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Henry Forbes Smith KC

Barrister
Call 2004 Silk 2023

Scope of Practice

• Arbitration (As Arbitrator) • Arbitration (As Counsel) • Banking and Financial Services • Civil Fraud and Investigations • Commercial Dispute Resolution • Company and Corporate • Energy • Foreign Law • Governmental Disputes • International Law • Joint Ventures • Judgment Recognition and Enforcement • Jurisdiction and Conflict of Laws • Securities • State Immunity • Information Technology

Overview

Henry Forbes Smith practices litigation and arbitration, concentrating on international contractual, commercial and governmental disputes.

Henry is recommended as a leading silk by Legal 500 for Banking and Finance (Tier 5) and for International Arbitration (counsel) (Tier 4). He is described as *"an exceptionally clever lawyer who can be relied upon to think of creative and effective solutions that no-one else would come up with"* (2026). Previous descriptions include: International Arbitration (2025), "*Henry is extremely intelligent and sees the big picture. He is adept at distilling a large amount of information and regulation into a coherent core theory, He therefore excels at the legally complex*", and (2024), *"Henry has a first rate and astonishingly innovative legal mind, particularly on all issues concerning the conflict of laws",* Banking & Finance (2025), *"Great choice, unique international and comparative law experience, very hard working",* and (2024), *"'One of the most hardworking and academically intelligent lawyers solicitors know",* Civil Fraud (2025), "*An exceptionally clever silk with an encyclopaedic knowledge of the law*" and (2024), *"A brilliant academic lawyer. An intellectual heavyweight with deep knowledge of law and procedure".* He has also been recommended as a leading silk for Public International Law (Legal 500, 2025).

Prior to taking silk, Henry was described as *"an excellent oral advocate: clear, powerful and persuasive"* (Legal 500, 2021), as *"a great cross-examiner and a very clever guy"* (Chambers and Partners, 2017), as *"a brilliant draftsman, and someone who is excellent at running with difficult arguments"* (Chambers and Partners, 2019), and as *"one of the finest legal minds of his generation"* (Legal 500, 2010). *"His attention to detail is extraordinary and his written work is flawless"* (Legal 500, 2017). Henry was featured on the cover of Legal Week in 2009 as a *"future star of the* bar", and as *"a fantastic lawyer, very focused, incredibly clever, ferociously hard working and very analytical"*.

Most of Henry's reported cases have been commented on in commentaries and legal periodicals, reflecting the quality of legal argument he brings. Thirteen are cited in Dicey, Morris & Collins, *The Conflict of Laws*. Ten are cited in the White Book on civil procedure, and eight are cited in *Chitty on Contracts*. Henry orally argued the most challenging parts of the case before the ICSID annulment committee in *Cortec v. Kenya* (ICSID Case No. ARB/15/29, Decision on Application for Annulment, 19 March 2021), successfully defending for Kenya jurisdictional dismissal of

a US$ 3 billion international law claim for serious violation of national (Kenyan) environmental law. Henry was counsel in the leading authorities on the interpretation of two of the most important standard form contracts in the world. Henry was counsel for Huawei in *Unwired Planet v. Huawei* [2020] UKSC 37, "*arguably the most significant FRAND hearing in history*" (Kirkland & Ellis, 22 October 2019), concerning whether the European Telecommunications Standards Institute (ETSI)'s standard form IPR licence allows courts to price patents worldwide and require them to be licensed to access local standards. Henry was counsel for Firth Rixson in *Lomas v. Firth Rixson* [2010] EWHC 3372, [2012] 1 CLC 713, concerning whether the International Swaps and Derivatives Association (ISDA)'s Master Agreement entitled Lehman Brothers to its in-the-money position on its insolvency.

