

## Ian Chai

Call: 2018



### Overview

Ian is a probationary tenant at Hailsham, having previously worked as part of the commercial disputes and class action team as an employed barrister at a leading London law firm.

His practice spans all aspects of commercial litigation and international arbitration. Ian is recommended in the Legal 500 as a “Key Lawyer” in Commercial Litigation, Group Litigation, and Civil Fraud, where he was recently described in the 2025 edition as *“a very effective litigator who is user friendly, knowledgeable and has a unique ability to cut through extremely complex and high-value matters to try and get the best result for the client”*.

Ian’s recent experience includes dealing with urgent injunctive relief in respect of a judgment made in Los Angeles of \$58 million being enforced against Ian’s client by a freezing injunction of £12 million of assets in England and Wales. He was also recently led by Ian Clarke KC in the Chancery Division of the High Court in *Hamersley v Haynes*, acting for a Liechtenstein Anstalt in a claim concerning assets valued at £11 million and dealt with issues of beneficial interest and international expert evidence.

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### Commercial Litigation / Civil Fraud

Ian has considerable experience of heavy commercial litigation matters, often with a civil fraud element and is used to working as part of a wider team.

Cases of note include:

- *Upham & Ors v HSBC Bank Plc* [2024] EWHC 849 (Comm). Known also as the “Eclipse Litigation” and one of the Lawyer’s top 20 cases, Ian was lead associate in a £1.3 billion class action fraud claim in the Commercial Court listed for a 10 week trial. Ian’s work on Eclipse included drafting points of claim

and witness evidence for individual sample claimants, input on the written and closing submissions as well as on cross examination alongside the counsel trial team.

- *FAP Art Management v Inigo Philbrick* [2022] EWHC 603 (QB). Ian was part of the instructing team in an application concerning various parties under CPR 85.5 dealing with European Orders for Payment totalling €10,023,378.80 contesting proprietary claims in various artworks (including those produced by Andy Warhol and Jean-Michel Basquiat) subject to a wide-ranging fraud by Inigo Philbrick, an art dealer.
- *Kausar Raja v Terry McMillan* [2021] EWCA Civ 1103. Ian was part of the instructing team which ultimately led to an appeal in the Court of Appeal on issues of conspiracy, notably on the question of whether it was possible for a director to conspire with a company that is his alter ego. Ian was also instructed on connected litigation for Mr McMillan brought by the London Borough of Southwark for £64,000,000 for breach of a s106 agreement and conspiracy.

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## Arbitration

Ian is experienced in arbitral matters including cases in the International Chamber of Commerce and the London Court of International Arbitration. In addition, he is also a member of the LCIA, ICC, and CiARB, and additionally has rights of audience in the AIFC Court.

Cases of note include:

- *X v Y* Ian was part of the instructing team acting in an ICC arbitration for a Dubai based entity in a €8,000,000 dispute concerning issues of contractual interpretation.
- *Buheiry v Vistajet* [2022] EWHC 2998 (Comm) as junior counsel (led by Tim Higginson) on a challenge under s67 and s68 of the Arbitration Act 1996 to set aside an arbitral award.

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## Property Litigation

Ian is experienced in property litigation matters, which usually have a commercial aspect to them. These disputes primarily concern breaches of trust, fiduciary duty and estoppel.

Cases of note include:

- *Hamersley Invest Anstalt v Haynes* [2025] EWHC 432 (Ch) as junior counsel (led by Ian Clarke KC). Ian acted for Hamersley, a Liechtenstein entity, in two claims case managed together in the Chancery Division valued at £11 million and concerning issues of constructive trust, proprietary estoppel and

international law, including expert evidence from Liechtenstein. At trial, Hamersley succeeded in its counterclaim and defence of the allegations brought by Ms Haynes.

- *Khan v Burke* [2023] EWHC 534 (Ch) 10 as counsel. The underlying claim raised issues of consent for a licence to alter. Ian successfully obtained (conditional) permission to appeal on an issue arising out of compliance with unless orders before Mr Justice Leech whose judgment commented on his persuasive oral submissions and concise and helpful skeleton argument.
- *X v Y*, Ian was part of the instructing team acting for the main Defendant in multi-party High Court litigation brought for £64 million, arising out of a purported breach of a Section 106 Agreement (of the Town and Country Planning Act 1990) that was alleged to be a sham/ineffective avoidance scheme.

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## Group Litigation / Class Actions

Ian's previous experience at leading London law firm Edwin Coe's Commercial Disputes and Class Actions team provides him with real insight and a practical understanding of group litigation. He has been involved from the inception of group action claims from funding proposals for projects with quantum ranging from £150 million to £1 billion to the end of trial. As such he understands keenly the commercial realities of dealing with funded claims for the key parties - the law firm, funder and lay client.

Cases of note include:

- Trucks Cartel Litigation. Originally issued in the Chancery Division of the High Court, before being transferred to the Competition Appeal Tribunal, Ian was part of the Edwin Coe trucks team who acted for over 125 claimants with a collective quantum of over £100,000,000. In particular, Ian assisted with taking witness evidence from various claimants as well as dealing with expert economic evidence.
- *Upham & Ors v HSBC Bank Plc* [2024] EWHC 849 (Comm). Known also as the "Eclipse Litigation" and one of the Lawyer's top 20 cases, Ian was lead associate in a £1.3 billion class action fraud claim in the Commercial Court listed for a 10 week trial. Ian's work on Eclipse included drafting points of claim and witness evidence for individual sample claimants, input on the written and closing submissions as well as on cross examination alongside the counsel trial team.
- *McGann & Others v the Chief Constable of South Yorkshire Police* (claim ongoing). Ian was part of the Edwin Coe team acting for the claimant group in a claim for misfeasance in public office arising out of the Hillsborough tragedy. Ian was involved in drafting witness evidence for all high value claims, which included assessing medical evidence and dealing with expert reports on psychiatric harm.

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## Insolvency

Ian has a growing insolvency practice and has experience in dealing with winding up / bankruptcy petitions and validation orders.

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## Education

LLM in Civil Litigation and Dispute Resolution (Distinction) at City Law School, including the City Law School Prize for best performance in class.

LLM Legal Practice Course (Commendation).

Classical Civilisation at Warwick University.

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## What others say

"Ian Chai is excellent. He is a very effective litigator who is user-friendly, knowledgeable, and has a unique ability to cut through extremely complex and high-value matters to try and get the best result for the client." *Legal 500, 2025*

"Ian Chai is responsive, collaborative and always looking to help the counsel and litigation team reach the best strategic outcome possible in the time available. He is a credit to his firm and a pleasure to work with." *Legal 500, 2025*

"Ian Chai - an enquiring mind, diligent, to the point, and effective" *Legal 500, 2024*

"Exceptional knowledge well beyond his PQE" *Legal 500, 2024*

"Associate Ian Chai provided valuable assistance with a very knotty company dispute. He worked tireless, and his diligence was helpful in ensuring the application was successful" *Legal 500, 2023*

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## Further information

ICO Data protection registration number: ZB908137

Ian Chai is a barrister regulated by the Bar Standards Board. [Click to view Ian Chai's Privacy Notice.](#)

Ian is also a member of:

- the Commercial Bar Association;
- the Chartered Institute of Arbitrators.

He has also completed accredited mediator training with the Society of Mediators and attended the South Eastern Circuit's course on Advanced International Advocacy at Keble College.