

Alex Cunliffe

Alex practises in a wide range of commercial and chancery work including banking and finance, civil fraud and insolvency.

Prior to coming to the Bar, Alex spent several years working in-house for Lloyds Bank.

He acts for a range of major lending companies, and is regularly instructed by in-house legal teams. Alex also has a strong practice in civil fraud and is instructed by national firms in consumer credit, secured lending and harassment cases as well as advising on strategy for group litigation.

In appropriate circumstances Alex accepts Direct Access instructions.

He is married with two small children, and, if he has time, enjoys kickboxing and Brazilian Ju-Jitsu.



Year of Call: 2001

Contact Practice Manager

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Further information

Qualifications

- BA (Hons), French and Italian, University of Wales Swansea

Memberships

- Chancery Bar Association
- FSLA

Banking & Finance

Alex regularly appears and advises both individual and commercial borrowers, as well as a number of major financial institutions, including Natwest, Investec, Lloyds Bank and NRAM.

Alex regularly advises and conducts litigation arising out of all aspects of financial services and the provision of financial advice. He appears regularly on behalf of both borrowers and lenders in relation to proceedings under the Consumer Credit Act, as well as challenges raised by compliance with COB/COBS, ICOB/ICOBS and other regulatory provisions.

Alex continues to develop a particular specialism with respect to claims for the mis-selling of interest rate hedging products, such as Swaps, as well as other derivative

products.

More broadly, Alex also has extensive experience with respect to appearing in, and advising upon, disputes as to enforceability of a range of financial instruments including loans, guarantees and indemnities. Alex also conducts litigation, on behalf of the borrower or lender, with respect to the management of banking and credit facilities including the liability of financial institutions for fraudulent transactions on their customer's accounts.

Commercial

Alex has a general commercial practice dealing with all contractually based claims, guarantees, supply of goods and services, and company and partnership disputes.

Alex's experience within this area includes disputes of significant value concerning the sale of goods and carriage of goods, including six figure claims concerning the manufacture and supply of specialist retail products and disputes arising from the construction and renovation of commercial buildings.

Alex advises and appears in a range of contentious matters concerning corporate governance including shareholder disputes, derivative actions and restrictive covenants. He has frequently acted in claims relating to the misuse of confidential information, including the construction of undertakings, the discharge of injunctions and costs. With respect to non-contentious matters, Alex has advised upon a range of matters including shareholder agreements, option agreements and employee incentive share schemes.

Alex is also regularly instructed to both advise and appear in regard to a range of disputes concerning the construction and rectification of commercial documents.

Insolvency

Alex practises a wide range of corporate and personal insolvency work. He acts for both individuals and companies including on behalf of Trustees-in-Bankruptcy and LPA and Fixed Charge Receivers. In corporate insolvency he acts for officeholders, creditors and companies and advises on issues from the interpretation of CVAs to administration expenses. He has recently advised on the interaction of pensions law and insolvency with a focus on practical advice for managing a shortfall on part disposal of a group of companies, as well as on the question of damages for malicious presentation of a winding up petition.

