

Andrew George KC

"Andrew is one of the best lawyers. His courtroom manner is so sharp. He is first class."

– CHAMBERS AND PARTNERS, 2025

Year of call: **1997**
Appointed to silk: **2015**
Degree: **MA (Oxon), Diploma in Law, City University**



Andrew practices in all areas of commercial law, particularly banking and financial services, civil fraud, professional negligence, insurance and media and entertainment. He is Head of Blackstone Chambers' Commercial Group and was the Chair of Consultations at COMBAR from 2019 - 2023. He was the Chair of Trustees of the Tower-Hamlets based charity, Spitalfields City Farm, from 2009 until 2017 and is currently Chair of Trustees at the Arts Council-supported charity, Modern Poetry in Translation.

Andrew is recognised as a leading silk in the latest editions of both the leading legal directories, Chambers UK and Legal 500. His areas of practice that feature are; banking and finance, commercial litigation, financial services, civil fraud, professional discipline and regulatory and professional negligence. Recent comments include:

- "Andrew is one of the best lawyers. His courtroom manner is so sharp. He is first class." - Chambers UK, 2025
- "A wonderful barrister who has everything you want – assured client handling, silky persuasive advocacy, and he's a total joy to work with!" - Legal 500, 2025

Previous comments include:

- "He has infallible judgement, an ability to get to the heart of the matter instantly, and an extraordinary work ethic." - Legal 500, 2024
- "Andrew is diligent, conscientious and always responsive to the needs of his instructing solicitors. His advice is clear, concise and practical, and in terms of his advocacy he is by far the most prepared, effective and charismatic barrister in the room." - Chambers UK, 2024
- "Extremely clever, fantastic with clients and very compelling on his feet. He's a big hitter and always great fun to work with." - Legal 500, 2023
- "He was 100% on top of the detail of the case, as well as the wider strategy. His advocacy was excellent." - Chambers UK, 2023
- "He is an amazing strategist and tactician." - Chambers UK, 2023

EXPERIENCE

Commercial

Andrew has an extensive commercial practice, regularly appearing in substantial commercial litigation and arbitration. Within this field Andrew's practice incorporates the specialist areas of Professional Negligence, Insurance and Reinsurance, Civil Fraud and Financial Services as well as more general commercial disciplines such as breach of contract, sale of goods, and conflicts of laws. Andrew is the Head of the Blackstone Chambers' Commercial Group and was COMBAR's Chair of Consultations from 2019 - 2023 and heavily involved in the negotiations and debates which led to substantial reforms to the disclosure and factual evidence regimes in commercial cases and the Arbitration Act 1996.

In recent years, Andrew has successfully acted in Commercial Court trials for Saudi-Arabian businessmen accused of fraudulently withholding repayment of a US\$30M loan, an international car manufacturer in relation to a claim under the Palestinian law relating to commercial agents, a large pharmaceutical corporation in a US\$250m claim for fraudulent misrepresentation and breach of competition law following a corporate acquisition, and an entrepreneur in the on-line gaming industry in claims for breach of contract.

“A great tactician and a very effective advocate.”

– CHAMBERS AND PARTNERS, 2025

Cases

Kerish International Motors Agency v Opel Automobile GmbH

[2024] EWHC 1047 (Comm)

Andrew successfully acted for the defendant international car manufacturer, Opel, in this substantial Commercial Court trial concerning the import to, and sale of cars in, Palestine. The case turned on the true construction of the Palestinian law relating to the remuneration of commercial agents following the termination of a multi-year contract. The claim was dismissed in its entirety.

East-West United Bank SA v Gusinski & ors

[2024] EWHC 2223(Ch)

Andrew acted for the Second and Third Defendants in this important application concerning the circumstances in which legal advice and litigation-based communications between solicitors and their client are not privileged as a result of the "iniquity exception".

Sheikh Mohamed Al Jaber v Sheikh Walid Bin Ibrahim Al Ibrahim

Sheikh Mohamed Al-Jaber v Sheikh Walid Al-Ibrahim & another [2023] EWHC 2831 (Comm)

Andrew successfully acted for the First Defendant in this US\$30m Commercial Court claim in which, following a 4 - week trial in 2023, the Claimant's allegations that he had loaned monies to the Defendants for the purposes of funding a television station were comprehensively rejected and the claim dismissed.

Dismatrix SPC v Equiti Capital UK Ltd.