Henry has extensive international expertise. Before coming to the English bar, Henry practised New York law with Davis Polk and New Zealand law with Chapman Tripp. Henry has worked on cases or transactions involving over 50 nations, many of them involving states. He has published on German law, has provided expert evidence on English law to United States, German and Cypriot courts, has contributed to arguments in Chinese, French, Indian, and Swiss courts, and has litigated or arbitrated cases governed by international law and by many national laws, including Canadian, Chinese, Congolese, English, French, Georgian, German, Kenyan, New York, New Zealand, Norwegian, Russian, Sierra Leonese, Singaporean, Swedish, Swiss, United States, various US state, Ukrainian, Uzbek, and Tajik laws. Henry was counsel for Mr Berezovsky responsible for Russian law in *Berezovsky v. Abramovich* [2012] EWHC 2463 at that time the largest claim between individuals in history.

SCC arbitration (2023-24). Leading counsel for a United States group in a dispute with a subsidiary of a Russian company over UK and EU sanctions.

ICC arbitration (2023). Leading counsel for a bank in a confidential dispute.

Cortec v. Kenya (ICSID Case No. ARB/15/29, Decision on Application for Annulment, 19 March 2021). Counsel for the Republic of Kenya successfully defending jurisdictional dismissal of a US$ 3 billion mining claim on the ground that the alleged investment was made in serious violation of Kenyan environmental law and not therefore a protected investment.

Unwired Planet v. Huawei [2020] UKSC 37. Counsel for Huawei in its appeal to the UK Supreme Court in "arguably the most significant FRAND hearing in history" (Kirkland & Ellis, 22 October 2019). The issue was whether the courts of that country can price global patents and require them to be licensed or paid for as a condition to the supply of such phones or devices in that country.

Conversant v. Huawei [2020] UKSC 37, [2019] EWCA Civ 38, [2018] EWHC 808. For Huawei in its jurisdiction challenge to English proceedings to set global patent prices. The case went to Supreme Court level both in the UK and China and involved the first antisuit granted by the Chinese courts against western (German) court proceedings.

TCL v. Philips and European Telecommunications Standards Institute, Paris tribunal de grande instance, 4 February 2019, related English proceedings, [2020] EWHC 2533. For TCL successfully establishing (for the first time) the jurisdiction of the French courts over claims to price global patents under the ETSI standard form patent licence.

Microsoft v. Sony and others [2017] EWHC 374. For Samsung successfully obtaining jurisdictional dismissal of cartel claims worth hundreds of millions of dollars over supply of batteries for use in mobile phones in favour of arbitration.

Deutsche Bank v. Petromena [2013] EWHC 3065, [2015] EWCA Civ 226. For a Norwegian bond issuer pursuing US$ 800 million claims against the underwriter of the bond issue. The claims were held to fall outside the scope of an exclusive Norwegian jurisdiction agreement.

Lehman Brothers v. Sal Oppenheim & Cie Jnr [2014] EWHC 2627. Sole counsel for Oppenheim in a trial concerning Lehman's ability to recover the market impact of its own bankruptcy event of default as part of the close-out price under the ISDA Master Agreement.

Mauritius Commercial Bank v. Hestia [2013] EWHC 1328. Lead counsel for an Indian company challenging a one-sided jurisdiction agreement in a loan contract under Mauritius and English law. The decision is commented on by Stacey and Taylor (2013) 30 IFLR 74.

Lomas v. Firth Rixson [2010] EWHC 3372, [2012] 1 CLC 713. For Firth Rixson successfully resisting claims by Lehman Brothers to recover Lehman's in-the-money position at bankruptcy under the ISDA Master Agreement. The case is a leading authority on the central clause of the ISDA Master Agreement, a major standard form contract.

Berezovsky v. Abramovich [2012] EWHC 2463. For Mr Berezovsky in his €6 billion claims against Mr Abramovich, then the largest claim ever by a private individual. Lead junior counsel responsible for Russian law.

Berezovsky v. Patarkatsishvili. For Mr Berezovsky in his €2 billion claims against Mr Patarkatsishvili and his estate. Lead junior counsel responsible for Russian law.

