

Charles Sorensen

Call Date: 2011 (England & Wales) 2015 (Jersey)



Charles practises as both an English Barrister and Jersey Advocate. He specialises in civil and commercial litigation with a focus on fraud, asset recovery, trusts, contentious insolvency and complex contractual claims.

He has particular expertise in cross border disputes, specifically involving offshore jurisdictions, and has acted in cases involving Jersey, Guernsey, Cyprus, Isle of Man, Switzerland, BVI, Cayman, Bahamas, Turks & Caicos, Singapore, Hong Kong, Dubai, Brazil, China, India, Japan and the United States.

Charles is among a small number of London based practitioners who are dual qualified in England and Jersey. Before joining chambers he practised with a leading offshore firm and has extensive experience appearing before the Jersey courts, both as sole counsel and led by senior members of the Jersey Bar.

The Legal 500 has ranked Charles as a Next Generation Lawyer in each of the last six editions. He has published extensively on offshore dispute resolution, spoken on a wide range of subjects at international legal conferences and taught English contract law on the LLB course at the Jersey Institute of Law.

Legal Services

Commercial and Civil Fraud

Charles has been instructed in a broad range of commercial and civil fraud proceedings.

Notable Commercial and Civil Fraud cases

Sheyko v Consolidated Minerals Limited

Acted for the claimant in a c\$15m breach of contract claim against his former employer – a Jersey company controlled by its Chinese parent and UBO. These proceedings included a \$10m freezing order and successful application to have the defendant struck out for discovery failings. This decision was upheld on appeal. The defendant has applied for leave to appeal to the Privy Council.

3 HARE COURT

Emirates NBD Bank P.J.S.C v Almkhawi and Ors

Acted for the claimant bank to obtain a series of freezing and disclosure orders and draft proceedings to enforce a judgment of the Dubai Court of Cassation and unwind a c\$21m disposition into a Jersey trust as a fraud on creditors (Pauline Action).

Satfinance Investments Limited v Valla Limited

Acted for the victim of a substantial art fraud to obtain Norwich Pharmacal disclosure from a Jersey corporate service provider. In a subsequent application the claimant sought to use the disclosed information for a collateral purpose. In the absence of an equivalent to CPR 31.22, the Royal Court held that the principles set out in the English case law applied in Jersey and granted the application pursuant to its inherent jurisdiction.

Fletcher-Wilson v Higuchi and Others

Acted for the claimant in multi jurisdictional proceedings across Jersey, Japan, Isle of Man, Cayman, and the Turks and Caicos Islands to recover the proceeds of a fraud perpetrated in Japan. Proceedings included injunctive relief, substantive claims and the enforcement of foreign judgments.

Dalemont Ltd v Senatorov and Others

Acted for the claimant to freeze the assets of a Jersey foundation and enforce Russian judgments for c\$44m on the grounds that transfers into the foundation were intended to defraud creditors.

Trusts and Insolvency

Charles has extensive experience in cases involving trusts and insolvency, particularly applications under Art 51 of the Trusts (Jersey) Law 1984, public law trusts proceedings and the recognition of foreign insolvency office holders.

Notable Trusts and Insolvency cases

In the Matter of the I Trust, the J Trust, the K Trust and the L Trust

Acted for the beneficiaries of four substantial family trusts to obtain disclosure from the trustee and successfully argued that the trustee's indemnity did not apply in respect of its costs.

Prospective Applicant v Chief Officer of the States of Jersey Police

3 HARE COURT

Acted for the applicant in judicial review proceedings pertaining to the decision of the States of Jersey Police to withdraw consent to transact (under the Proceeds of Crime (Jersey) Law 1999) in respect of two Jersey trusts.

Robert Tantular v Her Majesty's Attorney General

Acted for the Viscount of Jersey (Executive Officer of the Royal Court) in proceedings to restrain trust assets in support of an application by the Attorney General to enforce confiscation orders made in Indonesia. An application by Mr Tantular for leave to appeal to the Privy Council was granted in December 2021.

Hellard and Richardson v Young and Young

Acted for the liquidators of three BVI companies used by the former Mayor of São Paulo to perpetrate a substantial fraud against the Federal Republic of Brazil and the Municipality of São Paulo. Appeared in the recognition proceedings and the first reported case in Jersey of Norwich Pharmacal relief being granted against a law firm.

Margaret Smith (as the Chapter 7 trustee in bankruptcy of the estate of Joseph M DeMauro) v Nedbank Private Wealth Limited, Jersey Branch

Appointed by the United States Bankruptcy Court (Southern District of Florida) as Special Counsel to the Trustee in Bankruptcy. Appeared for the trustee in a successful application for recognition in Jersey and disclosure against Nedbank.

Publications

- *'Same but different – asset recovery litigation in Jersey'*. Fraud Intelligence, May 2022.
- *'Cryptocurrency fraud destined to increase'*. Reuters, April 2022.
- *'The War on Fraud'*. Reports Legal, March 2022.
- *'Norwich Pharmacal developments Offshore'*. Fraud Intelligence, November 2021.
- *'Cat and mouse?: The law and cryptocurrencies'* Solicitors Journal, September 2021.
- *'Do offshore banks need to revisit their Quincecare duty?'* eprivateclient, December 2020.
- *'Jersey Court of Appeal confirms power to freeze assets outside Jersey'* (Robert Tantular v Her Majesty's Attorney General). Lexis PSL, November 2020.
- *'Beneficial registries aren't the best solution to win the asset-seizing race'*. Bloomberg Tax, August 2019.

Memberships

- Commercial Bar Association
- Fraud Lawyers Association
- Law Society of Jersey

Education

- Advocate of the Royal Court of Jersey
- LLM (Distinction) City Law School
- Bar Professional Training Course (Very Competent) City Law School
- MPhil (High Pass) St Edmund's College Cambridge
- CPE/Graduate Diploma in Law (Commendation) Northumbria University Law School
- BA (Hons) History (2:1) University of Newcastle upon Tyne

Languages

- French (Basic)

Awards

- Roger Cox Scholarship (Gray's Inn)
- Gray's Inn Internship Scholarship