

Henry King

Call: 2018
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AREAS OF EXPERTISE

Costs & Litigation Funding, Personal Injury, Clinical Negligence, Fraud, Insurance

Henry is a barrister who specialises in costs, insurance, and commercial disputes. He also has a Multi-Track personal injury practice on high value, complex matters which require an extra level of attention to detail.

He was ranked in the Legal 500 2025 as having an “*encyclopaedic knowledge of costs law*” and appears for both receiving parties and paying parties at all levels of costs assessment. This includes solicitor client costs. He has been instructed (unled) on matters involving seven figure bills.

His insurance practice covers the full spectrum from complex policy wording disputes and declinatures of cover to straightforward property damage claims. He regularly acts in cases worth over £500,000 for both Claimants and Defendants. This has included matters where brokers are alleged to have been negligent, claims under the **Third Parties (Rights Against Insurers) Act 2010** and claims involving interpretation of the **Insurance Act 2015**.

As to his commercial practice, he has worked on all manner of commercial claims from multi-million-pound cases about titanium parts sold to a household name car manufacturer to supply chain disputes between perfume companies. Clients appreciate his ability to get to grips with their business quickly in order to understand the heart of the dispute.

Henry is an adept personal injury litigator specialising in claims pleaded in excess of £200,000. He acts for both Claimants and Defendants, and both have equally praised his approach to litigation, as well as his tactical, commercially sensible mindset.

Henry's practice is managed by Lily Baker, Practice Manager (baker@12kbw.co.uk) and Lily is assisted by Isaac Ayliffe, Assistant Practice Manager (ayliffe@12kbw.co.uk).

Costs

Henry is a costs specialist and thoroughly enjoys this area of work.

He has been involved in a wide variety of costs disputes relating to high value commercial matters, judicial reviews, insurance disputes, solicitor/client costs in both contentious and non-contentious business, as well as injury related claims, including the large Bills often associated with clinical negligence claims.

He has been instructed unled in costs assessments worth in excess of seven figures.

Selected Cases

- **Kindertons v Murtagh [2024] EWHC 471 (KB)**: Appeal of a Non-Party Costs Order.
- **Pennington v Creation Finance [2023] 2 WLUK 614**: appeared for the successful supplier in a debtor creditor

supplier on the only reported case concerning liability for costs under the Consumer Credit Act.

Specialisms

Solicitor/Client Costs: Cases in this respect have ranged from a few thousand to a few hundred thousand pounds. Henry is an expert on tactics surrounding solicitor/client assessments and is often brought in at an early stage in order to best position either the solicitor suing for their fees or the client seeking to dispute quantum. Recent successes include securing a firm over a quarter of a million pounds in unpaid fees in the Senior Courts Costs Office.

Retainer Disputes: Henry has been instructed to advise upon and appear in all manner of disputes relating to retainers, where the sums at stake are in excess of £100,000. He is well versed in the requirements of a CFA and has written articles on where firms have come to grief over the drafting of their documents.

Litigation Funding/Funders: Henry has experience of litigation funded matters for both the funded and the paying party. He has recently considered the question of recovery of costs where a Claimant's costs were paid by way of crowd funding donations and what avenues a paying party had to argue that this was double recovery.

Security For Costs: Henry's case load in this regard has involved acting for both sides on these applications, including advising upon the evidence that is required to successfully pursue (or frustrate) such an application. He has recently handled a matter in the TCC where a Claimant (successfully) sought security for its costs in relation to the Defendant's counterclaim which was in excess of £1m.

Detailed Assessment: Henry is familiar with the various provisions of the CPR relating to costs assessment and has appeared in the SCCO on both procedural matters and detailed assessments. He has been instructed to draft Points of Dispute and has a good track record on assessment. He has advised upon detailed assessments in excess of £4m.

Non-Party Costs Orders / Wasted Costs: Henry has litigated a wide variety of non-party costs orders for all sides. As above, he appeared in the **Kindertons** case and continues to appear and advise in such matters. Henry has advised upon, and appeared in, countless successful wasted costs applications as well as having successfully opposed wasted costs applications.

Costs Budgeting: Henry is familiar with all matters relating to costs budgeting. He regularly appears in CCMCs and has conducted them in the High Court. He has been described as a very safe pair of hands by his professional clients on such matters and has provided training to the Association of Costs Lawyers on budgeting. He has been instructed to appear in large commercial matters in relation to both CMCs and budgeting.

