



Christopher Knowles Call Date: 2011

Christopher is described in the directories as “highly intelligent”, “completely reliable”, and “knowledgeable and experienced beyond his years”, with “a great eye for detail” and “a sense of humour and perspective at all times” (*Legal500, 2020 and 2021*). He is recommended as a leading junior for insurance and reinsurance disputes (*Legal 500*). He is appearing in one of The Lawyer’s Top 20 Cases of 2021 (*McClellan & ors v Thornhill*), having previously acted in another (the *SKAT litigation*), and appeared for a group of successful insureds in the landmark *FCA Business Interruption Insurance Test Case*.

He has a broad commercial and civil practice in line with chambers’ profile, specialising in:

- Commercial Dispute Resolution
- Insurance & Reinsurance
- Professional Negligence
- Civil Fraud
- Conflict of Laws and Jurisdiction
- Banking & Finance
- Aviation

He has extensive experience of high-value commercial disputes. He is comfortable appearing as sole counsel, and frequently appears for prominent UK and international clients. His work often has an international element. For example, he recently appeared in proceedings between two Monaco-based individuals, which involved entities in Cyprus, Greece, the BVI, and Monaco, and took place against the background of litigation in those jurisdictions.

His recent highlights include acting:

- (with Ben Lynch QC) in the groundbreaking *FCA Business Interruption Insurance Test Case*, and a related arbitration between many policyholders and their insurers. Christopher’s clients succeeded on the key issues of construction and principle arising in relation to their policies, opening the door to recovering substantial business interruption losses.
- (with Akhil Shah QC) for Rangers football club *Rangers Football Club Limited v SDI Retail Services Limited*: a wide-ranging dispute with Sports Direct raising issues relating to breach of contract, deceit, economic torts and injunctions. Christopher recently appeared in the Court of Appeal in this litigation.
- (with Anneliese Day QC) for a large group of claimants in *McClellan & ors v Thornhill*, a professional negligence claim against a leading tax silk, and one of The Lawyer’s Top 20 cases of 2021.
- (with Ben Lynch QC) for a firm of solicitors in an £83m professional negligence claim, raising issues regarding the recovery of damages for loss of a chance.
- (with David Railton QC and others) for RBS in the *RBS Rights Issue Litigation*.

AREAS OF EXPERTISE

- Aviation
- Banking & Finance
- Commercial dispute resolution
- Fraud: civil
- Insurance and reinsurance
- Jurisdiction & conflicts of law
- Professional negligence

RECOMMENDATIONS

‘Highly intelligent, has a great eye for detail, and is completely reliable.’

Legal 500 (2021)

‘Highly intelligent, keeps a sense of humour and perspective at all times, knowledgeable and experienced beyond his years.’

Legal 500 (2020)

Chris is ranked by *The Legal 500* for Insurance & Reinsurance.

OTHER NOTABLE CASES

Commercial Dispute Resolution

This is the most diverse element of Christopher’s practice. His experience extends from acting as sole counsel in disputes between individuals and small and medium companies in the UK, to being led in large, high-value, and often international disputes involving high net-worth individuals and substantial enterprises. He has appeared both in the courts and in arbitrations.

