

## L J West-Knights QC

**Silk year: 2000**

**Email:** [laurie.west-knights@hailshamchambers.com](mailto:laurie.west-knights@hailshamchambers.com)

**Phone:** 020 7643 5000



Laurie West-Knights QC is the head of the Hailsham Commercial Group and his practice covers a wide area of commercial work with some aspects of professional negligence. His specialisation is not subject-specific: it is the conduct of litigation and arbitration (and Competition Appeal Tribunal) work which requires the analysis, understanding, absorbing and deployment of complex and often highly-detailed and technical material coupled with sound and astute commercial and legal judgment. His command of his cases and (hence) his persuasion and cross-examination skills mark him out as a leader in the field.

## Practice Profile

### Commercial Litigation and Arbitration

As stated, Laurie West-Knights QC conducts litigation and arbitration in a very wide range of commercial fields including, recently, shipping, CAR, competition, unfair prejudice, contractual construction, domestic and foreign emergency remedies, nano-technology, mobile telephone software, bundled telecomms software, land transfer disputes, fiduciary duties, cross-border performance bonds, flotation disputes.

In the course of that work he is instructed by all types of firm, large and small.

### Professional Negligence

Recent work includes taking to successful mediation, on behalf of an individual claimant, a highly complex solicitors' negligence action arising out of the (mis)conduct of domestic and foreign proceedings in respect of off-shore intellectual property.

### Personal Injury

Since taking silk Laurie has done less PI work but remains available (and sufficiently abreast) for leading in high-value cases and has in the recent past conducted a 7-figure brain-damage case for Defendant insurers to a satisfactory round-table settlement.

### Competition

Laurie acted for Allsports Limited in the "replica football kit" case in the CAT, the first case in the CAT involving complex fact-based issues as well as key issues of European and domestic competition law. He also acted recently in an IP arbitration involving cross-border competition issues.

## Further information

**Year of silk:** 2000

**Specialist areas:** commercial litigation and arbitration, professional negligence and competition law

**Education:** Emmanuel College, Cambridge: economics and law

**Appointments:** Recorder (civil and criminal); Master of the Bench, Gray's Inn

**ADR:** FCIArb 1993

**Committees:** Founder Trustee of BAILII. Chair of IT Industry enquiry "Getting IT right for Government"

## Significant cases

*CFH Total Document Management Limited -v- (1) Océ (UK) Limited (2) National Australia Group Europe Limited*, contractual claims under IT services and printing contracts for Yorkshire and Clydesdale Banks.

*Platsp Realisations Ltd and others v Nicky 2 LLP and others* - dispute on Asset Sale agreement. QB

*Goldschmidt & Howland Ltd v Halliday*, alleged secret profits and claim for accounts. QB

*Re Greenwoods Menwear Ltd*: various disputes re statutory demands including emergency injunction to restrain winding-up petition..

*The Lady Marah, The Ramah H*, GAFTA quality disputes

*Geospaw v Erontrans* CMR dispute

[confidential] £40m land/development contract

*Eggborough Power v Borthwick and others*. Breach of fiduciary duty by Project Manager. Conducted for Claimant from inception to judgment against Defendant.

*Mobestar v Applabs* (settled): quality dispute over design and implementation of software for mobile phone dating service

[confidential] - arbitration over nano-technology patent licensing issues

[confidential] - pending dispute over development and use of bundled telecommunication services

*Mitchell v Sullivan* - solicitor's negligence action involving domestic and foreign freezing orders

*Pochin's plc v Eatonfield Holdings* - action on a guarantee connected with a Bahamian joint venture agreement

*Eggborough Power Ltd v Borthwick and others* - existence and extent of fiduciary duties

*Re Fincantieri Navale SpA* - dispute over performance bonds

[Confidential] - Restrictive covenants and IP licensing

*Bence v Harris*. QBD. High-value PI

*Re [a company]*: s459 petition for buy-out/*Foss v Harbottle* leave

*Doro UK v Moss*. Construction, indemnity, share sale, appeal to QB

*Allsports v OFT*. In the Competition Appeal Tribunal: replica football shirt price-fixing, appeal on "liability" and penalties.