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Pertemps Medical Group Ltd. v Ladak

[2020] EWHC 163 (QB); [2020] EWHC 2410 (QB); [2020] EWHC 2605 (QB)

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Libyan Investment Authority v Credit Suisse International

[2021] EWHC 2684 (Comm)

Andrew acted for the Claimant in these substantial proceedings, arising out of banking relationships in Gadaffi-era Libya, involving consideration of procedural and substantive limitation issues and the jurisdictional requirements of a claim in knowing receipt.

Pipia v BGEO Group Ltd.

[2020] 1 WLR 2582

Andrew acted for the Claimant in this substantial Commercial Court action involving allegations of fraud and unfair treatment under Georgian law in the context of a long-running banking relationship. The interlocutory stages in which Andrew acted included one of the first detailed considerations of the recently-introduced disclosure regime (then in a pilot stage) and important analysis of the meaning of "control" for the purposes of disclosure obligations.

Harry Greenhouse v Paysafe Financial Services Ltd.

[2018] EWHC 3296 (Comm)

Acted for the Claimant in his successful Commercial Court trial against an electronic payment facilitation company involving contractual and restitution disputes.

ALG v Cannacord

Andrew successfully acting for the Defendant in this \$200m claim alleging negligent promotion by financial services professionals in connection with the IPO of an American real estate development.

Auden McKenzie & ors v Patel & Patel

[2020] BCC 316

Acted for the Claimants in this £250m fraud case involving allegations of fraudulent misrepresentation and breach of competition law arising from a substantial acquisition in the pharmaceutical industry. In particular, Andrew successfully acted in a three-day cross application for summary judgment in November 2018 and a subsequent Court of Appeal hearing in December 2019. Andrew also acted in the ensuing 6-week Commercial Court trial which ultimately settled mid-trial in February 2020.

Bookmakers Afternoon Greyhound Service v SIS

(2018)

Andrew acts for the Claimant in Commercial Court proceedings concerning international broadcasting rights for greyhound racing.

CPL v CPL (Trinidad & Tobago)

[2016] EWHC 1452 (Ch); [2017] EWHC 381 (Ch); [2017] EWHC 3399 (Ch)

Andrew successfully acted for the Claimant in this long-running Commercial dispute concerning contractual rights and obligations in relation Caribbean Premier League 20-20 cricket tournament held annually in the West Indies.

FCA v T & or

(2017)

Andrew successfully acted for a senior banker accused of insider dealing before the FCA's Regulatory Decisions Committee. Following a 2-day hearing, the RDC directed the FCA's Enforcement Division to discontinue its case against Andrew's client in all respects.

GFSC v A

(2018)

Andrew acted for the Gibraltar Financial Services Commission in statutory judicial review proceedings brought against it in relation to the conduct of an investigation and directions it had issued concerning it.

I v C

Andrew acted in a series of arbitral proceedings concerning disputed investments in a luxury Caribbean holiday resort.

New Media v Kuznetsov

[2016] EWHC 360 (QB)

Andrew successfully acted in this High Court trial relating to investment in media and industrial concerns in Eastern Europe and involving substantial questions of Ukrainian law.

Standard Life & ors v Corr & ors

(2015)

Acts for the First Defendant Finance Director in this substantial Commercial Court action raising significant issues concerning section 90 of the Financial Services and Markets Act 2000 (re misleading statements in listing particulars) in the context of the sub-prime lender, Cattles plc.

VR v Exotix & CVI

[2017] EWHC 2620 (Comm)

Successfully acted as Leading Counsel in a substantial Commercial Court trial relating to Loan Market Association (LMA) trading in a Ukrainian steel manufacturer.

Rio Tinto v Vale

[2015] EWHC 1865(QB)

Acted for the recipient of a Letter of Request in the context of multi-million dollar proceedings in the USA between substantial international mining companies in its successful application to discharge various disclosure obligations on public policy and commercial confidentiality grounds.

Libyan Investment Authority v Goldman Sachs

(2014)

Acts for the Claimant in this US\$1 billion Chancery Division claim by a sovereign wealth fund arising out of actions by Goldman Sachs in Gadaffi-era Libya which are alleged to have constituted undue influence and an unconscionable bargain.

Libyan Investment Authority v Societe Generale

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Acted for the Claimant in this US\$2 billion Commercial Court claim by a sovereign wealth fund involving allegations of bribery by a large French bank in Gadaffi-era Libya.