Fixed Costs: He is very familiar with the old and new fixed costs regime, and advises on the tactics surrounding the same, particularly in respect of Part 36 offers. He has been successful in securing parties their costs in exceptional circumstances basis pursuant to **CPR 45.29J** and the new **CPR 45.9**.

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.

Insurance

Henry has worked on a vast array of insurance work and this area provides unique challenges and problems which he prides himself on solving.

Policy Wording / Coverage Disputes: Henry has acted in actions in respect of whether indemnity is extended to an insured or potential Claimant, as well as having acted for insurers relying on declinatures. He has been instructed in a variety of high value cases under **Third Parties (Rights Against Insurers) Act 2010**, and has advised on, drafted and appeared in summary judgment and strike out applications on policy wording disputes arising out of this act. He is very

familiar with the **Insurance Act 2015** including claims involving allegations of breach of the duty of fair presentation. Recent examples have included the definition of “voluntary” in an insurance context alongside multiple claims where insurers were alleging breaches on conditions precedent in relation to instances that “may give rise to a claim”.

Construction & Property Damage: Henry is experienced in, and has been instructed on, a wide variety of litigation arising out of construction contracts and property damage. This includes cases involving defective works, provision of repairs, fire/flood damage and defending cavity wall insulation (CWI) claims. He advises on the relationship between contractors and subcontractors in construction contracts, and the obligations arising in terms of damage, causation and quantum. He has acted in cases involving the validity (or invalidity) of exclusion clauses.

Professional Negligence: Henry has acted for Claimants and professionals in cases involving allegations of professional negligence. This has included cases against insurance brokers (both for and against the broker) and a case where it was alleged that an expert witness had been professionally negligent in discharging his duties to the Court.

Motor Indemnity: He has acted in a variety of claims where issues as to whether an insurer has status as a **Road Traffic Act 1988** or **Article 75** insurer. He is adept at spotting such issues early in order to protect a party's position. He has experience of claims under both the Untraced Drivers Agreement and the Uninsured Drivers Agreement.

Commercial

Henry has a fast growing commercial practice. He brings a business focussed approach to litigation in this area and tries to bring his pragmatic approach to matters wherever he can.

His recent experience includes settling 7 separate High Court disputes between two parties in one day by agreeing terms with the other side. He has appeared in many mediations and advises on contractual terms relating to arbitration, as well as having been involved in adjudications.

Henry's experience in fundamental dishonesty claims help him to bring a robust approach and keen eye for detail in claims involving allegations of civil fraud.

His recent cases include:

- Acting for a manufacturer of titanium parts to be supplied for aircraft use in relation to a contractual dispute and likely arbitration on a claim valued in excess of a million US dollars.
- Acting for a manufacturer in relation to a breach of contract claim involving defective parts and unpaid invoices running to several hundreds of thousands of pounds.
- Defending for a perfume supplier in relation to a supplier's claim under alleged breach of contract / negligence and advising on their terms and conditions.
- Acting for a large chain of hotels in relation to breach of a settlement agreement.
- Advising a property owner in relation to property damage and alleged business interruption in relation to a series of failed air conditioning units
- Acting for a company claiming over £200,000 in business interruption by reason of a flood against their insurance company.

Personal Injury

Henry acts for Claimants and Defendants both on paper and in Court in all manner of personal injury actions. He regularly handles high value claims and has been instructed in a number of claims worth in excess of £200,000 and has settled cases in excess of £1m unled.

Employer's Liability: He is frequently instructed in cases where personal injury overlaps into the workplace and has secured good results on a number of matters involving multiple Defendants. His previous employment experience

assists in advising his clients of the best possible strategy, and he is particularly adept at Personal Injury cases. This has included high value hearing loss claims as well as all manner of destructive stress at work / bullying claims.

Fraud / Fundamental Dishonesty: Henry regularly advises, pleads and appears in trials involving allegations of 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. He also has experience of fraud rings that are linked to serious organised crime.

Fatal Accidents: Henry has pleaded schedules of dependency and is experienced in fatal accident claims. He has good knowledge of inquests arising in both the personal injury and clinical negligence context, including conducting a multi-day jury inquests.

Occupier's / 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 and festival context.

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. His case load has included failure to diagnose, delayed diagnosis, and claims involving detailed cardiology evidence.

Qualifications & Awards

- University of Leicester, LLB Law with French Law and Language – First Class Honours
- City Law School, BPTC – Very Competent