

12

King's Bench Walk

Henry King

Call: 2018

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AREAS OF EXPERTISE

Personal Injury, Clinical Negligence, Costs, Fraud, International & Travel, Employment & Discrimination, Insurance, Professional Negligence, Credit Hire

Henry regularly appears in trials, interim applications and preliminary hearings in the County Court and Employment Tribunal. He has appeared in the Employment Appeal Tribunal, the High Court and the Senior Courts Costs Office.

Henry maintains a broad interest in all of 12KBW's practice areas, acting for both Claimants and Defendants / Respondents.

He is enjoying a growing specialism in property damage and costs work alongside his busy personal injury and employment practice. Henry is Direct Access qualified and welcomes instructions in suitable cases.

He is clerked by Lexie Johnson and Daniella Evans.

Personal Injury & Clinical Negligence

Henry acts for Claimants and Defendants both on paper and in Court in all manner of personal injury actions. He is confident in handling high value claims and has been instructed in a number of claims worth in excess of £100,000.

Employer's Liability: He has a busy practice in cases where personal injury overlaps into the workplace and has secured good results on a number of matters involving multiple Defendants. His extensive employment experience assists in advising his clients of the best possible, and he particularly enjoys Personal Injury cases which have a crossover into Employment Law.

Public Liability: Henry is very familiar with the provisions of the Highways Act and the Occupiers' Liability Acts, having acted for both Claimants and Defendants in a variety of slipping and tripping cases. Henry has worked on a variety of cases where injury has occurred in a school context as well as a funfair context and is keen to continue expanding these areas.

Clinical Negligence: Henry acts for both Claimants and Defendants in Clinical Negligence litigation. He has a particular interest in complex causation cases. Prior to pupillage, Henry worked for a large panel firm gaining an insight into the nuances and complications arising out of both public and private healthcare litigation.

Fatal Accidents & Inquests: Henry has pleaded schedules of dependency and is familiar with fatal accident claims

claim. He has experience of inquests arising in both the personal injury and clinical negligence context, including conducting a 3 day jury inquest. He is keen to explore this area further.

Costs

Henry has a specialist costs practice, and has been instructed in a wide variety of costs related disputes in the context of personal injury claims as well as those outside the personal injury regimes.

Clients have praised his good-humoured approach to bad tempered litigation. He has been instructed in costs disputes worth in excess of £100,000.

Costs Assessment: Henry is familiar with the various provisions of the CPR relating to costs assessment and has appeared in the SCCO on applications to set aside a default costs certificate / final costs certificates. He has been instructed in detailed assessment proceedings.

Costs Budgeting: Henry is familiar with all matters relating to costs budgeting (and indeed, consequence case management) and has conducted CCMCs in the High Court.

Fixed Costs: He is very familiar with the fixed costs regime, and advises on the tactics surrounding the same, particularly in respect of Part 36 offers. He has been successful in securing Defendants their costs on an exceptional circumstances basis pursuant to **CPR r. 45.29J**.

QOCS: Henry regularly appears and advises on applications to set aside QOCS and the application of QOCS to "mixed claims" involving personal injury. He has also appeared in a number of matters where a party is seeking to set aside the protection of QOCS on the basis of fundamental dishonesty.

Wasted Costs: Henry's has advised on, and appeared in, a number of successful wasted costs applications following strike out or discontinuance of claims particularly in relation to fast track personal injury litigation. He is enjoying a growing practice in this area, and welcomes further instructions in the same.

Employment & Discrimination

Henry acts for both Claimants and Respondents in Employment Tribunals. He has a wide variety of experience in both ET and the EAT having appeared in both preliminary hearings and hearings of the merits. He appeared for the successful Appellant in the case of **Cox v Adecco and ors [2021] UKEAT/0339/19/AT**.

Unfair Dismissal: He has appeared on a wide variety of multi-day unfair dismissal claims, including constructive dismissal. Henry has been praised by his clients for securing excellent outcomes both at trial and outside of the Tribunal.

