



## Henry Warwick KC

*"Razor-sharp, in writing and on his feet. Imaginative and thorough, leaving no stone unturned."*

- Legal 500 2024

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Call	2007 (Solicitor: 2000)
Silk	2020

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Henry Warwick KC is a leading practitioner in commercial disputes, group litigation, and in banking and financial services.

He has considerable experience in group litigation and other multi-party actions, for which he is recognised as a leading Silk by legal directories. He acted for the Claimants in *The Post Office Group Litigation*, for GSK in the *Seroxat Group Litigation* and both for claimants and defendants in large-scale financial services and consumer law disputes. He is routinely instructed in costs and associated litigation funding matters.

Henry is also ranked as a leading Silk by legal directories for Commercial Disputes. His experience ranges from sovereign wealth fund litigation to joint venture, partnership and other investment disputes, as well as civil fraud. He acted for defendants at trial in *London Capital & Finance Plc (in administration) v. Thompson & others*, identified by *The Lawyer* as one of the top 20 most significant commercial cases in 2024.

Henry represented UK nationals in remaining EU member states in *R (Miller & Others) v Secretary of State for Exiting the European Union* [2017] UKSC 6, and in a challenge to EU measures concerning Brexit negotiations in *Fair Deal v Commission* (T-713/16).

Before joining the Bar, he practiced as a solicitor at Linklaters LLP, latterly as Legal Counsel at the Permanent Court of Arbitration in The Hague.

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# Commercial Disputes

Henry Warwick KC is ranked as a leading Silk for Commercial Disputes by legal directories. He has acted in many high profile cases; recent examples are given below.

He represents clients in the Business and Property Courts, and on appeal, in a range of areas including:

- Disputes arising out of corporate and commercial investments, including joint venture, partnership, sale and supply and agency arrangements
- Post-acquisition and corporate restructuring litigation
- Civil fraud, with particular expertise in conspiracy and other economic torts
- Freezing and recovery of assets and relief in support of litigation overseas
- Disputes concerning the sale of goods, defective products and supply chains

Henry has represented clients in proceedings offshore, such as Gibraltar, and is instructed to represent overseas clients in litigation in England & Wales.

## Representative Cases

- *London Capital & Finance Plc (in administration) v. Thompson & others*  
Acting for Defendants at trial in high profile alleged fraudulent trading claim arising in the administration of LC&F with respect to the sale of £250 million mini-bonds. A highly complex trial listed for 20 weeks. The case is identified by The Lawyer as one of its Top 20 cases for 2024.
- *Your Lawyers v. Therium Capital Management & another*  
Acting for Therium in claim concerning arrangements for the funding of the VW NOx Emissions Litigation.
- *Libyan Investment Authority v King*  
Acting for successful Defendants through to trial in high profile claim concerning investment by Libya's sovereign wealth fund in a hotel and retail joint venture in the UK.  
Associated applications concerning receivership orders with respect to LIA's claims pending resolution of contested authority to bring proceedings on behalf of the fund.  
Obtained security for costs against US\$67 billion fund due to lack of candour as to its assets and effect of sanctions on capacity to pay adverse costs.
- *Bermuda entities v Colorado Entities (Commercial Court)*  
Proceedings in the Commercial Court for anti-suit injunction restraining litigation in Colorado, USA and elsewhere, in investment dispute concerning Bermuda limited partnership agreement.
- *Chevron Corporation v Amazonia Recovery Limited & Others (Supreme Court, Gibraltar)*  
Complex proceedings concerning alleged commercial conspiracy arising from US\$18 billion judgment in respect of environmental pollution in Ecuador with associated proceedings in New York and elsewhere.
- *Stirling Mortimer Global Property Fund PCC Ltd v ELS & 10 Others (Commercial Court)*  
Complex civil fraud/economic tort claim for recovery of over €45m from defendants in the UK, Ireland, Spain and Nevada, together with further satellite litigation in this jurisdiction and in the United States.

# Group Litigation and Collective Redress

Henry represents and advises clients in group actions, including in large scale IT, environmental and product liability disputes.

He has particular experience in the complex case management, costs, costs management and funding and insurance issues that arise.

He represented over 500 claimants in the Post Office Group Litigation, was instructed for GSK in the Seroxat Group litigation, and has represented dealerships in high profile proceedings concerning vehicle emissions.

## Representative Cases

- *The Post Office Group Litigation (2018/19)*

Acting for over 500 Claimants in claim against Post Office relating to its point of sale and accounting IT systems. Represented Claimant at trial in 2017, mediation in 2018 and in costs and case management matters throughout. Judgment No.(3) is widely reported and cited by leading publications with respect to developments in the law in multiple areas, including good faith and implied terms in commercial contracts.

The case has received widespread and continuing publicity both nationally and in the legal press. It was identified by *The Lawyer* as one of its Top 20 cases for 2018.

