

DAVID OLIVER Q.C.

Called: 1972 Silk: 1986

Profile:

Prior to his taking Silk in 1986, David had developed a wide-ranging junior practice and had been for 6 years the Standing Counsel to the Director General of Fair Trading, in the course of which he acted on the reference relating to the Stock Exchange which led to measures for reform implemented as 'Big Bang'. As a Q.C. David has been involved in much of the large-scale litigation of the past decade and has established himself as one of the leading advocates of his generation.

Education:

Westminster School; Trinity Hall Cambridge; Institut d'Etudes Europeennes, Brussels. BA Cantab (2:1), Licence Special en droit European.

Languages:

He speaks fluent Spanish, and has a good working knowledge of French, including legal French.

Recently reported cases:

Amongst the more notable cases in which he has acted in silk are:

- acting for Guinness in connection with the aftermath of the Distillers takeover, in civil claims against Saunders et al and before the Takeover Panel;
- acting for Johnson Matthey in claims against auditors following its insolvency;
- acting for Price Waterhouse in connection with its role as auditors of BCCI, and claims arising after the collapse of BCCI (representing PW before the Bingham Inquiry, and in disciplinary proceedings brought by the Institute of Chartered Accountants, securing their stay);
- acting for liquidators of Polly Peck plc in claims to recover misappropriated assets;
- acting for Reed plc, Pearson plc, Granada plc and Chargeurs Reunis in connection with the financing of BSB and subsequently BSKyB, and various pieces of litigation arising out of the financings;
- acting for the Fayed brothers in connection with their litigation against Lonrho plc;
- acting for Macmillan Inc and Swiss Bank Corporation in connection with claims arising out of the collapse of Robert Maxwell's corporate empire;
- acting for the successful Plaintiff in Banque Financiere de la Citie v. Parc (Battersea) Ltd. (HL).
- acting for Lord Palumbo in connection with his family trusts.

Whilst as Junior Counsel, his notable cases include:

- action for Liquidators of London & County Securities in claims against former directors and auditors;
- acting for Johnson Firth Brown re its proposed takeover of Dunford & Elliot;

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- acting for DGFT in relation to the references of ABTA, the Stock Exchange, RICS. In particular he was closely involved in the preparation of the measures which were implemented as "Big Bang";
- acting for Liquidators of Court Line re its arrangements for the repatriation of travellers after its collapse;
- acting for working miners re the NUM strike (secured the removal of Arthur Scargill et al trustees of the NUM and the appointment of receivers to the Union);
- acting for solicitors holding funds misapplied from Lloyds Names.

Selected cases originating in Hong Kong include:

- Chong Kai Tai & Anor v. Lee Gee Kee & Anor. Privy Council 1997-1 HKC 359
- Wu Koon Tai & Anor. v. Wu Yau Loi Privy Council [1997] AC 179
- Tan Man Sit (decd) (personal representatives) v. Capacious Investments Ltd. Privy Council [1996] 1 AC 514
- Attorney General for Hong Kong v. Reid & Ors. Privy Council [1994] 1 AC 324
- Markfaith Investments Ltd. v. Chiap Hua Flashlights Ltd. Privy Council [1991] 2 AC 43
- BBMB Finance (Hong Kong) Ltd. v. Eda Holdings Ltd. & Ors. Privy Council [1990] 2 HKLR 74, [1990] 1 WLR 409
- Cheung Donald Quintin & Ors. v. Fester Corp. Ltd & Ors. High Court 1987-3 HKC 270
- Re. Liquidators of Carrion Holdings v. Price Waterhouse Instructed for Price Waterhouse throughout the proceedings until settlement.

