BRICK COURT
CHAMBERS

Brick Court Chambers
7-8 Essex Street, London WC2R 3LD
DX 302 London Chancery Lane

Harry Balfour-Lynn

YEAR OF CALL: 2023

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Practice Overview

Harry practises across competition, commercial, public law, sanctions and public international law. His notable current and recent instructions include:

- ***Shein v Temu*** – Acting for Shein in its litigation against Temu, named as one of The Lawyer's Top 20 Cases for 2026 (led by Marie Demetriou KC, Tom Pascoe and Ali Al-Karim).
- ***R (Wallace Partnership Group and Ors) v SSHCLG*** – Acting for a major freeholder in a Human Rights Act challenge to provisions of the Leasehold and Freehold Reform Act 2024 (led by Victoria Wakefield KC and Julia Smyth KC).
- ***Libyan Investment Authority and LAFICO v Kingdom of Belgium*** (ICSID Case No. ARB(AF)/23/3) – Acting for the Libyan Investment Authority and its subsidiary LAFICO in an investor-State arbitration against the Kingdom of Belgium (led by Emilie Gonin).

Before coming to the Bar, Harry worked as the judicial assistant to Lord Hamblen in the UK Supreme Court and to Mr Justice Calver in the Commercial and Administrative Courts. Prior to working as a judicial assistant, Harry practised as a solicitor at Hogan Lovells, where he worked on a wide range of commercial and public law litigation. As a solicitor, he was shortlisted for Junior Lawyer of the Year in the Law Society Excellence Awards 2021.

Harry completed a BA in History (First Class Honours, Dean's List) at University College London, the Graduate Diploma in Law (Distinction) and the Legal Practice Course (Distinction) at BPP Law School, and a Master's in International Law (Dean's Graduate Award) at New York University School of Law.

Competition

Harry accepts instructions across all areas of competition law. His previous experience includes:

- *Shein v Temu* – Acting for Shein in a dispute involving both IP and competition law issues, named as one of The Lawyer's Top 20 Cases for 2026 (led by Marie Demetriou KC, Tom Pascoe and Ali Al-Karim).
- Advising a major technology company in connection with an adverse regulatory decision (led by Josh Holmes KC and Julianne Kerr Morrison).
- Advising a major technology company in connection with an intervention in a challenge to a regulator's decision regarding another major technology company (led by Josh Holmes KC and Julianne Kerr Morrison).
- Advising a major technology company in connection with the costs of an intervention before the Competition Appeal Tribunal (led by Sarah Abram KC).
- *Citalopram* – Advising a Defendant party in connection with the *Citalopram* follow-on damages claim brought by the NHS (as a pupil, assisting David Scannell KC).
- *Trucks Cartel Litigation* – Advising the Claimant side for RHA Used Trucks in connection with collective proceedings arising from the *Trucks Cartel* (as a pupil, assisting David Scannell KC).
- *Phones 4U v Orange & Ors* [2023] EWHC 3378 (Ch) – Acting for Orange in consequential proceedings arising out of their successful defence of a claim in respect of an alleged collusive boycott leading to the collapse of Phones4U (as a pupil, assisting David Scannell KC).
- Advising a leading drinks manufacturer in relation to a possible reference to the Court of Justice of the European Union (as a pupil, assisting David Scannell KC).

Commercial

Harry accepts instructions across all areas of commercial law. His previous experience includes:

- *Talantas v MUFG* – Acting for the financial services company MUFG, defending an unjust enrichment claim brought against it by a recruitment firm (unled).
- *Libyan Investment Authority and LAFICO v Kingdom of Belgium* (ICSID Case No. ARB(AF)/23/3) – Acting for the Libyan Investment Authority and its subsidiary LAFICO in an investor-State arbitration against the Kingdom of Belgium (led by Emilie Gonin).
- *Willerby v Woodhead Brothers* – Acting for a major national farming company in a dispute concerning the termination of a contract to supply livestock to a national supermarket (led by Richard Eschwege KC).

