

## Tahir Ashraf **Law LLB (Hons); PgDip. Bar; Master of Laws LLM**

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### General Information

Tahir Ashraf is a multi-award-winning commercial barrister with a contentious business and property advisory practice. He also cross qualified to work as a commercial Solicitor-Advocate. This has given him a unique understanding of the challenges faced by professional and lay clients.

### Areas of Law

Tahir is happy to accept instructions in the areas of:

- Banking & Financial Services
  - Islamic finance including Sukuk and Murabaha issuances
  - Loan agreements
  - Guarantee agreements
  - Forex mortgages mis-sold interest rates on private & investment property
  - Interest rate swaps
- Business & Commercial Law
  - Bankruptcy
  - Chancery
  - Company Law
  - Contract
  - Insurance & Reinsurance
  - Other Common Law
- Commercial Arbitration & ADR inc Adjudication
- Consumer Contracts
  - Breach of Contract generally

He is also experienced in the following additional areas:

- Business & Commercial Law
  - Banking & Financial Services
  - Debt
  - Insolvency
- Consumer Contracts
  - Unfair Terms in Consumer Contracts
- Inheritance Act Claims
- International Law
- Land & Property
  - L&T Commercial
  - TOLATA
  - Trusts
- Media Law
- Professional Negligence
- Professional Regulation
- Public & Administrative Law
- Public Access Accredited
- Technology & Construction including Adjudication

### Banking and Financial Services

Tahir advises and provides advocacy, compliance and drafting services as a barrister or as part of an in-house team in banking and financial services-related matters. He also advises on corporate governance in international financial compliance and regulatory matters as well as financial sector disputes. Tahir also has an interest in investment banking, which has recently focussed on Green Bonds and Islamic Bonds, particularly in the transport infrastructure and energy sectors.

Tahir has experience in matters including enforcement and/or setting aside mortgages, guarantee agreements, and loan agreements. He also brings his cross-disciplinary as well as cross-border experience in company commercial and insolvency matters to the fore within the finance arena as an asset.

#### **Investment Banking and Islamic Finance**

Tahir's Islamic Finance practice covers different aspects of Sharia-compliant transactions which include advice on Sukuk and Murabaha issuances. He has also written on the potential impact and unintended consequences of the EU Bank Recovery and Resolution Directive on Islamic investment banking transactions, in particular Sukuk financing. Tahir has a particular interest in Green bonds and advises on the creation of sustainable clean transport infrastructure bonds for international transport infrastructure projects, particularly within the EMEA markets.

#### **Business & Commercial Law**

As a commercial law specialist, Tahir has been instructed in a high number of cases including Banking & Financial Services, Bankruptcy, Chancery, Company Law, Contract Law, Debt and Insolvency.

Experienced in high-value cases, Tahir has advised on the £50m acquisition of a luxury hotel brand, as well as working with High-Net-Worth clients and Independent Financial Advisors on arbitration and appeals against arbitration awards.

Tahir accepts instructions in advisory and contentious matters from High-Net-Worth individuals and SME businesses concerning almost all business, commerce and insolvency law-related matters.

His expertise includes:

- Alternative Dispute Resolution
- Aviation Leasing
- Banking and Islamic Finance
- Company Commercial Contracts
- EU & Public International
- Financial Crime (in particular forex trading)
- Insolvency
- Intellectual Property
- Property
- Regulatory Compliance & Commercial Judicial Review
- Contested Probate

#### **Environmental Law**

Tahir has a particular interest in climate change laws and transport-related air pollution and has advised on international collaborations and joint venture projects on power generation, energy and fuel efficiency which have also had regulatory, compliance and investment banking elements.

He has advised and represented clients on a range of planning issues including appeals, compulsory purchase and planning enforcement notices, in respect of commercial property, industrial property and rural/agricultural land.

