

## Andrew Ayres KC

**SILK: 2015 | CALL: 1996 (ENGLAND AND WALES); 2019 (BRITISH VIRGIN ISLANDS); 2020 (CAYMAN ISLANDS)**

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Languages: French (conversational)



### Overview

Andrew has an international commercial disputes practice, with a core of trial advocacy before courts and tribunals across the globe.

He has strong multi-jurisdictional connections, particularly in the Asia Pacific region, the Caribbean and within the offshore community closer to the UK. He is a leading Cayman and Eastern Caribbean advocate and adviser, focusing on all aspects of commercial, company, insolvency and trusts litigation.

He has been strongly recommended in the legal directories for many years, including in the following areas: commercial litigation, banking & finance, civil fraud, company law, partnership and commercial chancery. The comments made in the recommendations - viewable below - give a clear testimonial to Andrew's excellence. Andrew was also nominated for "Chancery Silk of the Year" at the 2024 Legal 500 UK Bar Awards.

Andrew appears before all courts and tribunals in England and Wales, including the courts and lists of the Business and Property Courts, the Commercial and Admiralty Courts, the Circuit Commercial Courts, the Technology and Construction Court, the Financial List, and the Company and Insolvency List, together with the King's Bench Division, the Administrative Court and the higher Appellate Courts, in particular the Privy Council.

Andrew also appears as Counsel at international and domestic arbitrations (including LCIA, ICC, SIAC, HKIAC, DIAC, ICSID, SHIAC, BVI, under UNCITRAL rules and ad hoc). He also takes appointments as arbitrator.

### Publications

Andrew was a contributor to *Civil Fraud: Law, Practice & Procedure*, Sweet & Maxwell (1<sup>st</sup> ed., 2018) and has written numerous articles, including on standby letters of credit, security documentation and the test for dishonesty in civil claims.

### Professional memberships

- RAIIDAR International
- Financial Services Lawyers Association
- Commercial Fraud Lawyers Association
- Advocate (formerly Bar Pro Bono Unit)
- South Eastern Circuit
- Chancery Bar Association
- COMBAR

### Lectures / talks

Andrew gives lectures, seminars and workshops on a variety of legal and procedural topics. Please get in touch if you are interested.

Examples include:

Andrew also specialises in urgent injunctive relief, including freezing orders, search orders and the appointment of provisional liquidators.

Andrew has a breadth of expertise across a range of sectors and services, including aviation, banking and finance, construction and engineering, energy and natural resources, fraud and asset tracing, international trade, joint ventures, professional liability and risk, structured products and derivatives and TMT.

## Education

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- University of Oxford: MA

- White Paper London Civil Fraud Conference: Full and Frank Disclosure.
- BVI Bar Association lecture series.
- London Solicitors Litigation Association lecture: "Developments in Vicarious Liability" (Herbert Smith Freehills Kramer).
- London Commercial Litigation & Arbitration Forum: AI and the law.
- Asialaw Benchmark Dispute Resolution Summit (Hong Kong).

## Key cases

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- The *Abraaj* litigation in the Cayman Islands: complex disputes relating to the collapse of the multi-billion dollar UAE-based private equity group, including intra- and extra-group liabilities, the impact of alleged fraud, the scope of powers in the constitutional documents of various Funds within the group and the attribution of any fraud to various Funds. Intra group insolvency and transaction avoidance claims (2020- ).
- *London Capital & Finance Ltd and London Oil & Gas Limited v Thompson & others*: high-profile, mini-bond civil fraud claim in London for £178m (2020-2024).
- *The Emmerson v Renova litigation in the British Virgin Islands*: billion-dollar joint venture dispute between Russian businessmen (2020-2024).
- *MDW Holdings v Norvill & others* [2022] EWCA Civ 883: share warranty and fraud claim, considering the impact of supervening events on loss referable to the value of the shares in question (2021-2022).
- *Singularis Holdings Ltd v Daiwa Capital Markets Europe Ltd* [2020] EWHC 1616 (Ch): litigation funding dispute, after the conclusion of the main dispute ([2019] UKSC 50) (2020).
- *Krishna Holdco Limited v Gowrie Holdings Limited & others* (ChD): shareholder and joint venture £150m dispute relating to importation and distribution of pharmaceuticals; 994 unfair prejudice petition and Part 7 proceedings (2020-2024).
- *Delco Participation BV v Green Elite Ltd*: British Virgin Islands shareholder dispute relating to Sino-Dutch metal recycling joint venture operated from Hong Kong, Macao and mainland China (2020-2024).
- *Re Avara Avlon Pharma Services Ltd (in administration)* (ChD): dispute relating to security interests over a valuable former AstraZeneca pharma site near Bristol; consideration of the effect of s 245 of the Insolvency Act 1986 (avoidance of certain floating charges) (2019).
- *HMG Investment Holdings Limited v National Westminster Bank PLC* [2018] EWHC 3492 (Comm): £40m derivatives mis-selling claim dismissed after a 3-week trial, followed by a CPR 52.30 application in the Court of Appeal in 2019. Andrew appeared for the Bank in this emphatic win (2017-2018).