Baturina v Chistyakov

[2014] EWCA Civ 1134 ; [2014] 2 CLC 209

Acts for the Claimant in this long-running dispute between two Russian businesspeople concerning the operation of a €100m property investment in Morocco. Amongst other things, Andrew acted in the Claimant's successful appeal to the Court of Appeal against the Defendant's application to stay the proceedings on jurisdictional grounds.

Gul Bottlers (PVT) Ltd v Nichols plc

[2014] EWHC 2173 (Comm)

Acted as sole advocate for the Defendant in this 8-day Commercial Court trial concerning the exportation of the popular soft drink "Vimto" to Pakistan.

Pyrrho Investments Ltd. v MWB Properties Ltd. & ors

(2013)

Acts for a former director of the Malmaison and Hotel du Vin hotel chains facing claims for breach of fiduciary duty arising out of alleged wrongful dividend distributions and non-disclosures of allegedly conflicting interests. The 6-week Chancery Division trial involves claims in excess of £20m.

Brown & ors v Collyer-Bristow & ors – the Innovator litigation

[2012] EWHC 1321

Successfully acted for a former partner of Collyer-Bristow in claims for alleged negligence and dishonest assistance arising out of technology investment schemes designed to be tax efficient. Andrew was sole Counsel for his client during the 53-day Commercial Court trial, identified by The Lawyer as one of the Top 20 cases of 2011.

Financial Services & Banking

Andrew has huge experience and expertise in the areas of financial services and City regulation acting both for and against the Financial Conduct Authority (FCA) and Prudential Regulation Authority (PRA) including in hearings before the Regulatory Disciplinary Committee (RDC) of the FCA and the PRA's EDMC. He has also acted for and against the Financial Reporting Council (FRC) in disciplinary cases involving accountants and actuaries and in proceedings brought by the Takeover Panel.

He recently appeared in the two ground-breaking Court of Appeal cases, Bluecrest v FCA and Seiler v FCA, which have re-examined and re-stated many of the most fundamental issues concerning the nature of the Upper Tribunal's jurisdiction, its proper role and function and the scope of the FCA's powers to order redress payments under various provisions of FSMA.

Andrew appeared in the first ever RDC hearing, the first ever hearing in the Financial Services and Markets Tribunal, and the first market abuse trial to be heard by that Tribunal. He also appeared in the first Tribunal hearing before the Qatar Financial Services Tribunal and the first substantive hearing before the Dubai Financial Services Tribunal. He is regularly involved in the leading financial services Tribunal and High Court cases including, in recent years Forsyth (2021), Steel & Foster (2021-3), Papadimitrokopolous & Gryparis (2021 - 3) Seiler & ors (2022/3), and Bluecrest (2023).

Andrew has successfully defended cases before the RDC relating to alleged senior management negligence, benchmark (LIBOR) manipulation, insider dealing and retail misconduct in selling and advising.

“Andrew George is a go-to choice for tricky financial service claims. He has excellent technical skills and is able to explain complex issues to clients in language they understand.”

– CHAMBERS AND PARTNERS, 2025

Cases

FCA v Bluecrest Capital Management (UK) Limited.

[2024] EWCA Civ 1125; [2023] UKUT 140 (TCC)

Andrew successfully acted for the FCA in the Court of Appeal in this landmark regulatory case, which considered the FCA's powers to impose requirements to pay redress on individual firms (in this case a requirement said to amount to \$700m arising out of an alleged failure properly to manage conflicts of interests) and the Upper Tribunal's jurisdiction to permit amendments to the FCA's case after the issuance of a statutory notice and/or during Tribunal proceedings.

FCA v Seiler, Whitestone & Raitzin

[2024] EWCA Civ 852; [2023] UKUT 133 (TCC)

Andrew acted for the FCA in the Court of Appeal, whose significant and wide-ranging judgment considered the nature of an appeal on a point of law and the proper role and function of the Upper Tribunal. Andrew also acted in the first instance Upper Tribunal proceedings which, following a 4-week trial in 2022-3, resulted in important judicial pronouncements concerning the regulator's obligations to adduce factual evidence in Tribunal proceedings and the Upper Tribunal's jurisdiction to entertain allegations advanced by the FCA which were not part of its Warning Notice.

Banque Havilland SA & ors v FCA

[2024] UKUT 00115 (TCC)

Andrew successfully acted for an individual Applicant facing misconduct allegations in striking out the FCA's case based on breaches of its PRIN 3 and SYSC 6.1.1R rules. The judgment considers important points of statutory construction relating to the nature of these systems and controls based provisions.

