

Jagoda Klimowicz

YEAR OF CALL: 2021

"A clear-sighted and independent thinker."

Legal 500 2025

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Practice Overview

Jagoda practises in public, commercial and competition law, and has been named as a "Rising Star" in administrative law and human rights by Legal 500. She has been instructed on high profile cases in each of those practice areas: she has appeared in trials listed in the Lawyer's Top 20 cases for three consecutive years (*Privatbank v Kolomoisky*, *Athena Capital Fund v the Secretariat of State of Holy See*, and *R (Al Haq) v Secretary of State for Business and Trade*), and this year also appeared in the Lawyer's Top 10 appeals (*Johnson v FirstRand Bank Limited*). In two of these cases (*Privatbank* and *Al Haq*), she has acted as sole counsel in interim or consequential hearings.

Jagoda is equally comfortable led in a team of counsel on large, significant matters, and acting unled – she has appeared as sole counsel in the Administrative Court, the Insolvency and Companies Court, the Business and Property Court, the Coroner's Court, county courts and various tribunals.

She is also committed to a *pro bono* practice and was shortlisted for Young Barrister of the Year at the Bar Pro Bono Awards 2024.

Jagoda holds first class degrees from King's College London (LLB) and the University of Cambridge (LLM). Prior to coming to the bar she worked in various research assistant and paralegal roles, including at the Law Commission of England and Wales and at the Lauterpacht Centre for International Law. She holds 14 awards and scholarships.

Public Law

Jagoda accepts instructions across all areas of public law, including constitutional and administrative law, human rights, foreign affairs and on technical questions of statutory

interpretation. She acts for both claimants and defendants and her recent experience includes:

- *Al Haq v Secretary of State for Business and Trade* [2025] EWHC 173 (Admin): appearing for the Claimant in a judicial review challenge to the continued export of F-35 fighter jet parts to Israel following the military invasion of Gaza after 7 October 2023 (led by Phillippa Kaufmann KC, Raza Husain KC and Blinne Ní Ghrálaigh KC) (one of the Lawyer's Top 20 cases for 2025). Jagoda appeared unled at an interim hearing regarding disclosure of documents.
- As sole counsel, advising a multi-departmental government project regarding a matter of strategic importance to the UK. The advice addressed a wide range of topics in domestic and international law, including as to the UK's enforcement powers on the seas and the effect of the National Security and Investment Act 2021.
- *Inquest touching the death of Michelle Sparman*: Jagoda appeared on behalf of the family at an Article 2 inquest into the death of a mother in an inpatient psychiatric ward following alleged domestic abuse by an ex-partner (led by Jennifer MacLeod, acting *pro bono*). Jagoda carried out questioning of NHS staff.
- *R (Caterpillar (Xuzhou) Ltd) v Secretary of State for Business and Trade* [2025] EWHC 1124 (Admin): Jagoda successfully appeared for the Defendant in a judicial review concerning a trade dumping investigation carried out under the Taxation (Cross-border Trade) Act 2018 (led by Sir James Eadie KC and Malcolm Birdling).
- *Kanu v Secretary of State for Foreign, Commonwealth and Development Affairs* [2023] EWCA Civ 796: successfully representing the FCDO in a judicial review in which the Court of Appeal clarified the scope of the *Abbasi* duty in an alleged rendition case (led by Sir James Eadie KC and Malcolm Birdling).
- *Ariste v The King (the Bahamas)* [2023] UKPC 18: successfully representing the Appellant in this Privy Council appeal from the Bahamas concerning a conviction obtained on the basis of a coerced confession, involving submissions on the right to a fair trial and access to a lawyer (led by Paul Bowen KC and Emma Mockford, acting *pro bono*).
- *R (L J Fairburn & Son and others) v Secretary of State for Environment, Food and Rural Affairs* [2024] EWCA Civ 1585: representing the claimant poultry farmers and the National Farmers' Union (as intervener) in this challenge as to DEFRA's scheme of compensation for birds culled in order to curb avian influenza (led by Malcolm Birdling).
- *R (Al Attiya) v FCDO*: acting for the Foreign Secretary in a judicial review concerning the scope of the Foreign Secretary's powers to designate a person *persona non grata* under the Vienna Convention on Diplomatic Relations (led by Malcolm Birdling).
- Advising a regulator as to the delegation of powers under the Legal Services Act 2007.
- As sole counsel, advising a government department on the consequences of the Retained EU Law (Revocation and Reform) Bill.