- *Al Sadik v Harney Westood and Riegels & Ors* [2024] EWHC 818 (Comm) – Acting for Harney Westood and Riegels in defence of a professional negligence claim arising out of USD$100m banking litigation in the Cayman Islands, the Privy Council and Dubai (as a pupil, assisting Kyle Lawson).
- A high-value LCIA arbitration relating to the termination of a partnership agreement in connection with a London-based private equity fund (as a pupil, assisting Kyle Lawson).
- *6BC v TC Biopharm (Holdings) Plc* – Acting for a US investor in a claim relating to the redemption of convertible loan notes and put loan notes in respect of a Nasdaq listed biotech company (as a pupil, assisting Kyle Lawson).
- *Various Claimants v Glencore Plc* – Acting for Glencore Plc in defence of group litigation under section 90/90A of the Financial Services and Markets Act 2000 arising out of Glencore's initial public offering and subsequent merger with Xstrata (as a pupil, assisting Kyle Lawson).
- *Republic of Mozambique v Privinvest Shipbuilding SAL (Holding)* [2023] UKSC 32 – An appeal concerning whether the Republic of Mozambique's claims were "matters" which fell within the scope of arbitration agreements under section 9 of the Arbitration Act 1996 meaning they should be stayed in favour of arbitration (as judicial assistant to Lord Hamblen).
- *Philipp v Barclays Bank UK PLC* [2023] UKSC 25 – An appeal concerning whether a bank owes a duty to its customer not to carry out their payment instructions if the bank has reasonable grounds for believing that the customer is being defrauded (as judicial assistant to Lord Hamblen).
- *Herculito Maritime Ltd v Gunvor International BV* [2024] UKSC 2 – An appeal concerning the proper interpretation of a charter agreement and bills of lading for a vessel, in respect of losses arising out the seizure of the vessel by pirates (as judicial assistant to Lord Hamblen).
- *Smith v Royal Bank of Scotland* [2023] UKSC 34 – An appeal concerning the proper interpretation of section 140A of the Consumer Credit Act 1974 (as judicial assistant to Lord Hamblen).
- *Surkis v Poroshenko* [2021] EWHC 2512 – Proceedings concerning the scope of sovereign immunity and the act of state doctrine in the context of a USD$200 million claim brought against the former President of Ukraine and the former Governor of its Central Bank (as judicial assistant to Mr Justice Calver).
- *Parsadoust v Hanging Gardens Limited* [2021] EWHC 1594 (Comm) – Proceedings concerning a written call option over shares in a digital healthcare provider and whether the parties had orally agreed to vary the option agreement (as judicial assistant to Mr Justice Calver).
- *John West Foods Ltd v Marine Management Organisation* [2021] EWHC 1763 (QB) – A claim for damages in respect of fishery products wrongfully detained at port in purported reliance

on EU law powers (as judicial assistant to Mr Justice Calver).

Public Law

Harry accepts instructions across the full range of public and administrative law, civil liberties and human rights. His previous experience includes:

- *R (Wallace Partnership Group and Ors) v SSHCLG* – Acting for a major freeholder in a Human Rights Act challenge to provisions of the Leasehold and Freehold Reform Act 2024 (led by Victoria Wakefield KC and Julia Smyth KC).
- Acting for an MP in a claim brought against them in respect of alleged breaches of the Equality Act and the Human Rights Act (unled).
- *R (Guilin GFS Monk Fruit Corporation) v Food Standards Agency* [2024] EWHC 614 (Admin) – Acting for the claimant in a judicial review claim challenging a decision of the Food Standards Agency stating that monk fruit decoctions are a "novel food" (as a pupil, assisting David Scannell KC and Malcolm Birdling).
- *R (Global Feedback) v His Majesty's Treasury & Anor* – Acting for Global Feedback in a judicial review claim challenging the domestic regulations giving effect to the UK-Australia Free Trade Agreement on the basis of an inadequate environmental impact assessment and misdirection as to the scope of the UK's obligations arising under the United Nations Framework Convention on Climate Change (as a pupil, assisting Victoria Wakefield KC and Sarah Love).
- *S.A. v Minister of Children, Equality, Disability, Integration and Youth, Ireland and the Attorney General* (Case C-97/24) – Acting for the United Nations High Commissioner for Refugees in proceedings before the Court of Justice of the European Union relating to failures by the Government of Ireland to provide adequate reception conditions to individuals seeking to apply for international protection (as a pupil, assisting Marie Demetriou KC and Sarah Love).
- Advising the Department for Digital, Culture, Media & Sport on the scope of the Secretary of State's powers under a particular statute (as a pupil, assisting Sarah Love).
- *R (Pearce) v Parole Board for England and Wales* [2023] UKSC 13 – An appeal concerning the legality of the Parole Board's guidance on the approach to unproven allegations in deciding whether to direct a prisoner's release (as judicial assistant to Lord Hamblen).
- *News Corp UK & Ireland Ltd v HMRC* [2023] UKSC 7 – An appeal concerning the application of the "always speaking" principle of statutory interpretation and whether News Corp's supplies of digital issues of *The Times*, *The Sunday Times*, *The Sun* and *The Sun on Sunday* were not supplies of "newspapers" within the meaning of the Value Added Tax Act 1994 (as judicial assistant to Lord Hamblen).
- *Popoviciu v Curtea De Apel Bucharest* [2023] UKSC 39 – An appeal concerning the standard

