

Olivia Chaffin-Laird

Call: 2001

"Olivia is highly intelligent and a quick thinker. She doesn't shy away from a firm opinion and is accessible, responsive and incredibly easy to work with."

Legal 500 2024 – Commercial Litigation



Olivia Chaffin-Laird has developed a strong practice, as a specialist Business & Property law practitioner.

Expertise

Business & Property

Olivia Chaffin-Laird is a specialist in the following areas:

Banking, Finance & Financial Regulation

Banking and financial disputes constitute a major part of Olivia's practice. She has acquired significant experience in the financial services sector acting for large groups of investors who have received negligent financial advice and who have been financially devastated as a result of collapsed funds and schemes.

Olivia has uncompromising standards and is utterly committed to her cases, her conscientious approach is well suited to complicated finance, fraud and deception cases. She is recognised for her meticulous preparation and attention to detail, combined with thorough and tenacious advocacy and yet retains a down to earth and pragmatic approach to both people and their disputes.

Olivia has extensive experience of litigation involving all aspects of retail and commercial banking. She has been involved in cases regarding interest rate swaps and misrepresentation. Other subject matters include cheque conversion, breach of mandate, bailment and a variety of disputes concerning the enforceability of securities, including guarantees and mortgages.

She has developed the ability to digest complex reports as well as detailed financial statements and enjoys the challenge of explaining difficult issues in terms acceptable to, and understandable by, her client. She provides a clear, analytical approach with a degree of pragmatism. She appreciates that where there are implications for directors both advice and case management must

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be robust.

She has in depth experience in a wide variety of failed funds and investments including Harlequin, Sustainable Growth Group in Cambodia, Alpha Bank, Cyprus, Unregulated Collective Investment Schemes and Ready2Rent/Ready2Invest in Croatia, Bulgaria and Montenegro.

Olivia is frequently instructed in cases of varying sizes and degrees of complexity, both on her own and as part of a larger team. They are often high value and high stake.

Recent instructions include:

- for multiple investors [960] in property development overseas through the Harlequin Scheme following negligent advice in the UK leading to investment in property in St Vincent and the Grenadines, Barbados, the Dominican Republic and St Lucia;
- for 38 investors in a scam in the UK whereby they were sold parcels of land with planning permission when in fact the owner did not have title to the land, planning permission had not been obtained and in any event the plots were landlocked with no access;
- for investors in a development in Spain against their UK lawyers who encouraged them to part with funds before having satisfied themselves the seller had good, unencumbered title when it subsequently transpired there were two undischarged mortgages against the property and the vendor being unable to satisfy those liabilities;
- for hundreds of investors in response to a claim brought against them by Alpha Bank, Cyprus following investments in property in Cyprus. The claim included allegations of professional negligence against their professional advisers in the UK, for negligence and conflict of interest against their appointed lawyers in
- Cyprus and allegations of fraudulent documentation;
- provided advice to investors following their receipt of negligent advice before investing through SGG in jatropa seeds in Thailand;
- advised multiple investors following negligent advice to invest in an unregulated collective investment scheme, namely property in Croatia, Bulgaria and Montenegro via Ready2Rent/Ready2Invest. The claim also included a claim against the company charged with managing and overseeing the investment;
- acting for a banker alongside his employer, a bank in Dubai and Switzerland, and solicitors, both as a firm and individually, in a 9 week trial following the claimant being duped to invest 100million euros. The claim gave rise to arguments concerning money laundering, breach of trust, dishonest assistance, professional obligations of solicitors and fiduciary duties of banks and their employees;
- involved in a claim brought by a company against RBS alleging negligent and fraudulent advice to enter into products that were neither suitable nor appropriate as defined by COBS.

She was on the panel of nominated counsel for risk warning, an organisation which aims to assist investors that have been wronged and further seeks to attempt to clean up the industry for financial services along the way.

She has experience of mediation including those requiring concise financial arguments in order to support settlement proposals.

Company & Partnership

Olivia has developed a strong commercial chancery practice which frequently dovetails with both insolvency and company and partnership matters. She is recognised as a good communicator, not only as an advocate but also in conference with solicitors and clients. She has sound commercial understanding and has been commended for her down to earth and pragmatic approach to both people and their disputes. She enjoys the challenge of explaining complex issues in terms acceptable to, and understandable by, her client and provides a clear, analytical approach with a degree of pragmatism. She appreciates that where there are

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She regularly provides advice, advocacy and drafting in a wide range of both company law and partnership disputes. This includes allegations of misfeasance, disqualification of directors, fraudulent and wrongful trading, company administrations, insolvent partnerships, minority shareholder disputes and litigation following the breakdown of a partnership.

