

Helen Davies KC

YEAR OF CALL: 1991 YEAR OF SILK: 2008

There is no one solicitors would rather go to on a difficult case – a superb tactician, stellar in court, and easily the best around on difficult or novel points of legal principle.

Chambers & Partners 2022

Clerk's Email: PaulsClerkingTeam@brickcourt.co.uk



Practice Overview

Helen Davies is the joint Head of Brick Court Chambers. She has extensive experience in all aspects of Commercial Litigation, EU and Competition Law and regulatory/public law, having appeared as an advocate in numerous cases in the Commercial Court and Chancery Division of the High Court, as well the Court of Appeal, Supreme Court and the CJEU. She has also acted in many international and domestic arbitrations, and sits as an arbitrator.

Helen Davies has been identified as one of the leading practitioners in the Commercial Litigation, Competition/European, Arbitration, Energy and Insurance/Reinsurance fields by the Legal 500 and Chambers & Partners for many years, and was featured in *The Lawyer's* Hot 100 2014. Helen was nominated by Chambers & Partners for Competition Silk of the Year 2018 and Commercial Silk of the Year 2020. Helen was nominated by The Legal 500 for Silk of the Year in 2022. In 2019 and 2023 she won Commercial Litigation Silk of the Year in the Legal 500 UK Bar Awards.

Commercial

Helen Davies has acted in a wide variety of commercial cases. Her experience (both as an advocate and in an advisory capacity) ranges from various contractual disputes to energy, banking, insurance/reinsurance, financial services and professional negligence.

Significant cases include:

- *Tugushev v Orlov* (£300 million claim in relation to fishing business), Commercial Court
- *Lloyds/HBOS GLO* (£200 million claims in relation to acquisition by Lloyds & HBOS), Chancery Division.
- *Rosserlane v Credit Suisse* (US \$80 million claim for professional negligence in relation to the

- sale of an oilfield in Azerbaijan), Chancery Division
- *Berezovsky v Abramovich* (£6 billion claim for intimidation/breach of trust, acting for successful defendant Roman Abramovich), Commercial Court and Court of Appeal
- *Venture v Nuon* (£100 million claim for completion of purchase agreement relating to various oil and gas assets in North Sea), Commercial Court
- *BP v Dolphin* (claim to terminate £100 million contract for hire of drilling rig on LOGIC terms), Commercial Court
- *Masri v Consolidated Contractors International UK Ltd* (US\$50 million claim for breach of agreement relating to oil concession in Yemen), Commercial Court
- *Real Estate Opportunities Limited v Aberdeen Asset Management* (£75 million claim for professional negligence relating to flotation of split capital trust), Ch D and CA
- *Kennecott Utah Copper Corp v Minet Ltd*, (professional negligence/reinsurance), Commercial Court and CA
- *GE Reinsurance Corp v New Hampshire Insurance Co and Willis* (professional negligence/reinsurance), Commercial Court
- *BP Plc v GE Frankona Reinsurance Limited* (insurance/energy), Commercial Court
- *Gio Personal Investment Services v Liverpool and London Steamship P & I Association* (access to documents), CA
- *British & Commonwealth Holdings plc (in administration) v Barclays de Zoete Wedd* (professional negligence/financial services), Ch D
- *Banco Santander v Banque Paribas* (banking), Commercial Court and CA
- *Philip Alexander Securities & Futures Ltd v Bamberger* (arbitration/Rome Convention), Commercial Court and CA
- *Henderson v Merrett* (professional negligence/accountants), Commercial Court
- *Emerald Meats (London) Ltd v AIB Group (UK) plc* (banking), CA
- *Vitol v Norelf* (contract), HL

Competition

Having undertaken a stage in EC Commission Competition Directorate, Helen Davies has also acted in a broad range of European/Competition Law and Regulatory cases (again both as an advocate and in advisory capacity), including disputes before a variety of tribunals, including the UK Courts, the CAT and the Competition Commission, as well as the General Court and the CJEU. These include:

