



Hilary Heilbron QC

Year of Call 1971 Silk 1987

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EXPERTISE

- Arbitration
- Commercial

"Hilary's great skill at cutting to the essentials of a case keeps her in great demand."

- Chambers & Partners 2015

"A great advocate with good business judgement."

- The Legal 500 2014

OVERVIEW

Hilary Heilbron QC has extensive experience as counsel both in international arbitration and commercial litigation acting for a wide range of national and international clients in very substantial disputes. She has appeared as leading counsel in the Supreme Court, House of Lords and Privy Council. She also regularly sits as an international arbitrator and is a qualified mediator.

PRACTICE AREAS

ARBITRATION

International Arbitration

Hilary Heilbron also practices international arbitration in which she appears both as counsel and acts as arbitrator. She speaks regularly to international audiences and writes on the subject. As counsel she also takes court related arbitral cases. Recent cases as counsel include *La Societe pour la Recherche, la Production, le Transport, la Transformation et la Commercialisation des Hydrocarbures SpA (Sonatrach) v Statoil Natural Gas LLC (Statoil)* [2014] EWHC 875 (Comm), *SulAmerica Cia Nacional de Seguros & 5 others -v- (1) Enesa Engenharia S.A - Enesa (2) Energia Sustentavel do Brasil - ESBR (3) Construcoes e Comerica Camargo Correa* [2012] EWHC 42 (Comm), and *Dallah Real Estate Tourism Holding Co v Government of Pakistan* [2010] UKSC 46.

Hilary Heilbron's experience as an international arbitrator is wide. She has accepted many appointments as party nominated arbitrator, institution appointed and sole arbitrator. She has chaired many tribunals of leading international arbitrators. Her appointments have been under ICC, LCIA and ICDR as well as ad hoc appointments. Many of these relate to substantial claims including in excess of US 1 billion. She also has experience of arbitrations in many foreign laws: both civil and common law. She has also been appointed as an emergency arbitrator by the AAA (ICDR rules) under their Article 37 procedure. She is a member of the LCIA Court. She also trains arbitrators for the ICDR, and was a speaker at Singapore International Arbitration Academy Advanced Training Programme in December 2012. Hilary was quoted in

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Who's Who Legal 2016 as being an “absolutely fantastic arbitrator” whose experience includes ICC, LCIA and ICDR and ad hoc appointments.”

In approximately 90 appointments in recent years she has handled a large variety of different types of claims relating to parties from all over the world many involving foreign law. Her recent appointments include claims relating to:

- share purchase and subscription agreements including related tax sharing agreements;
- joint ventures;
- distributorship agreements;
- telecommunications issues;
- pharmaceutical issues;
- banking issues;
- guarantees;
- put and call options;
- securities issues;
- international sale of goods cases;
- oil exploration;
- cargo issues;
- geophysical services;
- power, water and energy issues including pricing issues; and
- a host of various other contractual issues.

As advocate Hilary Heilbron's recent arbitrations include:

- a multi-million dollar claim relating to the power industry of a foreign state;
- a contractual claim for Euro750 million;
- representing a Middle Eastern company in relation to a multi-million breach of contract claim against a state;
- a multi-million dollar claim concerning the space industry;
- a claim for a Middle Eastern entity in relation to a US\$300 million claim relating to banking interests;
- a claim for a major US utility company in an US\$80 million dispute concerning an electricity pricing contract;
- an indemnity claim for almost US\$200 million in the Far East; and
- a very substantial claim relating to financial issues concerning an electricity power plant in the Far East.

Hilary Heilbron QC is the author of a book on international arbitration in London.

COMMERCIAL

Litigation

Hilary Heilbron has wide experience in a range of areas of law, with particular emphasis on commercial litigation, both international and domestic. She has considerable knowledge of international conflicts, jurisdictional and similar issues, and has spoken and written about this on many occasions. Her experience ranges from various contractual disputes to insurance, international trade, banking, financial services, professional negligence and defamation law as well as other areas of law. In the commercial field her clients have included international

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conglomerates, utility companies, key financial regulators, FTSE 100 companies, governments as well as many foreign and national public and private companies. She has appeared as counsel in professional disciplinary hearings and appeals. She also has the relatively rare experience of having been a Department of Trade and Industry Inspector in a DTI inquiry into a major public company. She has also conducted an insider dealing inquiry. She has advised and represented international celebrities and other well known people in defamation cases. Hilary was described as “undoubtedly one of the best” according to her peers in Who's Who Legal 2015 acting for "both domestic and international clients in substantial disputes.”

