



IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. ATT 45 of 2024 (DDJ)

IN THE MATTER OF THE LEGAL PRACTITIONERS ACT (AS REVISED)

AND IN THE MATTER OF AN APPLICATION FOR THE LIMITED ADMISSION OF DANIEL BAYFIELD KC AS AN ATTORNEY-AT-LAW OF THE CAYMAN ISLANDS IN GRAND COURT FINANCIAL SERVICES DIVISION CAUSE NO FSD 289 OF 2023 (DDJ)

Appearances: Christian La-Roda Thomas and Luke Armitage of Maples and Calder (Cayman) LLP

Before: The Hon. Justice David Doyle

Heard: 25 April 2024

Ex tempore Judgment delivered: 25 April 2024

Transcript of ex tempore Judgment circulated: 25 April 2024

Transcript of ex tempore Judgment approved: 26 April 2024

HEADNOTE

Determination of Limited Admission Application



JUDGMENT

Introduction

1. I shall now deliver a judgment in respect of ATT 45 of 2024. I confirm that I have considered the hearing bundle including the very helpful written submissions dated 23 April 2024 from Maples and Calder (Cayman) LLP (no individual attorneys specified). I have also considered the affidavits in support of the application dated 10 April 2024 for the limited admission of Daniel Bayfield KC (“Mr Bayfield”) in respect of FSD 289 of 2023 (DDJ) (the “Application”).
2. As recently and forcefully reiterated by Justice Jalil Asif in the *Limited Admission of Alexander James Kenneth Potts KC* (ATT 26 of 2024; unreported judgment delivered on 6 March 2024) applications for limited admission are not rubber-stamping exercises. Proper respect must be given to the local jurisdiction and the strict requirements that must be satisfied before such an application can be considered and, if appropriate, granted.

Summary

3. For the brief reasons stated in this judgment I have decided to grant the Application.

The relevant law and procedure

4. In respect of the relevant law and procedure I have considered my judgment in *Limited Admission of David Stewart Mumford QC* (9 March 2022), Justice Segal’s judgment in *Henry Elliot Gordon Phillips* (11 April 2023), section 4 of the Legal Practitioners Act (“Section 4”) and the Practice Direction 4 of 2012 (“Practice Direction”). In *Mumford* I endeavoured to review the relevant law and procedure in some considerable detail and I do not set it all out again in this short judgment but I have full regard to it.



Determination of the Application

5. I am satisfied in the circumstances of the Application presently before me that the requirements of Section 4 and the Practice Direction have been duly complied with.
6. The grounds of the Application were not specified in the Application itself (see *Mumford* paragraph 9(4)(d) and *Goldring* (8 August 2022) at paragraph 6). They were only briefly touched upon at paragraph 8 of the Attorney's Affidavit sworn in support on 9 April 2024, which stated:

“The Hearing will involve complex arguments in relation to setting aside an order for leave to serve out and a case management stay. In particular, the Hearing is likely to focus on the significance and materiality of the Plaintiff's non-disclosure of an appeal listed in certain parallel and overlapping foreign proceedings between the same parties. The Plaintiff was represented by leading counsel at the *ex parte* hearing held on 6 December 2023, Duncan Matthews KC, and I understand will be so represented again at the Hearing. For these reasons, the First to Fifth Defendants wish for someone with considerable experience acting as advocate in complex disputes of this nature to represent them at the Hearing.”

7. A little more meat is put on the bones in paragraph 19 of the written submissions. In summary, reliance is placed on the complexity of the proceedings.
8. I have considered the various relevant factors including the nature and complexity of the case. There can be no doubt in respect of the applicant KC's qualifications, good character, professional conduct, expertise and experience. The applicant KC has obtained the necessary work permit. I note also that the local attorneys will remain involved and that the case will be primarily conducted from the Cayman Islands. I note that the First to Fifth Defendants wish to be advised and represented by the applicant KC alongside local attorneys.

9. I am satisfied that it is appropriate in the circumstances of this particular case to exercise my discretion in favour of granting the Application and I grant it for the brief reasons stated in this judgment.

10. Mr Bayfield is to sign the register of admitted attorneys as soon as is practicable and I know that he will be on Island on or shortly before 1 May 2024 for the scheduled hearing. Mr Bayfield is, of course, required to comply with all the professional duties and obligations and be subject to the professional discipline of a generally admitted attorney at law and as an officer of this court. There was no undertaking provided in the affidavit evidence presented to the court but I note the undertaking provided this morning to the effect that Mr Bayfield will sign the register of admitted attorneys as soon as is practicable and he will comply with all the professional duties and obligations and be subject to the professional discipline of a generally admitted attorney at law and as an officer of this court and that he has provided similar undertakings previously.

THE HON. JUSTICE DAVID DOYLE
JUDGE OF THE GRAND COURT