Graham Sellers

Call 1990

Clerks

Joe Mawson
0161 817 2753

Chris Brown
0161 817 7146

Prya Anisa
0161 817 2794

Miriam DoVale
0161 817 7138

Memberships

Chancery Bar Association

Northern Chancery Bar Association

Northern Circuit Commercial Bar Asscoation

Northern Circuit

Education

LL.B (Hons)

LL.M (Cantab)

Insolvency

Graham has substantial and wide-ranging experience of Insolvency matters generally. Legal 500 have commented as follows:

“Graham is very responsive and attentive, offering an excellent service combining technical excellence with pragmatic advice” Legal 500 (2023)

“Always on hand for support, extremely knowledgeable and creative. Good on feet and drafting” Legal 500 (2022)

“Excellent advocacy skills. Quickly offers clients commercial and pragmatic solutions when difficulties arise. Always available to discuss cases and always takes an interest in the case throughout the litigation” Legal 500 (2021)

“Graham Sellers is a go-to for insolvency-related instructions” Legal 500 (2021)

“Pragmatic and commercially astute” Legal 500 (2019)

“Particularly well known for his insolvency practice” Legal 500 (2017)

“A widely recognised insolvency practitioner” Legal 500 (2015)

Graham’s insolvency expertise includes:

- Administrations
- Asset tracing and recovery
- Bankruptcy

- IVAs
- Bankruptcy Applications by Debtors
- Creditor's petitions
- Possession and sale of bankrupt's property
- Discharge
- Challenges to decisions of office-holders
- After-acquired property
- IPOs and IPAs
- Disclaimer
- Proofs of debt
- Transactions at an undervalue
- Preferences
- Transaction defrauding creditors
- Excessive pension contributions
- Bankruptcy offences
- Remuneration issues

- Creditor and public interest winding up
- Directors' disqualification (CDDA) proceedings
- IVAs, CVAs & PVAs
- Liquidations
- Misfeasance proceedings
- Office holder claims and remuneration
- Preferences
- Receiverships
- Transaction avoidance
- Wrongful and fraudulent trading

Cases

- **Office of the Bankruptcy Adjudicator & SoS for BEIS v Shaw** [2021] EWHC 3140, [2022] BPIR 807

High Court (HHJ Hodge QC): Ground-breaking decision as to the correct approach by the Adjudicator to s.263K(1)(b) of the IA 1986 (as amended) and how pension funds should be treated. Two fundamental and novel questions; firstly, as to the evidential burden on an applicant as to his inability to access his pension pots for the purposes of s.263K(1)(b) and secondly, the potential liability of the SoS to an order under s.51 SCA 1981 to pay costs.

- **Re Gallagher (A Bankrupt); Lemon & Palfrey v Losowski-Gallagher & Gallagher** [2021] EWHC 2479 (Ch), [2022] BPIR 104

High Court (DICCJ Greenwood): question whether a declaration of trust was a salvage document or a sham document or ought to be set aside under section 423. Related claim that a transfer to the bankrupt's son constituted a transaction at an undervalue within section 339.

- **Promontoria (Pine) Designated Activity Company v Hancock** [2021] EWHC 259 (Ch), [2021] BPIR 694

High Court (Snowden J): Creditor's appeal against the setting aside of a statutory demand made against a debtor dismissed on the basis that (contrary to the main submission of the creditor) it was relevant whether a deed of assignment transferring the debt from the Bank to the creditor had been validly executed or not.

- **Hancock v The United Kingdom** (2021) (Application no.2728/21)

European Court of Human Rights (Strasbourg): Application to the ECtHR following the decision of the Supreme Court – allegations of breaches of Articles 6 ('Right to a fair trial') and 14 ('Prohibition of discrimination').

- **Hancock v Promontoria (Chestnut) Ltd** – Supreme Court, 2.11.2020

Supreme Court (Lords Reed, Briggs and Stephens): Application to the Supreme Court following the decision of the Court of Appeal.

- **Hancock v Promontoria (Chestnut) Ltd** [2020] EWCA Civ 907, [2020] 4 WLR 1000, [2020] BPIR 1391

Court of Appeal: Insolvency/statutory demand/redaction – differences between 'disclosure redaction' and 'construction redaction' and the question whether a party is entitled on grounds of irrelevance to redact parts of an agreement or other document which the Court is asked to construe, on the basis only of a solicitor's statement that such parts are irrelevant.

- **Shaw v Office of the Adjudicator** [2020] 5 WLUK 239

County Court at Liverpool (DJ Samantha Johnson): Ground-breaking decision as to the correct approach by the Adjudicator to s.263K(1)(b) of the IA 1986 (as amended) and how pension funds should be treated.

- **Re: JPF Clarke (Construction) Ltd** [2020] BPIR 194

High Court (ICCJ Mullen): Appeals against Joint Supervisors' rejection of proofs of debt in a CVA in the context of a construction contract and previous adjudicators' decisions.

- **Hancock v Promontoria (Chestnut) Ltd** [2019] EWHC 2646 (Ch)

High Court (HHJ Hodge QC): Substantive insolvency appeal hearing in respect of whether or not an alleged creditor could actually show good title to certain alleged debts. Detailed issues as to construction/interpretation of an Assignment and Assumption Deed.