- *National Grid v Prysmian* (for Prysmian) follow on/standalone damages claim, Chancery Division/CAT
- *Air Cargo* (for Cathay Pacific) (follow on damages claims), Chancery Division
- *Foundem v Google* (claims by Foundem for search of Article 102 in respect of various aspects of Google's practices)
- *Department of Health v Servier* (claims for damages for alleged breaches of Articles 101 and

102 in relation to patents)

- *FAPL v Ofcom* (appeal by FA Premier League against OFCom's decision to require BSkyB to supply its premium sports channels to other pay TV retailers on regulated terms), CAT
- *FAPL v QC Leisure* (reference to ECJ in relation to unauthorised use in UK of satellite decoder cards authorised for use in other Member States), ECJ
- *Barclays v Competition Commission* (judicial review in respect of PPI market investigation), CAT
- *Merger Action Group v Secretary of State for Business, Enterprise and Reform* (judicial review in respect of Lloyds/HBOS merger), CAT
- *T-Mobile v Ofcom* (mobile telephone donor conveyance charges), CAT
- *Synthon BV v The Licensing Authority* (multi million Francovich damages claim), High Court
- *Virgin Media v BSkyB*, High Court (Article 82/Chapter II damages claim), High Court
- *Office of Fair Trading v Foxtons*, (Unfair Contract Terms Regulations), High Court and CA
- *Bookmakers Afternoon Greyhound Services Ltd v Amalgamated Racing Ltd*, High Court (Article 81/Chapter I claim), High Court
- *Visa Europe v Commission (re Morgan Stanley)* (challenge to Commission Decision under Article 81 EC), CFI
- *Nokia v Qualcomm* (FRAND terms), High Court
- *Department of Health v Norton Healthcare and others* (Article 81/Chapter I price fixing claim in relation to various generic drugs), High Court
- *Crehan v Intrepeneur Pub Co* (for intervenor, Visa) (Article 81 EC), House of Lords
- *Viking Line v International Transport Workers Federation* , (Freedom of movement of persons/freedom of establishment), High Court and CA
- *Kellogg v MoDo* (Article 81 EC damages), High Court
- *Provimi v Aventis* (Article 81 damages), High Court
- *UK v Commission* (state aid), CFI
- *British Airways v Commission* (Article 82), CFI
- *Carnoustie Universal SA v International Transport Workers Federation* (free movement), High Court
- *White v White* (Directive implementation), House of Lords
- *Evans v Secretary of State for the Environment* (Francovich damages), High Court, CA and ECJ
- *Re Westminster Property Management Ltd* (free movement), High Court and CA
- *British Airways/City Flyer*, Competition Commission
- *R v Treasury, ex parte British Telecommunications* (Directive implementation), High Court, CA and ECJ

Arbitration

Helen Davies has also appeared in numerous commercial arbitrations, both international and domestic. Many of these have involved claims of very substantial value. She also sits as an

arbitrator.

Publications

Contributor to Brick Court Chambers, Competition Litigation: UK Practice and Procedure

Education & Qualifications

BA Hons Law, Class I (Emmanuel College, Cambridge)

Stage, European Commission DGIV, October 1993

Member of the B Panel to the Crown, 1999-2008

Appointed a Bencher of Inner Temple 2010

Directory Quotes

Banking & Finance:

- "She's a real superstar, an incredibly strong strategist. With Helen you always feel like she's really got into the detail of your case." (Chambers & Partners 2024)
- "She's a complete master of banking disputes, and she is very user-friendly and easy to work with." (Chambers & Partners 2024)
- "Very meticulous and leaves no stone unturned." (Chambers & Partners 2024)
- "Helen Davies KC knows how to turn a judge around." (Chambers & Partners 2023)
- "Very strong advocate. Very user friendly and responsive. Among the most respected and sought after counsel around." (Legal 500 2023)
- "Her advocacy is outstanding and her presence in the courtroom is great. You can see the respect the other silks have for her. Her knowledge and depth of experience are outstanding." (Chambers & Partners 2022)
- "There is no one solicitors would rather go to on a difficult case – a superb tactician, stellar in court, and easily the best around on difficult or novel points of legal principle." (Legal 500 2022)
- "Helen is an absolutely excellent cross-examiner." "She's a super advocate and a very good team manager." "She's a heavyweight. A tough individual and a very safe pair of hands." (Chambers & Partners 2021)
- "Notable for her highly analytical approach and exceptional preparation for advocacy, she is always determined to be ready for every possible argument and to have addressed it in advance." (Legal 500 2021)

