



## Henry Ashwell

Call: 2017

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## Practice Profile

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Henry has a broad commercial practice with experience of Chambers' core areas of expertise, including insurance and reinsurance, shipping, international arbitration, sale of goods and other commercial work.

Henry has been instructed in a variety of domestic and international commercial matters, including: a multi-million-dollar insurance arbitration, advising in relation to the US-Iran sanctions regime, a large-scale civil fraud case and a multi-million-dollar dry shipping arbitration. He has also completed secondments at several leading City law firms and appears regularly as sole counsel in the County Court.

Henry joined Chambers in September 2018 following the successful completion of his pupillage and accepts instructions in all areas of law practised at 7KBW. Prior to pupillage, he graduated from the University of Oxford with a Double First.

### Shipping

- Advised on the application of the BIMCO Infectious and Contagious Diseases Clause to the COVID-19 outbreak.
- Advised on issues of force majeure and frustration in relation to the COVID-19 outbreak and its effect on vessels.
- Assisted with the development of ship sale and purchase agreements.
- Advised on several matters concerning delays to vessels berthing raising issues including safe ports, frustration, tender of NOR, and laytime and demurrage.
- Advised on the operation of the Inter-Club Agreement and apportionment of claims in a cargo claim concerning alleged poor-stowage.

- Advised on the nature of “customary despatch” where the port authorities interfered with berthing.
- Advised on several off-hire disputes, including where there was a breakdown in machinery.
- Advised on numerous bunker disputes, including short bunkers and the rates to be applied to vessels returned with excess bunkers.
- Advised on dispute over timing and location of dry-docking under a time charter.
- Advised on issues of seaworthiness and breach of contract in relation to hire of a yacht.
- Assisted in the preparation of evidence for a claim concerning a water-damaged bulk cargo.
- Assisted with an appeal under s69 Arbitration Act 1996 against an award concerning the frustration of a charterparty (as a pupil).

## Insurance

- Advised on the subrogation of claims arising out of consumer insurance policies.
- Assisted on preparation of an expert opinion for foreign proceedings concerning the English law construction of an insurance policy for vessel repairs.
- Instructed on behalf of the claimants in a multi-million-dollar insurance arbitration under New York law concerning an oil pipeline.
- Assisted with a reinsurance claim arising out of FCA disciplinary action (as a pupil).

## Jurisdiction and Conflict of Laws

- Advised on English law issues of limitation and jurisdiction in relation to a claim of unjust enrichment being pursued in a foreign jurisdiction.
- Advised on an application to service a claim form outside the jurisdiction in a commodities dispute.
- Advised on issues of jurisdiction and conflict of laws arising out of a failed vessel-refurbishment project.

## Commercial Litigation

- Assisted with an appeal arising out of a failed Cayman Islands investment fund (as a pupil).
- Assisted in an expedited trial concerning claims of breach of solicitors’ undertakings and an NDA (as a pupil).

## Civil Fraud

- Instructed on a claim to enforce a major confiscation order arising out of historic misappropriation of company funds.

- Assisted in claims concerning dishonest assistance, deceit and conspiracy arising out of a long-running ponzi scheme (as a pupil).

## Sale of Goods

- Advised on the issue of “carrying charges” in relation to the export/import of bulk grain.
- Assisted in relation to a quantum claim arising out of the export of South African coal (as a pupil).

## International Arbitration

- Instructed in a multi-million dollar dry shipping arbitration.
- Assisted with an appeal under s69 Arbitration Act 1996 against an award concerning the frustration of a charterparty (as a pupil).
- Assisted with an appeal under s68 Arbitration Act 1996 (as a pupil).

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## Education

Sept 2016 – June 2017: Bar Professional Training Course, University of Law: Outstanding

Sept 2015 – June 2016: Graduate Diploma in Law, University of Law: Distinction

Oct 2010 – Jun 2014: Oxford University (New College), BA in Literae Humaniores (Classics): Double First

## Scholarships and Awards

Winner of the UK Student Mediation Competition

Exhibition Award for GDL and BPTC (Inner Temple)

Provost’s Award for Excellence (University of Law)

Prize for the highest marks on the GDL (University of Law)

Academic scholar (New College, University of Oxford)

Greek Declamation and Recitation Prizes (University of Oxford)

Charles Oldham Scholarship (University of Oxford)