

Vernon Flynn QC

YEAR OF CALL: 1991 YEAR OF SILK: 2008

"His sheer force of energy, intelligence, advocacy and politely devastating skill in cross-examination put him among the best..."

Chambers & Partners

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Practice Overview

Vernon Flynn QC is a "superstar" and "veteran of many heavyweight litigation battles". He has a wide ranging practice in international and domestic commercial law "at the highest level" or "in the premier league". He has extensive experience of trial work and appellate advocacy and has unusually extensive experience of civil tribunals (often where the substantive or procedural law is not English law). He is frequently instructed in very high value, multi-jurisdictional disputes across the globe.

"His sheer force of energy, intelligence, advocacy and politely devastating skill in cross-examination put him among the best silks in the world of international arbitration."

Vernon is particularly noted for being a "powerful courtroom leader" with a "brilliant courtroom manner", "a superb advocate who presents cases in a clear and authoritative manner", "who really impresses judges" and whose "advocacy is very powerful and persuasive" and also noted for his "fantastic courtroom demeanour" and "amazing ability to make complicated things simple", his "sharp, tactical mind", "a great blend of intellectual analysis and practical guidance through complex cases", his "commercial and strategic mindset" and "fantastic way with the judges" and for being "superb with clients" and "a good team player".

He has also been described in the legal directories as "absolutely brilliant", "fabulous", "outstanding", "sensational on his feet", "an exceptional advocate", "charismatic", "a big hitter", "fantastic and highly effective", "incredibly slick", "incredibly bright", "charming and urbane", "versatile and impressive", "bright and fluent", "thorough and diligent", "energetic and imaginative", "commercial and practical", "exceptionally fast, clever and affable", "very tactically aware and very bright" and is also noted for his "dynamic enthusiasm" and "ability to key into clients' commercial imperatives that acts as a barometer by which others are judged".

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“He is someone you *“always want on your side”* and who *“engages in effortless dialogue with the court, deflecting every negative element of a case to the other side of the courtroom.”*”

Instructing solicitors appreciate the fact that *“clients love him”* and he is *“an exceptionally bright and persuasive advocate who has a masterful ability to prepare and present a case”, “a brilliant mind with wonderful client skills”* and that he *“puts his heart and soul into fighting a case”* whilst remaining *“accessible and enjoyable to work with.”* For some he has *“the capacity to make the best of even a dog’s breakfast of a brief”, “an incredible ability to get across complex questions of international law and master the extensive factual matrix required for cross-examination”* and is *“hugely impressive in predicting judicial instincts”*.

Vernon has a global and diverse practice in *“big ticket”* multi-jurisdictional disputes. His cases have ranged from substantial trial and appellate advocacy to injunctive or other interim relief before a very wide range of tribunals and jurisdictions. They have involved appearances in many jurisdictions such as Anguilla, Australia, Cayman Islands, Gibraltar, India, Hong Kong, Qatar, Seychelles, Singapore, St Lucia, Sweden, Tanzania, the Virgin Islands, and the United Arab Emirates.

He continues to maintain a broad practice, including acting in the Luna yacht jurisdiction challenge in Dubai which was part of the UK’s largest divorce settlement, acting for the 9/11 victims in the UK commercial court, personal counsel to the then Chancellor of the Exchequer in the Leveson Inquiry, the original gas dispute between Russia and the Ukraine, the Ecuadorian Indian dispute with Chevron and acting for the Ruler of the UAE in a case in the Seychelles involving sovereign immunity amongst many other cases.

He has acted for numerous states, heads of state, state entities, major companies and wealthy individuals. He has been doing Russian and CIS work since the mid 1990s. His client list extends across the entire globe. Many of his cases concern clients from Russia or the CIS countries, the Far East, the Middle East and Africa. Much of his offshore work is China related.

In the first quarter of 2021, Vernon appeared in 6 appeals: one Privy Council appeal (which concerns the Bahamian Arbitration Act), two DIFC CA hearings (one concerning the application of the Torrens registration system in the DIFC and the other concerning the statutory jurisdiction of the court – having appeared in most of the prior decisions on the issue), and three separate ECCA appeals on appeal from the BVI. He has also appeared in 5 separate applications for Pakistan in the Tethyan dispute (which is a \$6 billion dispute arising from an ICSID award).

Work in 2019–21 has included resisting enforcement of an arbitration award in the Cayman Islands (CICA), acting in the Virgin Islands aspect of an international fraud (JTrust), a Russian/Armenian mining arbitration (Vallex), the Baring Vostok dispute (which was the case involving the house arrest of Michael Calvey in Moscow), a contempt application in the long running Ng case in the VI, the UKCA in the Koza case which concerned the national court’s role in ICSID arbitrations and a second appeal on abuse of process, the Essar Steel decision in Cayman which deals with Norwich Pharmacal relief and the different

approaches taken by the Cayman and English courts, a DIFC hearing in a DIAC dispute, acting for Pakistan in the Karkey enforcement dispute, acting for India against Reliance Industries, acting for energy companies against Pakistan in the commercial court, acting for China Shanshui in Cayman winding up proceedings, acting in a hotel dispute in the DIFC which defines the scope of the contempt jurisdiction of that court, a trial before the UK commercial court on rectification (involving the placement of a comma in a clause), an ICC arbitration between an Uzbekh and Chinese state entity, the Paraskeviades decision in the ECCA which concerned the obligations in relation to ex parte relief in the BVI.