- Appearing (with Akhil Shah QC) in *SDI Retail Services Ltd v Rangers Football Club Ltd*. The dispute concerns matching rights provisions in a Retail Operations, Distribution and IP Licence Agreement. It raises issues relating to the proper interpretation of such provisions, as well as issues regarding deceit, economic torts, and injunctions. Christopher recently appeared in the Court of Appeal in part of the case, concerning the interpretation of an injunction made earlier in the proceedings.
- Acting (with Derrick Dale QC and Ian Bergson) in *Coward v Ambrosiadou*, a dispute between a high-net-worth individual and his former wife and business partner, concerning the profits of a fund that they started. The proceedings raised issues concerning the formation and enforceability of oral agreements, fiduciary duties, issue estoppel and abuse of process.
- Instructed (with Bankim Thanki QC) for the claimant in an international arbitration under ICC rules in relation to choice of law issues regarding privilege, and whether certain documents were privileged as a matter of English law.
- Instructed (with Alexander Milner) for an engineering concern in *Eastern European Engineering Ltd v Vijay Construction (Pty) Ltd* in proceedings in which it sought to enforce a large ICC arbitration award against a Seychellois company. The proceedings concerned the grounds on which a court can order a party to give security for an arbitration award, the arbitrator’s substantive jurisdiction, whether the defendant had a sufficient opportunity to present its case, and enforcement of the award.
- Appearing (with David Mabb QC, Jeffrey Gruder QC and Nigel Dougherty) in *PEL (UK) Ltd v Shaftesbury plc*, a dispute between a shareholder and a publicly listed company, raising issues including whether the board used its powers for an improper purpose in relation to a placing.
- Christopher also frequently appears as sole counsel in the High Court. Among other things, he has:
 - Acted for an energy company in a c.£11m dispute with parties seeking to build and operate a waste-to-energy plant. The dispute raises issues concerning the interpretation and breach of exclusivity agreements.
 - Acted for a broker in a claim against a client arising from the client’s failure to settle bond transactions, obtaining summary judgment on both the broker’s claim and the client’s counterclaim.
 - Appeared for the owner and operator of chain of high-end restaurants, obtaining damages and wide-ranging injunctions against two defendants who breached a franchising agreement and then continued to use the owner’s and operator’s branding and materials.
 - Acted for a string of corporate purchasers of goods (ranging from clothes to car parts to food products) in contractual disputes with suppliers.
 - Acted for a principal in a dispute with its former agent, concerning the alleged underpayment of commission and compensation under paragraph 17 of the Commercial Agents Regulations 1993.

Insurance & Reinsurance

As set out above, Christopher is ranked as a leading junior in this sector by *Legal 500*: “Highly intelligent, has a great eye for detail, and is completely reliable” – 2021; “Highly intelligent, keeps a sense of humour and perspective at all times, knowledgeable and experienced beyond his years” – 2020. He has (with Ben Lynch QC) recently updated the professional indemnity insurance section of *Professional Negligence & Liability*, and will be co-authoring a full rewrite of the chapter later in the year, as well as working on the next edition of *MacGillivray*.

His recent practice in this area includes:

- Appearing (with Ben Lynch QC) in the landmark *FCA Business Interruption Test Case* and a related arbitration brought by a large number of policyholders, raising issues as to the recoverability of losses stemming from the imposition of measures in response to COVID-19 under clauses providing cover for business interruption losses arising from public authority action. Christopher’s clients succeeded on key issues of principle, giving them the chance to recover large business interruption losses. Christopher has since advised other

insurers on business interruption claims following the Supreme Court's decision.

- Acting (with David Railton QC and Andrew Neish QC) for insurers in a \$100m dispute regarding a political risk policy, raising issues regarding cover for expropriation and the cancellation of mineral rights, and material non-disclosure.
- Appearing (with Patrick Goodall QC) for two insurers in an arbitration with their reinsurers, arising from a dispute over the provision of information, and the commutation of reinsurance contracts.
- Acting (with Leigh-Ann Mulcahy QC) for insurers in a series of claims under the Third Parties (Rights Against Insurers) Act 1930 and 2010, arising from the installation of cavity wall insulation by an insolvent insured. The claims raise issues regarding those statutes, the interpretation and application of public liability insurance, exclusions in such insurance, and compliance with conditions precedent to cover.
- Advising (with James Cutress QC) on coverage issues under a policy covering non-payment of an arbitration award in excess of \$1bn. This raised issues regarding settlement of enforcement proceedings, warranties, conditions precedent, and s.11 of the Insurance Act 2015.
- Acting (with David Railton QC, Michael Crane QC and James Cutress QC) for a reinsurer in a complex arbitration brought against it by a construction company's captive insurer. The proceedings raised issues under the law of New York relating to the extent to which a reinsurer is bound to follow settlements, aggregation of claims, the extent to which faulty workmanship and defective construction work counts as an accident or property damage, as well as the incorporation, scope, and applicability of exclusions.
- Acting (with Stuart Ritchie QC) for an individual in a coverage dispute relating to two D & O policies. The dispute turned on points relating to an insured's obligations to assist an insurer, the advancement of defence costs, and the grounds on which an insurer can deny coverage. It arose against the background of civil and criminal proceedings being brought against the individual by their former employer.
- Acting (with Derrick Dale QC) for a large group of claimants in a substantial solicitor's negligence claim in a dispute with the insured's indemnity insurers regarding the application of the aggregation provisions in the Solicitors' Minimum Terms. The dispute took place against the background of repeated errors by the insured solicitors, and potential fraud, in the context of the sale of a large number of off-plan leasehold properties.
- Christopher has substantial experience acting as sole counsel in insurance matters. By way of example he has:
 - Acted for the SRA in a coverage dispute with a solicitor's liability insurers, in which the SRA seeks to advance a claim based on rights acquired by way of subrogation, while the insurer says that the claim is not covered on the basis it seeks repayment of fees.
 - Acted, as sole counsel, for a large charity in a coverage dispute with an insurer, concerning whether the charity's insurance covered sums which it was fraudulently induced to pay away as a result of cyberfraud.
 - Advised Lloyd's underwriters on the proper interpretation of an aggregation clause, and its application to a number of claims brought against valuers.