Barclays plc and Barclays Bank plc v FCA

[2024] UKUT 00214 (TCC)

Andrew appeared for the Applicant banks in this important decision concerning the circumstances in which the Upper Tribunal can and/or should exercise its powers to compel a witness of fact.

FCA v Papdimitrakopoulos & Gryparis

[2023] Ch 101

Andrew acted in these important proceedings concerning the FCA's ability to use evidence obtained under the Crime (International Co-operation) Act 2003 for investigations and proceedings concerning civil market abuse and the form of consent which it is necessary for a foreign state entity to give for the purposes of that statute. The case is currently on appeal to the Court of Appeal from the first instance judgment of Joanna Smith J. A hearing is expected in 2024.

Forsyth v Financial Conduct Authority & Prudential Regulation Authority

[2021] UKUT 162 (TCC)

Andrew successfully acted for the Applicant, Mr Forsyth, in a 3-week Upper Tribunal trial in 2021. The case was the first joint investigation by the FCA and PRA to reach the Tribunal. All of the Regulators' allegations against Mr Forsyth, the former CEO of an insurance company, which the Regulators had alleged merited the imposition of a prohibition order, were rejected, and the Regulators were ordered to conduct an internal review into their own disclosure-handling procedures.

Financial Conduct Authority v Steel & Foster

Andrew acted for the Defendant in these important proceedings concerning the duties and obligations of pension advisers in the context of pension transfers from occupational pension schemes. The interlocutory stage of these proceedings involved consideration of the requirements for obtaining and setting aside freezing injunctions in FSMA cases and the appropriate procedure for dealing with "sample" claims at trial.

Libyan Investment Authority v Credit Suisse International

[2021] EWHC 2684 (Comm)

Andrew acted for the Claimant in these substantial proceedings, arising out of banking relationships in Gaddafi-era Libya, involving consideration of procedural and substantive limitation issues and the jurisdictional requirements of a claim in knowing receipt.

Pipia v BGEO Group Ltd.

[2020] 1 WLR 2582

Andrew acted for the Claimant in this substantial Commercial Court action involving allegations of fraud and unfair treatment under Georgian law in the context of a long-running banking relationship. The interlocutory stages in which Andrew acted included one of the first detailed considerations of the recently-introduced disclosure regime (then in a pilot stage) and important analysis of the meaning of "control" for the purposes of disclosure obligations.

FCA v Carphone Warehouse

Acted in this substantial regulatory enforcement action arising out of systemic and substantial mis-selling of mobile phone insurance.

Harry Greenhouse v Paysafe Financial Services Ltd.

[2018] EWHC 3296 (Comm)

Acted for the Claimant in his successful Commercial Court trial against an electronic payment facilitation company involving contractual and restitution disputes.

FCA v Standard Chartered Bank

Acted in this major regulatory battle over breaches of money laundering regulations and international sanctions by Standard Chartered Bank leading to global regulatory fines in excess of £1bn.

R (Berkeley Burke) v FOS

Instructed in Court of Appeal proceedings raising significant issues of public importance concerning the FCA Principles and the scope of the duties of personal pension trustees involving interventions by the FCA and the personal pension industry trade body.

Secretary of State for Business, Energy and Industrial strategy v Adam & ors

[2022] EWHC 922 (ch)

Acted for the former finance director of Carillion in what were, at the time they were instituted, the UK's largest ever director disqualification proceedings involving allegations of false accounting spread over many years and construction contracts in multiple jurisdictions.

DFSA v Waterhouse

(2018)

Andrew successfully represented the DIFC financial services regulator in its first substantive Tribunal hearing and again on appeal. The case, which was heard in both London and Dubai, involved allegations concerning banking compliance in the "off-shore" Dubai International Financial Centre.

AADB v Corr

Andrew acted against the Accountancy and Actuarial Disciplinary Board in relation to proceedings brought against a Mr James Corr, the former Finance Director of the sub-prime lender Cattles plc. The case raised, amongst other things, important issues concerning the inter-relationship between connected AADB and Financial Services Authority/ Financial Conduct Authority proceedings.

ALG v Cannacord

Andrew successfully acting for the Defendant in this \$200m claim alleging negligent promotion by financial services professionals in connection with the IPO of an American real estate development.

