

Harry Matovu KC

YEAR OF CALL: 1988 YEAR OF SILK: 2010

"A legal force of hurricane strength, analytical skills, combined with creativity and advocacy, topped by the smoothest and most highly lethal approach to cross-examination I have ever experienced,"

Legal 500 2021

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Practice Overview

One of his key attributes is his ability to, with great wit and charm, metaphorically fix his hands around the throat of an opponent and slowly strangle them. He's quite beguiling, and also has a very, very detailed grasp of the facts and a thorough understanding of the law. Everything he does is done with charm, grace and style. (Chambers & Partners 2017)

Harry Matovu is a noted advocate, "the consummate cross-examiner; superb on his feet" and "a brilliant legal mind and a strategist who thinks two steps ahead" (Legal 500). He was named in *The Lawyer* 'Hot 100' List for 2021 and he was nominated as Silk (KC) of the Year for International Arbitration in the Legal 500 Awards 2020 and 2022, as well as Arbitrator of the Year in the Legal 500 Bar Awards 2023. He was recognised in the Powerlist 2022 for the second year in succession as one of the most influential Black professionals in the UK.

Harry Matovu has a wide-ranging and high-profile commercial practice, both domestically and abroad, including energy and natural resources, public international law, private international law and cross-border and offshore disputes, civil fraud, finance, insurance/reinsurance and international arbitration. He is in demand both as leading counsel and as a top-ranked arbitrator in major international disputes.

Harry Matovu is a leading silk for Africa-related disputes, and he has been awarded the Africa's 30 Arbitration Powerlist 2020 Award by the Africa Arbitration Academy. He has recently led the appeal of the State of Libya in the Supreme Court in an important state immunity case (*General Dynamics United Kingdom Ltd v State of Libya*). He has also acted for the Federal Government of Nigeria in a high-profile claim in the English courts to enforce a multi-billion dollar arbitration award against it (one of the largest commercial arbitration awards ever made) (*Process & Development Ltd v Federal Republic of Nigeria*). In addition, he has acted and appeared before the Courts of Tanzania in a major international energy dispute, which is the largest and most high-profile piece of

litigation heard by those courts. The dispute has connections with the biggest corruption scandals to have hit Tanzania (*VIP Engineering & Marketing Ltd v Standard Chartered and Others*). He has also recently acted on a major tax appeal before the courts of an African state, and he has acted and advised in a number of energy, natural resources and infrastructure disputes in jurisdictions across sub-Saharan Africa.

Harry Matovu's banking and fraud work includes cases as varied as a billion-dollar Kazakh bank fraud claim; a substantial longevity swaps dispute between a Swiss investment fund and a leading global investment bank; and more recently, a claim for an anti-suit injunction in a cross-border dispute arising in the context of the insolvency of a major Russian bank; and a claim for recognition of a Russian bankruptcy order and ancillary relief under the Cross-Border Insolvency Regulations. He is "strong on cross-border jurisdictional issues" (Legal 500), and he has expertise in AIFMD matters and passporting issues in relation to offshore funds, and also in investment funds and complex financial products. Harry is currently instructed as Leading Counsel for one of the Defendants in *The Public Institution for Social Security v. Al Rajaan & Others*, a massive cross-border international fraud/corruption action which is one of the biggest fraud claims currently before the English courts.

Harry Matovu is a leading silk in insurance and reinsurance disputes. It has been a strong feature of his practice, both as a junior and as a KC, and he appears in major cases in this field in the courts and in arbitration. Harry is currently instructed in a number of insurance/reinsurance disputes arising out of the Covid pandemic, and also in the multi-billion dollar Russian Aircraft Claims litigation arising out of the invasion of Ukraine, one of the biggest sets of proceedings in the Commercial Court.