Case List:

Indcastle Ltd. v. Barbara Attenborough Associations Ltd. and others

Meghraj Bank Ltd. v. Arsiwalla

Attorney General for Hong Kong v. Reid and others

R. v. Institute of Chartered Accountants in England & Wales and others

Macmillan Inc. v. Bishopsgate Investment Trust Plc and others

Kelly v. Cooper and another

Securities and Investments Board v. Pantell SA and others (No. 2)

Re Polly Peck International Plc

R. v. Panel on take-overs and mergers, ex parte Fayed and others

ISC Technologies Ltd and another v. James Howard Guerin and others

Polly Peck International Plc v. Nadir and others

Standard Chartered Bank v. Walker and another

TSB Bank Plc v. Walker and another

Jasaro SA v. Standard Chartered Bank Plc and others

Polly Peck International Plc v. Nadir and others (No.2)

R. v. The Secretary of State for Trade and Industry Ex Parte Lonrho Plc

Price Waterhouse (A Firm) v. BCCI Holdings (Luxembourg) SA and others

R. v. Football Association Ltd, Ex Parte Football League Ltd

Football League v. Football Association Ltd

Lonrho Plc v. Fayed and others

Lonrho Plc v. Fayed and others (No. 2)

City Index Ltd v. Leslie

Re Cleveland Trust Plc

Re Charnley Davies Ltd (No. 2)

Markfaith Investment Ltd v. Chiap Hua Flashlights Ltd

Guinness Plc v. Saunder

BBMB Finance (Hong Kong) Ltd v. EDA Holdings Ltd and others

Director General of Fair Trading v. Buckland and another

Lonrho Plc v. Secretary of State for Trade and Industry and another

BYNG v. London Life Association Ltd and another

R. v. Panel on take-overs and mergers

Guinness Plc v. Saunders and another

Re Charnley Davies Ltd

In Re Tucker (A Bankrupt) [No. 1361 of 1985]

Re Tramway Building and Construction Co Ltd

Smith and Others v. Croft and Others

Smith v. Croft

Re P. Turner (Wilsden) Ltd

Chancery Lane Developments Ltd v. Wades Departmental Stores Ltd

Re Charge Card Services Ltd

R. v. Monopolies and Mergers Commission, ex parte Elders IXL Ltd

R. v. Monopolies and Mergers Commission and another, ex parte Argyll Group Plc

Royal Institute of Chartered Surveyors v. Director General of Fair Trading

Manorlike Ltd v. Le Vitas Travel Agency and Consultancy Services Ltd

Ex Parte Molyneaux and others

Jackson v. Parker & Guerney-Champion

Bishop v. Jones and others

In Re National Daily and Sunday Newspapers Proprietors' Agreement

In Welsh Irish Ferries Ltd

In Re London School of Electronics Ltd

Re Pressdee Ltd

Eatons v. Withall

In Re Waldron (A Bankrupt) Ex Parte The Bankrupt v. The Official Receiver

Bishopsgate Ltd v. The Prudential Assurance Company Ltd

The Prudential Assurance Company Ltd v. 99 Bishopsgate Ltd

Re Westminster Property Group Plc

Clarke and others v. Heathfield and others (No. 2)

In Re Building Employers Confederation's Application

In Re Royal Institution of Chartered Surveyors' Application

Barclays Bank Ltd and Others v. TOSG Trust Fund Ltd and others

In Re Agreements relating to the supply of Diazo Copying Materials Machines and ancillary equipment (ORSE The General of Fair Trading v. Harper & Tunstall Limited)

Stanfield Properties Ltd v. National Westminster Bank Plc (London and County Securities Ltd, Third Party)

Re Christonette International Ltd

In Re Creehouse Ltd

Lawlor v. London Borough of Hounslow

In Re British Concrete Pipe Association's Agreement [Note]

London and County Securities Ltd and Others v. Nicholson and Others

Re Gray's Inn Construction Co Ltd

Booth & Co (International) Ltd and Others v. National Enterprise Board and Others

Warnford Investments Ltd v. Duckworth and Others

Newhart Developments Ltd v. Co-Operative Commercial Bank Ltd

Conway & Others v. Petronius Clothing Co. Ltd and Others

Policyholders Protection Board v. Official Receiver