## Civil fraud and asset tracing

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Andrew deals with all aspects of civil fraud litigation, including early pre-emptive remedies through to enforcement. He has handled alleged frauds of all kinds, including MTIC, employee, advance fee, internet and Crypto, and acts for both victims and defendants.

Examples include:

- *London Capital & Finance Ltd and London Oil & Gas Limited v Thompson & others*: high-profile, mini-bond civil fraud claim in London for £178m (2020-2024).
- *WWRT v Tyshchenko, and other WWRT claims*: various alleged fraud claims based on Ukrainian law, heard in England and in the BVI, with applications for freezing order interim relief, and enforcement issues. See [2021] EWHC 939 (Ch), [2021] EWHC 2129 (Ch), BVIHC (COM) 2021/0096, [2023] EWHC 79 (Ch), [2023] EWHC 907 (Ch), BVIHCMAP2022/0002 and [2023] EWHC 2043 (Ch).

- *Juul Labs Inc & another v Quick Juul Ltd (formerly Quick Xuul Ltd and Quick Juul Ltd) & others* [2018] EWHC 3578 (Ch): IP-related fraud claim against a determined gang. Innovative Norwich Pharmacal orders, allowing iterative, ongoing disclosure without having to return to court.
- *Hilton & others v D IV LLP & others* [2015] EWHC 2 (Ch): Norwich Pharmacal claim against a professional services firm alleged to have become mixed up in wrongdoing.
- *Islamic Investment Company of the Gulf (Bahamas) Limited v Mehta & others*: long running enforcement dispute (2010 to 2016).

## Offshore / International

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Andrew is internationally based with expertise and connections, both in litigation and arbitration, in Singapore, Hong Kong, Cayman, the Eastern Caribbean, Bermuda, Dubai, Abu Dhabi, IOM and the Channel Islands.

Examples include:

- The *Abraaj* litigation in the Cayman Islands: complex disputes relating to the collapse of the multi-billion dollar UAE-based private equity group, including intra- and extra-group liabilities, the impact of alleged fraud, the scope of powers in the constitutional documents of various Funds within the group and the attribution of any fraud to various Funds. Intra group insolvency and transaction avoidance claims.
- *The Emmerson v Renova litigation in the British Virgin Islands*: billion-dollar joint venture dispute between Russian businessmen (2020-2024).
- Various WWRT claims in the British Virgin Islands: See BVIHC (COM) 2021/0096 and BVIHCMAP2022/0002.
- *Throne Capable Investment Limited v Agile Star Group Limited*, BVIHCMAP2020/0014: costs in liquidation applications.
- *Delco Participation BV v Green Elite Ltd*: British Virgin Islands shareholder dispute relating to Sino-Dutch metal recycling joint venture operated from Hong Kong, Macao and mainland China.

## Commercial dispute resolution

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Andrew deals with all aspects of commercial dispute resolution, including joint ventures, distribution agreements, jurisdiction and service disputes, anti-suit injunctions, recognition and enforcement of foreign judgments.

Examples include:

