



**Chris Harvey**

**Partner**

chris.harvey@dlapiper.com

**Leeds**

T: +44 (0)20 7349 0296

F: +44 (0) 113 369 2949

Chris Harvey is a financial services litigator who is regularly instructed by financial services clients, receivers and accountants to act in defending and pursuing complex, sensitive and high profile claims, including multimillion-GBP professional negligence actions, claims arising from operational banking issues, mis-selling claims (from PPI to hedging products), injunctions, and complex recovery and possession actions. He has also provided advice on regulatory and compliance issues, including DISP, ICOB and COBS as well as FOS submissions and challenges to adjudications..

His most recent mandates have included acting for a Big4 accounting firm and UK clearing banks facing claims of conspiracy and fraud, lenders defending class/group actions, derivatives mis-selling and LIBOR manipulation claims, fixed rate mis-selling claims, push payment fraud claims (advising both remitting and receiving banks) and trade finance disputes. He regularly litigates against parties represented by law firms acting under conditional fee agreements who are backed by litigation funders and in claims which attract press attention.

Chris has also completed a 7 month secondment in the commercial banking litigation team of a UK clearing bank in a senior lawyer role.

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- An American asset based lender client on a complex multimillion-GBP claim against English solicitors arising out of defects in German law security documents together with the associated recovery action in Germany and England.
  - PwC in Premier Motor Auctions -v- PwC & Lloyds, a GBP50 million claim brought against PwC by the liquidators of two companies operating a car auction business in which it was alleged that PwC colluded with Lloyds to bring about the companies' insolvency and provided negligent advice to the companies. The case was selected as one of the Lawyer's "Top 20 Cases of 2018", and produced the leading Court of Appeal authority on the interrelationship between After The Event insurance policies and security for costs.
  - Bank of Scotland in a GBP70 million misrepresentation and fraud claim arising out of the alleged mis-sale of interest rate derivatives and misconduct by its Restructuring division.
  - An AsiaPac bank in injunction proceedings restraining payment under a £multi-million performance bond issued in respect of a major development in London (Yuanda (UK) Company Ltd -v- (1) Multiplex Construction Europe Limited (2) Australia & New Zealand Banking Group Limited [2020] EWHC 468 (TCC)).
  - RBS Plc, Lloyds Bank Plc and Clydesdale Bank Plc in defending claims arising out of the alleged mis-selling of hedging products

(including in advising RBS in Crestsign -v- RBS and NatWest and the related appeal), alleged manipulation of LIBOR and alleged misconduct by the banks' recoveries and turnaround divisions.

- A UK clearing bank defending a claim brought by a Congolese company alleging that the bank is liable for an allegedly fraudulent payment receiving into its customer's account.
- A UK clearing bank and major high street bank in claims and complaints regarding the alleged mis-selling of fixed rate loans which include a contractual right for those banks to require payment break costs on early repayment.
- A sub-prime lender in defending a claim brought under the Data Protection Act 1998 in which 22 former employees were seeking substantial damages and compensation arising out of the loss by the lender of personal data.
- A major high street bank in defending a prospective GBP1 billion class action arising from alleged misrepresentations and improper application of break costs.
- The offshore division of a major high street bank in managing the bank's portfolio of non-performing Spanish and Singapore law loans, and related possession actions.

## CREDENTIALS

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### Recognitions

- Ranked as Tier 1 for Banking Litigation in The UK *Legal 500* 2020 and Tier 1 and a "Next Generation Partner" in The UK *Legal 500* 2021:
  - "Chris Harvey is an exceptionally bright and hard-working individual" (*Legal 500*, 2021)
  - "Chris Harvey is a smart and pragmatic lawyer. He always manages to provide advice in a client focused commercial manner as opposed to lawyer speak" (*Legal 500*, 2020)

## INSIGHTS

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### Publications

#### Climate reporting: Dispute risks rise up the agenda

23 August 2021

Our financial services (FS) institutional clients have been leading the way with alignment of climate reporting to the internationally recognised Task Force on Climate-related Finance Disclosures (TCFD) standards, reorganising their governance structures to ensure strong oversight on climate risk and adapting their businesses accordingly.

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#### A new Consumer Duty of care briefing

4 June 2021

Following on from its 2018 discussion paper and subsequent feedback statement; and in reaction to the requirements imposed by s.29 of the recently enacted Financial Services Act 2021, the FCA is consulting on its proposition to introduce a new Consumer Duty.

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## Events

### Previous

#### Global Disputes Forecast: What Lies Ahead in Financial Services Disputes?

13 April 2021

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