*Findel plc and ors v White Arrow Express Ltd and anor*. Merc Ct. Contract, carriage by road, UCTA, pre-action disclosure.

*Unicorn Entertainments*: contingency/flotation of business of Michael Flatley

*Francis v Gregson and anor* QBD. Issue estoppel, res judicata, contribution, third parties

*Taylor v Anderson and anor*. CA. Limitation and striking out

*C and anor v M*. Advice on multi-million claim re investment mismanagement. Contract, quantum, mitigation, trustees' duties, fund manager's negligence.

*British Gas Exploration v ICL*. TCC. Contract, facilities management. Material breach. Construction.

*Burt v Seascope*. QBD. Decompression sickness, diving systems.

*Siebel Inc v Vignette Inc*. ChD. Contract. covenants in restraint of trade

*Fernwood Inc and anor v Lloyds underwriters*. Merc Ct. Fire insurance, non-disclosure, misnomer, materiality, risk assessment, waiver. Broker's negligence

*Fernback and others v Hardback and others*. Arbitration and ChD. Contract, rectification.

*Quantica and anor v Jones and ors*. Merc Ct. Share sale, breach of confidence, theft of database, clandestine 'phoenix' companies, search and freezing orders, self-incrimination

*Malthurst v Swayfields*. QBD. Contract. Petrol sales

*Cott Beverages v Hydrogas*, Comm Ct.. Quality dispute; benzene contamination of CO<sub>2</sub>, workings of CO<sub>2</sub> /ammonia plant, micro-constituents of N Sea gas. Contract, UCTA, economic torts

*Amerada Hess v Motherwell Fabricators Ltd and Corrocoat Ltd*. Comm Ct. Quality of anti-corrosion chemicals used in deep North Sea oilfield vessels. Contract, UCTA.

[Names confidential] Advice re setting aside ICC arbitral award relating to power station contract in Pakistan

*Seer Technologies Inc and anor v Cambridge Business Solutions and anor* ChD and CA (twice). Software licensing, interlocutory injunctions, enquiry on cross-undertakings

*Heaven v KPMG*. QBD and CA. Contract. Accountants negligence

*Hambro v Al Rawi*. Comm Ct. Share sale fraud

## Publications and lectures

Writes [www.LawOnLine.cc](http://www.LawOnLine.cc)

"How to Underwhelm the Court and Snatch Defeat from the Jaws of Victory": a complete guide on how not to litigate

Jordan's "Civil Court Service" - major contributor since 1999

Many lectures and talks on using the WWW to improve access to the law, associated with Laurie's role as a founder of [www.bailii.org](http://www.bailii.org)

## What others say

Consistently ranked Leading Silk, *Chambers UK*

"Handling a combination of civil and commercial duties at Hailsham Chambers, LJ West-Knights QC is adept at dealing with big fishes in the commercial world. He has carved out a niche in IT and technology-related disputes." *Chambers UK 2010*

"This 'talented and firm' barrister has been handling a negligence claim against a solicitor relating to the lawyer's conduct of international litigation" *Chambers UK 2009*

"...recommended is LJ West-Knights QC at Hailsham Chambers, who comes highly commended for injunctions and proceedings arising from contractual claims." *Chambers UK 2008*

"combines exceptional attention to detail and strong tactical judgment and cross-examination skills...as adept in mediation and arbitration as he is in litigation..." *Chambers UK 2007*

"one of the most thorough and tenacious silks you could hope to have on any case...a fantastic cross-examiner...very clever...and he has real court-room presence" [*partner, major firm*]

"We got a very good result. He's a star - v.v. bright and extremely user-friendly" [*partner, major firm*]

"'Serious cross-examiner' LJ West-Knights QC at Hailsham Chambers attracted the comment that '..... and he is intellectually able too.'" *Chambers UK*

## Personal info

3 children (17, 15, 8). Interests include diving, motorcycling, cricket, sailing and skiing.

---