of proof applicable where the subject of an extradition request seeks to challenge their extradition on the basis of alleged historic breaches of their right to a fair trial under Article 6 of the ECHR (as judicial assistant to Lord Hamblen).

- *HMRC v SSE Generation Ltd* [2023] UKSC 17 – An appeal concerning whether expenditure on items for the collection and transmission of water at a hydro-electric power station qualified for capital allowances under the Capital Allowances Act 2001 (as judicial assistant to Lord Hamblen).
- *Goodley v The Hut Group Ltd* [2021] EWHC 1193 (Comm) – Proceedings concerning the scope of the open justice principle (as judicial assistant to Mr Justice Calver).

Public International Law

Harry accepts instructions in cases concerning the application of international law in the domestic courts, as well as cases before international courts and tribunals. His previous experience includes:

- *Libyan Investment Authority and LAFICO v Kingdom of Belgium* (ICSID Case No. ARB(AF)/23/3) – Acting for the Libyan Investment Authority and its subsidiary LAFICO in an investor-State arbitration against the Kingdom of Belgium (led by Emilie Gonin).
- *Inter-American Court of Human Rights, Request for an Advisory Opinion on the Climate Emergency and Human Rights* – Acting for a coalition of Caribbean civil society groups and the Global Strategic Litigation Council to submit an amicus brief in response to the Request for an Advisory Opinion on the Climate Emergency and Human Rights by the Republics of Colombia and Chile (led by Ali Al-Karim).
- *S.A. v Minister of Children, Equality, Disability, Integration and Youth, Ireland and the Attorney General* (Case C-97/24) – Acting for the United Nations High Commissioner for Refugees in proceedings before the Court of Justice of the European Union relating to failures by the Government of Ireland to provide adequate reception conditions to individuals seeking to apply for international protection (as a pupil, assisting Marie Demetriou KC and Sarah Love).
- *R (Global Feedback) v His Majesty's Treasury & Anor* – Acting for Global Feedback in a judicial review claim challenging the domestic regulations giving effect to the UK-Australia Free Trade Agreement on the basis of an inadequate environmental impact assessment and misdirection as to the scope of the UK's obligations arising under the United Nations Framework Convention on Climate Change (as a pupil, assisting Victoria Wakefield KC and Sarah Love).
- *JTI POLSKA Sp. Z o.o. v Jakubowski* [2023] UKSC 19 – An appeal concerning when it is appropriate for the courts to have regard to ***travaux préparatoires*** when interpreting an international treaty and whether excise duty payable in respect of goods stolen in the course of international carriage by road can be claimed under the Convention on the Contract for

the International Carriage of Goods by Road 1956 (as judicial assistant to Lord Hamblen).

- *Surkis v Poroshenko* [2021] EWHC 2512 – Proceedings concerning the scope of sovereign immunity and the act of state doctrine in the context of a USD$200 million claim brought against the former President of Ukraine and the former Governor of its Central Bank (as judicial assistant to Mr Justice Calver).

Education and Qualifications

Professional Experience

2023-2024: Pupil Barrister, Brick Court Chambers

2022-2023: Judicial Assistant to Lord Hamblen of Kersey, UK Supreme Court

2021: Judicial Assistant to Mr Justice Calver, High Court of England and Wales (Commercial Court and Administrative Court)

2020-2021: Associate (Litigation and Investigations), Hogan Lovells International LLP

2018-2020: Trainee Solicitor, Hogan Lovells International LLP

Education

2021-2022: Master of Laws (LL.M.) in International Legal Studies, New York University School of Law (Dean's Graduate Award)

2018: Legal Practice Course, BPP Law School (Distinction)

2016-2017: Graduate Diploma in Law, BPP Law School (Distinction)

2013-2016: Bachelor of Arts in History, University College London (First Class Honours, Dean's List)