



Piers Digby

Call: 2019

Barrister

CONTACT

Email
pdigby@radcliffechambers.com

Email Clerk
clerks@radcliffechambers.com

Telephone

ADDRESS

11 New Square
Lincoln's Inn
London WC2A 3QB

DX: 319 London
Telephone: 020 7831 0081
Fax: +44 (0)20 7405 2560

Piers has an extensive chancery practice extending across insolvency & restructuring, company law, commercial disputes, wills, trusts and estates, and probate. He regularly appears in the High Court and County Court as sole counsel, and has experience with appellate cases.

Piers has previously taken secondments at both the Financial Conduct Authority and a leading UK bank, and has a thorough understanding of regulatory issues relating to banking and consumer credit more widely. He knows how to work with solicitors and clients under challenging conditions, combining legal ability beyond his call with an approachable manner.

Prior to joining Chambers, Piers worked in consulting on public sector contracts before attaining a distinction in his LLM at Hughes Hall, Cambridge. He was the Richard Yorke Scholar at Gray's Inn.

COMMERCIAL, COMPANY, AND BANKING

Piers accepts instructions across a range of commercial disputes, acting for both individuals and larger corporate structures. He has expertise in disputes relating to the interpretation and enforcement of sales disputes; construction disputes; loans, debentures, guarantees, securities and mortgages; claims in misrepresentation and mistake; trusts and related structures in the commercial setting; and consumer protection.

Notable highlights include:

- acting for a prominent industry insurer in an insurance dispute with developers about the extent of developer obligations under the contract and the application of an arbitration clause
- advising a corporate group on a contested pre-action disclosure application brought by a minority shareholder looking to pursue an unfair prejudice petition (settled successfully)
- acting in a satellite proceedings for a declaration of unenforceability in respect of several loan agreements totalling £6.3million on the basis of an unfair relationship under the Consumer Credit Act 1974 and misrepresentation
- sole Counsel in a successful high profile art dispute over the existence and terms of a contract to exhibit a Bosco Sodi painting, reported variously in [the Times](#), [the Daily Mail](#), and [the Guardian](#)
- acting in a dispute over the terms of an agency agreement in relation to

the sale of high-value property based on the enforceability of an entire agreement clause and whether subsequent conduct was a novation or an amendment of the original contract

INSOLVENCY AND RESTRUCTURING

Piers has a busy insolvency practice, appearing for office-holders, creditors and debtors both individual and corporate in both personal and company insolvency. He regularly appears as a sole advocate before the High Court whilst still taking County Court work, and has dealt with insolvency applications relating to winding-up and bankruptcy petitions; the restraint of advertisement; setting aside statutory demands; annulment of bankruptcy orders; misfeasance; transactions at an undervalue and preferential transactions; applications for public and private examination; administration orders, administration extension orders, and office-holder remuneration orders; vesting orders; and enforcement measures such as interim and final charging orders.

Notable highlights include:

- an application for conversion of an administration to a voluntary winding-up following company creditors failing to approve the administrator's proposals, in line with the *Re Stanleybet UK Investments Ltd* [2011] EWHC 2820 (Ch) jurisdiction
- an application by a notable film and Hollywood technology supplier for an on-going validation order in respect of their ordinary course of business, allowing the company to continue trading and avoid collapse
- an application for examination of an absconded former liquidator concerning her role in the winding up of various companies antecedent to committal proceedings
- parallel proceedings in misfeasance and in contract under the new procedural structure introduced following *Manolete Partners plc v Hayward and Barrett Holdings Ltd & Ors* [2021] EWHC 1481
- an application for remuneration of a liquidator where the appointment and timing of the appointment of the liquidator were subject to potential dispute

PRIVATE CLIENT

Piers is regularly instructed in private client matters, with a measured and impressive manner supporting clients across sensitive and difficult legal areas. He appears before both the High Court and the County Court across the full extent of private client work, acting or advising in proceedings relating to testamentary capacity, knowledge and approval, undue influence, and fraudulent calumny; claims under the Inheritance (Provision for Family and Dependants) Act 1975; applications to remove trustees and administrators; applications for accounts and declarations as to beneficial interests; common intention constructive trusts and proprietary estoppel; and breach of trust and *devastavit*.

Notable highlights include:

- appearing as sole counsel before the High Court in the prominent *Scherbakova* estate dispute in applications for the disclosure of further evidence and provision of witness statements on material points
- successfully preventing summary judgment against beneficiaries in a complex matter relating to a derivative claim against a debtor of an estate where the administrator was suspected of collusion with a third party and a conflict of interest
- advising on and appearing in an application for the court's approval of a complex intestacy settlement involving a minor (on-going)
- advising on a claim for a common intention constructive trust and rectification of transfer deeds in a high-value family property dispute (on-going)
- advising on prospects successful removal of an administrator and recovery where the administrator and former attorney of the deceased had spent

the deceased's money allegedly for care purposes but without providing proper account

SPEAKING AND PUBLICATIONS

Piers is very happy to provide panel talks, seminars, or classes to teams on those areas falling within his expertise. He has published case reviews for LexisNexis' Legal News on a number of prominent chancery decisions, including:

The thinnest of trusts (Re Smith; Ticehurst and others v Harbour Fund II LLP and others) (2023)

Authority, capacity, and duress in the world of states (The Law Debenture Trust Corporation plc v Ukraine) (2023)

Improper motives and administration (Re Aartee Bright Ltd (in administration)) (2023)

On findings of facts and fiduciaries (Fisher v Dinwoodie) (2023)

Sequels to Sequana—the boundaries of the duty to creditors (Hunt v Singh) (2023)

QUALIFICATIONS

2012-2016: BA in Politics, Philosophy, and Economics, Balliol College, University of Oxford (2:1)

2017-2018: GDL, City, University of London (with Distinction)

2018-2019: BPTC, City, University of London

2019-2020: LLM, Hughes Hall, University of Cambridge (with Distinction)

PRIZES AND SCHOLARSHIPS

- 2020: The EM Burnett Prize, awarded by Hughes Hall for performance in final examinations.
- 2018: The Richard Yorke Award, awarded by Gray's Inn for potential as an advocate

MEMBERSHIPS

The Honourable Society of Gray's Inn

POLICIES

Read Piers' [Privacy Notice](#), [Data Protection Policy](#) and [Disposal Policy](#).