Professional Negligence

Christopher has extensive experience of acting in professional negligence cases generally, as well as being particularly experienced in both bringing and defending professional negligence claims against other legal professionals.

- Acting (with Anneliese Day QC) for over 100 claimants in *Investors in the Scotts Atlantic Film Finance Scheme v Andrew Thornhill QC*, a large claim against a leading tax silk by investors who invested money into film schemes after he advised that the schemes would allow them to mitigate their tax liabilities. This is one of The Lawyer's Top 20 cases of 2021.
- Acting (with Ben Lynch QC) for a firm of solicitors in an £83m professional negligence claim against them arising from the settlement of their client's fraud claim against a leading UK bank. The claim raises issues concerning damages for loss of a chance to pursue litigation.
- Appeared (with Derrick Dale QC) for a defendant barrister in *Springdew Ltd v Fitzgerland*, a £20m claim regarding the provision of negligent advice that was said to have led to the loss of the opportunity to pursue a supposedly valuable mis-selling claim against a bank. The dispute turned on issues regarding the likelihood of litigation being pursued and resulting in substantial sums being recovered from the bank. It settled shortly after, in two hearings within the space of two weeks, the defendant barrister's disclosure application succeeded in full, and the claimant company's application wholly failed. Christopher appeared as sole counsel for the defendant barrister at both hearings.
- Appearing (with Derrick Dale QC) for a large number of purchasers of off-plan properties in proceedings that they brought against the solicitors who acted for them in relation to the purchases. The aggregate value of the claims was over £10m, and the proceedings raised issues relating to (among other things) the duties of a purchaser's solicitors in such transactions, and causation. The defendants ultimately settled with all of the purchasers Christopher represented.
- Acting (with Patricia Robertson QC) for one of the successful defendants in *Ridgewood Properties Group Ltd v Kilpatrick Stockton LLP*, a large dispute between a firm of solicitors and their former clients, raising issues relating to advice on repudiatory breach, affirmation, advice from counsel, and causation. The Claimants discontinued their claim after Christopher's client had the largest part of it struck out as an abuse of process.
- Acting as sole counsel for clients in two accountant's negligence claims, arising from:
 - Failure to prepare tax returns properly, leading to HMRC investigating the accountant's client for fraud.
 - Failure to warn the client of the tax consequences of agreeing to the issue of new shares in a company, when the client previously held shares which attracted tax relief under the Enterprise Investment Scheme rules.
- He has also appeared in several matters concerning professional negligence in the financial sector. For example, he has:

- Acted (with James Cutress QC) for a leading firm of financial advisers in two sets of proceedings against former consultants, raising issues relating to the COB rules, the provision of financial advice, and the recovery of sums paid to settle claims.
- Appeared, as sole counsel in the High Court, for a prominent UK bank in a case concerning allegations that it negligently advised a wealthy client to invest in certain funds. The claim also raised issues relating to the extent to which a bank owes duties to its customer at common law when calculating any offer of redress made to the customer.

Civil Fraud

Christopher has had the opportunity both to learn from leading practitioners in this area and to conduct fraud cases as sole counsel, and has experience of both claimant and defendant work; he is acutely aware of the difficulties of proving fraud and obtaining effective relief, and of seeing off allegations of fraud in the face of difficult facts. He is also a contributor to the *Lloyds Law Report Financial Crime Reports*.