Harry Matovu also has a substantial international arbitration practice, acting both as counsel and as arbitrator (party appointments and appointments as presiding arbitrator), under LCIA, ICC, UNCITRAL, ARIAS and AFSA Rules, as well as ad hoc references. He is instructed as Leading Counsel and claims to enforce arbitration agreements and awards in major oil and gas, natural resources, finance infrastructure and insurance/reinsurance disputes arising from jurisdictions across the globe, including the UK, USA, CIS and Africa; and he has recently been appointed as arbitrator/presiding arbitrator in a wide range of disputes, including claims concerning the control of a leading energy conglomerate in Africa, a major telecoms dispute in Tanzania, the sale of a significant energy interest in Gabon and large infrastructure projects in Zambia and Mozambique. He is top-rated (Band 1) by Chambers & Partners as an international arbitrator.

"An advocate that you stop and listen to as he really commands the courtroom." "He is a really classy performer", "consistently first-rate" (Chambers & Partners and Legal 500).

Energy and natural resources

Harry Matovu has detailed knowledge of the oil and gas exploration business and mining and extractive industries; of liquefied natural gas (LNG) trading and shipping; and of the financing, acquisition, transfer (including farm-ins) and valuation of oil and gas and mining assets and businesses using sophisticated valuation methodologies. In relation to the financing, acquisition and disposal of oil and gas assets, Harry has a detailed understanding of corporate finance, including in particular fundraising through private placements and funds, via merchant banks and investment banks, and on public exchanges such as AIM in London and the TSXV in Toronto.

Harry has also acted in disputes concerning complex oil services technology for offshore drilling rigs in the Gulf of Mexico, which required a detailed understanding of oil drilling and drilling rigs, including technical, marine and geological risks and hazards, and industry standards, practices and regulatory requirements (including BSEE requirements).

In relation to other natural resources disputes, Harry has recently acted or advised on disputes concerning gold mining in Tanzania and Kazakhstan, diamond mining in Southern Africa, coal mining in Indonesia, bauxite mining in Saudi Arabia and cobalt mining in the Democratic Republic of Congo. He has lectured on resource nationalism.

He was nominated for Silk (KC) of the Year (Projects and Energy) in the Legal 500 Awards 2014.

Several of the energy and natural resources disputes in which Harry has been instructed have been the subject of confidential arbitrations. Significant court cases include:

Excalibur Ventures LLC v Texas Keystone Inc [2013] EWHC 2767 (Comm), [2011] EWHC 1624 (Comm) – A very substantial and high-profile action concerning oil exploration in Iraqi Kurdistan, which culminated in a 5-month trial in the Commercial Court. The action concerned a claim for US\$1.6 billion in relation to a stake in various oil exploration blocks, and it resulted in an outright victory for his clients on all points. It was listed by The Lawyer magazine as one of the top 20 cases for 2012.

The case involved a dispute about rights and obligations under a joint bidding agreement to acquire a production sharing contract. It required a detailed understanding of the following:

- oil exploration business, including risk analysis (commercial, political, technical, security and exploration risks)
- oil pricing and exploration/production processes and costs
- joint bidding agreements and joint ventures
- contract negotiations and political and economic considerations for host governments
- all the processes leading up to and beyond the grant of exploration licences or production sharing contracts by host governments
- farm-in agreements to oil exploration and production licences/contracts

- the valuation of oil exploration blocks, including valuation methodologies and their detailed application, in particular the discounted cashflow methodology
- corporate finance, including in particular processes and issues for oil companies in fundraising through private equity, via merchant banks and investment banks, and on public exchanges such as AIM in London and the TSXV in Toronto.

VIP Engineering & Marketing Ltd v Standard Chartered Bank and Others – Harry is also currently engaged in a long-running and very substantial international energy dispute before the Courts of Tanzania. It arises out of a power project in that country, and is the largest and most high-profile dispute that has come to trial before those Courts. The case, which concerns a claim in excess of half a billion US dollars, requires a detailed understanding of:

- power projects and infrastructure development projects, including power purchase agreements and EPC contracts
- development finance and project finance
- joint venture agreements
- contract negotiations and political and economic considerations (including tariff agreements) for host governments and state agencies
- jurisdictional issues in relation to a number of international parties and suites of contracts and securities governed by different applicable laws
- valuation methodologies for power projects, and the detailed application of those methodologies, in particular the discounted cashflow methodology

In addition, the case requires an understanding of the procedural law of Tanzania. In this connection, Harry has been granted special rights of audience by the Chief Justice of Tanzania to appear before the High Court and Court of Appeal of Tanzania. He has argued and led the case on behalf of his client at trial in the High Court, and in ongoing proceedings in the Court of Appeal of Tanzania on an important revision application.

