

# Harry Adamson

*“He’s fiendishly bright, a delight to work with, personable and someone to recommend for any sort of commercial dispute.”*

– CHAMBERS AND PARTNERS, 2021

Year of call: 2012  
Degree: MA in Philosophy (Cantab): Double First (first or second in year in all three years); M.Phil. and Ph.D. in Philosophy (Cantab)  
Languages: French (some knowledge), German (some knowledge), Spanish (some knowledge)



Harry is a highly rated expert in heavy commercial, chancery and financial services litigation, and is frequently instructed in some of the most significant cases in those areas before the Courts. His practice often operates in the overlap between commercial and public/regulatory law: for example, in cases involving international corruption; or fraud in the banking or financial services sector. He has particular expertise in the LSE’s AIM Market.

Harry has been recognised as a star junior for some time. He was selected in 2017 as one of Legal Week’s 2017 twelve ‘Stars at the Bar’, having been chosen as a result of interviews with 200 solicitors and barristers working in commercial litigation. Legal Week noted that “what marks him out as ‘a class act’ is his ability.” Recent comments include: “He’s fiendishly bright, a delight to work with, personable and someone to recommend for any sort of commercial dispute” (Chambers and Partners 2021); and “Clever, thoughtful, considerate and user-friendly, he’s a pleasure to deal with and is someone with a phenomenal brain” (Chambers and Partners 2020).

Before coming to the Bar, Harry studied and taught philosophy and logic at Cambridge and Harvard Universities, in areas including ethics and human rights, political theory, logic, set theory and probability theory.

## EXPERIENCE

### Commercial

Harry is expert in heavy commercial and chancery litigation. He is instructed on disputes arising in a variety of commercial contexts, including: claims against current and former company officers; regulatory/financial services; contractual disputes; and commercial fraud. He has co-authored the chapter on damages in the most recent edition of Paul Goulding QC (ed.) Employee Competition (OUP) and frequently presents and publishes on commercial law.

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## Cases

### **Zeus v HSBC Plc**

[2020] EWHC 3273 (Comm)

Harry acted as sole Counsel for HSBC, successfully resisting an application for pre-action disclosure/Norwich Pharmacal relief by individuals who purported to invest in a series of tax mitigation schemes. The application was dismissed as a “fishing expedition of some considerable proportion”.

### **Rowe et al vs HSBC**

Acting for HSBC defending a claim in fraud with a pleaded value over £100m, brought by a large number of investors in a film finance scheme. The case has been widely reported: e.g.

<https://www.law360.com/articles/1156958/hsbc-says-fraud-claims-hopeless-in-movie-tax-relief-row>

### **Commercial Bank of Dubai PSC v Al Qebaisi & ors**

(Commercial Court, ongoing)

Acting for the claimant bank in a Part 8 claim for injunctive and other relief under s.25 of the Civil Jurisdiction and Judgments Act 1982 against two high-net worth Emirati individuals connected with the Abu Dhabi royal family, and with the collapse of NMC Healthcare group, a substantial UAE healthcare provider. Relief was obtained in support of substantive claims in UAE proceedings for c.£200 million (with Robert Anderson QC).

### **PJSC Tatneft v Bogolyubov et al**

[2019] EWHC 1400

Harry acted for the Fourth Defendant (led by Tom Weissenberg QC) for the period leading up to trial in a US\$330 million claim brought under Russian law by a Russian state owned oil company against four Ukrainian businessmen, arising out of a refusal by a Ukrainian oil refinery to pay the claimant for oil delivered in 2007. Harry appeared in several important interim decisions, including the currently leading authority on obtaining security for costs against Russian domiciled claimant.

### **Magdeev V Tsvetkov [2019] EWHC 1557 (Comm)**

Successfully acted for the First Additional Party in a commercial fraud case concerning a franchise of Graff Diamonds in Cyprus, ultimately operated by Russian investors, which attracted wide press interest. In an important and widely reported judgment the Court struck out the claim against the First Additional Party finding the claim had no realistic prospect of success. An appeal was roundly rejected by the Court of Appeal. The case has become an important authority on additional claims, the discretion to strike out and on reflective loss.

**Angel Group v Davey**

[2018] EWHC 1781

Harry acted for a group of property development companies (in liquidation), bringing successful claims in fraud against their former director and sole shareholder. The Claimants alleged that the Defendant created various false records of company decisions, which appeared on their face to show that the Claimants had transferred their interests in certain properties to the Defendant. The Court found that those records were indeed false, and therefore that the properties were in fact were still held on trust for the benefit of the Claimants. Indemnity costs were awarded in the Claimants' favour. Led by Robert Anderson QC. The judgment can be found here:

<http://www.bailii.org/ew/cases/EWHC/Ch/2018/1781.html>

**R (on the application of ZAI Corporate Finance Ltd) v AIM  
Disciplinary Committee of the London Stock Exchange PLC**

[2017] EWCA Civ 1294

Successfully acted for the London Stock Exchange, the intervening party, in the Court of Appeal in a commercial judicial review challenge to a decision of its AIM market disciplinary committee.

