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Headed the UK Financial Services Regulatory team at Withers, Harvey advises owner-managed firms and senior executives as to how to handle their internal corporate and personal responsibilities and relationships in relation to regulatory notifications and supervision enquiries as to regulated and non-regulated business, internal investigations and externally with other regulated firms and individuals, the regulators and other civil and criminal enforcement agencies as well as any related potential civil and criminal proceedings and crisis management and prevention of financial crime issues.

His practice is centred on regulatory permissions, supervision, enforcement and internal investigations involving the Serious Fraud Office (SFO), the Financial Conduct Authority (FCA), the Prudential Regulatory Authority (PRA), the UK Listing Authority (UKLA), the Takeover Panel, the Institute of Chartered Accountants of England and Wales (IAEW) and the Payments Services Regulator (PSR), as well as civil and criminal cases involving the High Courts, the National Crime Agency (NCA) and overseas regulators such as the SEC and NY Fed.

Harvey has been responsible for the first successful judicial review of the FCA (which established the principle of joint legal privilege in regulatory investigations), the first settlement with the PRA for a UK bank's CEO and the unprecedented overturning of a FCA ban of a senior banker.

In doing so, Harvey has been recognised as a leading individual in legal directories since his return to private practice from working inhouse with the FSA in 2007, a 'tough negotiator' with praise for his 'extremely

professional and thoughtful' manner, alongside his 'great skill and knowledge' and 'pragmatic, direct approach.' In Chambers UK 2022, he was described as 'very strong technically' with a '[relentless focus] on his client and a fearless advocate'. In 2021, Harvey was inducted into the Legal 500's Hall of Fame for Contentious Financial Services after more than a decade's continuous recognition as a Leading Individual.

Track record

Judicial review of the FSA

Securing the first successful judicial review of the FSA and one of its own initiated enforcement investigations Ford, R (on the application of) v The Financial Services Authority [2011] EWHC 2583. His client was a Chief Executive against whose firm, Keydata Investment Services Limited the FSA had intervened on an unprecedented scale. Harvey has been involved in numerous subsequent cases involving such FSA/FCA intervention against the corporate entities involved.

Contesting regulatory proceedings

Contesting regulatory proceedings to the Upper Tribunal and the Court of Appeal including the successful and unprecedented reversion of a FCA ban of a senior manager (Andrew Tinney v The Financial Conduct Authority [2019] UKUT 0227 (TCC)).

FCA and PRA enforcement proceedings

Securing favourable settlements for senior executives in FCA and PRA enforcement proceedings as well as numerous successful non-routine FCA approval applications and FCA Supervisory resolutions.

Overseas regulators

Successfully handling overseas regulators and/or enforcement agencies' requests for assistance.

External publications

'2022 - The year of regulation of digital assets,' - April 11, 2022, co-author

'Market Abuse and Insider Dealing,' Butterworths Corporate Law Service, chapter editor

Admissions

England & Wales, 1993

Education

Lincoln College, Oxford University, B.A.

Languages

English

Memberships

Financial Services Lawyers Association

Key dates

Year joined: 2011

Year became partner: 2011

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