Redundancy: Henry has recently been involved in advising on a number of collective and individual redundancy cases. He has delivered a webinar and co-authored an article in the Employment Lawyers Association Briefing on Collective Redundancy which are available through this website.

Discrimination: A large degree of Henry's employment practice involves discrimination claims. Recent examples include:

- Instruction as a junior in a claim worth in excess of £100,000 for failures to make reasonable adjustments and disability, sex and race discrimination
- He was instructed in a seven day discrimination claim where he secured a very favourable outcome for his client.

Whistleblowing: Henry has particular experience in respect of agency worker claims and the expanded definition under **s.43K ERA 1996**. He has acted in the EAT in this regard and welcomes further instructions in this area.

Commercial: He has a working knowledge of financial services litigation and has been instructed on a number of employment matters in a commercial context, particularly in relation to discrimination and whistleblowing.

GDPR: Henry has a full working knowledge of the **General Data Protection Regulation 2018**, and has advised on access to information obligations thereunder.

Insurance

Henry enjoys being instructed in insurance disputes and has a rapidly growing practice in this area.

Construction & Property Damage: Henry is familiar and has been instructed on a wide variety of litigation arising out of construction contracts and property damage, including having been instructed on cases in respect of defective works, provision of repairs, fire, and flood damage. This has included defending cavity wall insulation claim. He is comfortable in advising on the relationship between contractors and subcontractors in construction contracts, and the obligations arising both in terms of damage and personal injury. He has acted in cases involving the validity of exclusion clauses.

Motor Insurers' Bureau: He has worked claims involving the MIB, specifically under both the untraced drivers and the uninsured drivers' agreements. He has experience in disputes regarding on policy wording as well as other indemnity issues.

Fraud

Henry regularly advises, pleads and appears in trials involving allegations fundamental dishonesty, particularly in respect of low velocity impacts and staged accidents. He is confident in advising and advocating in respect of the disapplication of the QOCS provisions. He has been commended by his clients for his attention to detail and robust trial advocacy in such cases.

During his pupillage, he was involved in a number of cases involving motor fraud rings suspected to be linked to serious organised crime. This involved induced and staged accidents, at all stages of claim. Henry is very keen to undertake further work for Defendant firms in this area.

International & Travel

Henry has experience working on cases involving **Rome II** as well as the **Package Travel Regulations 2018**, having settled Particulars of Claim, Defences and Part 35 questions.

Henry has advised on the impact of COVID-19 and the application of the **PTR 2018** in respect of residential school trips. He is keen to work on this area further.

Henry did a joint honours degree, including French Law. During his year abroad, he worked for a legal charity, translating and writing submissions to the European Court of Human Rights on Private International Law, working on (amongst others) **Parillo v Italy**.

Court of Protection

Henry accepts instructions in Court of Protection matters. He is very familiar with the Deprivation of Liberty Safeguards. During pupillage, Henry was involved in serious brain injury cases which involved overlap with COP matters.

He is keen to work in MCA and MHA matters. He has a particular interest in applications involving s.63 MHA.

Credit Hire

Henry has extensive experience in credit hire litigation and acts for both Claimants and Defendants in this area and he is very familiar with the usual issues of impecuniosity, rate, period, need and enforceability.

He has advised and acted in claims worth in excess of £100,000 and has been instructed on a number of matters in relation to fraudulent or exaggerated hire or storage claims. His costs practice means that he is also familiar and comfortable in advising and obtaining third party costs orders, wasted costs orders or setting aside QOCS where appropriate.

Memberships & Qualifications

Memberships

Direct Access

ELA

ELBA

Government Legal Department's Junior Junior Panel

PIBA

Henry is a member of Chambers Equality and Diversity Committee. He is also the Secretary for the Employment Team.

Qualifications

University of Leicester, LLB Law with French Law and Language – First Class Honours

City Law School, BPTC – Very Competent