- **Hancock v Promontoria (Chestnut) Ltd** [2018] EWHC 2934 (Ch)

High Court (Barling J): Two-day permission to appeal insolvency hearing in respect of a refusal by a DJ to set aside a statutory demand with complex issues under the CCA 1974 (as amended).

- **Gendrot v Chadwick & Berry** [2018] EWHC 48 (Ch), [2018] BPIR 423

High Court (Fancourt J): Appeal from the County Court at Cambridge sitting in bankruptcy and whether an appellant should be permitted to argue new points on appeal which were not taken in the lower court.

- **Chadwick v Thomas-Chambers** [2018] BPIR 354

County Court at Central London (DJ Lambert): question whether a binding and enforceable agreement had been reached in correspondence for the sale/purchase of a bankrupt's former interest in property; alternatively, whether a collateral agreement had arisen with certain implied terms.

- **In re Dent Company (A Partnership) (In Administration); McLean v Berry** [2016] EWHC 2650 (Ch), [2017] BPIR 164, [2017] 3 WLR 198

High Court (Norris J): Complex issues as to the application of the equitable doctrines of marshalling and subrogation in insolvency context.

- **Pretty & Kent v Crosbie** [2015] EWHC 3592 (Ch), [2016] BPIR 460

High Court (Mr Registrar Briggs): question whether a common intention constructive trust had arisen after second bankruptcy order.

- **Hunt v Withinshaw & Conwy County Borough Council** [2015] EWHC 3072 (Ch), [2016] BPIR 59

High Court (Morgan J): Bankruptcy appeal, abuse of process, disclaimer and vesting orders.

- **Turner v Avis & Avis** [2008] BPIR 1143, [2009] 1 FLR 74

High Court (HHJ Pelling QC): s.335A Insolvency Act 1986 & the matrimonial home – question whether 'exceptional circumstances' existed within s.335A(3).

- **Arnold v Williams & HMRC** [2008] EWHC 218 (Ch) [2008] BPIR 247

High Court (HHJ Purle QC): question of how revenue debts are ascertained in a bankruptcy.

- **Avis v Turner** [2007] EWCA Civ 748, [2008] Ch 218, [2007] BPIR 663

Court of Appeal: s.6 TOLATA 1996 / s.283(5) Insolvency Act 1986 & question whether trustee in bankruptcy actually bound by Martin type order made in previous matrimonial proceedings.

- **Sands v Clitheroe** [2006] BPIR 1000

High Court (Mr Registrar Jacques): s.423 Insolvency Act 1986 & transactions defrauding creditors.

- **Re a Debtor (No.252 of 2002)** [2002] All ER (D) 296

High Court (Lindsay J): sanction under s.314 Insolvency Act 1986 & powers of a trustee in bankruptcy.

- **Bell v Tuohy** [2002] EWCA Civ 123, [2002] 1 WLR 2703, [2003] BPIR 749

Court of Appeal: committal of bankrupt to prison for disobedience of court order.

- **Beer v Higham** [1997] BPIR 349

High Court (Jonathan Parker J): property adjustment orders & bankruptcy.

- **Trustee of the Estate of Bowe v Bowe** [1997] BPIR 747, [1998] 2 FLR 439

High Court (Jonathan Parker J): s.336 Insolvency Act 1986 & the matrimonial home.

Recommendations

Ranked Tier 1 – Company and Insolvency
The Legal 500, 2026

Ranked Tier 1 – Chancery, Probate and tax

Ranked Tier 3 – Company and Insolvency
The Legal 500, 2025

"Graham is exceptionally diligent and turns urgent work around quickly and at a high quality; he is thorough in his preparation and he is an excellent advocate. Out of court, he has a great ability to adapt his style to the clients, who respect his advice even when it is not what they want to hear." Legal 500 (2024)

"Graham is very responsive and attentive, offering an excellent service combining technical excellence with pragmatic advice" Legal 500 (2023)

Graham is recognised by Legal 500 (2022) as a Leading Band 1 Junior in Commercial, Banking, Insolvency and Chancery law and I am also a full member of the Insolvency Lawyers' Association.

"Always on hand for support, extremely knowledgeable and creative. Good on feet and drafting." Legal 500 (2022)

"Excellent advocacy skills. Quickly offers clients commercial and pragmatic solutions when difficulties arise. Always available to discuss cases and always takes an interest in the case throughout the litigation" Legal 500 (2021)

"Graham Sellers is a go-to for insolvency-related instructions" Legal 500 (2021)

"His advice is clear, relevant, and focussed on finding solutions" Legal 500 (2020)

"Pragmatic and commercially astute" Legal 500 (2019)

"Many thanks for your first class advice as always" Midlands Business Recovery & Insolvency Partner feedback (June 2018)

"Very detail-oriented – he misses nothing" Legal 500 (2018)

"Particularly well known for his insolvency practice" Legal 500 (2017)

"Very good both on paper and with difficult legal issues" Legal 500 (2016)

"A widely recognised insolvency practitioner" Legal 500 (2015)