

Christopher Loxton

Call: 2009

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Chambers and Partners



Christopher is a highly regarded commercial barrister with an established aviation practice and strong complementary expertise in commercial litigation, civil fraud and insolvency matters. Known for his pragmatic approach, Christopher is described as *"sensible and measured"* and strives to work constructively with the court to achieve the best possible outcome for each case. He frequently appears in the High Court's Chancery and King's Bench Divisions, the Commercial Court, the Technology and Construction Court (TCC), the Business and Property Courts.

Christopher has extensive experience in aviation matters and is a highly sought-after junior. He is recognised by Chambers and Partners as a Leading Junior in Aviation, clients describe him as *"an excellent technical lawyer who is both responsive and helpful"* and praise his *"excellent client service skills"*. He also has substantial experience in the field of regulation and insurance in the aviation and travel sector, clients comment *"He is great for commercial insurance work, as well as casualty, cargo and regulatory matters."* Noting that *"Airline clients are particularly keen on him"*.

Christopher's broad commercial practice includes providing specialist advocacy and advice to individuals and companies across a wide variety of business, finance, insolvency and professional negligence disputes. He has also represented clients in a number of claims involving allegations of fraud. His commercial expertise also encompasses a developing practice in cyber disputes including data protection as well as technology and digital assets disputes.

Expertise

Aviation & Travel

Christopher is a specialist aviation barrister who undertakes advocacy and advisory work in a wide variety of matters relating to aviation and travel law, including:

- Insurance disputes.
- Leasing and acquisition disputes.
- Hull damage claims.
- General aviation claims.

- Airport disputes.
- Manufacturing and outfitting disputes.
- Product liability.
- Carriage by air disputes involving EU regulations, Warsaw and Montreal Conventions and associated passenger, cargo, baggage, delay and denied boarding claims.
- Regulatory and compliance issues (including threatened CAA enforcement action).

His notable aviation experience includes:

- *Chemidex Pharma Ltd v United Airlines Inc* – currently instructed by United Airlines in a High Court cargo dispute over consignments of medication (instructed by Altitude Law). The case will likely produce the first English authority on timely notice of complaints under article 31.2 of the Montreal Convention.
- *Davis v The Light Aircraft Association* – currently instructed by the LAA in High Court proceedings concerning the crash of a Pitts Special aircraft (instructed by Clyde & Co).
- Currently instructed by Maleth Aero AOC in a large number of PI claims brought against the airline following a significant turbulence event in December 2023 (instructed by HFW).
- Currently instructed on behalf of a HNWI in a High Court leasing dispute against NetJets concerning Cessna Citation aircraft.
- Recently acted as sole counsel for several lessors in the “Operator Policies” group litigation against reinsurers concerning the loss of aircraft and engines detained in Russia (*Zephyrus Capital Aviation Partners 1D Ltd & Ors v Fidelis Underwriting Ltd & Ors* ([2024] EWHC 734 (Comm)) – instructed by Fieldfisher (Birmingham office). Claim was c. USD 700 million. Hearings included a 4-day jurisdiction challenge, 2-day consequentials hearing, 4 contested CMCs, a 2-day costs hearing, and a security for costs application.
- *Manners & Ors v UK Government Dpts & British Airways* – Recently acted for British Airways (led by David Platt KC) in a High Court claim brought in misfeasance in public office, negligence and under the Warsaw Convention by 106 passengers and crew of British Airways flight BA149, taken hostage by Iraqi armed forces at the outbreak of the First Gulf War (instructed by Kennedys).
- Recently acted for a British national in High Court proceedings against a South African airline and airport operator in respect of severe injuries he sustained on an airbase in Antarctica (*Lunn v Antarctic Logistics Centre International (Pty) Ltd* [2024] EWHC 1662 (KB) and [2023] EWHC 2856 (KB) – instructed by Fieldfisher (London office).

I am currently ranked as a band 2 counsel in Aviation in [Chambers & Partners](#).

Author of two chapters on Articles 20 and 21 in the book *The Montreal Convention: A Commentary* (Elgar Commentaries in Commercial Law series), 2023.

A member of the Royal Aeronautical Society's Air Law Group.

Commercial Litigation

Christopher is regularly instructed in a wide variety of business, finance, Companies Act, property, and professional negligence disputes and has represented clients in a number of claims involving alleged fraud. Christopher's drafting and advisory work includes contracts, indemnities, guarantees, investment vehicles, and commercial leases.

His notable commercial experience includes:

- Acting for a honey producer against an engineering firm in a multi-million pound contractual dispute.
- ***Patel v Minerva Services Delaware, Inc & Ors* [2023] EWCA Civ 118 (10 February 2023), [2023] EWHC 856 (Ch) (10 March 2023)**: Instructed in a claim for +9 million brought by beneficiaries against a former trustee and defending a case of conspiracy and malicious prosecution involving allegations of forgery.
- Instructed as a junior representing several businesses against a well-known law firm in a multi-million pound, professional negligence claim relating to a bank's mis-selling of an interest rate hedging product.
- Acted as a junior in a prospective, multi-jurisdictional claim brought by a US PE firm against a major reinsurance company for breach of contract and unjust enrichment.
- Acted for an insurance intermediary in a multitude of claims brought by contractors in relation to latent defects insurance policies following the collapse of the Danish insurer, Alpha Insurance A/S.
- ***MD v SW, JW and ST FC Ltd***: Advising on potential, high-value claims for restitution, breach of contract, the existence of business partnerships and constructive trusts.