RWE. For RWE, a German energy major, successfully dismissing in LCIA arbitration a US$1.4 billion claim for failure to invest under a contract governed by Russian law on the ground that the contract was ineffective.

Catalyst v. Lewinsohn [2010] Ch 18. For a bond issuer successfully obtaining a declaration in England of non-liability for fraud allegations made in Utah proceedings. The case is an authority on the lis pendens rules of the European jurisdiction regulation.

Grovit v. De Nederlandsche Bank [2007] EWCA Civ 953. For the Dutch Central Bank successfully obtaining jurisdictional dismissal of libel claims on grounds of state immunity. The case is noted by Lord Lloyd-Jones (2019) 68 ICLQ 247.

Tajik Aluminium Plant v. Ermatov [2006] EWHC 2374. For the Tajik state owned aluminium plant in US$ 500 million bribery claims against its former director and trading partner, with a counterclaim alleging Presidential wrongdoing and related LCIA and ICC arbitration.

Henry has litigated or arbitrated major disputes governed by international law and by a wide range of national and state laws, both common law and civil law, including United States laws (both federal and state), Canadian law, Singaporean law, Chinese law, Indian law, French law, German law, Swiss law, Swedish law, Norwegian law, Congolese law, Kenyan law, Sierra Leone law, Russian law, Ukrainian law, Uzbek law, and Tajik law.

Henry is admitted in England and Wales, New York and New Zealand, and has provided expert evidence of English law to United States and European courts. Before coming to the English bar, Henry practised New York law with Davis Polk, concentrating in capital markets (including derivatives) and mergers & acquisitions. Before that, he practised New Zealand law with Chapman Tripp, concentrating in securities law and mergers & acquisitions.

Examples of Recent Cases

Commercial Dispute Resolution

SCC arbitration (2023-24). Leading counsel for a United States group in a dispute with a subsidiary of a Russian company over UK and EU sanctions.

ICC arbitration (2023). Leading counsel for a bank in a confidential dispute.

Cortec v. Kenya (ICSID Case No. ARB/15/29, Decision on Application for Annulment, 19 March 2021). For the Republic of Kenya successfully defending jurisdictional dismissal of a US$ 3 billion mining claim on the ground that the alleged investment was made in serious violation of Kenyan environmental law and not therefore a protected investment.

Unwired Planet v. Huawei [2020] UKSC 37. For Huawei in its appeal to the UK Supreme Court in *"arguably the most significant FRAND hearing in history"* (Kirkland & Ellis, 22 October 2019). The issue was whether, where a mobile phone or wireless device infringes a country´s patent, the courts of that country can price global patents and require them to be licensed or paid for as a condition to the supply of such phones or devices in that country.

Conversant v. Huawei [2020] UKSC 37, [2019] EWCA Civ 38, [2018] EWHC 808. For Huawei challenging jurisdiction in English proceedings to set global patent prices. The case went to Supreme Court level both in the UK and China and involved the first antisuit granted by the Chinese courts against western (German) court proceedings.

TCL v. Philips and European Telecommunications Standards Institute, Paris tribunal de grande instance, 4 February 2019, related English proceedings, [2020] EWHC 2533. For TCL successfully establishing (for the first time) the jurisdiction of the French courts over claims to price global patents under the ETSI standard form patent licence.

Microsoft v. Sony and others [2017] EWHC 374. For Samsung successfully obtaining jurisdictional dismissal of cartel claims worth hundreds of millions of dollars over supply of batteries for use in mobile phones in favour of arbitration.

Heraeus v. Biomet [2016] EWHC 136. For a healthcare company in cross-border litigation in England, Germany and elsewhere concerned with rights to allegedly confidential information.

Palmerston Hotels & Resorts BV v. Brocket Hall [2016] EWHC 2018. For the Chinese-backed buyer of a historic estate and golf club claiming management control from the seller.

SIAC arbitration. For a Dutch distributor in its dispute with a Hong Kong manufacturer concerning worldwide supply of products under a Supply Agreement.