- *Your Lawyers v. Therium Capital Management & another*

Acting for Therium in claims following compromise of the VW NOx Emissions Litigation, concerning arrangements for the conduct of the claims and provision of litigation funding.

- *Kells & others v. Friends Provident International & another*

Acting for 800+ Claimants at pre-trial stages of group claim proceeding in the Isle of Man following alleged mis-selling of financial products

- *The Seroxat Group Litigation*

Acted for defendant in large-scale group litigation concerning market-leading prescription anti-depressant / anxiolytic.

- *The JJML Pelvic Organ Prolapse Litigation (QB)*

Acting for defendant at interim stage in proceedings concerning medical products.

- *Claims following suspension of Woodford Equity Income Fund*

Acting for 5000+ Claimant group of investors in initial stages of claim

- *Claims against vehicle manufacturer*

Acting for leading motorcycle manufacturer in claims arising from alleged component defects.

# Banking and Financial Services

Henry is recommended in the field of Banking and Finance by Legal 500 (tier 3).

His practice in this field includes:

- Advising lenders in the UK and overseas in relation to a range of aspects of financial services regulation
- Disputes concerning the full spectrum of finance agreements including asset finance, loan facilities, and associated interest rate hedging products
- Claims concerning the alleged mis-selling of financial products
- Drafting credit agreements and associated statutory notices
- Claims relating to the fairness of debtor/creditor relationships

## Representative Cases

- *Kells & others v. Friends Provident International & another*  
Acting for 800+ Claimants at pre-trial stages of group claim proceedings in the Isle of Man following alleged mis-selling of financial products
- *Claims following suspension of Woodford Equity Income Fund*  
Acting for 5000+ Claimant group of investors in initial stages of claim
- *Axton v GE Money [2015] EWHC 1343 (QB), [2015] All ER (D) 39, cited White Book at 3H-331*  
Representing lender at first instance and on appeal in claim under s.140A 1974 Act dismissed for want of a causative link between statutory considerations and unfairness.
- *Durkin v DSG [2014] UKSC 21*  
Advising in relation to matters at issue in an appeal to the Supreme Court concerning the meaning and effect of s.75 Consumer Credit Act 1974.
- *Enforcement of syndicated loans*  
Enforcement of security in respect of high value syndicated loan arrangements involving range of foreign entities.
- *Advising overseas lenders*  
Advising overseas lenders on UK regulatory implications of launch of range of lending products.
- *Advising on management buyout*  
Advising on UK regulatory implications of management buyout financing.
- *Proceedings relating to SIPP investments*  
Multiple complaints against various IFAs and associated companies, including FOS proceedings, concerning advice given in respect of SIPP transfers and foreign property.

# Arbitration

Henry draws on experience in both domestic and international arbitrations, conducted ad hoc and pursuant to a range of institutional rules.

He acted as tribunal secretary and provided background support to international arbitral tribunals as Legal Counsel at the Permanent Court of Arbitration in The Hague.

Support on substantive and procedural issues to tribunals in disputes concerning rights and obligations in public international law including: *Guyana v Suriname* (2007), *Eurotunnel Arbitration* (2007), *Eritrea-Ethiopia Boundary Commission* (2007), *Eritrea-Ethiopia Claims Commission* (various) (as PCA Legal Counsel).

Support on substantive and procedural issues to tribunals range of investment treaty arbitrations (as PCA Legal Counsel).

## Representative Cases

- *Bermuda entities v Colorado entities* (Commercial Court)  
Acting in arbitration claim for parties seeking anti-suit injunction to enforce terms of LCIA arbitration clause.
- *Commercial arbitration* (1996 Act)  
Dispute between franchise operators in training and business referral sector.
- *Ad hoc arbitration* (UNCITRAL Rules)  
Claim by UK investor against African state for expropriation of mining sector assets (as solicitor).
- *Arbitration between main contractor and sub-contractors*  
Concerning the construction of a MOD procurement facility (as solicitor).
- Support on substantive and procedural issues to tribunals in disputes concerning rights and obligations in public international law including: *Guyana v Suriname* (2007), *Eurotunnel Arbitration* (2007), *Eritrea-Ethiopia Boundary Commission* (2007), *Eritrea-Ethiopia Claims Commission* (various) (as PCA Legal Counsel).
- Support on substantive and procedural issues to tribunals range of investment treaty arbitrations (as PCA Legal Counsel).

# Law of the European Union

Henry acted in two high profile legal challenges concerning the process for withdrawal of the UK from the European Union.

