

CHRISTOPHER HARE

CALL: 1998

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Christopher has experience of advising and representing clients in banking, corporate and insolvency disputes at all levels of jurisdiction, including the House of Lords (*Phillips (Liquidator of AJ Bekhor & Co) v Brewin Dolphin Bell Lawrie Ltd*[2001] 1 WLR 143) and the New Zealand Supreme Court (*Nathan v Dollars & Sense Ltd*[2008] 2 NZLR 557). He often undertakes drafting and advisory work in multimillion-pound cases, including those with an international element, and has written extensively in the banking and corporate law fields.

Christopher is currently a Tutorial Fellow of Somerville College, Oxford and the Travers Smith Associate Professor of Corporate and Commercial Law at the University of Oxford.

PRACTICE AREAS

- Banking, Financial and Consumer Credit Law
- Corporate Law
- Insolvency and Bankruptcy Law
- Jurisdiction, Choice of Law and Conflict of Laws
- General Commercial Law

BANKING, FINANCIAL AND CONSUMER CREDIT LAW

As well as being editor and/or contributor to the three leading banking law texts (see below), Christopher has provided advice and/or represented banks and their customers/clients across the full spectrum of banking and financial law disputes, including retail banking disputes (relating to the operation of bank accounts, the provision of payment services, lending and security arrangements, consumer credit matters) and wholesale banking and capital market disputes (including syndicated loans, bonds, derivatives and trade finance instruments). Recent instructions include:

- advising a number of international banks on the consumer credit and mortgage regulation implications of their lending activity in the UK market;
- advising large domestic banks on the recovery of mistaken payments made from customers' accounts and the defences available;
- advising large a domestic bank on liability for, and defences to, a claim based upon the conversion of cheques and advising a New Zealand bank on claims for conversion of a number of cheques;
- obtaining domestic and international freezing injunctions over funds dissipated from bank accounts;
- representing a number of large domestic and international banks in relation to mortgage re-possession claims, including advising and appearing in the New Zealand Court of Appeal and Supreme Court in *Nathan v Dollars & Sense Ltd*[2007] 2 NZLR 747; [2008] 2 NZLR 557;
- advising and representing lenders and borrowers in relation to the enforcement of loan agreements, including advising on limitation and consumer-credit aspects of such claims;
- advising client regarding mis-selling liability in relation to foreign-currency exchange transactions;
- advising multimillion-pound estate about potential claims against major lender arising out of renegotiation of lending arrangements to company;
- advising New Zealand Commerce Commission on the operation and application of the consumer credit legislation in *Commerce Commission v Avanti Finance Ltd*(2009) NZBLC 102,662;
- advising international bank about its liability and potential defences under a number of documentary letter of credit transactions.

Further, Christopher is also author of Ellinger, EP, Lomnicka E & Hare, CVM, *Ellinger's Modern Banking Law*(5th ed, OUP, 2011), Hare, CVM, R Cranston, E Avgouleas, K Van Zwieten & T Van Sante, *Principles of Banking Law*(3rd ed, OUP, 2017) and contributes chapters on syndicated lending and tiers of lending in *Paget's Banking Law*(LexisNexis, 15th ed, 2018). He has also written articles and chapters on the legal issues arising out of the mis-selling of financial products, trade finance transactions and the advent of cryptocurrencies and cryptoassets. He has taught undergraduate and postgraduate students in Oxford, Cambridge, Auckland and Singapore for papers on Banking Law, International Banking Law, Financial Law, Trade Finance Law, Wealth Management Law and Corporate Finance Law.

CORPORATE LAW

As well as his academic writing in the corporate law area (see below), Christopher has provided advice across the range of corporate law matters, with particular emphasis on director's duties, their enforcement through unfair prejudice and derivative actions and disqualification proceedings. Recent instructions include:

- advising a deceased shareholder's multimillion-pound estate with respect to the operation of share transfer provisions in the company's constitution;
- advising directors with respect to the recovery of funds by the company in the directors' loan accounts;
- advising and representing clients in relation to applications for reinstatement of companies to the register.

