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BIOGRAPHY

Georgia is a senior associate in the firm's Business and Commercial Disputes department. Georgia advises a variety of clients from financial institutions to individuals, and deals with a wide range of corporate and commercial disputes, as well as regulatory matters. She has experience in commercial and competition litigation, freezing injunctions and interim relief, enforcement, and internal and regulatory investigations. She also advises clients on issues such as bribery, corruption, money laundering and international sanctions, and has worked on a number of cross-border matters involving multiple jurisdictions. Georgia has previously undertaken a secondment in the legal team of a FTSE 100 company.

THE GROWTH OF CLASS ACTIONS: WHAT'S NEXT?

We explore the rapidly changing legal landscape

ADMISSIONS

- England and Wales

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- ESG Litigation
- Financial Services
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Court of Appeal considers the test for CPR 19.8 representative actions in *Prismall v Google*

The Court of Appeal has handed down its judgment in the case of *Prismall v Google UK Ltd and DeepMind Technologies Ltd* [2024] EWCA Civ 1516. Finding for Google, the Court of Appeal upheld the lower Court's decision to strike out the claim, and offered some further guidance on the threshold to be met for a claim to proceed as a representative action under CPR 19.8, particularly in relation to claims for the misuse of private information. The Court of Appeal explained that "a representative class claim for misuse of private information is always going to be very difficult to bring". This is because the circumstances of individual claimants will affect the determination as to whether any particular claimant has a reasonable expectation of privacy. This will in turn affect whether all members of the represented class can meet the required "same interest" test in order to found a representative action under CPR 19.8 (see our ...

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Managing Litigation Risks of Artificial Intelligence

Artificial Intelligence ("AI") use in business has proliferated in recent years; risks arising from this therefore must be managed. Whilst the use of AI can drive significant efficiency gains for most businesses, the characteristics of

machine learning mean that there is the potential for data protection and discrimination claims to arise (amongst others). We explore some of the potential litigation risks in the UK arising and how these risks can be managed.

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Navigating representative proceedings in the High Court

With the rise of litigation funding of group actions, there has been an increasing use of representative actions by Claimants in recent years.

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Can multiple claimants use the same claim form in group actions?

A recent decision in the Birmingham County Court has added to the body of case law growing around the test for listing multiple claimants on the same claim form. In *Angel and others v Black Horse Limited*, unreported, 8 September 2023, County Court at Birmingham, a case involving over 5,000 claimants bringing claims against 8 finance companies, the claimants had issued proceedings using 8 claim forms (one against each defendant). HHJ Worster held that in this case it was impermissible under CPR 7.3 to use a single claim form for all the claims against the same defendant. The judge therefore ordered the claimants to sever their claims from the common claim forms. HHJ Worster relied heavily on the guidance given by the High Court in *Abbott v Ministry of Defence* [2023] EWHC 1475 (KB) on the CPR 7.3 “convenience test”, which concerns whether multiple claimants may use a single claim form. These cases ...

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Oct 02, 2023

The long term implications of PFAS for real estate in the UK

Poly- and Perfluoroalkyl substances (“PFAS”) are widely present in soil and groundwater, and the negative human health consequences of this are starting to be understood. There are important implications for anyone with interests in real estate in the UK. This Insight analyses the risks of PFAS in the UK under UK law.