Civil Fraud & Asset Recovery

Christopher's civil fraud practice includes dealing with a wide variety of disputes ranging from obtaining and resisting freezing and proprietary injunctions, obtaining pre-action disclosure orders, enforcement actions, and representing clients in bringing claims involving fraud, fraudulent misrepresentation, breach of fiduciary duty, knowing receipt, and dishonest assistance.

His work has includes:

- Arbitral proceedings involving the fraudulent take-over of Middle Eastern airline, involving the forging of court and company registering documentation.
- Representing a manufacturing company in a claim against a supplier alleging fraudulent misrepresentation.
- Instructed in a claim for +£9 million brought by beneficiaries against a former trustee and defending a case of conspiracy and malicious prosecution involving allegations of forgery. – *Patel v Minerva Services Delaware, Inc & Ors* [2023] EWCA Civ 118 (10 February 2023) and *Patel v Minerva Services Delaware Inc & Ors* [2023] EWHC 856 (Ch) (10 March 2023).
- Instructed in a fraud claim alleging fraud and dishonest assistance against a factoring company.
- Advised a Nigerian airline in relation to potential claims for fraud, misrepresentation, and unjust enrichment over several investments.

Insolvency

Christopher regularly represents individuals and companies in the Insolvency and Companies Lists of the High Court and in various county courts. Recent advisory work has included advising on a bond claim brought by a liquidator against the insurer and surety of a former liquidator; directors' personal liability in respect of unpaid national insurance contributions; and the impact of retention of title to goods on the liquidation of a company's assets.

Notable Insolvency cases include:

- **Re Total Insulation Limited:** Defending former directors in applications for repayment in respect of unlawful dividends and cross-applications for s.1157, CA relief and removal of the liquidators (s.108, IA).
- **LM v AM:** Acting in a s.423, Insolvency Act application (transaction at an undervalue) for a claimant acting as a trustee of an estate against a family member for misuse of estate assets.
- **Zorro Law v Transview & Eyecare:** Injunction to restrain presentation of winding up petition.

Insurance & Reinsurance

Christopher is instructed in a wide variety of insurance cases, including employers', public, product, D&O and professional indemnity disputes; property damage claims; regulatory compliance; contractors all risks and defects insurance; and fundamental dishonesty applications. He has acted in professional negligence cases, including those against solicitors and breach of fiduciary duties.

Notable Insurance cases:

- Acting as a junior representing claimants in parallel ICC arbitration proceedings in respect of multimillion pound insurance claims. Included acting as sole counsel in anti-suit injunction proceedings before the Commercial Court in London (led by Guy Blackwood KC and then David Scorey KC).
- Instructed as a junior representing several businesses against a well-known law firm in a multi-million pound, professional negligence claim relating to a bank's mis-selling of an interest rate hedging product.
- Acting as a junior in a prospective, multi-jurisdictional claim brought by a US PE firm against a major reinsurance company for breach of contract and unjust enrichment.
- Acting for an insurance intermediary in a multitude of claims brought by contractors in relation to latent defects insurance policies following the collapse of the Danish insurer, Alpha Insurance A/S.

International Arbitration

Christopher has acted in a number of high-value arbitrations in the fields of commercial, insurance, and aviation.

Notable International Arbitration cases include:

- Acting as a junior representing claimants in parallel ICC arbitration proceedings in respect of multimillion pound insurance claims. Included acting as sole counsel in anti-suit injunction proceedings before the Commercial Court in London (led by Guy Blackwood KC and then David Scorey KC).
- Assisting US attorneys representing a major components manufacturer in CiArb arbitration proceedings brought by a large aviation manufacturer concerning a damaged aircraft.

Crypto & Digital Assets

Christopher has a developing practice in cyber (including data protection), technology, and digital assets disputes.

Notable Cyber & Crypto experience includes:

- Advising on a dispute involving a bank and tax authorities in Gibraltar over data protection breaches.
- A due diligence exercise reviewing a company's privacy, data protection and whistleblowing policies for a prospective sale.
- Acting for a claimant in respect of a data breach of records held by a police constabulary.
- Representing a well-known political party in injunction proceedings concerning an alleged data breach of its computer systems.
- Successfully defending an NHS Trust in proceedings alleging breaches of the DPA 1998 and misuse of private information concerning the sharing of patient medical records between authorities.
- Successfully defending a mental health trust in proceedings concerning the transfer of patient health records in hard copy into digital form.
- **ZC v Royal Free London NHS Foundation Trust [2019] EWHC 2040 (QB):** Successfully defending a case concerning libel, misuse of private information and Article 8 right to privacy in relation to medical records.

Publications

Author of chapters on Articles 20 and 21 in **The Montreal Convention: A Commentary** (Elgar Commentaries in Commercial Law series), 2023.

Academic History

- BSc. Joint Honours in Politics and Philosophy (Bristol University)
- GDL (College of Law)
- BVC (College of Law)

Professional Memberships

- Royal Aeronautical Society
- COMBAR (Commercial Bar Association)
- ALBA (Constitutional and Administrative Law Bar Association)
- BILA (British Insurance Law Association)
- Personal Injuries Bar Association (PIBA)
- R3

- Commonwealth Lawyers Association (CLA)
- The London Bar Association (LBA)

Business Details

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