#### **EU Public International Law**

Tahir acts in EU and Public international law in respect of the relationship of States with one another. Instructions have included addressing the question of State immunity and diplomatic immunity in particular concerning actions of State officials.

#### **Land and Property**

Tahir's property practice consists of advisory and litigation matters concerning a variety of Land and Property issues including Trespass, Wrongful damage to property and demolition, Service charges, Resulting and Constructive trusts, Breach of covenants and Insolvency and Restructuring in a Leasehold context.

#### **Insolvency**

With a background in Insolvency law, Tahir has advised and acts in matters including Statutory demands, undervalue transactions, Misfeasance in public office, Intention to defraud creditors, Trustee claims, Setting aside bankruptcy petitions and judgments, Creditor petitions, Winding up petitions and Applications under s366 of IA 1986 private examinations.

Tahir was retained as sole Counsel by a London Borough for advice on its assets following an Administration Order and appointment of Administrators of a national car parking group in respect of a large multi-storey car park where the annual rent was just under £1m.

#### **IP / IT Cases**

Tahir has advised and represented on Licensing of intellectual property rights and OEM equipment, Assignment of existing IP of fuel efficiency technologies, Infringement of registered trademarks, Mediation and settlements, Passing-off online including Domain name disputes litigation as well as restrictive covenants.

Tahir has worked for celebrity clients in the music industry from advising on business structures to litigation in court following the break-up of a very successful band of the 2000s.

#### **Family Law & Matrimonial Finance**

Tahir is also highly experienced in cases involving matrimonial finance on the separation of parties. His recent cases include advice and representation on applications under the Matrimonial Causes Act 1973, such as Property adjustment orders in connection with divorce proceedings, Child Arrangement Orders, advising on interim arrangements applications and dispute resolution hearings. Tahir is available for instruction on the above and of course on ancillary relief proceedings.

Note:

Outside of these key areas of law, Mr Tahir Ashraf is always willing to consider any enquiry requiring the experience or knowledge needed to help you or your client. Please call Tahir direct or the support team on 01823 247 247 if you would like to discuss any aspect of this profile.

#### **Appointments and Memberships**

#### **Education, Qualifications and Awards**

- Muslim 100 Power List
- Excellence in Commercial Law – Winner – Corporate LiveWire 2017
- Commercial Barrister of the Year - Winner – ACQ5 Global Awards 2016
- Commerce and Business Barrister of the Year – Winner – Lawyer Monthly Legal Awards 2016
- Commerce and Business Barrister of the Year – Winner – Finance Monthly Legal Awards 2016
- Best Commercial Barrister – Winner – UK Acquisition International Legal Awards 2015
- Bar Vocational Course – BPP

#### **Background**

Tahir's introduction to law came during journalism training at the BBC in the 1990s. Tahir was thrust into voluntary interpreting which became the eventual springboard for a legal career.

Spotted and encouraged by his law lecturer, Tahir undertook legal work experience and spent time observing independently and discussing court proceedings with High Court judges. He was mentored by a commercial Queen's Counsel and two Chancery Commercial High Court Judges, becoming a qualified advocate in 2008.

Tahir trained in part at The Insolvency Service where he developed a passion for insolvency law. Tahir went on to train in commercial, insolvency, employment and property matters at chambers in the Temple area of London.

Given the changes in the legal profession, Tahir decided to develop an additional skill set and cross-qualified as a Solicitor-Advocate at a commercial litigation firm. There, Tahir focussed again on insolvency, employment and commercial matters with an emphasis on litigation and dispute resolution, until 2013, when he joined Chambers at Gray's Inn. In 2016, he founded a set of specialist commercial Barristers at 5 Chancery Lane.

#### **Personal Interests**

Alongside his passion for the law, Tahir is known as "The Singing Barrister" and has an active interest in the creative arts. He is an actor, songwriter, presenter and performer. He currently hosts his own drive-time radio show on current affairs and human-interest stories and has performed in theatre productions, TV shows, as well as feature films.

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