Teekay Corporation v Diamond Pacific International Corporation – Harry was also instructed in a major LNG shipping dispute, in which the principal issue was the valuation of a LNG shipping tanker business. The case was settled just before trial in 2014 after the preparation of substantial expert shipping and valuation evidence, and opening submissions. The dispute required a detailed understanding of:

- the LNG industry worldwide, including production and demand trends in the natural gas markets worldwide over the next 40 years
- the LNG shipping industry and trends in shipping capacity, demand and market concentrations over the next 40 years
- the valuation of LNG shipping businesses, including valuation methodologies and their detailed application, in particular the discounted cashflow methodology

African Barrick Gold PLC v Commissioner-General (Tanzanian Revenue Authority) – Harry is currently engaged in a very substantial dispute in Tanzania involving a demand for withholding tax

of US\$41.25 million against a major UK holding company with gold-mining subsidiaries in Tanzania. The matter has attracted huge political and public interest, and it is currently on appeal before the Court of Appeal of Tanzania.

Arbitration

Commercial Arbitration – Counsel

International commercial arbitration is a significant part of Harry Matovu's practice, and he is regularly instructed as counsel and accepts appointments as arbitrator. Harry is a member of the ICC and the LCIA, a member of the Court of the Lagos Chamber of Commerce International Arbitration Centre (LACIAC) and the Court of the Arbitration Foundation of Southern Africa (AFSA), and a member of the panel of arbitrators of the London Chamber of Arbitration and Mediation (LCAM). He was nominated as Silk (KC) of the Year for International Arbitration in the Legal 500 Awards 2020 and 2022, as well as Arbitrator of the Year in the Legal 500 Bar Awards 2023, and he is top-rated (Band 1) by Chambers & Partners as an international arbitrator.

In relation to his work as counsel in international commercial arbitrations, Harry is very familiar with all aspects of the English Arbitration Act 1996, the Bermuda International

Arbitration and Conciliation Act and various arbitration codes, including the ICC, LCIA, UNCITRAL, AFSA and ARIAS Rules and the UNCITRAL Model Law and arbitration statutes based on it.

In addition to acting as counsel in major international and domestic arbitrations, he is instructed in court applications and appeals involving all aspects of arbitration law, including:

- challenges to arbitral appointments
- applications for anti-arbitration and anti-suit injunctions
- freezing injunctions and ancillary relief in support of arbitrations
- challenges to and appeals against arbitral awards
- court proceedings to enforce arbitration awards

Commercial arbitrations in which Harry has been involved as counsel include ongoing multi-million-dollar disputes arising out of Covid-19 business interruption and travel claims; several multi-million-dollar disputes in Bermuda and England arising out of the US personal accident reinsurance spiral, which raised issues of fraud, non-disclosure, misrepresentation and coverage; a long-running dispute concerning a major legal expenses insurance business, which led to a favourable award that was upheld on appeal to the English Commercial Court; the successful defence of a major reinsurance claim by a foreign state insurance company against Lloyd's reinsurers, which raised complex issues of public and private international law; and the successful defence of a US\$300 million political risk insurance claim concerning mining interests in Indonesia (see above under Mining Resources).

Harry's court cases arising out of commercial arbitration disputes have a similarly broad spread. They include:

General Dynamics United Kingdom Ltd v State of Libya (an appeal to the Supreme Court concerning the impleading of foreign sovereign states before the English courts under the State Immunity Act 1978)

Process & Industrial Developments Ltd v Federal Republic of Nigeria [2019] EWHC 2241 (Comm) (application for permission to enforce a multi-billion dollar arbitral award against the Government of Nigeria);

Riverrock v International Bank of St Petersburg [2020] EWHC 2483 (Comm), [2020] 2 Lloyd's Rep. 591 (an anti-suit injunction to restrain the liquidator of a Russian bank from contesting disputed claims in Russian insolvency proceedings instead of submitting them to arbitration in London)