- Acted (with Robin Barclay QC) for a defendant in the £1.5bn SKAT litigation, raising issues regarding deceit, dishonest assistance, knowing receipt, proprietary claims, and unjust enrichment.
- Appearing (with Brian Doctor QC) for a Paraguayan company in proceedings against individuals said to be responsible for a \$40m fraud against it. The claimant successfully obtained freezing and search orders against the defendants, the latter in a novel form.
- Acted (as sole counsel) for a supplier of electrical components in a matter concerning suspected fraud by a senior employee and a former employee, and a company connected to them which supplied services to the supplier.
- Christopher has experience of disputes arising out of cybercrime and cyberfraud. For example, he has acted:
 - for a charity in a dispute concerning whether it was entitled to an indemnity under a computer fraud provision in an insurance policy, after it was the victim of fraud carried out via e-mail; and
 - for a bank in proceedings brought by a customer after a third party obtained the customer's login details through a keylogger and used them to make a series of payments out of the customer's account.
- He has, as sole counsel, advised a company on obtaining disclosure of the identity of account holders from paying and receiving banks in circumstances where payments which were meant to be to the company were instead made to third parties, who then dispersed the monies they received, because of fraud carried out via e-mail.
- As sole counsel, Christopher successfully defended a merchant payment services provider at trial against a claim alleging that funds which should have been remitted to the claimant were not, where the merchant payment services provider refused to remit the funds as it suspected they were being transferred as part of a £1.3m mandate fraud. At trial, the defendant was able to secure a finding that the attempted payment was in fact part of the proceeds of the £1.3m fraud, and that a director of the claimant was involved in that fraud.

Banking & Finance

This is one of Chambers' core practice areas. Because of that Christopher has been able to experience a wide range of work in this area. He began his practice during the era of swap mis-selling claims and built up extensive experience of mis-selling claims against banks, before being led by leading silks in some of the largest, highest-value litigation in the banking & finance sector, while continuing to appear as sole counsel in a range of small and medium-sized disputes.

- Acting (with David Railton QC and others) for RBS in the multi-billion-pound rights issue litigation arising from the £12bn rights issue in April 2008.
- Acting (with Richard Handyside QC and Tamara Oppenheimer) for Nomura in *Nomura International plc v Banca Monte Dei Paschi Di Siena SPA*, a very high-value dispute raising issues relating to accounting for complex transactions, alleged wrongful accounting, illegality, and the attribution of knowledge to a company.
- Acting (with Nicholas Medcroft QC) for a bank in proceedings raising issues relating to the extent to which a paying bank is liable for payments made by a third party using a customer's credentials, and the scope and application of the Payment Services Regulations.
- Appearing in a wide range of mis-selling claims, ranging from swaps misselling claims against a number of the UK's largest banks (in which Christopher has appeared both as sole counsel, and with Andrew Mitchell QC and John Taylor QC), to a claim brought by a wealthy individual against a bank concerning allegedly negligent financial advice.
- Instructed (with John Taylor QC) in relation to a dispute concerning a letter of credit, raising issues regarding UCP600.
- Christopher often appears as sole counsel in the High Court in complex banking disputes, for example, he:
 - Appeared as sole counsel for a bank in a 5-day trial in the High Court, in proceedings raising issues relating to agency, unjust enrichment, and trusts, which settled partway through trial.
 - Appeared for a prominent UK bank in a dispute concerning whether the bank was entitled to freeze a customer's account, raising issues relating to the interpretation and application of the bank's terms and the POCA 2002 regime.

Aviation & Travel

This is another of Chambers' core practice areas, and is an area in which Christopher has substantial experience. He has experience of issues ranging from the existence and scope of rights in aircraft to the interpretation of agreements concerning ticketing, and the sale of seats on aircraft to tour operators.