Cases of note include

- *Thai Airways International Public Co Ltd v KI Holdings Co Ltd (formerly Koito Industries Ltd)* [2015] EWHC 1250 (Comm);
- *La Societe pour la Recherche, la Production, le Transport, la Transformation et la Commercialisation des Hydrocarbures SpA (Sonatrach) v Statoil Natural Gas LLC (Statoil)* [2014] EWHC 875 (Comm)
- *SulAmerica Cia Nacional de Seguros & 5 others -v- (1) Enesa Engenharia S.A - Enesa (2) Energia Sustentavel do Brasil - ESBR (3) Construcoes e Comerica Camargo Correa* [2012] EWHC 42 (Comm)
- *Dallah Real Estate Tourism Holding Co v Government of Pakistan* [2010] UKSC 46
- *Marjorie Ilma Knox v John Vere Evelyn Dean and Others* [2005] UKPC 25
- *Zockoll Group Limited v Mercury Communications Ltd*
- *R v SS for National Heritage ex parte J. Paul Getty Trust*
- *Giles v Thompson (H.L.)*
- *Re: Bank of Credit and Commerce International SA (No 10)*
- *Else (1982) Ltd v Parkland Holdings Ltd*
- *Nigel Zoan v Beatrice Rouamba*
- *Re Pharmedica GmbH's International Application No 649830*
- *Ketley v Gilbert*
- *Lakah Group v Al Jazeera Satellite Channel* (Court of Appeal)

PUBLICATIONS

- "Dynamics, Discretion and Diversity: a recipe for unpredictability in international arbitration" *Arbitration International* Vol. 32 Number 2 2016
- Co-General Editor "SIAC Rules an Annotation" Lexis Nexis 2014
- "A Practical Guide to International Arbitration in London"
- A chapter on "Assessing Damages in International Arbitration" in the second edition of "The Leading Arbitrators' Guide to International Arbitration"
- "Rose Heilbron: Legal Pioneer of the 20th Century: Inspiring Advocate who became England's First Woman Judge", **Hart Publishing**, October 2012
- Recent Articles include:

Bahrain Chamber for Dispute Resolution International Arbitration Review June 2015 "The English Court's Approach to review of Awards by way of Challenge and Enforcement."

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“Interim Measures in International Commercial Arbitration – Useful Weapon or Tactical Missile”: ICCA Congress Series No 18;

“Is International Arbitration becoming too Confrontational and Counter-intuitive? And some Guidelines as to how not to irritate a Tribunal!”:
Liber Amicorum for the 100th Anniversary of the Chartered Institute of Arbitrators (2015)

“Jurisdictional Issues Relating to Challenges and the New York Convention – Fictions, Failures and Finality – a Choice of Remedies”: *Turkish Commercial Law Review* (2015)

QUALIFICATIONS AND FURTHER INFORMATION

Hilary Heilbron QC is also a CEDR trained mediator.

Qualifications

MA (Oxon)

Current positions held

- Member of ICCA-ASIL Task Force on Damages.
- Deputy High Court Judge.
- She is a member of the LCIA Court.
- Member of the ICC UK Arbitration and ADR Committee.
- Member of the International Advisory Committee of the ICDR.
- She is on the panel of arbitrators at HKIAC, SIAC, KLRCA, the Court of Arbitration to the Polish Chamber of Commerce, and is a registered ICDR arbitrator.
- She is a member of the ABA, IBA, and LCIA.
- She is a regular speaker at both arbitration and international litigation conferences and has contributed articles to various journals on both subjects.
- Admitted as a Legal Practitioner in New South Wales, Australia. Member of the New South Wales Bar Association.
- Vice President of the Association of Lancastrians in London.
- Fellow of ACICA, Sydney, Australia.
- Bencher of Gray's Inn.