Hiscox Dedicated Corporate Member Ltd v Weyerhaeuser Company [2019] EWHC 2671 (Comm) (successful application for an anti-suit injunction application to enforce arbitration provisions in an insurance policy between UK-based insurers and a US-based insured over where a dispute as to arbitrability and substantive coverage disputes should be resolved);

Excalibur Ventures LLC v Texas Keystone Inc [2011] EWHC 1624 (Comm), [2012] 1 All E.R. (Comm) 933 (successful application to the English Commercial Court for a rare anti-arbitration injunction to restrain a foreign arbitration);

IRB Brasil Resseguros SA v CX Reinsurance Co Ltd [2010] EWHC 974 (Comm), [2010] Lloyd's Rep. IR 560 (successfully upholding a major insurance arbitration award on appeal to the English Commercial Court); and

Caisse Nationale de Prévoyance v Croft (2009) (a successful application to the English Commercial Court for the removal of an arbitrator on grounds of apparent bias).

Harry has been nominated and appointed as arbitrator (including Presiding Arbitrator) in several major international commercial arbitrations under ICC, LCIA, UNCITRAL and AFSA (Arbitration Foundation of Southern Africa) Rules. The nominations and appointments in the last 12 months have concerned disputes involving parties in a wide number of jurisdictions, including Nigeria, Tanzania, Kenya, Mauritius, Gabon, Mozambique, Egypt, Russia, Panama and the British Virgin Islands.

Investment Treaty Arbitration – Counsel

Harry Matovu's practice also includes major investment treaty disputes. Recent instructions have included:

- advising an investor on a major investment treaty matter concerning major gold mining concessions in Southern Africa
- advising litigation funders in relation to a major investment treaty arbitration involving a nickel mining concession in Tanzania, in which the funded investor was awarded US\$109m against the State (*Nachingwea UK Ltd v Tanzania*);
- advising litigation funders in relation to a major investment treaty arbitration concerning a South American media conglomerate

Appointments as Arbitrator

Harry has been nominated and appointed as arbitrator (including Presiding Arbitrator) in several major international commercial arbitrations under ICC, LCIA, UNCITRAL and AFSA (Arbitration Foundation of Southern Africa) Rules. The nominations and appointments in the last 12 months have concerned disputes involving parties in a wide number of jurisdictions, including Nigeria, Tanzania, Kenya, Mauritius, Gabon, Mozambique, Egypt, Russia, Zambia, Panama and the British Virgin Islands.

Civil fraud

Harry Matovu is regularly instructed in civil fraud cases, which often involve cross-border claims and jurisdictional issues. He is experienced in handling expert evidence of foreign law, and he is very familiar with all aspects of ancillary relief in fraud proceedings, including:

- jurisdictional challenges and issues of cross-border jurisdiction and enforcement
- pre-judgment and post-judgment freezing injunctions (both applications for and challenges to such orders)
- third-party disclosure orders
- asset-tracing remedies involving companies and assets in offshore jurisdictions such as the BVI, Cayman Islands, Cyprus etc.
- receivership orders against foreign assets in aid of the enforcement of judgments and orders

Harry is currently instructed as Leading Counsel for one of the Defendants in *The Public Institution for Social Security v Al Rajaan & Others*, a massive cross-border international fraud/corruption action with allegations of bribery, corruption and money-laundering spanning three decades. It is one of the biggest fraud claims currently before the English courts and it was listed in *The Lawyer* as one of the Top 20 cases in 2020. Harry is also engaged in a long-running and very substantial international energy dispute before the Courts of Tanzania (*VIP Engineering & Marketing Ltd v Standard Chartered Bank and Others*), which raises allegations of fraud and conspiracy, and involves a claim in excess of half a billion US dollars. The case has connections with one of the biggest corruption scandals to have hit Tanzania. The trial commenced in February 2016, and the

matter is ongoing before the High Court and the Court of Appeal of Tanzania.

