

## SAMUEL PARSONS

CALL: 2015

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Samuel is a specialist insolvency barrister. His practice spans corporate and personal insolvency, cross-border issues, and commercial matters that often include an insolvency element. He also has a strong track record in advising and representing clients in commercial matters outside of the insolvency sphere, including in banking and finance, debt recovery, and company work.

Samuel joined the insolvency team at Guildhall Chambers in December 2017 after successful completion of his pupillage at a specialist commercial and insolvency set, and a further period of training at Guildhall under the supervision of Simon Passfield. He has quickly established himself as a useful addition to counsel teams on larger and more complex matters, and is equally comfortable being instructed as sole counsel.

Alongside his practice, Samuel contributes to Tolley's Insolvency Law Service, in particular on the European Insolvency Regulation. He also contributes regularly to Lexis PSL on insolvency matters, and was a Senior Associate Teacher at the University of Bristol in 2018-19.

Before commencing pupillage, Samuel gained valuable experience by working at Enyo Law LLP, where he primarily assisted with a claim brought by the Libyan Investment Authority against Société Générale.

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## PRACTICE AREAS

- Insolvency
- Commercial

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## INSOLVENCY

Samuel is a specialist insolvency junior. His practice encompasses the full spectrum of advocacy and advisory work in domestic and cross-border insolvency issues, including personal and corporate insolvencies, claims brought against and on behalf of office-holders, and commercial and company claims with an insolvency element.

## SIGNIFICANT AND RECENT MATTERS

- Re DCL Hire Ltd (in liquidation) [2018] EWHC 3457 (Ch). Samuel acted for the respondent director (led by Hugh Sims QC) in this application to strike out a misfeasance claim on the grounds of conflict of interest. Deputy ICC Judge Schaffer declined to strike out the claim, but the respondent's concerns were noted and the Court directed that a copy of the judgment was to be provided to the joint liquidators' regulators.
  - Wards v Hendawi [2018] EWHC 1907 (Ch). Samuel successfully represented the respondent in an application to set aside a default judgment. HHJ Paul Matthews (sitting as a Judge of the High Court) held that there was no real prospect of the main defence based on change of position from succeeding, and there was no other good reason why the claim should be allowed to proceed.
  - Acting for a trustee in bankruptcy in a matter concerning the intersection of the Insolvency Act 1986 and a restraint order under the Criminal Justice Act 1988.
  - Advised on the interpretation of the re-vesting provision in section 283A of the Insolvency Act 1986, where a settlement had led to the bankrupt being granted a security interest over what had been his former family home.
  - Advised on the interpretation of a memorandum of understanding in a case concerning conflict liquidators.
  - Represented a claimant in a personal injury matter in the trial of a preliminary issue. The issue was whether the Limitation Act 1980 applied in a CVL case, where the company had been dissolved and subsequently restored back into its CVL status (awaiting appeal).
  - Advised and represented creditors and debtors in numerous winding-up petitions, bankruptcy petitions, applications to set aside statutory demands, and other types of insolvency application.
  - Advised on a range of misfeasance, wrongful trading, and preference/transaction at undervalue actions brought by office-holders against directors.
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## COMMERCIAL

Samuel has a flourishing commercial practice, and has acted for and advised parties in claims ranging from the small claims track to multi-million pound disputes. His attention to detail, persuasive advocacy, and creative solutions are valued by clients.

## SIGNIFICANT AND RECENT MATTERS

- Acting for a public authority in a multi-million pound claim based on a guarantee, raising issues of fraud, electronic signatures, the scope of an agent's authority, and recovery in a foreign jurisdiction.
  - Wards v Hendawi [2018] EWHC 1907 (Ch). Samuel successfully represented the respondent in an application to set aside a default judgment. HHJ Paul Matthews (sitting as a Judge of the High Court) held that there was no real prospect of the defence based on change of position from succeeding, and there was no other good reason why the claim should be allowed to proceed, notwithstanding that the applicant's case was that around 10 years had passed since he had discovered the claim form and judgment entered against him.
  - Non-contentious drafting of a number of commercial documents, including service contracts and charge documents.
  - Acting for claimants and defendants in a wide range of small claim matters, ranging from landlord and tenant cases to contracts between businesses for the provision of services.
  - Acting for a defendant property development company in a claim brought by solicitors for allegedly unpaid fees. The matter raises issues of overlapping claims and counterclaims, unjust enrichment, and undue influence.
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## APPOINTMENTS:

- Attorney General's Regional Panel of Junior Counsel to the Crown
  - Senior Associate Teacher, University of Bristol (2018-19)
  - TMA UK NextGen Bristol (committee member)
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## EDUCATION:

- LLM, Harvard Law School
  - BPTC, City University, London (Outstanding)
  - GDL, City University, London (Distinction)
  - BA in Music, University of Oxford (First Class)
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