Vernon has particular expertise in international arbitration under most institutional rules both as arbitrator and counsel and the commercial aspects public international law. "*The "absolutely brilliant" Vernon Flynn QC is an "excellent advocate with an encyclopaedic knowledge of English arbitration law."* He has appeared in many of the important cases under the 1996 Act including *Fiona Trust*, *Azov Shipping v Baltic Shipping*, *A v B*, *Cetelem v Roust*, *Koza*, *SAB Miller*, *Nomihold v MTSF* and *Westland Helicopters*. He was a Visiting Fellow of the London School of Economics from 2003 to 2009 on the LLM course, International and Comparative Commercial Arbitration, which course he co-founded.

He occasionally sits as arbitrator in interesting cases (such a mining dispute involving an African state in a claim in excess of US\$35 billion and a Nigerian dispute with Lord Neuberger and Judith Gill). He was co-arbitrator with Lord Hoffmann in one of his first arbitrations.

Other notable cases include *ICS v West Bromwich*, *Stocznia Gdanska v Latvian Shipping*, *Canada Trust*, *Buncefield*, *Nomihold*, *Baring Vostok*, *Ablyazov* and *Ecobank*.

Vernon was a black belt karate instructor at Cambridge University and won a gold medal at the BUSF games.

EDUCATION & QUALIFICATIONS

2003-09 Visiting Fellow of the London School of Economics in International Commercial Arbitration

2008 Appointed Queen's Counsel

1991 Called to the Bar at Lincoln's Inn

1990-1 The Inns of Court School of Law

1990 Commercial Law Tutor at LSE

1986-89 Trinity College, Cambridge - First Class Honours in Law

AWARDS

1991 The Denning Scholarship, Lincoln's Inn (then the top scholarship awarded)

1990 Hardwicke Scholarship, Sir Thomas More Award - Lincoln's Inn

Trotman Senior Exhibition

Mary Datchelor Award

Senior Scholar and Whittaker Scholar - Trinity College Cambridge

The Lizette Bentwich Prize and College Tripos Prize

DIRECTORY QUOTES

Chambers & Partners 2022, Commercial Dispute Resolution:

"A fabulous advocate with particular strength in offshore jurisdictions, such as the DIFC."

Chambers & Partners 2022, Energy & Natural Resources:

"He is excellent. He is very user-friendly and has an international reputation."

Chambers & Partners 2022, International Arbitration: General Commercial & Insurance:

"He's very knowledgeable and very experienced in the DIFC. He's a great advocate." "He is very impressive"

and calm under pressure." "He is loved by clients and is good at fighting his client's corner."

Chambers & Partners 2022, Offshore:

"He is very user-friendly and focused, good with lay clients and skilled in oral advocacy."

Chambers & Partners 2021, Commercial Dispute Resolution:

"He is able to translate difficult problems into words that clients understand."

"Vernon is absolutely brilliant; he is affable, credible, and someone who commands the respect of the court."

Chambers & Partners 2021, Energy & Natural Resources:

"Very persuasive and gets the judge onside."

"A real street fighter and fun to work with."

Chambers & Partners 2021, International Arbitration: General Commercial & Insurance:

"He is very easy to work with, bright and very responsive."

"Truly excellent and really engaging with the tribunal."

Chambers & Partners 2021, Offshore:

"He produces consistently excellent, quality work."

The Legal 500 2021, Fraud: Civil:

"He rolls up his sleeves and fights side to side with his clients and instructing lawyers. He is very user friendly and successfully advances aggressive, but justifiably so, arguments against fraudsters"

The Legal 500 2021, Commercial Litigation:

"A class act with no airs and graces, utterly sincere and genuine"

The Legal 500 2021, Energy & Natural Resources:

"A very persuasive advocate who is easy to work with and is able to present arguments in very simple terms"

Chambers Global 2011

Vernon Flynn QC handles a wide range of international and domestic commercial law. He offers

"a great blend of intellectual analysis and practical guidance through complex cases." In

addition, he is *"sensational on his feet and great with clients."*

Chambers & Partners 2011, Commercial Dispute Resolution:

Vernon Flynn QC is extremely well liked by clients, who value his *"charm, affability, efficiency and sound legal instincts."* He has appeared in some of the highest-profile cases of the past few years, including the Fiona Trust litigation and the Buncefield trial.

Chambers & Partners 2011, Shipping and Commodities:

Vernon Flynn QC is known for his advocacy work, where he has achieved an admirable reputation and gathered a loyal following among solicitors.

Chambers & Partners 2011, Arbitration:

Vernon Flynn QC also attracts considerable praise from sources who note that *"although he is fairly new in silk, he has already amassed considerable experience of international disputes."* A number of very high-value matters have dominated his caseload recently, one of which was a multimillion-pound shipping dispute.