Other cases before the English courts include acting for a claimant in relation to a major art market fraud (ongoing); a successful challenge to jurisdiction and a worldwide freezing order in a billion-dollar claim by a Kazakh bank which alleged a fraudulent conspiracy against its former chairman and shareholders (*Alliance Bank JSC v Aquanta Corporation* [2012] EWCA Civ 1588, [2013] 1 All E.R. (Comm) 819 (Court of Appeal); [2011] EWHC 3281 (Comm); [2012] 1 Lloyd's Rep. 181 (Burton J)); a successful High Court action on behalf of a leading pharmaceutical company against a senior manager and several offshore Panamanian companies with Swiss bank accounts (*AAH Pharmaceuticals Ltd v Birdi* [2011] EWHC 1625 (QB)); a successful High Court action by financial services companies in UK and Ireland against a fraudulent former adviser and chief operating officer successful applications for freezing injunctions and search and seizure orders against the administrators of a major ATE insurance scheme (*Aeropay Ltd v Bentolila* [2008] EWHC 3057 (QB)); and successful applications for freezing injunctions and search and seizure orders against the administrators of a major ATE insurance scheme.

Insurance and reinsurance

Harry Matovu is a leading silk in insurance and reinsurance disputes. He has a substantial insurance/reinsurance practice, in which he has acted in numerous cases for and against insurers and insureds, reinsurers and brokers across almost all classes of business in the London market. His cases have included major litigation and arbitrations in England and Bermuda, including the Lloyd's Litigation in the 1990s; various international disputes arising out of the US personal accident spiral; and international disputes involving energy insurance, construction all risks business, professional indemnity insurance, bankers' blanket bond business, credit insurance, aviation insurance, reinsurance of US casualty business and reinsurance of life business.

Harry has recently been engaged in business interruption and travel insurance/reinsurance disputes arising out of the Covid-19 pandemic, and he is Leading Counsel for some of the aircraft lessors in the multi-billion dollar in the Russian Aircraft Claims litigation arising out of the invasion of Ukraine.

Reported insurance/reinsurance cases include:

Berriman v Rose Thomson Young (Underwriting) Ltd. [1996] LRLR 426 (Lloyd's Litigation arising out of the LMX Spiral);

Charterhouse Development (France) Ltd v Sharp [1998] Lloyds Rep IR 266 (bankers' blanket bond and professional indemnity insurance claim);

FIGRE Ltd v Mander [1999] Lloyds Rep IR 193 (late payment of premium);

Bank of Scotland v Euclidian (No.1) Ltd [2007] EWHC 1732 (Comm) (claim arising out of failure of a

major ATE insurance scheme);

Temple Legal Protection Ltd v QBE Insurance (Europe) Limited [2008] EWHC 843 (Comm), [2009] EWCA Civ 453 (dispute in relation to a binding authority for an ATE insurance scheme); and

IRB Brasil Resseguros SA v CX Reinsurance Co Ltd [2010] LI. Rep. IR 560 (coverage dispute in relation to reinsurance of US casualty business).

Hiscox Dedicated Corporate Member Ltd v Weyerhaeuser Company [2019] EWHC 2671 (Comm) – (successful application for an anti-suit injunction application to enforce arbitration provisions in an insurance policy between UK-based insurers and a US-based insured over where a dispute as to arbitrability and substantive coverage disputes should be resolved).

Banking and finance

Harry Matovu has extensive experience of litigation and advisory work in relation to finance, having acted for several of the leading lenders and providers of business finance. His work has covered corporate finance and other City matters, including acting for a leading investment bank in relation to a DTI Inquiry following a major UK corporate collapse; and advising on split capital investment trusts. He has acted for both purchasers and sellers in disputes arising out of share purchase agreements, including warranty and 'earn-out' claims, and a successful multi-million pound action for damages against sellers and insurers in a share purchase dispute, which confirmed important principles for the assessment of damages in such cases (*Ageas (UK) Ltd. v Kwik-Fit (GB) Ltd.* [2014] EWHC 2178 (QB)). His practice also includes advice and advocacy in relation to credit insurance issues and disputes.

Harry Matovu has advised and acted successfully for defendants to a billion-dollar fraud claim brought by a major Kazakh retail bank (*Alliance Bank JSC v Aquanta Corporation* [2012] EWCA Civ 1588, [2013] 1 All E.R. (Comm) 819 (Court of Appeal); [2011] EWHC 3281 (Comm); [2012] 1 Lloyd's Rep. 181 (Burton J)). He has also acted on behalf of a Swiss claimant investment fund in the successful resolution of a substantial dispute against a leading global investment bank arising out of a longevity swap agreement.