- The *Abraaj* litigation in the Cayman Islands: complex disputes relating to the collapse of the multi-billion dollar UAE-based private equity group, including intra- and extra-group liabilities, the impact of alleged fraud, the scope of powers in the constitutional documents of various Funds within the group and the attribution of any fraud to various Funds. Intra group insolvency and transaction avoidance claims.
- *WWRT v Tyshchenko, and other WWRT claims*: various alleged fraud claims based on Ukrainian law, heard in England and in the BVI, with applications for freezing order interim relief, and enforcement issues. See [2021] EWHC 939 (Ch), [2021] EWHC 2129 (Ch), BVIHC (COM) 2021/0096, [2023] EWHC 79 (Ch), [2023] EWHC 907 (Ch), BVIHCMAP2022/0002 and [2023] EWHC 2043 (Ch).
- *Fenchurch Advisory Partners LLP v AA Limited* [2023] EWHC 108 (Comm): claim for a contractual success fee, alternatively restitutionary liability, on behalf of a corporate finance advisory business.
- *MDW Holdings v Norvill & others* [2022] EWCA Civ 883: share warranty and fraud claim, considering the impact of supervening events on loss referable to the value of the shares in question.
- *Yuchai Dongte Special Purpose Automobile Co Ltd v Suisse Credit Capital (2009) Ltd* [2018] EWHC 2580 (Comm): letters of credit: the interaction between UCP 600 and the SWIFT rules, and permissible adverse inferences arising from a material failure to comply with disclosure.
- *LBI EHF v Greif International Holdings B.V.*: derivatives litigation arising out of the Icelandic Landsbanki insolvency and restructuring; interpretation questions on the standard form ISDA Master Agreement (1992 version), in particular the Payment Obligations under section 2(a)(iii).
- *El Haddad v Rostamani & others* [2021] EWHC 1892 (Ch): jurisdiction challenge.
- *Nimer v Al Saqer Group & others* [2021] EWHC 50 (QB): jurisdiction challenge.

## Company law

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Andrew is highly experienced in complex joint venture and shareholder disputes, both domestically and internationally, directors' and fiduciary duties, and in company meetings and corporate constitutional issues.

Examples include:

- *Krishna Holdco Limited v Gowrie Holdings Limited & others* (ChD): shareholder and joint venture £150m dispute relating to importation and distribution of pharmaceuticals; 994 unfair prejudice petition and Part 7 proceedings.
- *Delco Participation BV v Green Elite Ltd*: British Virgin Islands shareholder dispute relating to Sino-Dutch metal recycling joint venture operated from Hong Kong, Macao and mainland China.
- *Grantley Limited v Linda Kristin Bennett & others* (ChD): 994 unfair prejudice petition relating to the well-known high street retailer, L.K. Bennett.
- *F&C Alternative Investments (Holdings) Limited v Barthelemy & another* [2011] EWHC 1731 (Ch): unfair prejudice petitions and put option claims.

## Insolvency and restructuring

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Andrew advises on and appears in restructuring and insolvency proceedings, including creditor petitions, just and equitable winding up, challenges to insolvency regimes and cross-border applications.

Examples include:

- The ongoing *Abraaj* litigation in the Cayman Islands: intra group insolvency and transaction avoidance claims.
- *Throne Capable Investment Limited v Agile Star Group Limited*, BVIHCMAP2020/0014: costs in liquidation applications.
- *Re Avara Avlon Pharma Services Ltd (in administration)* (ChD): dispute relating to security interests over a valuable former AstraZeneca pharma site near Bristol. Consideration of the effect of s 245 of the Insolvency Act 1986 (avoidance of certain floating charges).
- *Simon Franklin Plant and Daniel Plant (administrators of Relentless Software Ltd) v (1) Vision Games 1 Ltd (2) Ultimate Finance Ltd (3) Thincats Loan Syndicates Ltd (4) Relentless Vision 1 Ltd* [2018] EWHC 108 (Ch): fixed and floating charges.
- The bankruptcy of Asil Nadir: instructed by Mr Nadir on the application before the Chief Registrar to secure his discharge from bankruptcy after 17 years.
- *Barlow Clowes International Ltd (In Liquidation) v Henwood* [2008] EWCA Civ 577: instructed by the claimant in relation to the Court of Appeal decision relating to domicile in the context of personal insolvency (led by Geoffrey Vos QC).
- The Liquidating Partners of the Arthur Andersen partnerships: instructed by the Liquidating Partners of Arthur Andersen in an application in relation to the final winding up of the businesses of these partnerships.

## Banking and financial services

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Andrew has taken a leading role in numerous banking and financial services cases over many years, incorporating issues relating to international trade, warehousing security, letters of credit, guarantees, fraud, insolvency and enforcement, structured products and derivatives, bondholder proceedings and the enforceability of letters of intent.

