

GUILLAUME STAAL

Professional

2010 Advocate of the Royal Court of Jersey

Qualifications

2009 Legal Practice Course, College of Law (Distinction)
2006 LLB English and French Law (Hons), University of King's College London (2:1)
2006 Maitrise en droit, Université Paris I, La Sorbonne

Work History

Prior to joining Dickinson Gleeson, Guillaume worked for Jersey's Attorney General within the Law Officers' Department. Guillaume regularly provided advice to Ministers of the States of Jersey and governmental departments in relation to a range of issues including human rights law, European law, constitutional law and as to statutory interpretation. He also worked as a legal adviser to the States of Jersey Police making numerous court appearances as a prosecutor.

Since joining Dickinson Gleeson in 2012, Guillaume's principal areas of expertise have been in trust and commercial litigation. Guillaume advises clients in respect of a range of issues including contractual disputes, enforcement of foreign judgments and associated freezing and disclosure orders and insolvency matters.

Guillaume is also regularly instructed in relation to employment and planning law matters.

Guillaume is a native French speaker.

Cases of note:

TRUST AND COMMERCIAL LITIGATION

Campbell v Campbell and Others

James Dickinson and Guillaume act on behalf of an entrepreneur in relation to a dispute concerning the recovery of assets located in Jersey, London, New York, Hong Kong, Thailand and the BVI. In proceedings in Jersey relating to disputed assets with a value of over £12 million, James and Guillaume have, *inter alia*, brought successful applications against the primary defendant for orders for specific discovery and orders in relation to his pleadings. The matter went to trial in May 2016, and judgment is awaited.

Re The Z Trust [2016] JRC 048

James Dickinson and Guillaume acted for the beneficiary of a discretionary trust in relation to an application to set aside the appointment of its trustees under, *inter alia*, the statutory mistake and Hastings-Bass jurisdictions (the case is among the first to be brought following relevant amendments to the Jersey statute). The purported change of trusteeship, if not set aside, would have resulted in the change of domicile of the structure, with crippling tax consequences for that structure and beneficiaries. The application was granted following a hearing at which Guillaume appeared.

In the matter of the R Trust [2015] JRC 267A

Guillaume and James Gleeson acted on behalf of the successful wife. In the light of the order in the Family Division of the English High Court setting aside a trust pursuant to section 37 of the Matrimonial Causes Act 1973, we obtaining directions in Jersey giving substantial effect to the English order. We had previously taken steps to secure the assets of the trust, in an innovative case securing an interim freezing order over a trust in aid of proceedings. The application, believed to be the first of its kind in Jersey, overcame both the 'firewall provisions' of the Trusts (Jersey) Law 1984 and the wife's status as a non-beneficiary.

Proceedings brought by a leading financial institution

James Dickinson and Guillaume acted on behalf of one of Jersey's leading financial institutions in connection with breach of restrictive covenants proceedings brought against a former employee and his new employer (another leading financial institution in Jersey). Guillaume had day to day conduct of the proceedings. The client secured injunctive relief against the former employee at an *ex parte* on notice hearing before the Deputy Bailiff (at which Guillaume appeared). Damages claims were subsequently pursued against the former employee and his new employer. The proceedings settled on confidential terms.

Vilsmeier v Al and others [2014] JRC 257

Guillaume assisted James Gleeson acting on behalf of the former chairman of two Jersey collective investment funds with a value as of their IPO's of €1.3 billion. Mr Vilsmeier substantially succeeded in his own claims, was fully successful in defence of the counterclaims and was awarded his costs of the action. The case, the trial of which lasted five weeks, was the first in this jurisdiction to determine the basis upon which the court can exercise a discretion to grant relief from liability for directors of Jersey companies pursuant to Article 212 of the Companies (Jersey) Law 1991 as amended.

PLANNING AND EMPLOYMENT

Le Marquand v Minister for Planning and Environment [2015] JRC 89

Guillaume acted for the third party appellants against the Minister's decision to grant Regs Skips Limited's retrospective planning application to sort waste on a Green Zone site. The Royal Court held the Minister's decision to have been unreasonable and the appeal was granted.

Wolfson v Trident Trust Company Limited [2014] JRC 228

Guillaume acted for the Respondent in relation to this appeal against the Employment Tribunal's award, following a finding of unfair dismissal. Guillaume successfully argued against the appellant's first ground of appeal seeking a direction for re-employment, which ground was abandoned by the Appellant prior to the appeal hearing, and in relation to which Guillaume secured an indemnity costs order against the Appellant.

In hearing the remainder of the appeal the Royal Court provided rare guidance on the interpretation of Article 77(F) of the Employment (Jersey) Law 2003 before finding that, in the circumstances, the Tribunal had acted unreasonably in reducing the Appellant's award to the extent that it did. This matter was subsequently settled.