- "Joint head of chambers and an advocate of some renown when it comes to commercial, energy and competition law disputes. She has appeared in a number of leading banking cases including those addressing issues of investigation procedure, fraud, misselling and the interpretation of the ISDA Master Agreement. Davies has acted as an advocate at all levels of the English courts, and also regularly appears as an arbitrator in domestic and international arbitrations." "Adopts a refreshingly forthright and very sensible approach." "Helen is very easy to work with and a very capable advocate." (Chambers & Partners 2020)
- "Always accessible, easy to work with and finds time to deal with any query." (The Legal 500 2020)
- "An outstanding trial lawyer with excellent judgement." "She's a very effective advocate, who has good authority in court and is well liked by judges." (Chambers & Partners 2019)
- "An excellent advocate who inspires client trust." (The Legal 500 2018-19)
- "She is an outstanding trial lawyer with excellent judgement," who is "great on her feet." (Chambers & Partners 2018)
- "She is exceptional, has a phenomenally impressive grasp of cases, is clear-thinking and learned, and is a very good advocate." "She is absolutely at the top of her game." (Chambers & Partners 2017)

Commercial Litigation:

- "Helen is incredibly sharp and a real pleasure to work with. Her approach is calm, commercial and legally tight." (Chambers & Partners 2024)
- "She is outstanding. Whenever you are in court with Helen you know you are in perfect hands." (Chambers & Partners 2024)
- "Helen Davies is the absolute master of the detail. She will not stand up in court until she knows everything." (Chambers & Partners 2024)
- "A star who is respected by judges." (Legal 500 2024)
- "An excellent barrister who inspires client trust." "Helen is one of the top silks at the Bar and an amazing advocate." (Chambers & Partners 2023)
- "Probably the best barrister around for a difficult case. Incisive analysis, clear advice and respected by tribunals at every level." (Legal 500 2023)
- "A fierce advocate who is highly thoughtful and only says what needs to be said." (Chambers & Partners 2022)
- "A stellar advocate and a true leader in every respect." (Legal 500 2022)
- "Has a skilful way of assimilating information and manages to lead the judge through a case very simply." "She is fantastic with clients as she is calm, clear and decisive." (Chambers & Partners 2021)
- "A very rare talent – an exceptional advocate and one of the most able Silks at the Commercial Bar." (Legal 500 2021)
- "An all-round impressive advocate who has phenomenal attention to detail and a very firm grasp of the facts." "She deals with judges' questions and musings from the Bench with ease." (Chambers & Partners UK & Global 2020)
- "Very insightful and creative, but her real strength is as a trial lawyer on all aspects from the

written work to the cross-examination." (The Legal 500 2020)

- "An excellent advocate who inspires clients' trust." "Helen is outstanding, incredibly focused on the detail, and once she's decided that she believes in a case, she will fight it hard." (Chambers & Partners UK & Global 2019)
- "An absolutely brilliant silk and definitely in the top league." (The Legal 500 2018-19)
- "She's able to immediately perceive the various different factors at play, and then calculate and provide thoughtful answers." "Very effective and impressive in a low-key way." (Chambers & Partners 2018)
- "Highly effective at getting on top of the detail." (The Legal 500 2017)
- "She has strong strategic intuition, is great on her feet and is always extremely persuasive." "She is incredibly calm under pressure." (Chambers & Partners 2017)
- "A go-to counsel for commercial disputes and energy work." (The Legal 500 2016)
- "Phenomenally clever. She is very quick to grasp complex issues and to identify commercial solutions." "She is technically brilliant as well as an excellent advocate." (Chambers & Partners 2016)
- "Highly intelligent and a pleasure to work with." (Chambers & Partners 2015)
- "A massively impressive barrister." (The Legal 500 2014)
- "excellent in the way that she guides a case through the court." (Chambers & Partners 2013)
- "'rightly acclaimed in the market as one of the hot silks of the moment', Helen Davies KC is a 'clever, hard-working, commercially aware and thoroughly modern barrister'" (Chambers & Partners, 2011)
- "A 'star in the making', 'highly responsive, clever and good businesslike advocate'" (Chambers & Partners, 2010)
- "...the easy to deal with Helen Davies KC, who many predict to be 'a major star of the future'. The market holds high hopes for her as she is 'very much a 'can-do' person who cuts to the chase every time'." (Chambers & Partners, 2009)
- "Forceful presence in court, who cuts through obfuscation with clear and concise judgment." (Chambers & Partners, 2008)
- "Astute, thorough and commercial," "capable of talking the client's language very quickly." (Chambers & Partners 2006)
- "Superb credentials and a bright future at the commercial Bar" (Legal 500, 2005)
- "Destined to sit in the Lords one day." (Chambers & Partners 2004)