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[2017] EWHC 2620 (Comm)

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Acted for the Claimant in this US\$2 billion Commercial Court claim by a sovereign wealth fund involving allegations of bribery by a large French bank in Gadaffi-era Libya.

FCA v XY

Andrew successfully acted for a bank trader facing disciplinary proceedings brought by the FCA in connection with the widely-publicised LIBOR rigging allegations. The FCA had been seeking one of the highest financial penalties it has imposed on an individual.

FCA v Ford & Owen

Andrew acts for the FCA in Tribunal proceedings relating to alleged misconduct by the former senior managers of Keydata Investment Services Limited, a financial services company whose collapse left consumers facing £450m worth of losses. The FCA is seeking to impose the largest financial penalty in its history on the former CEO of Keydata, Stewart Ford. The 6-week contested hearing in the Upper Tribunal (ongoing as at the end of October 2017) is scheduled to be the longest ever financial services disciplinary hearing.

Carrimjee v FCA, Upper Tribunal

[2015] Lloyd's Rep F.C. 256

Acted for a wealth manager accused of market abuse by the FCA in connection with allegedly manipulative transactions placed by a Mr Goenka in the London Stock Exchange's Closing Auction. The FCA's allegations that Mr Carrimjee's conduct was dishonest and/or lacked integrity were dismissed by the Upper Tribunal.

FRC v X

Andrew acted for the Financial Reporting Council ("FRC") in proceedings involving multiple defendants arising out of eight-figure losses within an insurance syndicate and involving allegations of accountancy and actuarial misconduct.

R (London Capital Group) v Financial Ombudsman Service

[2014] ACD 3

Acted for a major provider of financial trading services in a claim for judicial review against the Financial Ombudsman Service in relation to FOS's jurisdiction to consider complaints concerning Spot Foreign Exchange contracts and the circumstances in which foreign exchange transactions could correctly be classified as spread bets.

FCA v X

(2014)

Acts for a number of individual bankers accused of having acted inappropriately in relation to the manipulation of LIBOR rates and facing criminal and regulatory investigation.

FCA v Prudential

FSA Regulatory Decisions Committee, March 2013

Acted for Prudential plc and Prudential Assurance Company Limited in their defence of regulatory charges brought by the FSA concerning Prudential's possible acquisition of AIA, an Asian subsidiary of the American insurer AIG, in early 2010.

FSA v Hannam

(2013)

Acted for Ian Hannam, the former Chairman of Capital Markets at JP Morgan Cazenove who was penalised by the FSA for the disclosure of inside information contrary to section 118 (3) of FSMA. The disclosure was made in the course of negotiating a corporate transaction for the purpose of encouraging an offer in the interest of the client who had given implicit authority for the disclosure. The FSA decided that the information was not disclosed in the proper course and constituted inside information, taking a wide view of the effect of section 118C.

FSA v Cummings

(2012)

Acted for Peter Cummings, a senior manager at HBOS, in relation to FSA disciplinary proceedings concerning allegations arising out of the difficulties suffered by the bank during the financial crisis of 2008.

FSA v Ollerenshaw / Reeh

(2012)

Acted for the FSA in a 2-week Upper Tribunal hearing concerning alleged misconduct in the context of a sub-prime mortgage broker.

Civil Fraud, Asset Recovery & Injunctive Relief

Andrew practices extensively in civil fraud. He recently successfully acted for the Claimants in a US\$250m fraud claim arising out of the acquisition of a pharmaceutical company and for the Defendants in a US\$30m claim alleging the dishonest concoction of a services agreement. Between 2014 and 2021 he acted for the Libyan Investment Authority in their substantial fraud and corruption claim arising out of multi-billion dollar investments made with, amongst others, the French bank, Societe Generale during the Gaddafi era. He has previously acted in relation to allegations of misconduct and intimidation brought by Boris Berezovsky against Roman Abramovich and conducted the successful defence of a 6-month trial involving solicitors from Collyer Bristow accused of acting dishonestly in connection with a financial promotion.

“Andrew has an incredible mind. He is a great strategist and ferocious in court.”

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Auden McKenzie & ors v Patel & Patel

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Brown & ors v Collyer-Bristow & ors – the Innovator litigation

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Successfully acted for a former partner of Collyer-Bristow in claims for alleged negligence and dishonest assistance arising out of technology investment schemes designed to be tax efficient. Andrew was sole Counsel for his client during the 53-day Commercial Court trial, identified by The Lawyer as one of the Top 20 cases of 2011.