Commercial

Jagoda accepts instructions across all areas of commercial law, and has particular experience in civil fraud, banking litigation, derivative claims on behalf of minority shareholders, and claims involving multiple jurisdictions (including offshore jurisdictions). Her recent experience includes:

- *JSC Commercial Bank Privatbank v Kolomoisky* [2025] EWHC 1987 (Ch), a \$1.9 billion claim against the former owners of Privatbank, Ukraine's largest lending bank, alleging misappropriation of funds (led by Mark Howard KC and others) (one of the Lawyer's Top 20 cases of 2022). Jagoda appeared unled at the first consequential hearing, at which a number of (opposed) applications were made.
- *Johnson v FirstRand Bank Limited* [2025] UKSC 33: acting for the Financial Conduct Authority as intervener in this Supreme Court appeal concerning the payment of undisclosed commissions in the motor finance industry (led by Jemima Stratford KC) (one of the Lawyer's Top 10 appeals of 2025).
- *Athena Capital Fund v the Secretariat of State of Holy See* [2025] EWHC 355 (Comm): acting for the Vatican in a fraud trial concerning an allegedly overvalued London property sold to the Vatican (led by Charles Hollander KC) (one of the Lawyer's Top 20 cases of 2024).
- *Dekel v Clerkenwell Limited*: acting for the claimant in three related sets of proceedings concerning an investment in a failed development project in London (led by Ben Woolgar). Two of these proceedings are derivative proceedings, and one is brought in the BVI. Jagoda appeared unled at an interim hearing in the Insolvency and Companies Court and successfully obtained a stay of proceedings pending resolution of BVI proceedings.
- *Gibtelecom Limited v Gibfibre Limited and others*: assisting local counsel for the defendants in an unlawful means conspiracy claim regarding the dissemination of unlicensed TV channels in Gibraltar (led by Charles Hollander KC).
- As sole counsel, acting for a professional surety putting forward a defence of fraudulent misrepresentation as the basis for the rescission of a guarantee (worth £440,000).
- Representing a victim of domestic violence to seek rescission of a personal guarantee under *Etridge* principles, alleging undue influence, duress and misrepresentation (acting *pro bono*, led by Benedict Tompkins).

Jagoda also regularly appears in county courts and tribunals as sole counsel.

International/EU

Jagoda is developing a practice on the interaction between domestic and international/EU law. Many of the public law cases in which she is instructed (referred to above) involve an international

element, whether as to the principles of international human rights law, international humanitarian law, the law of the sea or the law of diplomatic relations. As sole counsel, she has advised a government department on the retention of general EU principles.

Competition

Jagoda accepts instructions across all areas of competition law. Her recent experience includes:

- *BSV Claims Limited v Bittylicious Limited & Others*: acting for Kraken, a defendant, in a class action concerning the delisting of the cryptocurrency Bitcoin Satoshi Vision by cryptocurrency exchanges (led by Sarah Abram KC).
- Acting on behalf of a class representative in a follow-on group damages claim for excessive pricing of a pharmaceutical drug.
- *FX*: representing Barclays Bank defending a class action as to losses flowing from a foreign exchange trading cartel (led by Mark Hoskins KC and Anneliese Blackwood).
- As sole counsel, advising various businesses as to their obligations under competition law.
- Advising a competition authority as to a potential cartel (led by Jemima Stratford KC).

EDUCATION & QUALIFICATIONS

Education

2019–21: Bar Professional Training Course (BPP Holborn): Very Competent

2018–19: LLM (University of Cambridge): First Class Honours

2014–17: LLB (King's College London): First Class Honours

Professional employment

2019–21: Research Assistant in Public Law – Law Commission of England and Wales

2019: Research Assistant – Lauterpacht Centre for International Law, Cambridge

2018: Paralegal in Banking Litigation and Public Law – Herbert Smith Freehills LLP

2017–18: Legal Assistant in Asset Finance – White & Case LLP

2017–18: Research Assistant in Competition Law – King's College London

2016: Undergraduate Research Fellow in Competition Law – King’s College London

Awards and scholarships

Shortlisted for Young Barrister of the Year at the 2024 Bar Pro Bono Awards

John and Sophie Laws Bar European Group Scholarship 2022

Reward & Recognition Award, Law Commission of England and Wales

Gray’s Inn Residential Scholarship 2019

Gray’s Inn Wilfred Watson Scholarship 2019

BPP Advocacy Award 2019

Jesus College Scholarship 2019

Pro Bono Certificate, White & Case LLP

King’s Experience Research Award 2016

Phillip C. Jessup International Moot Court Competition 2017

UK Champion

International Quarter-Finalist (6th place)

International Best Respondent Memorial (2nd place)

International Best Combined Memorial (9th place)

Times 2TG Moot 2017 – Semi-Finalist

Wildy & Sons Moot 2015 – Finalist

DIRECTORY QUOTES

"A clear-sighted and independent thinker." (Legal 500, 2025)