

## Ian Tucker

Call 2010



## Clerks' Details

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## Education

- BSc Mathematics with a Year in Europe, Imperial College London and L'École Nationale Supérieure d'Informatique et Mathématiques Appliquées de Grenoble (First Class Honours, 2004 – 2008)
- LLB, College of Law, York (Commendation, 2008 - 2009)
- Bar Vocational Course, BPP Law School, Leeds (Very Competent, 2009 – 2010) Diplock Scholarship, Middle Temple (Major Scholarship, 2009-2010)
- Sachs Prize, Middle Temple (BVC Results, 2010)
- Alliance Française, Français langue étrangère (French as a foreign language) Level B2 (Independent) and C1 (Proficient)

## Insolvency

### Overview

Ian is an insolvency specialist. He is regularly instructed in the following areas:

- transaction at an undervalue, preference and misfeasance pleadings and trials
- applications to set aside statutory demands and contested bankruptcy petitions
- applications to prevent the presentation of winding up petitions, or their advertisement, and contested winding up petitions
- remuneration applications
- interim and final applications to suspend discharge from bankruptcy
- advising on and appearing in director's disqualification proceedings and BROs
- Company restorations, combined with appointment/reappointments of liquidators or administrators

Ian regularly appears in the Chancery Applications List on urgent and contested applications, where his experience also includes applications to restrain presentation and advertisement of winding up petitions, administration applications, and applications of a technical nature.

## Recommendations

“Ian has a no-nonsense approach, applying great technical and commercial knowledge to good effect and achieving excellent outcomes.”

“He has an excellent level of insight and knowledge alongside providing quality advice and advocacy.”

“Ian is the most technical lawyer I know. He knows the law inside out and is fully up to date with all case law. He is also an extremely competent advocate, able to think on his feet.”

“Like his general manner, his advocacy is calm and measured, and judges see that he is eminently reasonable. Ian is tenacious in making sure his points are heard.”

“Ian would always be my first port of call on technical matters. He has a very calm and reasoned manner and is well able to challenge clients and bring them round to what needs to be done to meet the court’s requirements.”

### **Chambers and Partners, 2024**

“Ian Tucker is exceptional technically and is commercially minded. He has a great approach with clients.”

“Ian is unflappable in court and delivers his advocacy in a calm yet commanding manner.”

“Ian is brilliant. He is very commercial and smart. He is an excellent and unflappable advocate.”

“Ian is very good on his feet and very academic in his approach to cases.”

### **Chambers and Partners 2023**

“Very knowledgeable and commercial. He is approachable, friendly and always happy to help. His attention to detail is excellent, and clients really do value his input.”

“Extremely professional and diligent.”

“He is a very good adviser when it comes to clients: he is very sensible, measured and understands the approach we want to take.”

### **Chambers and Partners 2022**

“Very impressive both on paper and on his feet.” “He is clever, persuasive and thorough.” “He’s incredibly intelligent - a walking encyclopedia for cases.” “Very user-friendly and provides clear advice.”

“He is very knowledgeable, good with clients, hard-working and bright.” “He’s technically fantastic, very persuasive and has good court style and advocacy skills.”

### **Chambers and Partners 2021**

“Exceptionally bright, and working well beyond his years of call.”

“A highly skilled technical barrister who is able to present to both the court and his clients in a clear and pragmatic fashion.”

“He has excellent advocacy skills and a desire to achieve a result that meets the client’s expectations.”

“He is extremely commercial, pragmatic and sensible. He doesn’t beat about the bush; he gets straight to it by highlighting risks and offering quick solutions. He is fantastic on his feet and can easily deal with difficult situations.”

#### **Chambers and Partners 2020**

“Up-and-coming barrister with an excellent and user-friendly manner. He has already attained the respect of the local judges.”

“He is extremely clever, responsive and has first-class attention to detail. He is a rising star.”

“He is able to grasp complex matters quickly and provide clear and practical solutions.”

“He is very hands-on, user-friendly and commercial in his advice.”

#### **Chambers and Partners 2019**

“Ian’s strength is that he actually provides you with an answer to the query posed and gives real, practical options.”

“Ian is frightfully intelligent and his technical knowledge and written advice are superb.”

“His style of advocacy is very measured and he knows the brief inside out.”

“He is very bright, commercial and technically excellent.”

“He punches above his weight in his intellectual ability on paper and on his feet.”

#### **Chambers and Partners 2018**

“He’s very personable and has the makings of a very successful advocate.”

“He is able to address unusual points in a thoughtful and intellectual manner, with a keen emphasis on practical advice.”

#### **Chambers and Partners 2017**

‘Ilan is an excellent all-rounder. He is technically brilliant whilst being commercial, he gains the confidence and trust of his clients, and he is an impressive advocate who is always controlled and respectful, but determined.’

**The Legal 500,2024**

‘Ilan combines excellent technical knowledge with a level of commercial awareness that is rare in counsel. He is approachable, easy to work with and always willing to go the extra mile. He is a calm and persuasive advocate – his style is always well received by Judges at all levels.’

