

Overview

Banking and Financial Services
 Commercial Disputes
 Professional Liability
 Trusts
 Wills and Estates

Profile: Overview

Jeremy Cousins QC specialises in substantial commercial, commercial chancery (including trusts), banking and professional negligence disputes.

Experience and Expertise

In 2014 he was in the leading banking and solicitors' breach of trust case of *AIB v Redler* in the Supreme Court, and he appeared for the claimants in the major case of *Rosserlane v Credit Suisse* (concerning the sale of an interest in an oil field in Azerbaijan). He is also involved in the claim made by a group of shareholders against Lloyds Banking Group and some of its former directors in relation to the HBOS acquisition in 2009. This case has received extensive coverage in the press. In 2015 Jeremy Cousins QC was instructed to prepare submissions for various bondholders resisting Lloyds Banking Group's unsuccessful attempt in *BNY Mellon Corporate Trustee Services v LBG Capital No 1* and another to bring about an early redemption of part of a multi-billion pound bond issue by affiliates of Lloyds Banking Group in 2009.

Many of his cases are landmark decisions, cited in leading textbooks such as Chitty on Contracts, Snell's Equity, Megarry & Wade's Law of Real Property, Clerk & Lindsell on Torts, and Jackson & Powell on Professional Liability, in various fields – Redler in banking and professional liability, *Ali v Lane*, *Shogun v Hudson* and *AIB v Martin* in contractual interpretation, *Unique Pub Properties v Beer Barrels* in procurement of breach of contract, and *Acton v Graham Pearce* in solicitor's negligence and loss of opportunity damages.

Recommendations

Jeremy has consistently been recognised over many years by Chambers UK and Legal 500 for his expertise, skill as an advocate, and user friendly qualities. He is listed as a leading silk for commercial litigation, commercial chancery, professional negligence and banking & finance.

- "A strategic thinker who is very good at professional negligence cases." (Professional Negligence, Chambers UK 2018)
- "Has great gravitas and a lovely manner with clients. He has an encyclopaedic knowledge of case law at his fingertips." "Jeremy likes to deal with every element of the claim, and he goes the extra mile in terms of client services." (Chancery Commercial, Chambers UK, 2018)
- "He has superb knowledge of the law. He's very quick to respond and his advice is always excellent." (Banking and Finance, Chambers UK, 2018)
- "First class." (Professional Negligence, The Legal 500, 2017)
- "Very clever and unflappable, and a very reassuring presence during complex matters." (Commercial Litigation, The Legal 500, 2017)
- "A friendly and confident silk with outstanding knowledge." (Banking and Finance, The Legal 500, 2017)
- "He is excellent: he has an eye for detail, is incredibly thorough and looks at things in a very calm way." (Professional Negligence, Chambers UK, 2017)
- "He's very calm and assured, and you know he's carefully considered things. His clients have a lot of faith in his advice." (Chancery: Commercial, Chambers UK, 2017)
- "His encyclopaedic knowledge of the law combined with his thorough preparation makes him unbeatable." (Banking and Finance, Chambers UK, 2017)
- "He has superb grasp of detail and wonderful client care." (Commercial litigation, The Legal 500, 2016)
- "A high-quality silk, who provides in-depth research and analysis." (Banking and Finance, The Legal 500, 2016)
- "He has tremendous judgment and is very reliable." "He's basically a dream to work with. He is incredibly knowledgeable and also very personable." (Banking and Finance, Chambers UK, 2015)

- “A favourite for heavyweight litigation”. “A quite exceptional performer who is very intuitive and has a touch of genius about him.” “Remarkably versatile and client-friendly. His encyclopaedic knowledge of the law and thorough preparation make him unbeatable.” (Chancery commercial, Chambers UK and Chambers Global, 2015)
 - “Calm, collected, and never flustered by the largest, most complex cases.” (Commercial litigation, Legal 500, 2014)
 - “An encyclopaedic knowledge of the law coupled with comprehensive and formidable preparation.” (Professional negligence, Legal 500, 2014)
 - “Very intuitive with a touch of genius about him. A quite exceptional performer, he is remarkably versatile and client-friendly. His encyclopaedic knowledge of the law combined with his thorough preparation make him hard to beat.” (Banking & Finance, Chambers UK, 2014)
 - “He has a gentle approach but he gets results. He is a formidable preparer of his work and that makes him unbeatable. Possessed of the most lovely cross-examination method, he is gentle, persuasive and avuncular.” Recent work: worked on the AIB v Redler case which is tipped to be the leading authority on the remedies available to bankers where solicitors are liable for breach of trust. (Chancery: commercial, Chambers UK, 2014 and Chambers Global, 2014)
 - “He’s very approachable and willing to muck in. He assists in ways other counsel don’t.” (Professional negligence, Chambers UK, 2014)
- Jeremy Cousins QC is an “outstanding” practitioner on commercial matters, and is particularly good on cases with a fiduciary duties element to them. He recently acted in *Stanleybet International Betting v Steinberg & others*, a claim surrounding guarantee liability construction. (Chancery: commercial, Chambers UK, 2013 and Chambers Global, 2013)

Publications

Jeremy has contributed articles to a number of leading publications:

- “The future of Banking Litigation” - Legal Week May 2015
- “Damages for delay: generally a liability at large” published by the Journal of International Banking and Financial Law, May 2014.
- “The revival of lenders’ breach of trust claims” published by the Journal of International Banking and Financial Law, July 2012.
- “Company Charges” Solicitors’ Journal 2005 Volume 149 (23) pages 694-695 (analysing the validity against a liquidator of an unregistered charge which arises by implication of law)
- “Should Jersey follow South Australia: Developments in Liability for Negligent Advice”, Jersey Law Review October 2006 (considering developments in negligence liability and whether the Jersey Courts are free not to follow the English decisions)
- “Trustees – how to sell a business and distribute the proceeds” published in May 2010 in Sweet & Maxwell’s Private Client Business (considering trustees’ powers to give warranties on sale, and to restrict powers of appointing proceeds pending beneficiary covenants being given to vendors)
- “Misrepresentation on bond issues: liability in the secondary market” published by the Journal of International Banking and Financial Law, January 2011

He is the consultant editor of Third Party Litigation Funding by Nick Rowles-Davies published by OUP. He also contributes articles on a regular basis for a number of leading publications, including “The Royal Court Rules” a commentary on civil procedure in Jersey, published by Jersey Advocates Hanson Renouf.

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