



# Geraint Jones KC

**Year of Call:** 1976

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## Overview

Geraint Jones KC has a thriving commercial/chancery practice. His expertise includes:

- Regulatory and professional negligence
- Commercial disputes
- General chancery work
- Dispute Resolution/Arbitration/Mediation
- Direct Access

In Silk he has been leading counsel in multi-million pound litigation, successfully defending allegations of commercial fraud arising from the collapse of the Versailles Group. He has been involved in long-running group litigation involving leaseholders in disputes with their landlord; a case of factual and substantial legal complexity.

As junior counsel, Geraint was longstanding "counsel of choice" for the Solicitors Indemnity Fund (Western region) and has extensive experience in professional negligence and disciplinary issues, especially relating to property conveyancing matters.

Recently he has been leading counsel in a series of judicial review cases against HMRC, successfully challenging its use (or misuse) of its statutory powers. He has also become an acknowledged leader in Proceeds of Crime Act challenges based upon article 1, first Protocol ECHR, lately overturning the long established rule of the common law that a Receiver can always recover his costs from assets subject to the receivership.

Geraint has extensive sports law experience and is an Arbitrator at the International Court of Arbitration for Sport in Switzerland.

Geraint also has extensive experience of human rights and discrimination issues associated with his work in the Immigration Appeals Tribunal and The Asylum and Immigration Tribunal.

## Academic qualifications

- Jesus College, Cambridge

## Professional qualifications & appointments

- Recorder - Crime and Civil
- Part-time Judge of the Tax Tribunal

- Part-time Judge of the Immigration Tribunal
- Statutory Reviewer of Decisions by the Director of Fair Access (Dept. of Education and Skills)
- Arbitrator for the Motor Insurers' Bureau
- Arbitrator, International Court of Arbitration for Sport, Switzerland
- Chairman of the Disciplinary Appeal Tribunal of the British Parachuting Association
- Ad hoc Arbitrator at the Commonwealth Games 2014

## **Professional bodies**

- Chancery Bar Association
- Professional Negligence Bar Association (PNBA)

# Expertise

## Commercial

Geraint Jones KC is a leading Silk and specialist commercial law barrister with an emphasis on professional negligence, commercial litigation and fraud.

He enjoys a formidable reputation for his commercial litigation expertise and as a junior was the counsel of choice for the Solicitors Indemnity Fund.

Geraint also sits as a part-time Judge in the First-tier Tribunal Tax Chamber.

### Professional Negligence

Geraint's core area of practice is professional negligence claims with a particular expertise in claims arising from financial and property transactions against lawyers, conveyancers, surveyors and financial professionals such as accountants and auditors; financial advisers and insolvency practitioners. As junior counsel, Geraint was counsel of choice for the Solicitors Indemnity Fund.

He has extensive experience of lender claims and has been involved in long-running group litigation involving leaseholders in disputes with their landlord; a case of factual and substantial legal complexity.

### Commercial Litigation

Geraint is very experienced in handling commercial disputes including fraud, for institutional clients, large and small businesses and individuals. His particular experience extends to:

- – claims arising from loans, mortgages, charges and debentures
- – freezing orders, asset recovery and enforcement of judgments
- – fraud arising from the collapse of the Versailles Group.
- – fixed charge receiverships
- – insolvency, both individual and corporate, especially transaction avoidance

He also has experience of contentious and non-contentious company law matters, including minority shareholder claims and issues arising from articles of association and shareholder agreements. Clients include the likes of Sony UK, Texaco, Associated British Ports and AXA. He has also acted for numerous trade associations and large public sector organisations, including many local authorities, such as The Environment Agency, DEFRA and Land Authority for Wales.

### Recent cases include:

- Elbrook Cash & Carry Ltd v H. M. R. C. [2017] UKUT 181 (TCC)
- County Leasing Management Ltd v Hawkes [2016] BCC 102
- Romasave (Property Services) Ltd v HMRC [2015] STC 1
- Brendan Barnes (B.D.O.) v Eastenders plc v C.P.S. [2014] UKSC 26
- Brendan Barnes (B.D.O.) v Eastenders plc v C.P.S. [2013] 1 WLR 1494
- Eastenders plc v H.M.R.C. [2012] 1 WLR 1494 (statutory construction CEMA'79)
- Eastenders Cash & Carry Ltd v H.M.R.C. (2011) UKFTT 25 (TC)
- R v H.M.R.C. ex parte Eastenders Cash & Carry Ltd (2011) 1 WLR 488
- Goldberg v Foster Squires [2010] EWHC 450 – partners liable for fraud of a partner
- Carter v Cole (2009) 33 E.G. 66 (derogation from grant)

- Greening & Sykes Ltd v Nelson & Hanley The Times 22/1/08 (status of intervening bare trustee)
- Nelson v Clearsprings Management Ltd (2007) 1 WLR 962
- Awoyomi v Radford (2007) EWHC 1671 (retrospectivity of Hall v Simons)
- HSS Hire Services PLC v BMB Builders Merchants Ltd (2005) EWCA Civ 627 (costs to be reserved until damages assessed where there was a split trial and a payment in had been made)
- Clowes Developments Ltd v Walters (2005) 17 EG 123 (adverse possession)
- Mercantile & Credit plc v Marks (2005) Ch 81, (2004) 3 WLR 489 (sub-charges)
- Richardson v Howie (2004) EWCA Civ 1127 (aggravated damages for assault abolished)
- Alpha Lettings Ltd v Neptune Research & Development Inc (2003) EWCA Civ 704 (period of notice to terminate an exclusive distributorship agreement)
- White v Chubb (2002) 1 P&CR Digest 22
- UCB v Williams (2002) 2 P&CR Digest 33 (C/A : BCCI v Aboody not followed on causation in actual undue influence cases)
- Havenledge v Graeme John & Ptnrs (2001) PNLR
- Ford v GKR Construction (2000) 1 WLR 1097

## Public and Regulatory

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#### **Experience:**

- Formerly junior counsel of choice for Solicitors' Indemnity Fund for South Wales area (real property/conveyancing matters)
- Advisory and advocacy work for The Environment Agency & Dept the Environment, Food and Rural Affairs
- Advisory and advocacy work for Sony (U.K.) Ltd; Texaco plc; Associated British Ports; Templar Properties Ltd; Eagle Star (Axa); Land Authority for Wales
- Advisory and advocacy work for numerous local authorities
- Litigation relating to all aspects of real property disputes, mortgages and trusts
- Advising upon & drafting standard contractual conditions for trade association members
- Leading counsel in multi-million pound commercial fraud case arising from the collapse of the Versailles Group.

## **Property and Estates**

Geraint Jones KC has pursued a substantial chancery, commercial and professional negligence practice over many years and has specialised in these fields for some 25 years or more.

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