Professional Negligence

Andrew practises extensively in professional negligence. His work has involved cases involving allegations against solicitors, barristers, architects, accountants, actuaries, surveyors, company directors and bankers. He is particularly experienced in acting in disciplinary and regulatory cases involving allegations of professional negligence, often acting for individuals and entities defending parallel regulatory and disciplinary cases brought by, for example, the Financial Conduct Authority and/or Financial Reporting Council.

“Easy to deal with and a team player. He is excellent, particularly as part of a big counsel team.”

– CHAMBERS AND PARTNERS, 2023

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Instructed in Court of Appeal proceedings raising significant issues of public importance concerning the FCA Principles and the scope of the duties of personal pension trustees involving interventions by the FCA and the personal pension industry trade body.

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Successfully acted as Leading Counsel in a substantial Commercial Court trial relating to Loan Market Association (LMA) trading in a Ukrainian steel manufacturer.

Professional Discipline

Andrew practises extensively in professional discipline where he regularly acts for and against regulators such as the Financial Conduct Authority, Prudential Regulation Authority and Financial Reporting Council in the financial services sector and the TakeOver Panel and Ofgem at a wider commercial level.

He recently appeared in the two ground-breaking Court of Appeal cases, *Bluecrest v FCA* and *Seiler v FCA*, which have re-examined and re-stated many of the most fundamental issues concerning the nature of the Upper Tribunal's jurisdiction, its proper role and function and the scope of the FCA's powers to order redress payments under various provisions of FSMA.

Andrew appeared in the first ever RDC hearing, the first ever hearing in the Financial Services and Markets Tribunal, and the first market abuse trial to be heard by that Tribunal. He successfully acted for the FCA in Tribunal proceedings which imposed the largest fine ever levied against an individual and also appeared against the FCA and PRA in the the first joint investigation by those regulators to reach the Upper Tribunal, in which all the regulators' allegations of lack of integrity were rejected, and they were ordered to conduct an internal review of their disclosure processes.

Andrew also appeared in the first Tribunal hearing before the Qatar Financial Services Tribunal and the first substantive hearing before the Dubai Financial Services Tribunal.

“Andrew gets to the heart of the matter instantly. He can produce something absolutely brilliant from minimal instruction and time, finding all the best points.”

– CHAMBERS AND PARTNERS, 2025

Cases

FCA v Bluecrest Capital Management (UK) Limited.

[2024] EWCA Civ 1125; [2023] UKUT 140 (TCC)

Andrew successfully acted for the FCA in the Court of Appeal in this landmark regulatory case, which considered the FCA's powers to impose requirements to pay redress on individual firms (in this case a requirement said to amount to \$700m arising out of an alleged failure properly to manage conflicts of interests) and the Upper Tribunal's jurisdiction to permit amendments to the FCA's case after the issuance of a statutory notice and/or during Tribunal proceedings.

FCA v Seiler, Whitestone & Raitzin

[2024] EWCA Civ 852; [2023] UKUT 133 (TCC)

Andrew acted for the FCA in the Court of Appeal, whose significant and wide-ranging judgment considered the nature of an appeal on a point of law and the proper role and function of the Upper Tribunal. Andrew also acted in the first instance Upper Tribunal proceedings which, following a 4-week trial in 2022-3, resulted in important judicial pronouncements concerning the regulator's obligations to adduce factual evidence in Tribunal proceedings and the Upper Tribunal's jurisdiction to entertain allegations advanced by the FCA which were not part of its Warning Notice.

Banque Havilland SA & ors v FCA

[2024] UKUT 00115 (TCC)

Andrew successfully acted for an individual Applicant facing misconduct allegations in striking out the FCA's case based on breaches of its PRIN 3 and SYSC 6.1.1R rules. The judgment considers important points of statutory construction relating to the nature of these systems and controls based provisions.

Barclays plc and Barclays Bank plc v FCA

[2024] UKUT 00214 (TCC)

Andrew appeared for the Applicant banks in this important decision concerning the circumstances in which the Upper Tribunal can and/or should exercise its powers to compel a witness of fact.

Secretary of State for Business, Energy and Industrial strategy v Adam & ors

[2022] EWHC 922 (ch)

Acted for the former finance director of Carillion in what were, at the time they were instituted, the UK's largest ever director disqualification proceedings involving allegations of false accounting spread over many years and construction contracts in multiple jurisdictions.