Examples include:

- The *Abraaj* litigation in the Cayman Islands: complex disputes relating to the collapse of the multi-billion dollar UAE-based private equity group, including intra- and extra-group liabilities, the impact of alleged fraud, the scope of powers in the constitutional documents of various Funds within the group and the attribution of any fraud to various Funds. Intra group insolvency and transaction avoidance claims.
- *Fenchurch Advisory Partners LLP v AA Limited* [2023] EWHC 108 (Comm): claim for a contractual success fee, alternatively restitutionary liability, on behalf of a corporate finance advisory business.
- *HMG Investment Holdings Limited v National Westminster Bank PLC* [2018] EWHC 3492 (Comm): £40m derivatives mis-selling claim dismissed after a 3-week trial, followed by a CPR 52.30 application in the Court of Appeal in 2019.
- *Yuchai Dongte Special Purpose Automobile Co Ltd v Suisse Credit Capital (2009) Ltd* [2018] EWHC 2580 (Comm): letters of credit: the interaction between UCP 600 and the SWIFT rules, and permissible adverse inferences arising from a

material failure to comply with disclosure.

- *LBI EHF v Greif International Holdings B.V.*: derivatives litigation arising out of the Icelandic Landsbanki insolvency and restructuring; interpretation questions on the standard form ISDA Master Agreement (1992 version), in particular the Payment Obligations under section 2(a)(iii).
- *FBN Bank (UK) Ltd v Leaf Tobacco A Michailides SA & others* [2017] EWHC 3017 (Comm): banking, warehousing security and enforcement.

## Trusts disputes

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Andrew advises on and appears in international and domestic trusts disputes, often including succession issues.

Examples include:

- *Beddoe* and other directions applications.
- *Public Trustee v Cooper* and other sanction applications.
- Information rights.
- Breach of trust claims.
- Shams and mere nomineehip.
- Minors and unborns.
- Trustees' remuneration and indemnities.

## Recommendations

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Andrew absolutely elicits confidence in the team. There's never a moment where you feel that something has got away from him. He's a very persuasive advocate. Very calm and softly spoken, but incredibly engaging. [Chambers UK Bar 2025](#)

Simply brilliant on paper and on his feet. [Chambers UK Bar 2025](#)

Andrew's a silky smooth advocate. He's really good for pushing forceful points in an elegant manner. [Chambers UK Bar 2025](#)

Very approachable and easy to run things past, he makes time to speak to you if you want to pick up the phone. He also has a huge amount of broad experience - there's very little he hasn't seen before. [Chambers UK Bar 2025](#)

Technically excellent and highly persuasive, Andrew is a true master on his feet. He's very astute and in tune with the commercial realities of a case. [Chambers UK Bar 2025](#)

Very much on top of the detail, he has an excellent rapport with judges and manages to stay calm even in the most fraught circumstances. [Chambers UK Bar 2025](#)

Andrew is a smooth advocate who presents arguments very clearly and effectively in court. A great team player and easy to deal with. [The Legal 500 UK Bar 2025](#)

Andrew digs into the details on all his cases and is a very collaborative team player bringing out the best in his juniors and solicitors alike. He is thoroughly prepared for every hearing and delivers excellent submissions pitched perfectly for the tribunal. [The Legal 500 UK Bar 2025](#)

Andrew has an extremely effective advocacy style, he is very much on top of the detail and is incredibly eloquent [The Legal 500 UK Bar 2025](#)

Andrew has an exceptionally sharp strategic sense, combined with an unruffled demeanour. He is brilliant with lay clients. [The Legal 500 UK Bar 2025](#)

His advocacy style is superb. He is forthright and direct. Clients love him. [The Legal 500 UK Bar 2025](#)

Andrew is a team player, has a very good advocate style and is good on strategy. [The Legal 500 UK Bar 2025](#)

Andrew is an impressive silk with extensive expertise across a wide spectrum of offshore practice areas. He prepares meticulously for court, works collaboratively in large teams, and is incredibly effective in court. He is without par. [The Legal 500 UK Bar 2025](#)

Andrew is a wonderful barrister with a very measured and effective style of advocacy. He delivers quality results every time. [The Legal 500 Caribbean 2025](#)

Andrew is superb with clients and also a real team player. Technically he is first-rate and quick to spot issues or opportunities that others may have missed. [The Legal 500 UK Bar 2024](#)

Very much on top of the detail, he has an excellent rapport with judges and manages to stay calm even in the most fraught circumstances. [Chambers UK Bar 2024](#)

Phenomenally bright, charming on his feet, and a fantastic team player, his judgement and instincts are second to none. [The Legal 500 UK Bar 2024](#)