Previous positions held

- Senior Vice Chair of the IBA Rule of Law Forum
- Vice Chair of the International Litigation Committee of the ABA section of International Law
- Chairman City Disputes Panel (2006 - 2007)
- Vice Chairman IBA International Litigation Committee (2003-04)
- Member of the CEDR Advisory Panel (1996 - 2002)
- Member of the Civil Justice Council (1998 - 2002)
- Member of the Bar Council (1991-99)
- Former Chair of the International Practice Committee of the Bar Council
- Vice-Chairman of the Marshall Aid Commemoration Commission (1998-2002)

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- Chairman of the London Common Law and Commercial Bar Association (1991-93)
- Chairman of the independent working party into Civil Justice set up jointly by General
- Council of the Bar and the Law Society (1993)
- Department of Trade and Industry Inspector into Blue Arrow plc (1989-91)

DIRECTORY QUOTES

Hilary Heilbron QC has glowing recommendations in many of the most respected directories as set out below both as arbitrator and also as advocate both in arbitration and litigation.

- "Hilary Heilbron QC draws widespread admiration thanks to her "tireless work ethic" and "incredible eye for detail". An accomplished counsel and arbitrator, Heilbron regularly appears in banking, telecoms, pharmaceutical and energy disputes." (Who's Who Legal - UK Bar: Arbitration 2017)
- "An intelligent arbitrator and a steady hand on the tiller." Ranked Band 1 as Arbitrator. (Chambers & Partners UK 2017)
- "Highly experienced both as counsel and as an arbitrator." (Legal 500 2016)
- "Has brilliant strategic awareness" (Who's Who Legal Arbitration 2016)
- "Hilary Heilbron QC at Brick Court Chambers is an 'absolutely fantastic arbitrator' whose experience includes ICC, LCIA and ICDR and ad hoc appointments. (Who's Who Legal Arbitration 2016)
- "Hilary Heilbron QC is 'undoubtedly one of the best' barristers according to her peers. She acts for both domestic and international clients in substantial disputes." (Who's Who Legal Litigation 2015)
- "She remains analytically on top of legal issues. An expert in the procedure and in getting it organised" Ranked Band 1 as Arbitrator. (Chambers & Partners UK 2016)
- "She is indefatigable, and despite a busy schedule is always ready for calls, meetings and deadlines." (Legal 500 2015)
- "Hilary's great skill at cutting to the essentials of a case keeps her in great demand." (Chambers & Partners 2015)
- "A great advocate with good business judgement." (The Legal 500 2014)
- "A very active arbitrator who is a class act." (The Legal 500 2014)
- "Hilary Heilbron QC of Brick Court Chambers impresses interviewees with her prowess as arbitrator on substantial commercial disputes, alongside her respected work as arbitration counsel." (Chambers & Partners Global, & Europe, 2014)
- "Hilary Heilbron QC's 'intelligence' and 'responsiveness' mark her out as 'one of the best QCs out there.'" (Legal 500 2013)
- "Hilary Heilbron QC of Brick Court Chambers has acted as counsel and arbitrator in a number of high-profile, political arbitrations. Including, most recently, in relation to English enforcement of an ICC award rendered in Paris. Her wide-ranging expertise is universally acknowledged, and she typically acts under ICC, LCIA and ICDR rules, as well as ad hoc appointments." (Chambers & Partners Global, 2013, ranked in Band 1, Arbitration (International): Most In Demand Arbitrators: Europe-wide)
- "Brick Court Chambers has a significant depth of arbitration expertise, exemplified by the presence within it of leading arbitrators such as the highly recommended Hilary Heilbron QC. She is experienced as both counsel and arbitrator, and has handled a wide range of disputes." (Chambers & Partners UK 2013, ranked in Band 1, International Arbitration: Arbitrators)
- Appears in The International Who's Who of Commercial Arbitration 2013
- Cited by the Legal 500 2012 as a leading practitioner in International Arbitration
- "Hilary Heilbron QC of Brick Court Chambers has extensive experience of acting as both counsel and arbitrator. A recent highlight was appearing as counsel in the UK's Supreme Court relating to the enforcement of a New York ICC award rendered in Paris."

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Ranked in Band 1, Arbitration (International): Most In Demand Arbitrators: Europe-wide (Chambers & Partners Global, 2012)

- “has ‘the most wonderful ability to command respect with the mere raising of one eyebrow’.” (Legal 500 2011)
- “a long-standing name in international disputes and is respected by sources for her fast turnaround of cases and thorough focus.”

Ranked in Band 1 Arbitration (International) Most In Demand Arbitrators (Chambers & Partners Global, 2011)

- “her rigorous preparation and aptitude in immediately grasping the facts’ leave the market particularly impressed” (Chambers & Partners, 2010)