Berezovsky v. Abramovich [2012] EWHC 2463. For Mr Berezovsky in his €6 billion claims against Mr Abramovich, then the largest claim ever by a private individual. Lead junior counsel responsible for Russian law.

Berezovsky v. Patarkatsishvili. For Mr Berezovsky in his €2 billion claims against Mr Patarkatsishvili and his estate. Lead junior counsel responsible for Russian law.

Meinl. For board members of major traded company in takeover proceedings in Jersey.

RWE. For RWE, a German energy major, successfully dismissing in LCIA arbitration a US$1.4 billion claim for failure to invest under a contract governed by Russian law on the ground that the contract was ineffective.

Catalyst v. Lewinsohn [2010] Ch 18. For a bond issuer successfully obtaining a declaration in England of non-liability for fraud allegations made in Utah proceedings. The case is an authority on the lis pendens rules of the European jurisdiction regulation.

Royal Bank of Scotland v. Winterthur. For RBS in a breach of contract claim on a £1.2 billion acquisition of an insurer.

Global Risk v. Marsh & McLennan. For an insurer applying to discontinue a claim by a vulture fund to a declaration on the meaning of a contract to which it was a stranger.

Benedetti v Sawiris. For Mr Benedetti in the early stages of his claim concerning the €12 billion acquisition of the Italian mobile Wind.

Tajik Aluminium Plant v. Ermatov [2006] EWHC 2374. For the Tajik state owned aluminium plant in US$ 500 million bribery claims against its former director and trading partner, with a counterclaim alleging Presidential wrongdoing and related LCIA and ICC arbitration.

Banking and Financial Services

"A first-class draftsman and analyst when it comes to complex jurisdiction points and ISDA matters" (Legal 500, 2015), that he is *"A former capital markets lawyer at a New York firm, who is well-versed in a variety of securities and derivative transactions"* (Chambers and Partners, 2015), that he is a *"Solid junior with a banking practice informed, in part, by his former career as a capital markets lawyer in New York at US firm Davis Polk. He has a particular interest in cases dealing with securities, options trading and derivatives"* (Chambers and Partners, 2017), and that *"The 'highly intelligent and dedicated' Henry Forbes Smith is praised for his concise drafting style and his work on the recent glut of derivatives mis-selling cases."* (Chambers and Partners, 2013).

ICC arbitration (2023). For a bank in a confidential dispute.

Mortgage rate setting claims (2022). For a major mortgage lender defending claims by large numbers of borrowers before the Financial Ombudsman for variable interest rate setting in and following the financial crisis.

Loan claim (2021). For a US citizen sued in England on an allegedly forged contract. As sole counsel, successfully

obtained an urgent variation reducing the scope of a freezing order from worldwide to domestic. As lead junior counsel, then successfully discharged the freezing order entirely.

Russian oligarchs (2017-2018). For a Russian oligarch sued by another Russian oligarch in LCIA arbitration concerning New York proceedings to garnish an English law debt owed to another Russian oligarch.

LCIA arbitration (2016-2017). Sole counsel for a lender successfully obtaining an LCIA arbitration award for repayment of a loan under a contract which the lender's CEO signed and then denied authority to sign. Successfully defended the award in the English Commercial Court.

Deutsche Bank v. Petromena [2015] EWCA Civ 226. For a Norwegian bond issuer pursuing US$ 800 million claims against the underwriter of the bond issue. The claims were held to fall outside the scope of an exclusive Norwegian jurisdiction agreement.

Lehman Brothers v. Sal Oppenheim & Cie Jnr [2014] EWHC 2627. Sole counsel for Oppenheim in a trial concerning Lehman's ability to recover the market impact of its own bankruptcy event of default as part of the close-out price under the ISDA Master Agreement.

Mauritius Commercial Bank v. Hestia [2013] EWHC 1328. Lead counsel for an Indian company challenging a one-sided jurisdiction agreement in a loan contract under Mauritius and English law. The decision is commented on by Stacey and Taylor (2013) 30 IFLR 74..