Chambers & Partners 2011, Media and Entertainment:

Essex Court Chambers also boasts a top performer in the shape of the *"incredibly slick"* Vernon Flynn QC. His recent work has seen him acting in two theatre disputes, and in a royalty dispute for a heavyweight musician. *"Bright and fluent, he is a charming and calm advocate,"* according to sources.

The Legal 500 2010, Commercial Litigation:

Vernon Flynn QC *'is great, one of the most responsive QCs around'*

The Legal 500 2010, Energy:

The *'outstanding'* Vernon Flynn QC won indemnity costs for BP in the *Buncefield* litigation.

The Legal 500 2010, Civil Fraud:

Vernon Flynn QC is *'efficient and affable, with very sound legal instincts'*.

Chambers & Partners 2009, Commercial Dispute Resolution:

The "exceptionally fast, clever and affable"

Vernon Flynn QC enjoys a wide practice, both at home and abroad. Recently made a silk, he is widely tipped to do well after a glittering career as a junior.

Chambers & Partners 2009, International Arbitration:

Vernon Flynn QC is a "down-to-earth and user-friendly" new silk with "an excellent feel for arbitration"

Chambers & Partners 2009, Media and Entertainment:

Renowned for his commercial litigation expertise, Essex Court Chambers' newly appointed silk Vernon Flynn QC charms clients with his "personable and no-nonsense approach." He has a strong pedigree in this sector, having been involved in high-profile matters concerning George Michael and Sony, as well as the Spice Girls. In 2007, he completed the royalty dispute for The Beatles against EMI.

Chambers & Partners 2009, Shipping and Commodities:

"Energetic and imaginative," Flynn is a new silk whose practice covers a wide range of commercial law, including commodities arbitrations.

Chambers and Partners 2008, Commercial Dispute Resolution:

"Thorough and diligent," Vernon Flynn is "not fazed by big-ticket litigation." Ample evidence of this is provided by a caseload that ranges from defending a Russian billionaire against claims that he used bribery to procure favourable contracts from the Russian State Shipping Corporation (Sovcomflot) to involvement in the proceedings arising from the Buncefield oil depot explosion. Solicitors deem him "fabulous," commending his "commercial and strategic" mindset."

Chambers and Partners 2008, Arbitration:

"notably stronger than most at cutting through a mass of detail in order to get to the things that matter." Commentators further applaud his "confident, positive and aggressive style."

Chambers and Partners 2008, Media and Entertainment:

"Dedicated and fast working," Vernon Flynn represented The Beatles in a multimillion-pound royalty dispute with EMI, and is well-liked at the media Bar. Sources rate him as "incredibly bright and terribly nice to work with." Commercial disputes with an IP element form the bulk of his practice."

The Legal 500 2007-8, Shipping:

"Vernon Flynn is promoted for his work on Fiona Trust amongst others as a 'star in the making; he has a prodigious appetite for work'.

Intellectual confidence, a broad practice and a flexibility of approach, whether led or unled, mark out Flynn's 'first-class' practice, where he is often pitched against silks, and which rank he will surely emulate."

The Legal 500 2007-8, Arbitration:

'Very commercial and practical'

The Legal 500 2007-8, Banking and Finance:

"Vernon Flynn is a 'star in the making'; he has a 'prodigious appetite for work: turnaround time amazing'.

The Legal 500 2007-8, Civil Fraud:

'fast, clever, efficient and affable'

The Legal 500 2007-8, Media and Entertainment:

Vernon Flynn is praised by solicitors for 'clear pleadings' and being 'highly intelligent'

Chambers and Partners 2006, Media:

"Vernon Flynn came in for praise among sources for his pragmatism and "outstanding ability to take on matters with terrific speed and accuracy."

Chambers and Partners 2006, Commercial Litigation:

"Vernon Flynn evinces an ability to key into clients' commercial imperatives that acts as a barometer by which others are judged. His excellent manner with clients is informed by a "very wise and experienced head.""

Chambers and Partners 2006, Sport:

Vernon Flynn is rated as "superb with clients"

The Legal 500 2005, Media and Entertainment:

Vernon Flynn is also highly rated in [Media and Entertainment] and for his film and television work. 'A solid and dependable junior, liked by all who instruct him' ..."

Chambers and Partners 2005, Commercial Litigation:

"The 'clever, efficient and affable' Vernon Flynn is 'quick to respond' in addition to being 'exceptionally smooth and polished'."

The Legal 500 2005, Commercial Litigation:

"Vernon Flynn is one of the Bar's most versatile and impressive juniors, his practice covering banking, shipping, fraud and sport to the highest level."

Chambers and Partners 2005, Media and Entertainment:

"sharper than a drawer of knives"

Chambers and Partners 2003, Commercial Arbitration:

'a clever and conscientious lateral thinker'.

Chambers and Partners 2003, Media and Entertainment:

"a high flyer ... who has endeared himself to solicitors through being 'approachable, punctual and well prepared."

Chambers and Partners 2002, Commercial Litigation:

"rated highly for his strong client skills ..."

"Vernon Flynn's salient features are 'speed of response and splendid extemporization in the courtroom.'"