



NEW SQUARE

William Harman

Call: 2016

+442078222000 w.harman@4newsquare.com

Clerk: James Barrass

j.barrass@4newsquare.com

+442078222047 +447715859771



Will Harman has a practice that encompasses all areas of business dispute resolution, with a particular focus on commercial litigation and arbitration, civil fraud, professional liability and insurance. He is also ranked as a "Rising Star" in sports law by the Legal 500.

"Strengths include exceptional advocacy skills and in particular highly persuasive written work; he also has a remarkable ability to build rapport with the judge or tribunal." The Legal 500 (2022)

"Highly intelligent, articulate and sharp. Has a pragmatic approach in dealing with a variety of issues. Quickly grasps key evidential points." The Legal 500 (2021)

Will's experience includes high-value disputes with an international dimension before both courts and arbitral tribunals. He also has a growing offshore practice having spent three months on secondment in Jersey following instructions in Guernsey and the Isle of Man. Alongside his busy practice, Will co-authored the latest edition of *Toulson & Phipps on Confidentiality*.

For examples of his recent and ongoing work, please see the individual practice areas below.

Privacy Policy

Click here for a **Privacy Policy** for Will Harman.

Transparency Statement

Click here for the **Transparency Statement** for Will Harman.

Areas of Expertise

Commercial Dispute Resolution

Will receives instructions on a range of complex commercial disputes before courts and arbitral tribunals. He co-authored the Banking and Arbitration chapters in the latest edition of *Toulson & Phipps on Confidentiality* and has particular expertise in the use of confidentiality clubs and other methods of partially protecting confidential material.

Examples of his current and recent work include:

- Acting for the first defendant, led by Justin Fenwick QC, in a complex fraud claim relating to the collapse of a Russian bank pleaded at more than £1bn. There have been numerous hearings in the proceedings including in connection with a worldwide

freezing order and search order.

- Acting for a group of institutional investors, led by Peter de Verneuil Smith QC, in substantial claims under section 90A FSMA alleging dishonesty in connection with information and statements published to the market by a major issuer of securities.
- Sole counsel for the defendants in London Circuit Commercial Court proceedings relating to the purchase of a high-end residential construction business.
- Acting in a counsel team led by Justin Fenwick QC challenging an arbitration award relating to the beneficial ownership of a significant Moscow-based company under section 67 of the Arbitration Act 1996.
- Part of a counsel team led by Jamie Smith QC for defendants to a Commercial Court claim for conspiracy pleaded at c. £130m.
- Sole counsel for a Premier League football club in a contractual claim arising from matches being played behind closed doors as a result of the Covid-19 pandemic.
- Sole counsel for the claimant in proceedings in the Manchester Circuit Commercial Court arising from the purchase of a national manufacturing company.
- Acting in a counsel team defending an Isle of Man trust in a high-value, multi-jurisdictional dispute involving allegations of fraud by creditors to a personal guaranty.
- Acting as sole counsel for a South Korean university in a successful claim in the Chancery Division for *Norwich Pharmacal* relief in connection with a substantial fraud relating to the purchase of aircraft from an Austrian manufacturer.
- Acting for a Russian distribution business claiming compensation in the London Circuit Commercial Court pursuant to a chain of contracts relating to the commission of machinery by the State Hermitage Museum in St Petersburg.
- Sole counsel defending a claim for unlawful means conspiracy by the organisers of a prestigious sports event against ticketing companies.
- Representing Danish insurers, led by Jamie Smith QC, in multi-party proceedings before the Commercial Court.
- Part of a counsel team defending multi-million pound litigation concerning the sale of the share capital of Nottingham Forest Football Club.
- Sole counsel in proceedings relating to the breach of an endorsement contract by a Premier League footballer.
- Instructed by the Government Legal Department in respect of a complex procurement claim against a government department.

Will is a member of COMBAR and the Young International Arbitration Group.

Civil Fraud, Asset Recovery and Injunctive Relief

Will has a particular specialism in claims involving allegations of dishonesty. Recent and ongoing examples of his work in this area include:

- Acting for the first defendant, led by Justin Fenwick QC, in complex fraud proceedings relating to the collapse of a Russian bank pleaded at more than £1bn. There have been numerous hearings in the proceedings including in connection with a worldwide freezing order and search order.
- Acting for a group of institutional investors, led by Peter de Verneuil Smith QC, in substantial claims under section 90A FSMA alleging dishonesty in connection with information and statements published to the market by a major issuer of securities.
- Acting as sole counsel for a South Korean university in a successful claim in the Chancery Division for *Norwich Pharmacal* relief in connection with a substantial fraud relating to the purchase of aircraft from an Austrian manufacturer.
- Acting as part of a large counsel team in a ground-breaking asset tracing case.
- Acting in a counsel team led by Jamie Smith QC for defendants to a Commercial Court claim for conspiracy pleaded at c. £130m.
- Sole counsel giving urgent advice in relation to the variation of a post-trial worldwide freezing order.
- Defending an Isle of Man trust in high-value, multi-jurisdictional dispute involving allegations of fraud by creditors to a personal guaranty.
- Advising on an application for tracing relief pursuant to foreign-law causes of action.
- Sole counsel defending a claim for unlawful means conspiracy by the organisers of a prestigious sporting event against ticketing companies.
- Acting in the defence of a claim alleging fraud in the preparation of an application for planning permission.



- Sole counsel defending a well-known chamber of commerce against a claim in deceit and negligence.

Will is a member of the Commercial Fraud Lawyers Association.

Professional Liability

Will regularly receives instructions in substantial and complex claims against a range of professionals. As a co-author of *Toulson & Phipps*, he has particular expertise in confidentiality and privilege issues arising from professional retainers.

Recent and ongoing examples of his work include:

- Acting for defendant solicitors in a counsel team led by Jamie Smith QC in respect of a claim for conspiracy pleaded at c.£130m in the Commercial Court.
- Instructed by insurers in relation to a high-profile dispute involving allegations of breach of trust against lawyers practising between the UK and Italy.
- Defending SAR reporting accountants in a claim arising from a substantial fraud on a practice of solicitors.
- Acting for Danish insurers in multi-party proceedings in the Commercial Court involving allegations of negligent claims handling.
- Part of a large counsel team in a high-value claim against accountant auditors following the administration of a Guernsey investment fund.
- Acting as sole counsel for the successful claimant in multi-track proceedings against conveyancing solicitors.
- Advising and drafting on behalf of family law solicitors in a claim following matrimonial proceedings.
- Representing a number of renewable energy engineers in claims for professional negligence.
- Advising and drafting for an insurance broker in a dispute over the proper construction of an accident policy.
- Acting for a well-known chamber of commerce in defence of a claim in negligence and deceit.

Will has also appeared in the SDT in regulatory proceedings following the administration of a well-known law firm.

Insurance and Reinsurance

Will has a wealth of experience in a range of insurance disputes.

Recent and ongoing instructions include:

- Acting for Danish insurers in Commercial Court proceedings involving allegations of negligent claims handling and breach of the duty of fair presentation.
- Acting for UK insurers in substantial Commercial Court proceedings brought by more than a hundred professional liability claimants.
- Instructed by insurers in relation to a high-profile dispute involving allegations of breach of trust against lawyers practising between the UK and Italy.
- Advising both claimants and insurer defendants in respect of liability under the Third Parties (Rights Against Insurers) Act 2010.
- Acting for insurers in a coverage dispute relating to substantial property damage.

Will is also a member of the British Insurance Law Association.

Sports Law

Will is ranked as a “Rising Star” in sports law by the Legal 500.

He receives instructions in a range of matters involving the sports industry with a particular focus on anti-corruption charges and financial fair play. Will is also regularly instructed in commercial disputes with a sports context and he is currently part of a team conducting a governance review for a major national governing body.



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Recent and ongoing examples of his work in this area include:

- Acting for the International Tennis Integrity Agency, led by Kendrah Potts, in multiple match-fixing cases under the Tennis Anti-Corruption Program. Will has obtained convictions and provisional suspensions on behalf of the ITIA (and, previously, the Professional Tennis Integrity Officers) in numerous cases at first instance. Will has also represented the ITIA (with success) before the Court of Arbitration for Sport.
- Sole counsel for a Premier League football club in a contractual claim arising from matches being played behind closed doors as a result of the Covid-19 pandemic.
- Representing Birmingham City Football Club, led by Kendrah Potts, in financial fair play proceedings before an EFL Disciplinary Commission and on appeal to a League Arbitration Panel.
- Sole counsel representing an athlete charged with bullying offences by the British Judo Association following a substantial independent investigation. All of the charges against the athlete were dismissed following a hearing.
- Junior Counsel acting for an international football agent in a substantial dispute involving allegations of breach of fiduciary duty.
- Part of a counsel team defending multi-million pound litigation in the Chancery Division concerning the sale of the share capital of Nottingham Forest Football Club.
- Junior counsel in the successful defence of charges of evading, refusing and/or failing to provide a urine sample for anti-doping testing. Following a two-day hearing, the NADP found that the athlete, who is a former Olympian, reasonably believed that they had retired and had not deliberately evaded the anti-doping personnel. This represents a rare instance where no anti-doping rule violation was found despite the athlete knowing that testers were at the door.
- Sole counsel for a professional boxer disputing the jurisdiction of the UK Anti-Doping Agency.
- Sole counsel for a Championship footballer in confidential proceedings before an EFL Player Related Dispute Commission arising from the Covid-19 pandemic.
- Representing a Scottish Championship footballer at a sanction hearing before a Scottish FA Disciplinary Tribunal in respect of charges of gambling on football.
- Part of a solicitor and barrister team conducting a governance review on behalf of a major national governing body.
- Sole counsel for the successful claimant in a claim for breach of an endorsement contract against a Premier League footballer.
- Acting for a youth football coach facing violent conduct charges by the Football Association. After hearing evidence from more than ten witnesses, the Disciplinary Commission unanimously dismissed the charges.
- Acting for the respondent in confidential proceedings brought under the Tennis Anti-Corruption Program.
- Sole counsel defending a claim for unlawful means conspiracy by the organisers of a prestigious sporting event against ticketing companies.
- Giving urgent advice to British Shooting in relation to its selection policy and procedure.
- Acting as independent legal adviser to Table Tennis England at its selection meeting for the Commonwealth Games 2018.

Will is a member of the British Association for Sports Law.

Offshore

Will spent three months on secondment with Ogier in Jersey during which he experienced a range of complex offshore litigation. Much of Will's work centred on proceedings in the Royal Court relating to the distribution of a trust settled by the former National Bank of Yugoslavia between the existing successor states. He also assisted with a variety of non-trust matters encompassing construction, share purchase and company disputes.

Will's offshore experience also includes:

- Acting as part of a large counsel team in a high-value claim against accountant auditors following the administration of a Guernsey investment fund.
- Defending an Isle of Man trust in a multi-jurisdictional dispute involving allegations of fraud by creditors to a personal guaranty.
- Sole English counsel in a substantial payment notice and defective works dispute in Jersey.
- Advising on limitation in respect of a complex claim by a Guernsey trustee against an English bank.
- Acting for the claimant employer in substantial proceedings against architects in the Royal Court of Guernsey.



- Advising on English law for the purposes of a construction dispute in Alderney.

Qualifications & Memberships

Before joining 4 New Square, Will undertook the Bar Professional Training Course (graded Outstanding) and the Graduate Diploma in Law (with Distinction) at City Law School. He was called to the Bar by Lincoln's Inn as a Lord Denning Scholar, Hardwicke Scholar and Buchanan Prize winner.

Will previously worked as a journalist in Rome covering the 2013 Italian election. He also holds a first class degree in Modern and Medieval Languages from the University of Cambridge, where he received the prize for the best performance in Italian.

Education – BA, Cambridge (First Class Honours); GDL, City (Distinction); BPTC, City (Outstanding)

Memberships – COMBAR; PNBA; TECBAR; CFLA; Government Legal Department Junior Junior Scheme; Young International Arbitration Group; British Association for Sports Law

Insights

Sport and anti-doping – the year in review 2018/19v

16 May 2019

Richard Liddell and William Harman of 4 New Square wrote an anti-doping update for Law In Sport on 16th May 2019. Its primary focus is UK anti-doping, decisions in the Court of Arbitration for Sport (CAS) and developments relating to the major international anti-doping bodies.

GDPR and Sport: make sure that you're on the ball!

11 May 2018

Richard Liddell, Kendrah Potts and William Harman look at some of the principal enforcement risks facing sporting bodies under the new regime described by the ICO as a "game-changer" and consider how the GDPR might feed into existing facets of sports dispute resolution.

Englehart CTP (US) LLC v Lloyd's Syndicate 1221 and others [2018] EWHC 900 (Comm): all risks marine cargo insurance and fraud on the insured

27 April 2018

After being provided with fraudulent bills of lading for a shipment of non-existent copper ingots, Englehart's attempt to recover its losses under an all risks Marine Cargo and Storage policy was rejected by the Court on the basis that the alleged damage was economic loss to which an all risks cargo insurance policy did not respond. Sir Ross Cranston's decision is considered by Will Harman of 4 New Square.

Moonlighting: the latest word on vicarious liability

16 March 2018

The run of recent appellate decisions on vicarious liability continues in the case of Frederick and others v Positive Solutions (Financial Services) Limited [2018] EWCA Civ 431. On this occasion, the Court of Appeal has decided that a financial adviser was not vicariously liable for fraudulent "moonlighting" by one of its registered agents. Click to see Will Harman's case note.