- Advising an airport on the enforceability of security rights over aircraft following the insolvency of an airline.
- Acting, as sole counsel, for an aircraft lessor in proceedings seeking the return of an aircraft, said to have been wrongfully seized by a third party while in the lessee's possession. The proceedings raised issues concerning who had a beneficial interest in the aircraft, and who had control of it.
- Acting, as sole counsel, for a lessee under a series of aircraft leases in a dispute concerning two passenger aircraft. The proceedings raised issues concerning the interpretation and application of aircraft leases, as well as, later, issues regarding potential contempt.
- Appearing (with Simon Browne-Wilkinson QC) for a tour operator in a claim against an airline relating to the latter overcharging the former in respect of certain charges. The claim raised issues regarding unjust enrichment against the background of passenger liability insurance, airport charges, and the purchase of capacity on aircraft each year. It settled after written closing submissions but before judgment.
- Assisting Akhil Shah QC in advising one of the world's largest airlines in relation to a dispute concerning online ticketing authorities and 'cross-border selling', and on the creation of security rights over aircraft.

APPOINTMENTS, MEMBERSHIPS AND PRIZES

- Kennedy Scholar (Lincoln's Inn, 2010)
- Hardwicke Scholar (Lincoln's Inn, 2010)
- Falcon Chambers Prize for the best performance in Land Law (University of Oxford, 2009)
- Highest mark in the year in Personal Property in FHS Examinations (University of Oxford, 2009)
- College Prize for Performance in BCL Examinations (St. Catherine's College, University of Oxford, 2010)
- College Prize for Performance in FHS Examinations (St. Catherine's College, University of Oxford, 2009)
- Exhibition Award for Performance in Moderations (St. Catherine's College, University of Oxford, 2006, renewed in 2007/8, 2008/9 for sustained academic performance)
- Former Temporary Lecturer in Land Law, Trinity College, University of Oxford. Christopher delivered tutorials covering foundational concepts in Land Law, licenses, and trusts of the family home (2011)
- Christopher has acted as a research assistant to several academics and practitioners:
 - He was involved in the production of an edition of *The Law of Security and Title Based Financing* (OUP, 2012) as research assistant to Louise Gullifer, Harris Manchester College, University of Oxford. He provided assistance with regard to chapters concerning security rights in general, possessory and non-possessory security rights, priorities, and the enforcement of security rights, along with other matters (2011).
 - As research assistant to Professor Ben McFarlane, he provided research assistance in relation to Proprietary Estoppel (OUP, 2014) and promissory estoppel in a commercial context (2010 – 2011). He also assisted in producing the first supplement to the 32nd edition of leading textbook *Snell's Equity*.
 - He acted as a research assistant to one of the authors of *Foreign Currency: Claims, Judgments and Damages*, M. N Howard QC, John Knott and John Kimbell (Informa, 2016) (2010 – 2011). He provided research assistance on restitution, trusts, private international law and interest on foreign currency debts.

PUBLICATIONS

- With Ben Lynch QC, co-author of the professional indemnity insurance chapter of *Professional Negligence and Liability* (loose-leaf, Informa UK, available on i-law).
- With Anneliese Day QC, co-author of the *Lexis PSL* section concerning damages for loss of a chance.
- With Nicholas Medcroft QC, co-author of the *Lloyds Law Report Financial Crime Report* ([2019] Lloyd's Rep. FC 94) on the important Court of Appeal decision in *Lonsdale v NatWest* [2018] EWCA 1843 (QB) concerning the circumstances in which a bank is entitled to freeze a customer's account, and the *Lloyds Law Report Financial Crime Report on PDVSA Servicios SA v Clyde & Co LLP* [2020] Lloyd's Rep. FC 588.
- Christopher is a former contributor to the *Civil Procedure Reports*.
- 'Haugesund Kommune, Narvik Kommune v Depfa ACS Bank, Wikborg Rein' (Case Comment), *Journal of International Banking Law and Regulation*, 2011, 26(5), 207-210
- 'Failure to Estop: Rationalising Proprietary Estoppel Using Failure of Basis', *Conveyancer and Property Lawyer*, 2011, 3, 176-190 (with Mischa Balen).
- 'What's Special About Land? The Relationship Between Promissory and Proprietary Estoppel', *King's Law Journal*, 2013, 24(1), 111 – 118 (with Mischa Balen).

EDUCATION

- BCL, St. Catherine's College, University of Oxford (Distinction)
- BA (Law), St. Catherine's College, University of Oxford (First Class)

LINKEDIN

Christopher's LinkedIn profile can be found [here](#).

[BSB Barristers' Register](#)

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