In her capacity as Junior Counsel to the Crown (Regional Panel) she frequently acts for the Secretary of State in insolvency and company/partnership matters including company directors' disqualification proceedings, BROs and in public interest winding up petitions.

Olivia has experience of mediation including those requiring concise financial arguments in order to support settlement proposals.

Commercial Litigation

Olivia has developed a strong commercial chancery practice which frequently dovetails with both insolvency and company and partnership matters. She is recognised as a good communicator, not only as an advocate but also in conference with solicitors and clients. She has sound commercial understanding and has been commended for her down to earth and pragmatic approach to both people and their disputes. She enjoys the challenge of explaining complex issues in terms acceptable to, and understandable by, her client and provides a clear, analytical approach with a degree of pragmatism. She appreciates that where there are implications for directors both advice and case management must be robust.

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Olivia has experience of mediation including those requiring concise financial arguments in order to support settlement proposals.

Insolvency

Olivia has developed a strong commercial chancery practice which frequently dovetails with insolvency matters. She is recognised as a good communicator, not only as an advocate but also in conference with solicitors and clients. She has sound commercial understanding and has been commended for her down to earth and pragmatic approach to both people and their disputes.

She regularly provides advice, advocacy and drafting in the following areas of corporate insolvency: allegations of misfeasance, fraudulent and wrongful trading, company administrations, corporate and individual voluntary arrangements, voluntary and compulsory liquidations, statutory demands, insolvent partnerships, receiverships and administrative receiverships, transactions at an undervalue, substitution of petitioning creditors and supervening applications for administration orders. Clients include banks, lending institutions, accountants, major companies, and bond holders.

In her capacity as Junior Counsel to the Crown (Regional Panel) she frequently acts for the Secretary of State in insolvency matters including company directors' disqualification proceedings, BROs and in public interest winding up petitions. She is fully conversant with the substantial changes to bankruptcy law brought in by the Enterprise Act 2002.

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Olivia also acts in matters of personal insolvency. She has acted for trustees in bankruptcy, supervisors/nominees in IVAs, as well as insolvency practitioners, debtors, creditors and bankrupts. She has extensive experience of contested statutory demands, bankruptcy petitions, contested annulment of bankruptcy proceedings, transactions at an undervalue and transaction avoidance and applications by trustees in bankruptcy and those concerning IVAs and CVAs.

Professional Negligence

Olivia represents clients in respect of Professional Negligence claims arising in the areas of Chancery and Commercial law in which she practices with financial services being a particular specialty. She represents both claimants and professional advisers in defending such claims.

Olivia has uncompromising standards and is utterly committed to her cases, her conscientious approach is well suited to complicated finance, fraud and deception cases. She is recognised for her meticulous preparation and attention to detail, combined with thorough, robust and tenacious advocacy and yet retains a down to earth and pragmatic approach to both people and their disputes. She has developed the ability to digest complex reports as well as detailed financial statements and enjoys the challenge of explaining difficult issues in terms acceptable to, and understandable by, her client. She adopts a clear and analytical approach with pragmatism in abundance and has been commended for her down to earth approach.

She is experienced in advising and appearing both for and against financial institutions and in advising in financial disputes including cases where customers have suffered the consequences of misrepresentation and breach of lending agreements. She has extensive experience of disputes affecting financial services professionals and consumers and in particular claims for breach of duty by IFAs.

More recently in 2013 she has been instructed in multi-party litigation against individuals, banks and other financial institutions both in the UK and overseas on behalf of investors seeking recompense following illegal or negligent advice. These include those investors in property in Cyprus being pursued by Alpha Bank and further investors in property in Croatia, Bulgaria and Montenegro via Ready2Rent/Ready2Invest.

She is on the panel of nominated counsel for risk warning, an organisation which aims to assist investors that have been wronged and further seeks to attempt to clean up the industry for financial services along the way. Further details can be found at www.riskwarning.co.uk.

Awards



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Memberships

- Midlands Chancery and Commercial Bar Association [MCCBA]
- Commercial Bar Association [COMBAR]
- Technology and Construction Bar Association [TECBAR]

Appointments

- January 2013: Junior Counsel to the Crown Chancery, Commercial, Insolvency
- January 2008: Treasury Counsel in the Midlands Chancery, Commercial, Insolvency, Property

Qualifications

- LLB Europe with French
- Universite de Montpellier – Diplome de droit francais fondamentale

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