European/Competition Law

- "Helen is one of my top choices for complex competition disputes and the cross-over between commercial and competition disputes." (Chambers & Partners 2024)
- "Helen Davies I think is brilliant." (Chambers & Partners 2024)
- "She always cuts to the chase and gets right to the issues." (Chambers & Partners 2024)
- "A very organised and direct silk." (Legal 500, 2024)
- "A very strong advocate who is technically good, pleasant, affable, and a very good leader." (Chambers & Partners 2023)
- "I rate her highly for her good judgement; she rolls up her sleeves and gets to the facts

quickly." "She is strategic and gets across the details, and presents very well." "She has brilliant ideas and is a persuasive and tenacious cross-examiner." (Chambers & Partners 2022)

- "Sharp, tactically astute and a great leading counsel on the most challenging cases." (Legal 500 2022)
- "She is on top of her game and always my first choice." "She is a big hitter and a forthright barrister who gives very clear guidance," and is a "very good performer on her feet." (Chambers & Partners 2021)
- "A leader in her field, and an inspiration to work with." (Legal 500 2021)
- Helen Davies KC earns acclaim for her breadth of knowledge of EU and competition law. She has successfully appeared before the Competition Commission, the CJEU and the General Court. (Who's Who Legal - UK Bar: Competition 2020)
- "Earns considerable praise for her proven skill both in commercial damages claims and in administrative appeals against decisions made by UK competition regulators. She acts either on the claimant or defendant side of cartel follow-on damages claims and standalone private enforcement actions." "One of the outstanding performers at the Bar." "She's one of the super-silks from a commercial litigation perspective." "Helen is always compelling when speaking with clients and is really good at rolling her sleeves up and being hands-on." "She is very bright, clear in her advice and someone who doesn't sit on the fence." (Chambers & Partners UK & Global 2020)
- "A leader in her field, and an inspiration to work with." (Legal 500 2020)
- Helen Davies KC wins acclaim as "a superb advocate in the field" and possesses over 20 years of experience in domestic and EU courts handling competition matters for clients in the financial services and telecoms sectors. (Who's Who Legal - UK Bar: Competition 2019)
- "She is one of the cleverest and most effective silks around." (Chambers & Partners UK & Global 2019)
- "A go-to counsel for competition disputes; an excellent advocate who inspires client trust." (Legal 500 2018-19)
- Helen Davies KC is noted as "a leading light of competition law" and is highly sought after for her advocacy skills in complex commercial competition matters. (Who's Who Legal - UK Bar: Competition 2018)
- "She has an excellent mix of forensic ability and client friendliness." "She is a leader in the field and a delight to work with." (Chambers & Partners 2018)
- "An all-around star, who is very persuasive on her feet and in control of her case." (Legal 500 2017)
- "Helen Davies KC is regarded as a "heavyweight" EU and competition law silk who is "fantastic to work with" and "an authority in court". (Who's Who Legal - UK Bar: Competition 2017)
- Strengths: "She is utterly fantastic and absolutely cuts to the chase. She is pragmatic, strategic and terrific." (Chambers & Partners 2017)
- "She is a brilliant operator who is very insightful." (Chambers & Partners Global 2016)
- "One of the standout performers at the Bar; an inspiration to work with." (Legal 500 2016)
- "Sensationally good with clients and someone with an incredibly incisive mind." "She always gets results." (Chambers & Partners 2015)