Lomas v. Firth Rixson [2010] EWHC 3372, [2012] 1 CLC 713. For Firth Rixson successfully resisting claims by Lehman Brothers to recover Lehman's in-the-money position at bankruptcy under the ISDA Master Agreement. The case is a leading authority on the central clause of the ISDA Master Agreement, a major standard form contract,

Trebuchet v. Merrill Lynch. For a purchaser of sub-prime mortgage securities in a breach of contract and material misrepresentation claim for poor underwriting standards.

Standard Chartered Bank v. Dumrul. For the claimant bank suing a failed currency options trader on closing out his trading account.

Relational v. Hodges [2011] EWCA Civ 774. For a US lender successfully enforcing a US default judgment on a loan, obtaining an anti-suit injunction preventing the debtor pursuing US proceedings, and resisting security for costs as discriminatory.

Catalyst v. Lewinsohn [2010] Ch 18. For a bond issuer successfully obtaining a declaration in England of non-liability for fraud allegations made in Utah proceedings. The case is an authority on the lis pendens rules of the European jurisdiction regulation,

Civil Fraud and Investigations

Henry *"Has profound experience in Russia-related litigations and civil fraud cases"* (Legal 500, 2018) and is *"Highly experienced in banking and fraud related cases"* (Legal 500, 2015, Fraud: Civil).

Disputed loan claim. For a US citizen sued in England on a loan contract containing an English jurisdiction agreement he said was forged. As sole counsel, successfully obtained an urgent variation reducing the scope of a freezing order from worldwide to domestic. As lead junior counsel, then successfully discharged the freezing order entirely.

Fraud claim. For a company director defending fraud claims, including proprietary claims to the sale of his own shares.

Gerald Metals SA v. Timis [2017] EWHC 1375. For a mining company in an unlawful means conspiracy claim arising out of West African mining investments.

Premier League Football Club v. Former Director. Sole counsel for the former director of a premier league football club defending fraud allegations.

Swiss attachment proceedings. For a Russian oligarch in Swiss court attachment proceedings.

TNK-BP v. Beppler & Jackson [2012] EWHC 3286. For a Russian businessman successfully challenging jurisdiction over a bribery claim.

Weavering Capital v. Peterson. For a former hedge fund manager (with Thomas Beazley QC) defending US$ 500 million fraudulent ISDA swap trading claims

Alphasteel. For an Iranian director of an English company defending fraud claims.

Tajik Aluminium Plant v. Ermatov [2006] EWHC 2374. For the Tajik state owned aluminium plant in US$ 500 million bribery claims against its former director and trading partner, with a counterclaim alleging Presidential wrongdoing and related LCIA and ICC arbitration.

Jurisdiction and Conflict of Laws

"Henry has a first rate and astonishingly innovative legal mind, particularly on all issues concerning the conflict of laws" (Legal 500, 2024). Henry is *"Fantastic on black-letter law issues, particularly jurisdiction"* (Legal 500, Banking & Finance, 2020). *"He's excellent on questions of jurisdiction"* (Chambers and Partners, 2016); *"A first-class draftsman and analyst when it comes to complex jurisdiction points"* (Legal 500, 2015).

ICC arbitration (2023). Leading counsel for a bank in a confidential dispute concerning novel aspects of conflict of laws.

Cortec v. Kenya (ICSID Case No. ARB/15/29, Decision on Application for Annulment, 19 March 2021). For the Republic of Kenya successfully defending jurisdictional dismissal under international law of a US$ 3 billion mining claim on the ground that the alleged investment was made in serious violation of Kenyan environmental law.

Unwired Planet v. Huawei [2020] UKSC 37. For Huawei disputing the jurisdiction of the English court to price global patents and require them to be licensed as a condition to accessing the UK mobile phone and wireless market.