**The Legal 500 2023**

‘Ilan is incredibly knowledgeable and is a definite QC in the making!’

**The Legal 500 2022**

‘Supremely intelligent. Very quick to absorb the relevant facts and provide clear, authoritative advice at a level perhaps beyond his year of call. Very easy to work with – deals with instructions quickly and efficiently.’

**The Legal 500 2021**

‘Distills the most complicated of matters.’

**The Legal 500 2020**

‘Incredibly intelligent and adept at putting forward difficult points on his feet.’

**The Legal 500 2018/19**

## Memberships

- Northern Circuit
- Northern Chancery Bar Association
- Associate of the Royal College of Science

## Cases

***Edwards v Aurora Leasing Ltd & Anor [2021] EWHC 96 (Ch)***. An application concerning the meaning of 'value' in s.284(4)(a) IA 86, and whether this was to be considered from the point of view of the recipient of the potentially void transaction or the debtor.

***Duffy & Anor v MJF Pension Trustees Ltd & Ors [2020] EWHC 1835 (Ch)***. A company raised funds from investors to build out a property with the investors to be granted leases of individual rooms within the property on completion. The build out failed and administrators were appointed. Acting for the administrators on an application to sell free of the investors' secured interest.

***Tailby , Re TPS Investments (UK) Ltd [2020] EWHC 1135 (Ch)***. An administration application in which HHJ Hodge QC provided guidance on what documents are to be included in electronic bundles for use at short applications.

***MKG Convenience Ltd, Re [2020] EWHC 547 (Ch)***. An application for strike out for failure to comply with disclosure in a £multi-million misfeasance claim arising from the liquidation of a chain of grocery stores.

***Gwinnutt v George & Anor [2019] EWCA Civ 656***. Appeared as a led junior in the Court of Appeal. The issue was whether debts due to a barrister on an honorarium basis fell within that barrister's bankruptcy estate.

***Currie v Thornley & Anor [2019] EWHC 172 (Ch)***. Acting for the liquidator of an MVL seeking payment of over £1m pursuant to a Deed of Tax Indemnity entered into between the liquidator and the former director/shareholders of the Company at the time of the Company entering into MVL in 2010. The issues were whether the Deed was apt to cover a debt due to HMRC following the introduction of Accelerated Payment Notices by the Finance Act 2014.

***Williams and another v Broadoak Private Finance Ltd and others [2018] EWHC 1107 (Ch)***. An application under para 71 of Sch B1 to the Insolvency Act 1986, seeking the court's permission to dispose of certain freehold land that was the subject of various competing security interests, as if was not subject to them, together with an order as to the application of the sale proceedings.

***Re Pappy [2018] BPIR 1451***. A claim for preference where a director of two companies had transferred a debt due to him from Company A, which was insolvent, to Company B, which was able to pay, in consideration for an adjustment to the inter-company indebtedness between Company A and Company B.

***Re Flexi Containers Ltd; Breese v (liquidator of Flexi Containers Ltd) v Hiley (by her litigation friend Hiley) and others [2018] EWHC 12 (Ch)***. Successfully representing the Applicant liquidator in a factually complex claim involving multiple back-dated

documents for transaction at an undervalue and preference.

**JCAM Commercial Real Estate Property XV Ltd v Davis Haulage Ltd [2018] 1 WLR 24.** Instructed to appear on behalf of a Company that had 'chained' four Notice of Intention to Appoint Administrators before entering a CVA. The issue was whether the Nols were abusive and should be removed from the Court file. The Company entered administration before the appeal was heard.

**Green v Wright [2017] EWCA Civ 111** Appeared alone in the Court of Appeal on the issue of the construction of R3's standard IVA terms, and the effect that issuing a completion certificate had on the obligations on a former supervisor when further funds came to light.

**Re Sports Management Group Ltd (in Liquidation); Green (as liquidator of Sports Management Group Ltd) v Marston and another [2016] All ER (D) 208 (May).** A misfeasance claim that turned on demonstrating that an individual had been a de facto director.

**Hedger (Liquidator of Pro4sport Ltd) v Adams [2015] EWHC 2540 (Ch).** Successfully representing the Respondent director to a misfeasance claim. The central allegation was that a transaction selling the Company's assets to an associated company that provided for deferred consideration but did not provide for security should not have been entered into. Consideration was also given to the ability to bring Companies Act claims within insolvency proceedings by way of Form 7.1a.

**Utilise TDS Limited v Davies & Bolton College (reported as Denton v TH White Ltd and other appeals) [2014] EWCA Civ 906.** Led by David Mohyuddin in the Court of Appeal. The leading case following Mitchell as to how applications for relief from sanction should be decided.

**Utilise TDS Limited v Davies & Bolton College [2014] EWHC 834 (Ch)** An application for relief from sanction, representing the successful Respondent, prior to it being overturned, in a first appeal in the High Court.