## Representative Cases

- *R (Miller & Others) v Secretary of State for Exiting the European Union* [2016] EWHC 2768 (Admin) & [2017] UKSC 5  
Representing members of an organization in 18 EU Members States (both in Divisional Court and in Supreme Court) in challenge regarding the Secretary of State's power to give notification under Article 50 TEU.
- *Fair Deal for Expats & Others v Commission of the European Union* (Case T-713/16)  
Challenge in the General Court of the European Union under Article 263 TFEU in respect of measures preventing negotiations between representatives of the United Kingdom and the Commission pending notice under Article 50 TEU.

## Professional Discipline and Regulatory Law

Henry is recommended in the field of Professional Discipline and Regulatory Law by Legal 500.

L500 2020: 'Very methodical and thorough; clients value his clear advice.'

## Representative Cases

- *Valse Holdings SA v Merrill Lynch* [2004] EWHC 2471 (Comm)  
Representing bank in Commercial Court claim regarding the duty of portfolio manager to warn of financial risks (as a solicitor).
- *Proceedings relating to SIPP investments*  
Multiple complaints against various IFAs and associated companies, including FOS proceedings, concerning advice given in respect of SIPP transfers and foreign property.

## What the directories say

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"Henry is highly astute, and deadly in cross-examination."  
*Legal 500 2024*

"Henry is super-clever and able to communicate his superb advice clearly."  
*Legal 500 2024*

"Henry Warwick is a real team player."  
*Chambers UK 2024*

"Henry is very smart and a pleasure to work with. He gives great advice on both tactics and strategy."  
*Chambers UK 2024*

"Henry Warwick is very client friendly, highly intelligent and enjoyable to work with."  
*Chambers UK 2024*

'Very approachable and very proactive.'  
*Legal 500 2023*

"Very responsive and quick to turn around work. As a former solicitor he's sat where those that instruct him sit so knows how to interface with the client."  
*Chambers UK 2023*

"Henry is extremely able in regulatory matters and a very approachable barrister."  
*Chambers UK 2023*

"Henry provides an outstanding level of service throughout a case."  
*Chambers UK 2023*

"He is extremely well organised, efficient and always accessible."  
*Chambers UK 2023*

"A very bright thinker, clearly a very effective advocate and a real team player who is a pleasure to work with."  
*Legal 500 2022*

"A very persuasive advocate, who engenders trust with the bench. As a former solicitor, he is great to work with as part of the team on substantial cases."  
*Legal 500 2022*

"A brilliant legal mind and very persuasive advocate, who engenders trust with the bench."  
*Legal 500 2022*

"He is a very bright thinker, a very effective advocate and a real team player who is a pleasure to work with. He is bound to be a very successful silk, and is widely respected by both the Bar and the bench."  
*Legal 500 2022*

"Highly skilled in regulatory matters, he's very approachable and good with clients."

*Chambers UK 2022*

"Excellent on the detail and very determined."  
*Chambers UK 2022*

"Very measured and very detailed on the law. He is very good at guiding the judge through complicated issues."  
*Chambers UK 2022*

"Meticulous, with attention to detail that is razor-sharp."  
*Legal 500 2020*

"Henry is a former solicitor so understands things from our side of the fence, he gets what it's like and he provides clear advice."  
*Legal 500 2021*

"Very methodical and thorough; clients value his clear advice."  
*Legal 500 2021*

"He is a very hard working and able barrister and will make an excellent silk, the award of which was richly deserved - a star in the making"  
*Legal 500 2021*

"A very hard-working and able barrister. A star silk in the making."  
*Legal 500 2021*

"His written work is excellent and he's never afraid to roll up his sleeves."  
*Legal 500 2021*

"An excellent regulatory lawyer, who is approachable, always willing to work and a great communicator."  
*Chambers UK 2021*

"He is intellectually very sharp and he constructs the right argument for the right judge."  
*Chambers UK 2021*

"A former solicitor who has it all."  
*Chambers UK 2021*



"Excellent with clients and really gets the pressures of an instructing solicitor."  
*Legal 500 2020*

"He very approachable and an excellent advocate."  
*Chambers UK 2020*

"Very good with clients, very user-friendly, very bright and very thorough."  
*Chambers UK 2019*

"Approachable, dynamic and a pleasure to work with."  
*Legal 500 2017*

"Very bright and thorough with excellent attention to detail."  
*Legal 500 2016*

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## Appointments

- King's Counsel (QC 2020)
- Legal Counsel at the Permanent Court of Arbitration in The Hague (2006-2007)
- Qualified as a solicitor at Linklaters (2000)

## Publications

- Contributor: Goode, The Law and Practice of Consumer Credit
- Contributor: Journal of International Banking and Financial Law

## Memberships

- COMBAR (Committee Member)
- IBA

## Education

- LLM (International Law), First Class Hons, Cambridge University (Jesus) (2005)
- Qualified as Solicitor (2000)
- Common Professional Exam (1996)
- B.Sc. First Class Hons, Bristol University (1996)

## Awards & Recognitions