**Norwich Pharmacal order in case of fraudulent impersonation**

Fraudsters had sought to defraud potential investors by impersonating the applicant online and on the telephone to entice individuals to pay over money. Acted as sole Counsel in the High Court, successfully obtaining a Norwich Pharmacal order for the disclosure of information necessary to identify the wrongdoers.

**Angel Group v McBrides et al**

Acted for a Group of companies in liquidation, in a claim in fraud and negligence brought against their former auditors and advisers. The Claimants alleged that the Defendants dishonestly assisted their former director and shareholder to misappropriate company assets when the Companies were facing impending insolvency; alternatively that the First Defendant was negligent in allowing the director to do so. (Compromised before trial) Led by Robert Anderson QC.

**Real D Europe Limited v Agora et al**

Harry acted as sole counsel for the Defendant group of French cinema companies in a claim brought by a licensor of 3D projection systems. The Defendants successfully obtained summary judgment on an issue of construction before the Master; and successfully resisted a rolled up permission to appeal hearing in the High Court.

**Ametek v Mersen UK**

Acted for the Defendant manufacturing/components company, in a breach of contract claim brought by an aircraft component manufacturer.

**Canouan Resorts Development Limited v CDCH Ltd**

Acted for the Claimant shareholder company in a shareholder dispute relating to a large Caribbean hospitality operation. Sought a declaration that shares could not be issued without the Claimant's consent.

**(1) Cattles (2) Welcome Financial Services v  
PriceWaterhouseCoopers LLP**

Harry was instructed as junior counsel for the Claimants in what would have been one of the largest Commercial Court trials of 2015 (compromised before trial). The Claimants were, respectively, the parent company and principal trading arm of one of the largest UK consumer finance groups. It was alleged that (i) PwC had negligently audited the Claimants' 2006 and 2007 accounts; and (ii) had the audit been properly performed the Companies would have realised they were lending unprofitably, were insolvent, and would have ceased to trade. The Companies claimed losses in the hundreds of millions flowing from continuing their unprofitable business. Led by Michael Bloch QC.

**A v B**

Instructed for the Claimant (with Tony Peto QC and Victoria Windle) on a highly valuable, multijurisdictional fraud and corruption claim, involving proceedings alleging deceit and unlawful means conspiracy, and a judicial review in another jurisdiction.

**D v LAH**

Acted for a company claiming in fraud for sums stolen by its former Chief Financial Officer

**N v I and K**

Acted (with Andrew Hunter QC, Adam Baradon and Tom Coates) for the Defendants in a £165m claim involving allegations of fraud, breach of fiduciary duty and contract.

**Acting for the Serious Fraud Office**

Instructed by the SFO, providing advice and acting as counsel (with James Eadie QC) in relation to ongoing investigations.

**Substantial LCIA arbitrations**

Junior counsel for the Respondents in multiple joined and complex LCIA arbitration claims, involving allegations of breach of contract and a multi-jurisdictional shareholder dispute.

**LCIA Arbitration**

Junior counsel for a Respondent to a claim involving allegations of conspiracy and breach of Article 101 TFEU (led by Tom de la Mare QC and Tom Richards).

**X v Y**

Acted for the defendants, who brought a claim for damages to reflect the losses they suffered as a result of a without notice anti-suit injunction (led by Tom Weisselberg QC).

## Civil Fraud, Asset Recovery & Injunctive Relief

Harry has become rapidly established as a leading junior in civil fraud and in injunctive relief (including the grant of freezing and Norwich Pharmacal orders) and has been instructed on some of the most significant and high profile cases before the English Courts.

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### Burford v London Stock Exchange

[2020] EWHC 1183 (Comm)

Acted for the successful defendant, LSE, in opposing a Norwich Pharmacal application brought by Burford arising out of an alleged short-selling attack on its shares in August 2019. This was a landmark decision in both the area of financial services regulation and the Norwich Pharmacal jurisdiction.

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### Acting for the Serious Fraud Office

Instructed by the SFO, providing advice and acting as counsel (with James Eadie QC) in relation to ongoing investigations.

## Public & Regulatory

Harry has been instructed in a range of judicial reviews in the High Court, Court of Appeal and Supreme Court. He is experienced in financial services, particularly the LSE's AIM Market. He also has particular knowledge of the regulation relating to fertility treatment, having been instructed on several occasions by the Human Fertilisation and Embryology Authority. Harry has also been instructed by Government to advise (with James Eadie QC) on the compatibility of particular measures with human rights. Harry accepts instructions in cases which require expertise in both public and commercial law, including judicial reviews with a commercial component.