Conversant v. Huawei [2020] UKSC 37, [2019] EWCA Civ 38, [2018] EWHC 808. For Huawei in its jurisdiction challenge to English proceedings to set global patent prices. The case went to Supreme Court level both in the UK and China and involved the first antisuit granted by the Chinese courts against western (German) court proceedings.

TCL v. Philips and European Telecommunications Standards Institute, Paris tribunal de grande instance, 4 February 2019, related English proceedings, [2020] EWHC 2533. For TCL successfully establishing (for the first time) the jurisdiction of the French courts over claims to price global patents under the ETSI standard form patent licence.

VTB v Basel, (2018 Commercial Court), a dispute over the enforceability of Russian law debt in the context of sanctions.

Microsoft v. Sony and others [2017] EWHC 374. For Samsung successfully obtaining jurisdictional dismissal of cartel claims worth hundreds of millions of dollars over supply of batteries for use in mobile phones in favour of arbitration.

Serious Fraud Office v. Saleh [2017] EWCA Civ 18. For the Serious Fraud Office in an appeal concerning whether a Canadian judgment precluded English forfeiture proceedings on grounds of res judicata.

Heraeus v. Biomet [2016] EWHC 1369. For a healthcare company challenging English jurisdiction on grounds of lis pendens in Germany.

Deutsche Bank v. Petromena [2013] EWHC 3065, [2015] EWCA Civ 226. For a Norwegian bond issuer pursuing US$ 800 million claims against the underwriter of the bond issue. The claims were held to fall outside the scope of an exclusive Norwegian jurisdiction agreement. The case is also a leading authority on submission to jurisdiction under CPR 11.

Mauritius Commercial Bank v. Hestia [2013] EWHC 1328. Lead counsel for an Indian company challenging a one-sided jurisdiction agreement in a loan contract under Mauritius and English law. The decision is commented on by Stacey and Taylor (2013) 30 IFLR 74.

TNK-BP v. Beppler & Jackson [2012] EWHC 3286. For a Russian businessman successfully challenging jurisdiction over a bribery claim.

Relational v. Hodges [2011] EWCA Civ 774. For a US lender successfully enforcing a US default judgment on a loan, obtaining an anti-suit injunction preventing the debtor pursuing US proceedings, and resisting security for costs as discriminatory

Catalyst v. Lewinsohn [2010] Ch 18. For a bond issuer successfully obtaining a declaration in England of non-liability for fraud allegations made in Utah proceedings. The case is an authority on the lis pendens rules of the European jurisdiction regulation.

Grovit v. De Nederlandsche Bank [2007] EWCA Civ 953. For the Dutch Central Bank successfully obtaining jurisdictional dismissal of libel claims on grounds of state immunity. The case is noted by Lord Lloyd-Jones (2019) 68 ICLQ 247.

Tajik Aluminium Plant v. Ermatov [2006] EWHC 2374. For the Tajik state owned aluminium plant disputing jurisdiction over a counterclaim alleging Presidential wrongdoing.

Arbitration (As Counsel)

SCC arbitration (2023-24). Lead counsel for a household product company in a dispute with a supplier over UK and EU sanctions.

ICSID arbitration, Cortec v. Kenya (ICSID Case No. ARB/15/29, Decision on Application for Annulment, 19 March 2021). Counsel for the Republic of Kenya successfully defending jurisdictional dismissal under international law of a US$ 3 billion mining claim on the ground that the alleged investment was made in serious violation of Kenyan environmental law.

ICSID arbitration. For an investor as to EU law on ICSID jurisdiction under intra-EU BITs.

LCIA arbitration For a Russian oligarch in an LCIA arbitration with another Russian oligarch concerning New York proceedings to garnish a US$ 150 million English law debt.

ICC arbitration, *Microsoft v. Sony and others* [2017] EWHC 374. Counsel for Samsung successfully obtaining jurisdictional dismissal in favour of arbitration of cartel claims worth hundreds of millions of dollars over batteries in mobile phones. The case is a leading authority on arbitrability of antitrust claims.

