

Alexander Rozycki

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Commercial & Chancery Litigation Profile

Alexander is an experienced litigator with a focus on commercial and employment law. He regularly appears in trials and interim applications in commercial disputes in all courts from the County Court through to the Chancery Division of the High Court and Court of Appeal. He appears in and advises on cases involving breaches of contract, fraudulent and innocent misrepresentation, insolvency, debt recovery, as well as professional negligence and professional indemnity insurance disputes. Alexander also undertakes cases across all areas of employment law. He is accredited as a representative in employment law for the Free Representation Unit (FRU). He has represented and advised clients in a number of employment disputes.

Alexander spent four years as a barrister at Fishburns LLP where he undertook significant work in insurance/reinsurance and professional negligence. He was also seconded to a Lloyds insurance syndicate for eight months, in the course of which he advised the syndicate on the merits and management of a high volume of professional negligence claims, including advising on policy coverage. As a result, he has significant experience, and is regularly instructed, in this field. His experience includes both litigation and mediation, and he has represented clients in both. He has particular expertise in claims against solicitors, accountants and construction professionals.

Since 2014, Alexander has been instructed by the Serious Fraud Office (SFO) to advise on disclosure in respect of high profile fraud prosecutions, including the trial of individuals alleged to have manipulated the Libor interest rate, and in a case involving bribery and corruption allegations.

In 2006, having obtained a scholarship from Lincoln's Inn and prior to commencing his pupillage, Alexander spent six months at the State Court of Bosnia and Herzegovina in Sarajevo assisting and advising international judges in the determination of cases involving war crimes, terrorism and economic crime. He also advised domestic judges on the application of the European Convention on Human Rights (ECHR) and international human rights standards to individual cases brought before the Court.

In 2005/2006, and prior to commencing his pupillage, Alexander completed a "Stage" at the Legal Service of the European Commission in Brussels, in the course of which he was involved in trade disputes involving the Commission at the WTO Dispute Resolution Panel in Geneva, competition and anti-dumping disputes and cases involving international terrorism.

Languages: French (fluent), Polish (fluent), Russian (intermediate) and Mandarin (beginner).

Recent-Experience

Commercial:

- Representing clients in defending an application for injunctive relief in respect of shares in a company which were alleged to have been knowingly transferred in breach of constructive trust.
- Representing a property purchaser in a claim for fraudulent misrepresentation against a property vendor with reference to his knowledge of a notice requiring work to be carried out to the property from the local authority.
- Representing a property purchaser in a claim in negligence against an estate agent.
- Advising a training consultant on the merits of a claim for breach of a partnership agreement following the setting up of a company.
- Appearing as led junior on appeal to the Court of Appeal in a significant case concerning the meaning of a "document purporting to be a defence" under Para.1.1 of PD 12 to the CPR (SA Builders & Contractors Ltd v Holm [2016] EWCA Civ 712).
- Regular appearances in winding up and other insolvency applications.

Professional Negligence:

- Advising in respect of a claim against a firm of solicitors regarding a failure to advise on the risks of ceasing to trade in the course of a property conveyance.
- Advising a small company in respect of a defence to a claim by a firm of solicitors, involving matters pertaining to breach of retainer and breach of confidence.
- Advising a claimant on legal expenses insurance cover in the context of an underlying professional negligence claim against a firm of solicitors.
- Representing a firm of solicitors in defence of a professional negligence claim involving allegations of financial misconduct.
- Representing a firm of solicitors in defence of a professional negligence claim involving matters of planning law, including advice on policy coverage.
- Representing architects in defending claims alleging negligent design.
- Representing accountants in defending a claim for negligent tax advice by an individual who had entered into a film finance scheme on the basis that this would give him significant tax advantages.
- Significant involvement in litigation surrounding the construction of the new Wembley Stadium.

Employment:

- Representing a bus driver in a claim for unfair dismissal as a result of absenteeism due to an accident involving a close family member.
- Representing the owners of a care home in response to a claim brought by an employee for unfair dismissal who had been alleged to have been stealing from and defrauding residents of the home.
- Advising on breaches of an employment contract, including on the applicability of the parole evidence rule.

- Providing regular merits assessments across all areas of employment law under the Irwin Mitchell merits assessment scheme.

Specialist-Areas

Commercial & Chancery Litigation
Restraint of Trade & Confidentiality

Qualifications-and-Appointments

Education

- BA (Hons), LLB (Hons), MA.BA(Hons) University College London, First Class
- LLB(Hons) City University, London, Graduate Entry
- MA University of London

Awards

- Hardwicke Scholar, Lincoln's Inn.
- Scholarship, Lincoln's Inn, to undertake an international internship at the State Court of Bosnia and Herzegovina, Sarajevo.