***“He is very bright, responsive, unflappable and always cheerful”***

– LEGAL WEEK - STARS AT THE BAR, 2017

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### Jefferies v (1) BMI Healthcare Ltd, (2) Human Fertilisation and Embryology Authority

[2016] EWHC 2493 (Fam); [2016] Med. L.R. 656

Acted as sole counsel for the HFEA in the widely-reported case of Jefferies v (1) BMI Healthcare Ltd, (2) Human Fertilisation and Embryology Authority [2016] EWHC 2493 (Fam).

The Claimant's husband had died unexpectedly in April 2014, just before the Claimant was due to commence a third round of IVF using stored embryos that had been created with their gametes. Under the Human Fertilisation and Embryology Act 1990, embryos can only be stored pursuant to the written, signed consent of both gamete providers. It subsequently emerged that although the Claimant's husband had originally ticked a box on the relevant consent form permitting storage for 10 years, that tick had been crossed out, and another box permitting storage for 2 years ticked instead. The 2 year storage period had expired. The Claimant applied for a declaration from the court that it was lawful for the embryos to be stored for a period of 10 years, so that they could be used by the Claimant to have a child. The HFEA supported the Claimant's application, on the basis that the Claimant's husband had originally provided valid consent for a period of 10 years, and the subsequent amendment to 2 was invalid under the relevant statutory provisions. The Claimant's application was successful.

**R (Lord Carlile of Berriew and others) v Secretary of State for the Home Department**

[2015] A.C. 945

Led by Lord Pannick QC, Harry acted for the appellants: fifteen cross-party MPs and peers, and Maryam Rajavi, a dissident Iranian politician resident in Paris. The appellants challenged a decision by the Secretary of State to maintain Mrs Rajavi's exclusion from the UK. Mrs Rajavi sought entry to the UK in order to speak, at the invitation of the Parliamentary appellants, on the subject of democracy and human rights in Iran at the Palace of Westminster. The Secretary of State excluded Mrs Rajavi not because of anything Mrs Rajavi might say or do here but because the Secretary of State thought Mrs Rajavi's presence in the UK would have a damaging effect on Britain's relations with Iran, and may lead to retaliatory action by Iran against British interests abroad. Each of the five Justices hearing the case provided important judgments on how a court is to judge the proportionality of interferences with fundamental ECHR Rights in the context of decisions raising foreign policy issues.

**A v B**

Instructed for the Claimant (with Tony Peto QC and Victoria Windle) on a highly valuable, multijurisdictional fraud and corruption claim, involving proceedings alleging deceit and unlawful means conspiracy, and a judicial review in another jurisdiction.

**R v Commissioner of Police for the City of London**

(2016)

Instructed by an Interested Party (a media company) in relation to a challenge to the legality of a search warrant. The case raised issues as to the police's duty of disclosure on ex parte applications, and ECHR Articles 8 and 10.

**RE: S**

Advised in relation to a potential claim against a football club for training compensation payments under FIFA Regulations on the Transfer and Status of Players

**A v B**

Instructed by Liberty to act for a former serviceman bringing a judicial review against a decision of the armed forces (led by Hanif Mussa and Monica Carrs-Frisk QC).

**C v Secretary of State for Defence**

Acted for the claimant, alleging breach of ECHR Article 2 right to life due to the deaths of his immediate family from drone strikes (led by Shaheed Fatima).

## Financial Services

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## Civil Liberties & Human Rights

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## ACHIEVEMENTS

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### Education

MA in Philosophy (Cantab): Double First (first or second in year in all three years); M.Phil. and Ph.D. in Philosophy (Cantab); Kennedy Scholarship (non-degree Special Student, and Teaching Fellow) to Harvard University; Graduate Diploma in Law (City): Distinction; Bar Vocational Course (City): Outstanding, 2nd in year.

### Prizes & Scholarships

- Kennedy Scholarship to Harvard
- Inner Temple Advocacy Prize, for best performances on the Pupil Advocacy training course.
- Stephen Chapman Scholarship, Inner Temple.
- Scarman Scholarship for exam performance, City University.
- Benefactors Scholarship, St. John's College, Cambridge, offering full M.Phil. and Ph.D. funding.
- Arts and Humanities Research Council Award, also offering full M.Phil. and Ph.D. funding.
- Bachelor's Scholarship, Christ's College, Cambridge.

### Other Information

While studying for his graduate degrees Harry taught part-time at Cambridge and Harvard Universities. He specialised in ethics (including human rights), but also taught formal logic, set theory and probability, political philosophy, and history of philosophy. Unusually for Cambridge University, he was asked to teach in the year immediately following his undergraduate philosophy degree. He broadened to political and legal theory at Harvard University, leading a series of seminars as a Teaching Fellow on a course entitled "Equality and Democracy".

Harry has also founded a charitable group that specialises in teaching philosophy to people who have suffered social isolation or mental distress.

VAT registration number: 447008068

Barristers regulated by the Bar Standards Board