LCIA arbitration. Sole counsel for a lender successfully obtaining an award for repayment of a loan under a contract which the borrower's CEO signed and then denied authority to sign. Successfully defended the award from jurisdictional challenge in the English Commercial Court.

LCIA arbitration, *Palmerston Hotels & Resorts BV v. Brocket Hall* [2016] EWHC 2018. Counsel for the Chinese-backed buyer of a historic estate and golf club in a dispute with the seller concerning control of the club.

LCIA arbitration. Sole counsel for a Dutch company on a claim against a Swiss company concerning carbon emissions trading.

SIAC arbitration. For a Dutch distributor in its dispute with a Hong Kong manufacturer concerning worldwide supply of products under a Supply Agreement.

UNCITRAL arbitration. For a party challenging a tribunal on grounds of bias.

LCIA arbitration. Counsel for a German energy major, successfully dismissing a US$1.4 billion claim for failure to invest under a contract governed by Russian law on the ground that the contract was ineffective.

LCIA arbitration. For a Russian property developer in a claim against an Austrian company for failure to finance a shopping centre in Moscow.

LCIA and ICC arbitrations, *Tajik Aluminium.* Counsel for the Tajik state owned aluminium plant in disputes concerning alleged governmental interference with contracts.

Arbitration (As Arbitrator)

LCIA arbitration. Arbitrator in dispute between a Swiss company and a Macedonian company over the sale of metals.

ICC arbitration. Sole arbitrator in dispute between an English company and United Arab Emirates and Indian companies over commodity trade finance.

LCIA arbitration. Arbitrator in a dispute between Dutch and Kazakh parties over a tax indemnity.

LCIA arbitration. Arbitrator in a dispute between Chinese and Sierra Leonese parties over a mining joint venture in West Africa.

LCIA arbitration. Presiding arbitrator in a dispute over demurrage.

LCIA arbitration. Arbitrator in a dispute between a US company and a former employee over an employment contract.

LCIA arbitration. Sole arbitrator in a dispute between English and Hong Kong parties over a settlement agreement and shareholders' agreement.

Ad hoc arbitration. Sole arbitrator in a dispute over pricing changes in a government contract.

Secretary to ICC, ICDR and LCIA tribunals (2005-2007).

What the Directories Say

"He is very clever and skilled in drafting submissions. He is very experienced in dealing with financial matters." (Legal 500 2027, Banking & Finance (including consumer credit))

"Henry is an exceptionally clever lawyer who can be relied upon to think of creative and effective solutions that no-one else would come up with." (Legal 500, 2026, Banking and Finance; International Arbitration: Counsel)

"*Henry is extremely intelligent and sees the big picture. He is adept at distilling a large amount of information and regulation into a coherent core theory, He therefore excels at the legally complex*" (Legal 500 2025, International Arbitration)

"Great choice, unique international and comparative law experience, very hard working" (Legal 500 2025, Banking & Finance)

"*An exceptionally clever silk with an encyclopaedic knowledge of the law*" (Legal 500 2025, Civil Fraud)

"Henry has a first rate and astonishingly innovative legal mind, particularly on all issues concerning the conflict of laws" (Legal 500, 2024, International Arbitration).

"A brilliant academic lawyer. An intellectual heavyweight with deep knowledge of law and procedure" (Legal 500, 2024, Civil Fraud).

"One of the most hardworking and academically intelligent lawyers solicitors know", (Legal 500, 2024, Banking & Finance).

