

JOHN CHURCHILL

CALL: 2016

"Clear in his advice, giving assured guidance which exceeds his year of call."

LEGAL 500 2021

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John's practice is predominantly as a commercial and chancery practitioner, involved at all stages of proceedings in both the County and the High Court (and occasionally commercial disputes in the employment tribunal). John is frequently involved at all stages of proceedings from initial advice and drafting pleadings through to trials. John's experience in chancery work encompasses insolvency work and property and affairs proceedings in the Court of Protection.

The areas of work and disputes in which John has most frequent instructions include:

- Breach of contract disputes ranging from proceedings between large commercial companies on the provision of services to consumer rights disputes. John's work has a heavy focus on sale of goods cases but he is also regularly involved on construction work.
- Insolvency work at all stages of the insolvency process from winding up and bankruptcy petitions to examinations of bankrupts and actions brought by companies in liquidation. John is also involved on cases involving transactions at an undervalue and cases under s.212 Insolvency Act 1986. John is frequently instructed on the hearing of applications to set aside statutory demands.
- Commercial work involving companies, including Companies Act work and breach of fiduciary duty disputes.
- Proceedings in the Court of Protection which revolve around breach of fiduciary duties by deputies and attorneys

PRACTICE AREAS

- Commercial
- Insolvency
- Court of Protection
- Costs & Litigation Funding

COMMERCIAL

John's commercial practice is diverse, although it predominantly focuses on breach of contract disputes. He is frequently involved on the construction of contracts and cases concerning implied terms. The parties who instruct John on these cases vary, and he has been repeatedly instructed by large household names to advise on contractual disputes. However he is equally familiar with smaller scale work and is frequently instructed on cases involving the rights of consumers.

Other areas of commercial work in which John has experience include disputes between shareholders and Companies Act proceedings. A large portion of John's work comes from construction disputes. John also has experience of advising on financial services

INSOLVENCY

John has had experience of a wide spectrum of insolvency matters in both the personal and the corporate context. This has involved seeing domestic and cross-border insolvency work, with issues ranging from breaches of directors' duties and misfeasance to transactions at an undervalue and preferences.

Additionally John has acted in applications for insolvency practitioners in obtaining orders for sale, applications in bankruptcies and in applications to set aside statutory demands. He has also acted for companies in the insolvency context, particularly in resisting winding-up orders.

COURT OF PROTECTION

John acts at all stages of Court of Protection proceedings, in work involving both P's property and affairs and health and welfare. Although the main focus of John's practice in the Court of Protection involves property and affairs work, he is regularly instructed on health and welfare cases.

John has been instructed repeatedly by both the Official Solicitor and the Office of the Public Guardian. His cases often involve breaches of fiduciary duties by attorneys and deputies

COSTS & LITIGATION FUNDING

John is a member of the specialist costs team at Guildhall Chambers. As part of this team he advises on costs both as discrete issues in wider proceedings (for example on security for costs issues and wasted costs applications) and in assessment proceedings. John has a particular interest in disputes arising from the solicitor-client relationship.

John acted for the successful party in the recent decision of Master Leonard on the impact of cost estimates in *Newman v Gordon Dadds LLP* [2020] EWHC B23 (Costs).

RECOMMENDATIONS

CHAMBERS UK 2021

Commercial Litigation

'Clear in his advice, giving assured guidance which exceeds his year of call.'

Rising Star: Tier 1

EDUCATION:

- Bedingfield Scholarship, Gray's Inn
 - BPTC, University of Law, Birmingham
 - LLB, Durham Law School
 - Sullivan & Cromwell Prize Overall Performance
 - Forsters LLP Land Law Prize
 - Macfarlanes Trusts and Equity Prize
 - Vice-Chancellor's Scholarship for Academic Excellence
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