MAITLAND

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ANDREW WESTWOOD KC

CALL: 1994 **KC:** 2022

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OVERVIEW

Described in Chambers and Partners as an "excellent commercial chancery silk" who is "extremely impressive both in terms of the quality of his advice and his level of service", Andrew has extensive experience of conducting litigation and advising across the spectrum of commercial chancery matters, including in particular insolvency, company law and charities. He has appeared in the full range of domestic courts, in specialist tribunals and in offshore jurisdictions.

EXPERTISE

COMMERCIAL LITIGATION & ARBITRATION

Andrew has wide experience in all aspects of commercial chancery work, including business disputes (both contractual and non-contractual), partnership, fiduciary obligations and equitable remedies. He has been described by Chambers & Partners as maintaining ***"an exceptional commercial chancery practice"***. Notable cases include:

- *LCIA Arbitration arising out of multi-million pound shareholder dispute. Settled just before six week trial.*
- *ACON Equity Management Ltd* v *Apple BIDCO Ltd* [2019] EWHC 2750 (Comm)
- *Caldero Trading Ltd Beppler & Jacobson Ltd* [2012] EWHC 1609 (Ch)

CIVIL FRAUD

Bringing and defending claims based on fraud, conspiracy and dishonesty, often involving applications for interim relief, including freezing orders, search orders and Norwich Pharmacal relief. Andrew was instructed by the liquidators of a number of Madoff feeder funds in connection with various pieces of litigation arising out of the largest Ponzi scheme in history. He has recently acted for the liquidators of a number of companies in their multi-million pound claim against accessories based on dishonest assistance, conspiracy and fraudulent trading. He has also acted for H.M. Revenue & Customs in connection with a substantial number of matters concerning Missing Trader Intra-Community Fraud. Notable cases include:

- ***Tradition Financial Services Ltd v Bilta (UK) Ltd*** [2025] UKSC 18
- ***Bilta (UK) Ltd (In Liquidation)*** v ***Tradition Financial Services Ltd*** [2021] EWCA Civ 221
- ***Bilta (UK) Ltd (In Liquidation)*** v ***SVS Securities Plc*** [2021] EWHC 36 (Ch)
- ***Bilta (UK) Ltd (In Liquidation)*** v ***SVS Securities Plc & Ors*** [2017] EWHC 135 (Ch)
- ***MFT Communications Ltd*** v ***HMRC*** [2014] UKFTT 248 (TC)
- ***HMRC*** v ***Purple Telecom Ltd*** [2013] UKUT 49 (TC), [2013] STC 1276
- ***Ixes (UK) Ltd*** v ***HMRC*** [2011] UKFTT 586 (TC)
- ***Business Management Concepts Ltd*** v ***HMRC*** [2011] UKFTT 520 (TC)
- ***HMRC*** v ***Begum*** [2010] EWHC 1799 (Ch)
- ***Procomm Ltd*** v ***HMRC*** [2010] UKFTT 561 (TC)
- ***Emblaze Mobility Solutions Ltd*** v ***HMRC*** [2010] UKFTT 410 (TC)
- ***Life Enterprises Ltd*** v ***HMRC*** [2009] UKFTT 340 (TC)

COMPANY & PARTNERSHIP

- Andrew advises and acts in a wide range of company law matters, including shareholders' rights and the duties of directors. He has particular expertise in the field of directors' disqualification and has appeared in many contested cases, including those arising out of a number of high-profile corporate failures. Andrew was a contributor to Mithani on Directors' Disqualification for many years and is now Advisory Editor. Notable cases include:
- ***OR*** v ***Atkinson*** [2020] EWHC 2839 (Ch)
- ***Re Keeping Kids Company*** [2021] EWHC 175 (Ch)
- ***Maria Puzitskaya & Ors St Paul's Mews*** [2017] EWHC 905 (Ch)
- ***Caldero Trading Ltd Beppler Jacobson Ltd*** [2012] EWHC 1609 (Ch)
- ***Re Luton Town Football Club Limited*** [2011] (acted for the Secretary of State in disqualifying four former directors of Luton Town FC)
- ***Secretary of State for Business Enterprise and Regulatory Reform Aaron*** [2009] Bus LR 809, [2009] 1 BCLC 55
- ***Secretary of State for Business, Enterprise and Regulatory Reform Amway*** (UK) Ltd [2009]
- ***Re Mea Corporation Ltd***[2007] 1 BCLC 618
- ***Rayley Company Ltd v Wang Kie Yik, BVIHCMAP 2022/0015***

