

## EDLYN LIVESEY

CALL: 2020

[elivesey@maitlandchambers.com](mailto:elivesey@maitlandchambers.com) Email Clerks



## OVERVIEW

Edlyn has a thriving commercial chancery practice and accepts instructions across all of Chambers' practice areas, including commercial, civil fraud, company, partnership, insolvency, real estate and private client. She has appeared regularly led and unled in the High Court and the County Court.

Edlyn is an attractive choice of junior for large-scale commercial disputes, having worked for Rolls-Royce for six years prior to her legal training. Her non-legal experience includes working in the aviation, shipping and energy industries; undertaking secondments in Singapore and the USA; and, as a Commercial Manager, negotiating and assisting with delivery of Rolls-Royce's flagship contracts for supply to Hinkley Point C nuclear power station, the UK's first nuclear new-build in a generation. She offers commercial nous, creativity, diligence and a strategic mindset; and is comfortable dealing with disputes with an engineering, technology or construction angle.

Edlyn read English Language and Literature at Balliol College, Oxford. She completed her GDL and BPTC at City, University of London, and has taught Contract Law on the City GDL course. She was called to the Bar as a Stephen Chapman Scholar, the Inner Temple's second most prestigious award.

## EXPERTISE

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### CIVIL FRAUD

Many of Edlyn's cases include a civil fraud element. She has acted for clients making and defending serious allegations, including of breach of fiduciary duty, fraudulent breach of trust, unjustified dissipation, bribery, duress, undue influence, forgery and shams, and has advised and/or appeared on applications for interim relief based on this type of allegation (including on an urgent basis). Examples include:

- Recently appeared in the trial of a preliminary issue in an ICC arbitration in a fraud claim worth c.£1 billion (led by Andrew McLeod).
- Acted for the successful applicant in ***Foundation Stimm v King & Spalding International LLP and others*** [2025] EWHC 1067 (Ch), obtaining orders for disclosure of allegedly privileged documents on the basis that they were more likely than not on the material available to have been made as part of or in furtherance of iniquity (led by [Siward Atkins KC](#)).
- Acted for a member of the Al-Sanea family, a prominent Saudi family, to assist with preparing grounds of appeal from the decision in ***Al-Subaihi v Al-Sanea*** [2021] EWHC 2609 (Comm) including on issues of breach of fiduciary duty, duress, undue influence and contract construction (led by [James Aldridge KC](#) and [Duncan McCombe](#)).
- Represented the defendants in the long-running ***Koza*** litigation, opposing amendments to an interim regime governing the company's management pending resolution of a dispute over its control and the grant of anti-suit and disclosure orders (led by [Siward Atkins KC](#)).
- Advised on cost-effective options for attempting to recover a client's life savings, which appeared to have been transferred to a fraudulent investment scheme (unled).
- Advised on an urgent basis on varying a without notice freezing injunction which had been obtained shortly before the start of a one-week trial to enable the client to release sufficient funds to pay for legal representation at trial (pro bono; unled).

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## COMMERCIAL LITIGATION & ARBITRATION

Commercial litigation is a core part of Edlyn's practice and she is instructed regularly (led and unled) in large-scale disputes and in smaller matters. Examples include:

- Recently appeared in the trial of a preliminary issue in an ICC arbitration in a fraud claim worth c.£1 billion (led by Andrew McLeod).
- Successfully obtained permission to appeal to the Court of Appeal (led by [Siward Atkins KC](#)) following refusal of relief from sanctions for breach of an unless order and the very late adjournment of an issue following trial (appeals pending).
- Acted in a long-running LCIA arbitration concerning a shareholders' dispute involving wide-ranging commercial issues, which settled shortly before the start of a six-week trial (led by [Andrew Westwood KC](#) and [Rebecca Page](#)).
- Assisted with a two-week trial in the BVI concerning the construction of a New York law agreement to purchase shares in a Caribbean energy company (led by [David Mumford KC](#)).
- Successfully defended a major national charity at trial against a claim alleging breach of contract (unled).
- Represented a football club in a contractual claim against the club's former sponsors (unled).
- Appeared for a classic car dealership at an interim hearing to determine whether a claim alleging unreasonable refusal of consent to an assignment should proceed by way of Part 7 or Part 8 (unled).

- Advised on and drafted particulars of claim against an FCA-regulated investment firm to recover the unpaid proceeds of a securities transaction (unled).
- Represented various high street banks in claims by or against individuals, including under the Consumer Credit Act 1974 and to recover sums credited incorrectly under the Direct Debit Guarantee Scheme (unled).

Edlyn has appeared many times unled in procedural hearings, mainly in a commercial context, including on summary judgment, strike out, setting aside default judgment, setting aside orders made without a hearing, amendment, addition of parties, extension of time, adjournment, costs budgeting, directions, specific disclosure and restraining the use of privileged documents.

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## COMPANY & PARTNERSHIP

Company and partnership work is a significant part of Edlyn's practice. Examples of her experience include:

- Represented the claimant in a dispute over a family partnership which had run a number of pubs and off-licences in south London (partly unled and partly led by [Maxim Cardew](#)).
- Currently instructed on an unfair prejudice petition (led by [Rebecca Page KC](#)).
- Other shareholders' disputes, including the long-running **Koza** litigation (led by [Siward Atkins KC](#)) and an LCIA arbitration which settled shortly before the start of a six-week trial (led by [Andrew Westwood KC](#) and [Rebecca Page](#)).

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## INSOLVENCY & ASSET RECOVERY

Edlyn has often been instructed in insolvency matters. Her experience includes:

- Appearing for the applicant shareholders on an urgent application to rescind or stay winding up orders against 21 group companies involved in the development of the Royal Albert Dock in London (led by [Siward Atkins KC](#)).
- Corporate winding up, including disputed debts and applying urgently to restrain presentation of a winding up petition.
- Bankruptcy annulment.

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## OFFSHORE & TRUSTS

Edlyn is happy to assist with offshore work. She has experience of cases in the BVI and/or raising issues of BVI law (led by **David Mumford KC**).

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## REAL ESTATE

Edlyn has acted on a range of real estate matters including possession proceedings (including mortgage regulation issues); 1954 Act lease renewals; TOLATA proceedings; dilapidations; claims for rent arrears and damages; and fraud and professional negligence claims in a conveyancing or property development context. She also has experience from her pupillage of leasehold covenants; freehold covenants; proprietary estoppel; constructive trusts over land; rentcharges; and injunctions against persons unknown to restrain trespass.

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## PRIVATE CLIENT

Edlyn's experience includes:

- Removal / replacement of personal representatives under s.50 Administration of Justice Act 1985 and/or s.116 Senior Courts Act 1981.
- Dealing with difficult issues of capacity, including appearing on an urgent application to adjourn a one-week trial on the basis that her client might lack capacity and assisting with arranging a capacity assessment and appointing a litigation friend (unled) and appearing for an equity release finance provider opposing allegations that a trust deed was void or should be set aside because the deceased settlor had allegedly lacked capacity and/or had been unduly influenced (unled).

## MEMBERSHIPS

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- Chancery Bar Association
- COMBAR
- Property Bar Association
- Professional Negligence Bar Association
- Contentious Trusts Association

## QUALIFICATIONS

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- MA (Oxon) English Language and Literature
- GDL (Distinction)
- BPTC (Outstanding)

## AWARDS

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Stephen Chapman Scholarship, Inner Temple (2019)

GDL Exhibition Award, Inner Temple (2018)

## NOTABLE CASES

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