FCA v Papdimitrakopoulos & Gryparis

[2023] Ch 101

Andrew acted in these important proceedings concerning the FCA's ability to use evidence obtained under the Crime (International Co-operation) Act 2003 for investigations and proceedings concerning civil market abuse and the form of consent which it is necessary for a foreign state entity to give for the purposes of that statute. The case is currently on appeal to the Court of Appeal from the first instance judgment of Joanna Smith J. A hearing is expected in 2024.

Forsyth v Financial Conduct Authority & Prudential Regulation Authority

[2021] UKUT 162 (TCC)

Andrew successfully acted for the Applicant, Mr Forsyth, in a 3-week Upper Tribunal trial in 2021. The case was the first joint investigation by the FCA and PRA to reach the Tribunal. All of the Regulators' allegations against Mr Forsyth, the former CEO of an insurance company, which the Regulators had alleged merited the imposition of a prohibition order, were rejected, and the Regulators were ordered to conduct an internal review into their own disclosure-handling procedures.

Financial Conduct Authority v Steel & Foster

Andrew acted for the Defendant in these important proceedings concerning the duties and obligations of pension advisers in the context of pension transfers from occupational pension schemes. The interlocutory stage of these proceedings involved consideration of the requirements for obtaining and setting aside freezing injunctions in FSMA cases and the appropriate procedure for dealing with "sample" claims at trial.

FCA v Bluecrest Capital Management (UK) Limited.

[2024] EWCA Civ 1125; [2023] UKUT 140 (TCC)

Andrew successfully acted for the FCA in the Court of Appeal in this landmark regulatory case, which considered the FCA's powers to impose requirements to pay redress on individual firms (in this case a requirement said to amount to \$700m arising out of an alleged failure properly to manage conflicts of interests) and the Upper Tribunal's jurisdiction to permit amendments to the FCA's case after the issuance of a statutory notice and/or during Tribunal proceedings.

R (Berkeley Burke) v FOS

Instructed in Court of Appeal proceedings raising significant issues of public importance concerning the FCA Principles and the scope of the duties of personal pension trustees involving interventions by the FCA and the personal pension industry trade body.

DFSA v Waterhouse

(2018)

Andrew successfully represented the DIFC financial services regulator in its first substantive Tribunal hearing and again on appeal. The case, which was heard in both London and Dubai, involved allegations concerning banking compliance in the "off-shore" Dubai International Financial Centre.

Carrimjee v FCA, Upper Tribunal

[2015] Lloyd's Rep F.C. 256

Acted for a wealth manager accused of market abuse by the FCA in connection with allegedly manipulative transactions placed by a Mr Goenka in the London Stock Exchange's Closing Auction. The FCA's allegations that Mr Carrimjee's conduct was dishonest and/or lacked integrity were dismissed by the Upper Tribunal.

FCA v Standard Chartered Bank

Acted in this major regulatory battle over breaches of money laundering regulations and international sanctions by Standard Chartered Bank leading to global regulatory fines in excess of £1bn.

FCA v XY

Andrew successfully acted for a bank trader facing disciplinary proceedings brought by the FCA in connection with the widely-publicised LIBOR rigging allegations. The FCA had been seeking one of the highest financial penalties it has imposed on an individual.

FCA v Ford & Owen

Andrew acts for the FCA in Tribunal proceedings relating to alleged misconduct by the former senior managers of Keydata Investment Services Limited, a financial services company whose collapse left consumers facing £450m worth of losses. The FCA is seeking to impose the largest financial penalty in its history on the former CEO of Keydata, Stewart Ford. The 6-week contested hearing in the Upper Tribunal (ongoing as at the end of October 2017) is scheduled to be the longest ever financial services disciplinary hearing.

R (London Capital Group) v Financial Ombudsman Service

[2014] ACD 3

Acted for a major provider of financial trading services in a claim for judicial review against the Financial Ombudsman Service in relation to FOS's jurisdiction to consider complaints concerning Spot Foreign Exchange contracts and the circumstances in which foreign exchange transactions could correctly be classified as spread bets.

Secretary of State for Business, Energy and Industrial Strategy v Adam & ors

[2022] EWHC 922 (ch)

Acted for the former finance director of Carillion in what were, at the time they were instituted, the UK's largest ever director disqualification proceedings involving allegations of false accounting spread over many years and construction contracts in multiple jurisdictions.