- ***ReVintageHallmarkplc*** [2007] 1 BCLC 788
- ***Secretary of State for Trade and Industry*** v ***Goldberg*** [2004] 1 BCLC 597 (disqualification in relation to Crystal Palace Football Club)
- ***ReJAChapman&CoLtd*** [2003] 2 BCLC 206
- ***Re Promwalk Services Ltd*** [2003] 2 BCLC 305
- ***Re Phoneer Ltd*** [2002] 2 BCLC 241
- ***Re Britannia Home Centres Ltd*** [2001] 2 BCLC 63

INSOLVENCY & ASSET RECOVERY

All aspects of both corporate and personal insolvency, including technical issues under the insolvency legislation, transaction avoidance claims, proceedings by and against insolvency practitioners and cross-border issues. Andrew was instructed by the Official Receiver in relation to various aspects of the insolvency of the Carillion group. Notable cases include:

- ***Krys v Farnum Place LLC*** [2025] UKPC 43
- ***Re Speciality Steel UK Ltd*** [2025] EWHC 2882 (Ch), [2025] EWHC 2883 (Ch)
- ***Patley Wood Farm LLP v Kicks*** [2023] EWCA Civ 901, [2023] BPIR 1483
- ***Mond v Insolvency Practitioners Association*** [2023] EWHC 477 (Ch)
- ***Re Sovereign Hospitals Services Ltd*** [2018] EWHC 815 (Ch)
- ***Stichting Shell Pensioenfonds Krys*** [2014] UKPC 41, The Times, 1 January 2015
- ***Re Metrocab Ltd***[2010] EWHC 1317 (Ch), [2010] 2 BCLC 603
- ***Official Receiver*** v ***Pyman*** [2007] All ER (D) 25 (Mar)
- ***Barca Mears*** [2005] 2 FLR 1, [2005] BPIR 15
- ***Chauhan*** v ***Inland Revenue*** [2004] BPIR 862
- ***Egleton*** v ***Commissioners of Inland Revenue*** [2004] BPIR 476
- ***O'Brien*** v ***Commissioners of Inland Revenue*** [2000] BPIR 306

OFFSHORE & TRUSTS

Andrew is called to the Bar of the Eastern Caribbean Supreme Court (British Virgin Islands) and has appeared before both the High Court and the Court of Appeal there on numerous occasions in relation to insolvency, company and commercial matters. He has also advised in relation to such matters in the Cayman Islands (including claims under section 238 of the Companies Act) and the Channel Islands. In particular, Andrew has considerable experience of investment funds and has been instructed by the liquidators of a number of feeder funds in connection with various aspects of the fallout from the Madoff fraud and the conduct of the liquidations. He appeared in the Privy Council in appeals concerned with clawback claims against redeeming investors and anti-suit injunctions. Notable cases include:

- *Krys v Farnum Place LLC [2025] UKPC 43*
- *Sancus Financial Holdings Ltd v Holm* [2022] UKPC 41, [2022] 1 WLR 5181
- *Stichting Shell Pensioenfonds v Kry* [2014] UKPC 41, The Times, 1 January 2015 (anti-suit injunctions in insolvency)
- *Fairfield Sentry Ltd v Migani* [2014] UKPC 9, The Times, 1 May 2014 (clawback claims against redeeming investors)

- *Fairfield Sentry Ltd v Farnum Place LLC* (litigation arising out of the sale by liquidators of a claim under the US Securities Investor Protection Act)

CRYPTOASSETS

Andrew has acted in relation to issues arising in the liquidation of the crypto hedge fund, Three Arrows Capital.

CHARITIES

Andrew has been recommended in the legal directories for many years for his expertise in charity law. He has been described in Chambers UK as having ***"an outstanding grasp of charity law and corporate know-how"*** and as being ***"extremely practical and clear-thinking"***. As well as advising and acting for individual charities and charity trustees on a whole range of issues, both contentious and non-contentious, Andrew has also acted for the Attorney General and the Charity Commission on charity matters. In addition, he has lectured and spoken on aspects of charity law and is a member of the Charity Law Association. Notable cases include:

- ***Human Dignity Trust*** v ***Charity Commission for England and Wales*** (acting for charities interested in Human Dignity Trust's appeal against the Commission's refusal to enter it on the register of charities)
- ***Attorney General Charity Commission for England and Wales*** [2012] UKUT 420 (acting for a number of charities in relation to the Attorney General's Reference relating to charities for the relief of poverty)
- ***Dunsfold Church of England School Trust,*** (proceedings in the Charity Tribunal relating to a scheme made by the Commission)

Andrew has substantial experience in connection with all aspects of contentious trusts and estates, including offshore trusts. His experience in this field includes trusts in a commercial setting (both express and remedial/ constructive), particularly in the context of fraud and/ or insolvency.

