiction of court to interfere with approved arrangements where costs caps met)

Re Power Builders (Surrey) Ltd, Power v Petrus Estates Ltd [2009] 1 BCLC 250

(Lewison J; creditors' meetings; liquidation; proof of debt; voting rights; proper approach to admission of proofs under r.4.70 and equivalent provisions)

Revenue and Customs Commissioners v Cassells [2009] BPIR 284

(Morritt C; annulment; discretionary powers in annulling under s.282 and reviewing under s.375)

Simpson v Bowker [2008] BCC 781; [2007] Costs LR 850

(Court of Appeal; creditor claims; company voluntary arrangements; costs; debtors; fees; funding arrangements)

Stanley J Holmes & Sons Ltd v Davenham Trust plc [2007] BCC 485

(Court of Appeal; administration; proper basis for valuation of third party goods on application for sale by administrators under IA 1986 Sch B1, para 71)

Kingsley IT Consulting Ltd v McIntosh [2006] BCC 875

(Mr Terence Mowschensen KC; directors' duties; secret profits; quantification of director's liability to account to complainant company)

Smurthwaite v Simpson-Smith [2006] All ER (D) 368; [2006] BPIR 1469

(IVA; meaning of "reputed wife"; treatment of creditor by chairman; setting aside of arrangement; personal costs liability of office-holder, including various interim applications for specific disclosure and s.375 review before Warren J and Laddie J)

Akhtar v Rafiq [2006] 1 FLR 27

(Bodey J; appearing for the Crown (Queen's Proctor); effect of fraud/defective service in Middle Easton court process)

Oakley v Ultra Vehicle Design Ltd (In Liquidation) [2006] BCC 115

noted also at [2005] IL4P 55 (Lloyd LJ, sitting as a High Court judge; appropriate jurisdiction; conflict of law; EC Regulation; English court to deal with dispute subject to German law)

Rio Properties Inc v Amer Mouaffac Al-Midani [2003] BPIR 128

(bankruptcy; whether \$2.8m gaming debt incurred in US capable of founding English bankruptcy petition)

Commissioners of Customs & Excise v Allen [2003] BPIR 830

(first reported disputed block transfer order)

Palgrave Brown v Stinnes Logistics AG [2002] All ER (D) 241

(Court of Appeal following five day trial in the Mercantile Court; interpretation of contractual agreement; liability of vendor to meet due diligence costs of prospective purchaser)

Doyle v Saville [2002] BPIR 947

(successful appeal to High Court overturning findings of transactions-at-undervalue and preferences)

Re Salmet International Ltd (in administration) [2001] BCC 796

(Blackburne J; ranking of office-holder's remuneration as expense in administration where shortfall)

Industrial Diseases Compensation Ltd v Marrons [2001] BPIR 601

(charging orders; setting aside; scope of CPR r.40.9)

Harris v Gross [2001] BPIR 586

(IVAs; standing of supervisor to petition for bankruptcy after expiration of fixed-term arrangements)

Re Julie O Sullivan [2001] BPIR 534

(jurisdiction of court to interfere with nominee's fee as fixed by creditors; subsequent appeal to the Court of Appeal aborted)

Fuller v Cyracuse [2001] 1 BCLC 187

(Mr Peter Leaver KC; striking out just and equitable winding-up petition in the face of complex offer to buy-out petitioner)

Cork v Rawlins [2001] 3 WLR 300, CA

(Court of Appeal; bankruptcy; vesting of contractual claim)

Ord v Upton [2000] Ch 352 [2000] 2 WLR 755, CA

(Court of Appeal; bankruptcy; nature of cause of action; vesting of personal injury claim)

Lombard North Central plc v Brook [1999] BPIR 710

(CVA; liquidated damages/ penalty clause; treatment of creditor for voting purposes)

National Westminster Bank plc v Caldeira [1999] CLY 3225

(bankruptcy; charging orders)

Kelly v Pilgrim [1998] CLY 399

(automatic directions; joinder)

Memberships

- Insolvency Lawyers Association (full member)
- R3 (full member)
- Chancery Bar Association
- Committee Member, Northern Chancery Bar Association
- Committee Member, Northern Commercial Bar Association
- Professional Negligence Bar Association
- Advocate (formerly the Bar Pro Bono Unit)