As well as a number of articles and book chapters on shareholder remedies, Christopher is author of Watts PG, Campbell N & Hare, CVM, *Company Law in New Zealand*(2nd ed, Lexis Nexis NZ, 2016), is a contributor to *Buckley on the Companies Acts* (loose-leaf) and will be a co-author of the next edition of *Gower's Principles of Company Law*(Sweet & Maxwell, 2021). Christopher is the convenor of the Company Law group at the University of Oxford and teaches undergraduates and postgraduates on the Company Law and Corporate Finance Law courses.

INSOLVENCY AND BANKRUPTCY LAW

Christopher advises across the range of insolvency law areas, frequently advising officeholders on their potential claims against third parties such as directors and lenders. He appeared in the important case of *Phillips (Liquidator of AJ Bekhor & Co) v Brewin Dolphin Bell Lawrie Ltd*[2001] 1 WLR 143 dealing with transactions at an undervalue and more recently has received the following instructions:

- advising and representing individuals in relation to bankruptcy petitions;
- advising liquidators with respect to the recovery of funds appearing in the company's accounts as director loans;
- advising and representing national concern in dispute with HMRC over unpaid liabilities.

Christopher has also written articles and chapters covering liquidation and administration issues.

JURISDICTION, CHOICE OF LAW AND CONFLICT OF LAWS

Christopher has advised and represented clients in relation to a number of jurisdictional and choice of law matters, including:

- advising and representing client in relation to dispute concerning the operation of the contractual provisions of the Brussels Regulation;
- advising and representing client in relation to jurisdictional issues arising out of proceedings commenced against it in New York;
- advising an international bank on jurisdictional and choice of law issues arising out of the operations of its branch in England and Wales.

In addition, Christopher has written on issues relating to *forum non conveniens* and the choice of law issues relating to banking and trade finance transactions.

GENERAL COMMERCIAL LAW

As well as the more specialist areas above, Christopher has advised and represented clients in a broad range of general commercial disputes, with recent instructions including:

- advising and representing a local authority for breach of agreement for lease relating to a multimillion-pound agricultural facility;
- representing national telecommunications company in dispute over telecommunications contracts;
- advising and representing an English university with respect to recovery of its tuition fees;
- advising and representing regional firm in dispute over performance of a construction contract;
- advising and representing client in relation to enforcement action taken against a farm and its animals;
- advising national insurance company in relation to its liability under insurance policy for litigation concerning enforcement of easements and a boundary dispute;
- advising and representing clients with respect to the recovery of credit-hire charges.

As part of his academic work, Christopher teaches in the areas of Contract Law, Trusts Law, Tort Law and Commercial Law.

APPOINTMENTS:

- Travers Smith Associate Professor of Corporate and Commercial Law, University of Oxford (2012-Present)
 - Tutorial Fellow, Somerville College, Oxford (2012-Present)
 - Associate Dean, Law Faculty, University of Oxford (2018-Present)
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MEMBERSHIPS:

- Visiting Professor, Columbia Law School, New York (2017, 2021)
 - Visiting Professor, Centre for Maritime Law, National University of Singapore (2017, 2018)
 - Visiting Professor, Centre for Banking and Financial Law, National University of Singapore (2013, 2014, 2015, 2019)
 - Visiting Professor, University of Auckland, New Zealand (2019, 2020)
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EDUCATION:

- MA, Trinity College, Cambridge (1991-1995)
- Rebecca Flower Squire Scholar (1993)
- Holland Travelling Studentship (1995)
- Whittaker Scholar (1995)
- Senior Scholar, Trinity College, Cambridge (1995)
- Inns of Court School of Law, Gray's Inn (1996)
- Sir Thomas More Scholar (1996)
- Hardwicke Scholar (1996)
- LLM, Harvard Law School (1997)
- Fulbright Scholar (1997)
- BUNAC Scholar (1997)
- BCL, Brasenose College, Oxford (1998)
- Pupil and Tenant, 3 Verulam Buildings, Gray's Inn (1998-2000)
- Fellow, Jesus College, Cambridge (2000-2005)
- Senior Lecturer, University of Auckland (2005-2012)
- New Zealand Legal Research Foundation Fellowship (2011)

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