FCA v X

(2014)

Acts for a number of individual bankers accused of having acted inappropriately in relation to the manipulation of LIBOR rates and facing criminal and regulatory investigation.

FSA v Hannam

(2013)

Acted for Ian Hannam, the former Chairman of Capital Markets at JP Morgan Cazenove who was penalised by the FSA for the disclosure of inside information contrary to section 118 (3) of FSMA. The disclosure was made in the course of negotiating a corporate transaction for the purpose of encouraging an offer in the interest of the client who had given implicit authority for the disclosure. The FSA decided that the information was not disclosed in the proper course and constituted inside information, taking a wide view of the effect of section 118C.

FCA v Carphone Warehouse

Acted in this substantial regulatory enforcement action arising out of systemic and substantial mis-selling of mobile phone insurance.

FSA v Cummings

(2012)

Acted for Peter Cummings, a senior manager at HBOS, in relation to FSA disciplinary proceedings concerning allegations arising out of the difficulties suffered by the bank during the financial crisis of 2008.

FCA v Prudential

FSA Regulatory Decisions Committee, March 2013

Acted for Prudential plc and Prudential Assurance Company Limited in their defence of regulatory charges brought by the FSA concerning Prudential's possible acquisition of AIA, an Asian subsidiary of the American insurer AIG, in early 2010.

FSA v Ollerenshaw / Reeh

(2012)

Acted for the FSA in a 2-week Upper Tribunal hearing concerning alleged misconduct in the context of a sub-prime mortgage broker.

AADB v Corr

Andrew acted against the Accountancy and Actuarial Disciplinary Board in relation to proceedings brought against a Mr James Corr, the former Finance Director of the sub-prime lender Cattles plc. The case raised, amongst other things, important issues concerning the inter-relationship between connected AADB and Financial Services Authority/ Financial Conduct Authority proceedings.

Arbitration

Andrew has substantial arbitration experience acting in domestic and international arbitrations relating to, for example, American hurricane insurance coverage, joint venture arrangements in a luxury Caribbean holiday resort, academic publishing and multi-million pound commodity trading. He recently obtained an urgent anti-anti-suit injunction from the Commercial Court in the context of substantial on-going international arbitration disputes. As Chair of Consultations, he coordinated COMBAR's response to the Law Commission's proposed changes to the Arbitration Act 1996 in 2023.

Cases

A v B

(2023)

Andrew successfully obtained an urgent anti-anti-suit injunction from the Commercial Court in the context of substantial cross-border arbitration disputes.

I v C

Andrew acted in a series of arbitral proceedings concerning disputed investments in a luxury Caribbean holiday resort.

Insurance & Reinsurance

Andrew has particular experience in the field of insurance and reinsurance having been instructed for the first 8 years of his career in multi-party insurance litigation involving an explosion in an American copper smelter. He subsequently acted as the senior counsel in FCA investigations into Equitable Life and Independent Insurance Company and has recently acted for the Financial Reporting Council in substantial investigations involving allegations of accountancy and actuarial misconduct.

Cases

Forsyth v Financial Conduct Authority & Prudential Regulation Authority

[2021] UKUT 162 (TCC)

Andrew successfully acted for the Applicant, Mr Forsyth, in a 3-week Upper Tribunal trial in 2021. The case was the first joint investigation by the FCA and PRA to reach the Tribunal. All of the Regulators' allegations against Mr Forsyth, the former CEO of an insurance company, which the Regulators had alleged merited the imposition of a prohibition order, were rejected, and the Regulators were ordered to conduct an internal review into their own disclosure-handling procedures.

FCA v Prudential

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FRC v X

Andrew acted for the Financial Reporting Council ("FRC") in proceedings involving multiple defendants arising out of eight-figure losses within an insurance syndicate and involving allegations of accountancy and actuarial misconduct.

ACHIEVEMENTS

Other relevant information

Andrew has worked extensively in Europe and America as a speech and advocacy trainer. He was the world's top-ranked debater in 1997 and, in 1998, he was part of the first English team to win the World Debating Championship for 10 years.

Andrew received Gray's Inn's top student award in each of his three student years and, in 1997, undertook a coast-to-coast mooted tour under the captaincy of Lord Justice Mummery.

Andrew's debut poetry collection Milk Round was shortlisted for the Live Canon First Collection Prize and was subsequently published by Live Canon in 2015.

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