Qualifications

- Degree: LLB (CNA), LLM (Birmingham)
- Admitted as a solicitor in 1994
- Year of Call: 1996 (Lincoln's Inn)

Appointments

- Provincial Panel, Treasury Counsel (Civil Litigation) (primarily disqualification and Revenue work) (Appointed 2000, re-appointed 2003, retired 2007)
- 2021 Called to the Bar of the British Virgin Islands

Publications

- Doyle, Keay & Curl's Annotated Insolvency Legislation (12th edn, 2024) (with Professor Andrew Keay and Joseph Curl KC) (LexisNexis)
- Contributing editor since 2010 to Gore-Browne on Companies (looseleaf, LexisNexis)
- Insolvency Litigation (1997, Sweet & Maxwell)
- Administrative Receivership: Law & Practice (1995, Sweet & Maxwell)
- Over the last thirty years Louis has published various articles in refereed and academic journals on all aspects of insolvency, as well as commercial law issues as diverse as the legal regulation of investment by trustees (Trust Law International), the legal status of contracts for difference and derivatives (New Law Journal), common law and statutory liability for public offering documents (The Company Lawyer) and the independence requirements for trustees of pension schemes on scheme failure (Company & Insolvency Review). Some of his work is cited in leading textbooks.
- Previously a member of the editorial board of Insolvency Intelligence and The Insolvency Lawyer.

Recommendations

Chambers UK 2023

"Louis is very commercial, really easy to use and on top of the papers. He also grasps concepts quickly."

"He's a fantastic advocate and he knows his onions in anything insolvency-related."

Legal 500 2023

"Louis is fantastic to work with. He makes the complex simple and is approachable and very down to earth, putting instructing solicitors immediately at ease. Combined with that, his ability to dissect an argument and an opaque suite of seemingly impenetrable documentation is second to none."

Chambers UK 2022

"A wonderful barrister." "Clear and strong with clients." "He is a very good advocate."

Legal 500 2022

"Louis has a remarkable emotional intelligence and ability to connect and communicate with clients from all walks of life, his advocacy is superlative and he can be relied upon to consider and advise upon all aspects of a case."

"Incredibly knowledgeable and commercial. Great in front of clients and always comes across totally professional."

Chambers UK 2021

"He is very proactive and exceptionally good with clients." "He is a very slick advocate."

"A very approachable barrister – he is great with clients and can explain complex legal matters in a simple way." "Very good on paper and has an excellent presence in court."

Legal 500 2020

"A highly recommended new silk."

"He is extremely strong commercially, excellent at understanding the solicitor and client objectives and needs, also displays a great depth of technical knowledge and understanding"

"He is clear of thought and provides concise advice."

"His practice includes company law, insolvency and financial litigation."

Chambers UK 2020

"He is very accessible and always really helpful. If it's a tricky contentious insolvency case, Louis is a go-to." "He doesn't sit on the fence and gives very robust opinions. He presents his client's case in the strongest way possible."

"He is a leading practitioner for insolvency-related chancery work." "He has a very relaxed advocacy style which is very effective and he backs that with fabulous intellectual knowledge."

Chambers UK 2019

"He knows the insolvency law and rules very well, he's very authoritative and he's a very energetic advocate."

"An excellent, well-informed barrister. A pleasure to instruct." "Extremely able and an excellent advocate."

Legal 500 2019

"Excellent on his feet."

Chambers UK 2018

"Particularly good on contentious matters, he is well known and respected in the industry."

"He is a very intelligent guy with a good knack for looking at cases from new angles." "He has an excellent range of experience, provides commercially sound advice and represents good value for money."

Legal 500 2018

"An insolvency expert."

Chambers UK 2017

"I rate his advocacy skills and technical knowledge very highly." "Both clients and judges seem to absolutely love him."

Legal 500 2017

“A first-class barrister.”

Chambers UK 2016

“A well-known and very well-regarded barrister, strong on insolvency issues.”

“He is an excellent, well-informed counsel. He’s a pleasure to instruct.”

Accreditations



Manchester

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