Andrew is a very impressive silk with extensive expertise across a wide spectrum of offshore practice areas. He prepares meticulously for court, works collaboratively in large teams, and is incredibly effective in court. He is without par. [The Legal 500 UK Bar 2024](#)

Andrew has an excellent knowledge of the fraud toolkit, and is a great strategic thinker, always looking for alternative strategies. His advocacy is very good – he is always well-prepared, and his calmness helps to put the end-client at ease. [The Legal 500 UK Bar 2024](#)

Andrew is very calm, considered and thorough – definitely among my first choices for complex insolvency and restructuring work. He is also very easy to deal with – responsive and a pleasure to work with. [The Legal 500 UK Bar 2024](#)

He is a charming advocate who is not afraid to put his client's interests first. [The Legal 500 UK Bar 2024](#)

His real strength is his advocacy, which is very smooth. [Chambers UK Bar 2024](#)

Simply brilliant on paper and on his feet. [Chambers UK Bar 2024](#)

Andrew is very accessible and good with clients. His advice is both robust and commercial. [Chambers UK Bar 2024](#)

He provides reassurance and is clear and objective in his views. [Chambers UK Bar 2024](#)

Thoughtful, effective and highly approachable. [Chambers UK Bar 2024](#)

Great manner in court, very effective advocacy style. On top of the detail, and always well prepared for calls with clear advice on calls and in writing. Organised and responsive. A pleasure to work with. [The Legal 500 UK Bar 2023](#)

A real tactical thinker and an excellent advocate. He is very responsive, easy to work with and someone who provides a first-rate service. [Chambers UK Bar 2023](#)

Andrew is excellent at setting strategy and communicating that clearly to the team and clients. He is a force to be reckoned with on his feet. [The Legal 500 UK Bar 2023](#)

Andrew listens and supports his clients with remarkable client care skills. His preparation and cross-examination is second to none. He instils complete confidence in clients and solicitors alike. [The Legal 500 UK Bar 2023](#)

Absolutely superb - his rapid responsiveness is unlike any other silk I have worked with. [The Legal 500 UK Bar 2022](#)

A real tactical thinker and an excellent advocate. He is very responsive, easy to work with and someone who provides a first-rate service. [Chambers UK Bar 2022](#)

Highly strategic approach to litigation - always thinking of the next step. Great knowledge of the fraud toolkit. [The Legal 500 UK Bar 2022](#)

Very smooth advocacy style and very good court presence - has a real air of authority. Unflappable [The Legal 500 UK Bar 2022](#)

Commercial and client-focused, he's a real team player whom it's a pleasure to work with. [Chambers UK Bar 2021](#)

Very precise in his written work and works well with the team. [The Legal 500 UK Bar 2020-21](#)

Andrew consistently meets the challenge of advising on complex legal issues which need to be considered within a short timeframe. [Chambers UK Bar 2021](#)

Extremely eloquent and one of the best advocates I've seen. [The Legal 500 UK Bar 2020-21](#)

He is everything you would expect from a QC at a top set. He's got an unrivalled eye for detail, commercial awareness and he's as good as it gets on his feet in court - he's just an absolute natural. [Chambers UK Bar 2020](#)

He has an elegant style. [The Legal 500 UK Bar 2020](#)

Shows sensitivity and handles things very nicely and courteously. He is very effective in terms of identifying the concerns the tribunal will have and dealing with them appropriately. [Chambers UK Bar 2019](#)



Leaves no stone unturned. [The Legal 500 UK Bar 2020](#)

His advocacy is much admired, particularly by solicitors, who admire his calmness under fire. [Chambers UK Bar 2019](#)

A tremendous support and a real team player on financial markets litigation. [The Legal 500 UK Bar 2019](#)

He has a genuine talent for communicating complex strategic thoughts and concepts in simple terms. [Chambers UK Bar 2020](#)

A real team player - he listens to everyone's views and allows them the opportunity to speak. [Chambers UK Bar 2020](#)

Exceptional in terms of how he manages clients, even in the most difficult disputes. [The Legal 500 UK Bar 2019](#)

Clients love his road maps to success; the judge always seems happy to be guided by him. [The Legal 500 UK Bar 2019](#)

A highly intelligent man, who presents his cases in a calm, measured and sensible manner, free of histrionics. [Chambers UK Bar 2020](#)

Has the ability to make complex matters seem straightforward, and also has excellent emotional intelligence which enables him to read a room perfectly and present in a way that gets the best out of everyone. [Chambers UK Bar 2019](#)