

**Partner****Offices:** London**Tel:** +44 (0)20 7597 6199**Email:** harvey.knight@withersworldwide.com**Education:** Lincoln College, Oxford University, B.A.**Admitted:** England & Wales, 1993**Year joined:** 2009**Year became partner:** 2011**Overview**

Harvey worked in major City financial services contentious practice for ten years. His case load included BCCI, Barings, Lloyds litigation, professional indemnity litigation, board room disputes and failed share placements as well as regulatory investigations.

He then joined the FSA's General Counsel Division in 2001 initially as part of the Legislation team that implemented the Financial Services and Markets Act 2000. He became the FSA's lead Authorisation and Approvals lawyer (which included making the FSA Executive's case to the FSA's decision making body, the Regulatory Decisions Committee and being the relevant FSA Handbook expert). He was also the FSA's internal 'trouble shooter' advising its senior management in relation to its legal and reputation management issues across the whole gamut of the FSA's authorisation, supervision and enforcement activities for the next six years. This work including co-ordinating the FSA's response to the various Equitable Life inquiries, threatened judicial review applications, complaints and Freedom of Information Act and subject access requests.

Having returned to private practice in 2007, Harvey now advises individuals and firms working and investing in the UK's financial services industry on the scope of the FSA (which is to be split into the Financial Conduct Authority and Prudential Regulatory Authority)'s regulation; FSA Authorisation and non routine Approval applications; FSA controller applications; FSA Supervision inquiries and investigations; FSA Enforcement investigations and proceedings; Upper Tribunal proceedings; judicial review proceedings; complaints and Freedom of Information requests; Financial Ombudsman Service complaints and proceedings; Financial Services Compensation Scheme issues; inter-relationships with other national financial services regulators; any related financial services litigation and employment issues.

Legal 500 edition 2010 describes Harvey as being '*hardworking and aggressively follows things up*'.

**Highlights**

- [Ford, R\(on the application of\) v The Financial Services Authority \[2011\] EWHC 2583](#) - First successful judicial review of the FSA and one of its own initiated enforcement investigations.
- FSA Authorisations for firms including one of the largest Authorised Payment Institutions.
- Non routine FSA Approvals for senior executives which have included coaching individual senior executives at CEO and director level of major financial institutions through the FSA's requirements to perform significant influence controlled functions for FSA relationship managed firms and the related FSA interview process
- FSA Controller approvals for substantial investors
  - Advising asset managers how to handle their FSA notification requirements and related Supervisory enquiries
- FSA Enforcement investigations and other related public authority investigations including those involving Keydata and its former Chief Executive
- Obtaining leave for judicial review proceedings against the FSA
- Financial services litigation against investment banks with regulatory dimensions
- Employment litigation for senior executives against investment banks with regulatory and international dimensions

**Publications and speaking engagements**

Harvey is a regular writer and conference speaker on financial services regulatory issues. Harvey is the current editor of the updated Market Abuse and Insider Dealing chapter to Butterworths Corporate Law Service.

In view of his experience of the FSA's Regulatory Decisions Committee and of the FSA's decision making processes, he led the Financial Services Lawyers Association workshop on FSA Decision Making.

Regulators zeal creates opening for Withers (Wealth briefing) April 2010

## **Memberships**

Financial Services Lawyers Association

## **On a personal note**

Harvey and his Scottish terrier are keen walkers.

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