Harry Matovu has a detailed knowledge of complex financial instruments and cross-border jurisdictional issues. Recent cases include a claim for recognition of bankruptcy orders from the Russian courts under the Cross-Border Insolvency Regulations; a dispute concerning the enforcement of an English arbitration agreement in the context of ongoing insolvency proceedings in Russia; and a private equity dispute relating to a real estate development in West Africa.

Harry advises on hedge funds, private equity funds and the Alternative Investment Fund Managers

Directive (AIFMD). He has recently advised on passporting issues in relation to offshore funds under the AIFMD, and he has successfully acted for the manager of an offshore fund in relation to a claim arising out of a UK property investment scheme.

Public international law

Harry Matovu has been involved in major cases raising substantial issues of public international law. As Junior Counsel, he was instructed for the President of Equatorial Guinea (led by Sir Sydney Kentridge KC) in a high-profile conspiracy claim arising out of an attempted coup d'etat alleged to involve English conspirators, which proceeded through the High Court and Court of Appeal to the House of Lords. The appeal raised issues about the justiciability in the English courts of a claim in conspiracy against the alleged perpetrators of the attempted coup. Given the importance of the issues raised, the appeal was heard by a panel of nine Law Lords. However, the action was settled before Judgment in the House of Lords. This was listed by *The Lawyer* magazine as one of the top 20 cases for 2006, 2007 and 2008 – *Mbasogo v Logo Ltd* (2008) House of Lords; [2006] EWCA Civ 1370 (Court of Appeal); [2006] UKPC 7 (Privy Council); [2005] EWHC 2034 (Davis J).

Harry has also acted on behalf of a foreign state insurance company in arbitral proceedings concerning a reinsurance dispute which raised issues of state immunity and the justiciability of allegations about state policy and the management of the company. The reinsurers settled the claim and the arbitration shortly after an application to strike out their case.

Harry has also recently advised a major international organisation in relation to a complex and high-profile State Treaty dispute and most recently he has led the appeal of the State of Libya in the Supreme Court in an important case concerning the impleading of foreign sovereign states before the English courts under the State Immunity Act 1978 – *General Dynamics United Kingdom Ltd v State of Libya*.

Public Law

Harry Matovu has considerable experience of administrative law and the workings of Government, having served as Deputy Counsel to the long-running BSE Inquiry (1998-2000). He was also instructed as Leading Counsel by Kent County Council in a high-profile and successful judicial review of the Government's decision to stop the current scheme for funding building projects for secondary schools in England. This was listed as one of the top 20 cases for 2011 by *The Lawyer* magazine – *Kent County Council v Secretary of State for Education* [2011] EWHC 217 (Admin).