- "absolutely phenomenal" (Chambers & Partners 2013)
- "a rocket scientist intellectually who also interacts with clients extremely well." (Chambers & Partners 2013)
- "first choice for senior input at the competition Bar" (Legal 500 2012)
- "An adroit advocate who really takes the fight to the other side" (Chambers & Partners, 2011)
- "Bright and responsive" (Legal 500, 2010)
- "Intellectually superior and very responsive" (Chambers & Partners, 2010)
- "Magnificently assured in court" she has "impressive presentation skills and a tremendous intellect", and clients warm to her as she is "responsive, extremely pragmatic and very proactive." (Chambers & Partners, 2009)
- "Phenomenally brilliant competition barrister, whom clients characterise as highly regarded and approachable." A "top quality courtroom performer whom others really enjoy working with," she is "a highly effective communicator both in cases and with clients" and "Outstandingly good." (Chambers & Partners, 2008)

Energy:

- "Helen Davies is a heavyweight commercial and competition litigator. Her reputation is formidable, one of the very best." (Chambers & Partners 2024)
- "Clients rave about her." (Chambers & Partners 2024)
- "She is excellent: a strong advocate." (Chambers & Partners 2024)
- "A consummate advocate, Helen is at the top of the game. She is a very clear thinker and uses simple persuasive language in her advocacy." (Legal 500 2024)
- "She is an excellent, very polished performer who delivers very persuasive oral submissions." "A very clear, very forceful advocate." (Chambers & Partners 2023)
- "A very strong advocate, very user-friendly and responsive, she is among the most respected and sought-after counsel around." (Legal 500 2023)
- "She is very well prepared, organised, clear and has a great style." (Chambers & Partners 2022)
- "A stellar advocate and a true leader in every respect, she knows how to run an arbitration with great efficiency." (Legal 500 2022)
- "Frankly a superstar – so unflappable and clinical in her advocacy." "Absolutely excellent. A real delight to work with and liked by clients." (Chambers & Partners 2021)
- "She is entirely straightforward and grounded, with a quiet confidence that reflects her enormous ability and her superbly incisive mind." (Legal 500 2021)
- "Has a strong focus on the energy sector and is very highly reputed for her advocacy skills. Her practice takes in various issues ranging from resource exploitation to utility supply, and she does a lot of work relating to the oil and gas industry. Her recent experience covers disputes involving oil and gas fields in the North Sea, Azerbaijan and Africa." "She is an absolutely outstanding barrister and has a huge following." "She has a sort of elasticity about her mind and a mental agility to recast matters in a different light." "She is always a formidable opponent." (Chambers & Partners UK & Global 2020)
- "The real deal – a fluent and tough advocate with deadly cross-examination and excellent

analytical skills." (Legal 500 2020)

- "Has the ability to make any proposition sound attractive, however bad the point is." "She's a very firm advocate who is very good at putting forward arguments in an attractive way." (Chambers & Partners UK & Global 2019)
- "Superb and measured." (Legal 500 2018-19)
- "She is a nimble and clear thinker, who is at her best when answering quickfire questions from judges, with whom she builds a really good rapport." "Always thorough and very tenacious," she is "razor sharp in her thinking." (Chambers & Partners 2018)
- "A compelling and tenacious advocate with an outstanding intellect." (Legal 500 2017)
- "A superb black letter lawyer who communicates very well. She's incredibly calm, highly responsive and someone who has huge gravitas in court." "If she says it can be done, it can; if she says it can't, it can't." (Chambers & Partners 2017)
- "A genuine expert with second-to-none cross-examination skills." (Legal 500 2016)
- "Her cross-examination was excellent. She was firm but flexible enough to adapt to witnesses' personalities and moods, and she read the very interventionist judge extremely well." (Chambers & Partners 2016)
- "She is outstanding, very forceful, very clear and very able." (Chambers & Partners 2015)
- "An outstanding legal brain; she articulates her analysis in a crystal-clear fashion." (The Legal 500 2014)
- "stands out for her 'outstanding brainpower, speed of thought and clarity of expression both orally and in written form'." (Legal 500 2012)
- "widely acclaimed for her ability on her feet and her 'very strong presence in court'" (Chambers & Partners, 2011)
- "a straight talker of extreme intelligence and real insight" (Chambers & Partners, 2010)
- "A strong profile and practice in the energy sector", "well liked by clients" (Chambers & Partners, 2009)
- "Phenomenally clear and incisive;" "she is absolutely excellent" and "extremely focused on giving the client what they want." (Chambers & Partners, 2008)
- "Commended for her clear thinking." (Legal 500, 2007)
- "Hard working and reliable" "very clear and precise in her advice." (Chambers & Partners, 2006)

