



Henry Warwick QC

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Henry Warwick QC

"Meticulous, with attention to detail that is razor-sharp."

- Legal 500 2020

Call 2007 (Solicitor: 2000)
Silk 2020

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Henry Warwick QC is recommended as a leading practitioner in the fields of Commercial Litigation, Commercial Disputes, Financial Services and Banking & Finance, among other areas.

He is instructed in large scale group actions, recently acting for 550 successful Claimants in The Post Office Group Litigation, and in the Seroxat Group Litigation.

Henry specialises in commercial law, civil fraud, financial services regulation and disputes concerning defective products.

He is also closely involved with the law and Brexit. He represented overseas nationals in *R (Miller & Others) v Secretary of State for Exiting the European Union* [2017] UKSC 6, and in *Fair Deal v Commission of The European Union* (T-713/16).

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

Commercial Disputes

Henry Warwick QC is recommended for Commercial Disputes by Chambers UK, and for Commercial Litigation by Legal 500.

He represents clients in a broad range of commercial disputes including:

- Disputes arising out of corporate and commercial investments, including joint venture, partnership, sale and supply and agency disputes and other associated contentious matters
- Civil fraud, in which he has particular expertise in claims in conspiracy and other economic torts
- Claims for the freezing and recovery of assets and in support of asset recovery overseas
- Disputes concerning the sale of goods and arising from liability for defective products as between undertakings in the chain of supply
- Associated insurance coverage disputes
- Matters in which relief sought includes restitutionary remedies for unjust enrichment, accounts of profits

and/or restitutionary damages and tracing in common law and equity.

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

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.
The case is identified by The Lawyer as one of its Top 20 cases for 2018.
- *Libyan Investment Authority v Various Defendants (Ch D. ongoing)*
Acting for series of UK parties in claim ongoing litigation brought by the LIA concerning joint venture.
- *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.
- *Claims concerning sale/supply of vehicles*
Claims concerning chain of supply of vehicle chassis components.

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

- *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.

Group Actions

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 is instructed to advise on a full range of associated matters, including complex limitation issues, conflicts of laws, contribution claims and subrogated insurance claims.

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.
The case is identified by The Lawyer as one of its Top 20 cases for 2018.
- *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 in litigation concerning medical products.

- *Claims against vehicle manufacturer*
Acting for leading motorcycle manufacturer in claims arising from alleged component defects.
- *DSG International v SEI (QB) & Associated Claims*
Representing UK retailer in proceedings against overseas manufacturer relating to defective electrical goods, with associated insurance coverage issues.
- *The VW NOx Emissions Group Litigation*
Instructed in 2017 for leading VW dealership.

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 & Regulatory

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

"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

Appointments

- 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