PRIVATE CLIENT

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DIRECTORY QUOTES

"Andrew combines a thoughtful and pragmatic approach with being a highly effective advocate in court. He is calm, responsive, and he is a real pleasure to work with."

Legal 500 English Bar Offshore (2026)

"Andrew is first-rate. He has an attractively concise advocacy style, and does not miss a point".

Legal 500 - Commercial disputes (2026)

"Andrew is excellent. He is a real team player and he doesn't get flustered under pressure".

Chambers UK - Charities (2026)

"Andrew is an excellent advocate and easy to work with."

Chambers UK - Charities (2026)

" Andrew is a good trial advocate, thorough & a pleasure to work with".

Legal 500 - Charities (2026)

"He has an intellectual style with no theatrics".

Chambers UK - Restructuring / Insolvency (2026)

"A very good technical practitioner who has the respect of the court".

Chambers UK - Restructuring / Insolvency (2026)

"His advocacy is succinct with incredible clarity".

Chambers UK - Restructuring / Insolvency (2026)

'Excellent advocate, user friendly and hard working'

Legal 500 (2025)

"Andrew is supremely user-friendly and approachable, and completely unflappable even in the face of unique and novel circumstances which are untested before the courts."

LEGAL 500 INSOLVENCY (2024)

"Andrew Westwood is an excellent commercial chancery silk. He provides wise counsel and is an attractively concise advocate who is popular in the Caribbean."

CHAMBERS UK OFFSHORE (2023)

"Extremely impressive both in terms of the quality of his advice and his level of service. He provides advice that is accessible to the client and enables them to move forward in a constructive way."

CHAMBERS UK CHARITIES (2023)

"He's been working in the field a long time." "Andrew is very, very good."

Chambers UK Charities (2022)

"Reassuring, knowledgeable and good at anticipating what the Charity Commission is thinking." "He is pleasant to deal with and produces advice which is always clear, practical and based on good knowledge of the subject."

Chambers & Partners Charities (2020)

"Pragmatic, knowledgeable and accessible."

Chambers & Partners Charities (2019)

QUALIFICATIONS

- MA (Oxon)

MEMBERSHIPS

- Chancery Bar Association
- COMBAR

- Charity Law Association

NOTABLE CASES

- *Kenneth M. Krys v Farnum Place LLC, Eastern Caribbean Court of Appeal*
- *Patley Wood Farm LLP v Kicks [2023] EWCA Civ 901*
- *Keeping Kids Company*
- *Maria Puzitskaya & Ors v St Paul's Mews (2017)*
- *Bilta (UK) Ltd (In Liquidation) v TFS (2023)*
- *Fairfield Sentry Ltd v Migani & Ors (2014)*
- *Caldero Trading Ltd v Beppler & Jacobson Ltd & Ors (2012)*
- *Nigel Grogan v Revenue & Customs Commissioners (2010)*
- *In The Matter Of Metrocab & In The Matter Of Frazer Nash Technology v Revenue & Customs (2010)*
- *Secretary of State for Business Innovation & Skills v Aaron (2009)*
- *Life Enterprises LTD v Revenue & Customs Commissioners (TC00281) (2009)*
- *Gel P Grogan v Revenue & Customs Commissioners (TC00187) (2009)*
- *Secretary of State for Business, Enterprise & Regulatory Reform v Charter Financial Solutions Ltd*
- *Secretary of State for Business, Enterprise & Regulatory Reform v Amway (UK) Ltd (2009)*
- *Secretary of State for Business Enterprise & Regulatory Reform v Aaron (2008)*
- *Secretary of State for Business, Enterprise & Regulatory Reform v Amway (UK) Ltd (2008)*
- *Secretary of State for Business Enterprise and Regulatory Reform v Aaron (2008)*
- *Re Vintage Hallmark PLC; Secretary of State for Trade & Industry v Grove*
- *Re Mea Corporation Ltd; Secretary of State for Trade & Industry v Aviss*
- *H M Revenue and Customs v Hyde Industrial Holdings Ltd (2006)*
- *Barca v Mears (2004)*
- *Official Receiver v Ohayon*
- *Chauhan v Inland Revenue Commissioners*
- *Egleton v Inland Revenue Commissioners (2003)*
- *Secretary of State for Trade & Industry v Goldberg*
- *Re J A Chapman & Co Ltd*
- *Re Promwalk Services Ltd*
- *Re Phoneer Ltd*
- *Ashworth Frazer Ltd v Gloucester City Council*
- *Re Britannia Homes Centres Ltd*
- *Ashworth Frazer Ltd v Gloucester City Council (1999)*
- *Khazanchi v Faircharm Investments Ltd : McLeod v Butterwick (1998)*