Group Litigation:

- "Helen Davies deserves her glowing reputation - extremely bright, fantastic with clients and excellent on her feet." (Chambers & Partners 2024)

Insurance and Reinsurance:

- "Extraordinarily able." (Chambers & Partners 2019)
- "She is clever and pragmatic." (Chambers & Partners 2018)
- "Phenomenally quick and incredibly impressive both in conference and as an advocate." "She is amazingly good - she's incredibly clever, great in court and has a really great client manner."

(Chambers & Partners 2017)

- "terrific", "steely in court" (Chambers & Partners, 2011)
- "she has "an eminent insurance and reinsurance practice to complement her already brilliant general commercial work", and is popular as "she always gives of her all" (Chambers & Partners, 2010)
- "Celebrated for her "superb knowledge of insurance law" and "excellent relationships with solicitors"" (Chambers & Partners, 2009)
- "Intelligent and thorough;" "exceptionally good with clients." "The next generation," "extremely bright," and "a great team player" (Chambers & Partners, 2008)
- "Offers an excellent quality of service." (Chambers & Partners, 2006)

Media & Entertainment

- "She is very effective and has a good presence in court." (Chambers & Partners 2019)
- "A brilliant barrister; she's very hands-on, super-commercial and really great to deal with." (Chambers & Partners 2018)
- "She is a formidable litigator." "She is excellent for media work, particularly with a competition element." (Chambers & Partners 2017)

Arbitration

- "Helen Davies is an absolutely first-class advocate and arbitrator." (Chambers & Partners, 2024)
- "Helen is very easygoing and therefore operates very well no matter who she sits with. She is very sensible, very pragmatic and reasonable; she listens and is fair and rational." (Chambers & Partners, 2024)
- "Helen is one of the most formidable and brilliant advocates at the Bar; she is much sought after and is respected by judges and makes clear and compelling submissions. A star." (Legal 500 2024)
- "Very strong advocate. Very user friendly and responsive. Among the most respected and sought after counsel around." (Legal 500 2023)
- "A stellar advocate and a true leader in every respect." (Legal 500 2022)
- "Helen has a superbly incisive mind, and works extraordinarily hard, really getting to grips with the disputes she has to decide." (Legal 500 2021)
- "An absolutely first-class lawyer." (Legal 500 2020)
- "In top class for intellectual ability and advocacy." (Legal 500 2018-19)
- "Highly respected for energy and commercial arbitrations." (Legal 500 2017)
- "An outstanding intellectual and compelling advocate, who is tenacious in her argument." (Legal 500 2016)
- "a really great young silk – she will go far" (Legal 500, 2010)
- "rapidly emerging as a notable practitioner in the field" (Chambers & Partners, 2009)
- "credited with superb potential" (Chambers & Partners, 2006)

Who's Who UK Bar

- Helen Davies KC is “a really fantastic barrister” who is commended for her exceptional work in the banking space, and is noted by peers as “a pleasure to work with”. (Who's Who Legal – UK Bar: Banking & Finance 2018)
- “Joint head of chambers Helen Davies KC is “outstanding” and her “sensational work” is widely admired.” (Who's Who UK Bar 2015)