"A very very clever lawyer, with an encyclopaedic knowledge of the law. Henry is instructed on some of the biggest cases at the Bar" (Legal 500, 2023)

"Henry is an excellent oral advocate: clear, powerful and persuasive" (Legal 500, 2022)

"One of the most hard working barristers I have ever met" (Legal 500, 2022)

"Exceptionally intelligent and has profound experience in Russia and CIS-related litigations" (Legal 500, 2020)

"extensive practical experience (in particular, Russia and CIS cases)" (Legal 500, 2020)

"Fantastic on black-letter law issues, particularly jurisdiction" (Legal 500, 2020)

"Extremely intellectual, hard-working, a brilliant draftsman, and someone who is excellent at running with difficult arguments" (Chambers and Partners, 2019)

"Has profound experience in Russia-related litigations and civil fraud cases" (Legal 500, 2018)

"His attention to detail is extraordinary and his written work is flawless" (Legal 500, 2017)

"He is a great cross-examiner and a very clever guy" (Chambers and Partners, 2017)

"Digests large volumes of documents very quickly to identify areas of relevance" (Legal 500, 2017)

"He is particularly well regarded for his experience in disputes concerning Russian law" (Chambers and Partners, 2015)

"He's solid, responsive and cerebral" (Chambers and Partners, 2015)

"A must-have on your side in disputes involving Russia." (Legal 500, 2014)

"He's extremely intelligent, very thoughtful, hard-working, and, in a word, meticulous" (Chambers and Partners, 2014)

"one of the finest legal minds of his generation" (Legal 500, 2010)

He was featured on the cover of Legal Week in 2009 as a "*future star of the* bar", where he was described as "*a fantastic lawyer, very focused, incredibly clever, ferociously hard working and very analytical*"

Davis Polk & Wardwell (2001-2004)

From 2001 to 2005, Henry practised New York law with Davis Polk & Wardwell in London, where he advised on the US law aspects of capital markets and mergers & acquisitions transactions. In 2000, he spent a summer with Davis Polk in New York working on US federal and state litigation.

- €2.3 billion privatisation of ONGC, an Indian energy major
- $20 billion US medium term note shelf for RBS
- Initial public offering (IPO) of a reinsurance broker on the London Stock Exchange
- IPOs of Nordic biotech companies on Nordic stock exchanges
- €1.3 billion restructuring of Bulgaria's Brady Bonds
- Equity derivatives and convertible bonds
- Debt offerings by financial, energy and telecom majors
- Spin off by a UK pharmaceutical of a Canadian business
- UK water and healthcare acquisitions by US private equity
- US disclosure and corporate governance requirements
- Corruption issues in a currency swap with an African sovereign
- Corruption and sanction issues regarding Iran

Publications, lectures and presentations

Singapore Judicial Training College. 2024, impartiality.

ICCA Congress, Hong Kong, 2024, the right to impartiality (publication forthcoming).

Singapore Attorney-General's Chambers, 2023, lecture on the relationship between international law and national law.

African Arbitration Association, 2022, role of state courts and state law in international law.

"The British perspective on advocacy in international arbitration", with Peter Leaver QC, chapter in Bishop and Kehoe ed, The Art of Advocacy in International Arbitration, 2nd ed, 2010

BIICL, 2007, presentation on act of state and justiciability.

“The mandatory reporting of torture by detention center officials: an original proposal”, with Mark Freeman, (2005) 27 Human Rights Quarterly 327

Lecturer, Conflict of Public of Laws, University of Otago, 2005.

Lecturer, Restitution, University of East Anglia, 2000

"Enforcement of foreign mandatory rules" (2000) 2 Hibernian Law Journal 305

“The principal of unjust enrichment in English and German law” (1997) 9 Otago Law Review 144, Joshua Williams Memorial Essay

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Education

PhD (Cantab), Gonville and Caius College, University of Cambridge (2001), conflict of laws, WM Tapp Studentship, Commonwealth Scholarship.

BCL (Oxon), Merton College, University of Oxford (1998), Vinerian scholarship, top of the BCL, Domus & Harmsworth Senior Scholarship.

LLB (Hons), Otago, New Zealand (1997), top of law school, 1st in 14 of 16 subjects.

Philip C. Jessup International Moot Competition, Washington D.C. (1997) (representing New Zealand).

Awards

Legal500 LEADING SILK 2025

2027 Chambers Top Ranked UK Bar One Essex Court

ONE ESSEX COURT

Contact Clerks



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