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King's Bench Walk

Henry King



Call: 2018
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AREAS OF EXPERTISE

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

Henry specialises in costs, insurance, property damage 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 case load has included mediations and JSMs as well as having dealt with costs arising out of arbitrations.

His insurance and property damage practice covers the full spectrum from complex policy wording disputes and declinatures of cover to fires, floods and all varieties of property damage. He regularly acts in high vale, complex cases for both Claimants and Defendants. This has included matters where professional negligence is alleged, 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 Multi Track claims involving large loss or catastrophic injury. 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 Daisy Harris (harris@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 of Bills 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: 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. 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 act successfully in such applications. 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 multimillion pound detailed assessments.

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. He often acts in insurance disputes which span his other areas of work including (but not limited to) professional indemnity, contractors all risks (CAR), property damage, business interruption (BI), public, products and employers' liability.

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".

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), chartered surveyors 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.

Property Damage

Henry's property damage practice spans the full spectrum of claims from fires and floods to claims brought against surveyors or construction professionals in breach of contract / negligence. Many of his claims involve detailed consideration of whether to bring further, third party claims under contract, negligence and/or the **Civil Liability (Contribution) Act 1978**.

Public / Professional Indemnity: Cases have included claims against surveyors for poor specification, design and failures in contract administration as well as claims against architects and structural engineers. This has included both minor and major works projects under JCT contracts. As to public liability, Henry's case load has included failures of cleaning contractors in relation to flour silos leading to contamination as well as defective batches of mould for the

production of Roqueforti cheese.

Fires / Floods / Storms: Henry has acted in all types of property damage claims from the domestic setting of barbecues causing fires to neighbouring land and thus claims under *ignis suus*, negligence and nuisance, to trampolines being carried away by gale force winds. In the commercial setting, he has been involved in high value claims (£500,000+) involving faulty sprinkler systems, contractors allegedly plastering over open waste pipes and pizza ovens that have exploded. Henry has been praised by his clients by taking a commercially sensitive approach in claims that have much wider impact than the individual claim itself, particularly in relation to (for example) flooded regions and the associated volume of claims that could arise.

Party Wall Claims: Henry is familiar with the provisionals of the **Party Wall etc Act 1996** and has acted for claimants and defendants to actions brought following works carried out allegedly in breach of the Party Wall Award. This has included third party actions against builders.

Subsidence: Cases have involved acting for local authorities and insurers alike in relation to alleged subsidence caused by tree roots. His case load in this regard starts at six figure sums.

Street Works: Henry's property damage practice started with the pursuit and defence of all types of claims brought under the **New Roads and Street Works Act 1991** for utilities companies and for contractors. Whilst his practice has now moved on to higher value claims, he is fully conversant with the strict liability scheme and the various arguments around it.

Cavity Wall Insultation (CWI): Henry is adept at dealing with the issues arising from CWI claims and has handled many of these claims in the past, exclusively for defendants.

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 instructed in Multi Track claims and regularly handles high value cases that have settled in excess of £1m and where he acted as sole counsel.

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.

Exaggerated Claims / Fundamental Dishonesty: Henry regularly advises, pleads and appears in trials involving allegations of exaggerated loss and fundamental dishonesty. 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 as well as dental claims.

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Qualifications & Awards

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