Reported cases

- *Riverrock v International Bank of St Petersburg* [2020] EWHC 2483 (Comm), [2020] 2 Lloyd's Rep. 591 – Leading Counsel for Defendant in application for an anti-suit injunction to restrain the liquidator of a Russian bank from contesting disputed claims in Russian insolvency proceedings.
- *Process & Industrial Developments Ltd v Federal Republic of Nigeria* [2019] EWHC 2241 (Comm) – Leading Counsel for Defendant State in application for permission to enforce a multi-billion dollar arbitral award against the Government of Nigeria.
- *Hiscox Dedicated Corporate Member Ltd v Weyerhaeuser Company* [2019] EWHC 2671 (Comm) – Leading Counsel for Claimant in successful application for an anti-suit injunction application to enforce arbitration provisions in an insurance policy between UK-based insurers and a US-based insured over where a dispute as to arbitrability and substantive coverage disputes should be resolved.
- *Ageas (UK) Ltd v Kwik-Fit (GB) Ltd and AIG Europe Ltd* [2014] EWHC 2178 (QB) – Leading Counsel for successful Claimant in multi-million pound claim for damages for breaches of warranty in a share sale agreement. The case raised important issues as to the date and basis of assessment of damages in such cases.
- *Excalibur Ventures LLC v Texas Keystone Inc* [2013] EWHC 2767 (Comm) – Second Leading Counsel for Defendants in ongoing billion-dollar dispute concerning substantial oil concessions in Iraqi Kurdistan, listed by The Lawyer magazine as one of the 20 leading cases of 2012. Included successful application for an injunction to restrain foreign arbitration proceedings [2011] EWHC 1624 (Comm).
- *Alliance Bank JSC v Aquanta Corporation* [2012] EWCA Civ 1588 [2013] 1 All E.R. (Comm) 819 (Court of Appeal); [2011] EWHC 3281 (Comm); [2012] 1 Lloyd's Rep. 181 (Burton J) – Leading Counsel for principal co-defendants in a billion-dollar fraud claim by a major Kazakh bank against its former chairman, directors and shareholders, in which massive worldwide freezing orders were obtained. The Defendants successfully challenged the jurisdiction of the English Court, both at first instance and on appeal. The case raised important issues regarding jurisdiction and subrogation.
- *Kent County Council v Secretary of State for Education* [2011] EWHC 217 (Admin) – Leading Counsel for claimant local authority in a high-profile and successful judicial review of the Government's decision to stop the current scheme for funding building projects for secondary schools in England, listed by The Lawyer magazine as one of the 20 leading cases of 2011.
- *PK Airfinance US Inc. v Chartis Insurance UK Ltd* (2009–2010) – Junior Counsel for the claimant finance house in multi-million dollar aviation insurance case concerning the removal of 2 Boeing 747 aircraft to Iran. The dispute raised important issues concerning the law on total loss, the liability of finance parties for non-disclosure by the aircraft owner/lessor and the construction and application of the insurance market's AVN67B Endorsement. The case settled shortly before trial.

- *Mbasogo v Logo Ltd (2008) House of Lords* ; [2006] EWCA Civ 1370 (Court of Appeal); [2006] UKPC 7 (Privy Council); [2005] EWHC 2034 (Davis J). First Junior for the Claimants (led by Sir Sydney Kentridge KC). This was a ground-breaking and high-profile conspiracy claim arising out of an attempted coup d'etat against the Government of Equatorial Guinea, which proceeded to an appeal before a panel of nine Law Lords. The case involved important and novel issues of international law and the law of conspiracy. It was settled prior to Judgment in the House of Lords. It was listed by The Lawyer magazine as one of the top cases of 2006, 2007 and 2008.
- *IRB Brasil Resseguros SA v CX Reinsurance Co Ltd* [2010] LI. Rep. IR 560 - Counsel for successful Claimant in dispute concerning application of double-proviso settlements clause in casualty excess of loss reinsurance contracts involving claims arising out of settlement of major US class actions.
- *Nirah Holdings Ltd v British Agricultural Services Ltd* [2009] EWHC 2282 (Comm) - Counsel for successful Claimant in Commercial Court dispute concerning purchase of land for £375 million major UK visitor attraction and science research park.
- *Temple Legal Protection Ltd v QBE Insurance (Europe) Limited* [2008] EWHC 843 (Comm), [2009] EWCA Civ 453 - Junior counsel in an arbitration and appeal to the Commercial Court and Court of Appeal in a dispute concerning the rights and obligations of insurers and their agents in relation to the run-off of a binding authority agreement.
- *Masri v Consolidated Contractors International Company SAL* [2008] EWCH 2492 (Comm) - Application on behalf of judgment creditor for the appointment of a receiver over worldwide assets of a judgment debtor. A significant development of the jurisdiction of the Court in this area.
- *Bank of Scotland v Euclidian (No.1) Ltd* [2007] EWHC 1732 (Comm) - Junior counsel in a major and long-running Commercial Court dispute concerning the operation of a failed multi-million pound after-the-event litigation insurance scheme. Settled in the Court of Appeal.
- *Yugraneft v Abramovich and Others* (2008) - Multi-million dollar conspiracy claim in the Commercial Court concerning major Russian oil company.
- *Government of Iran v Barakat Gallery Ltd* (2008 - 2010) - High Court dispute concerning claim of a foreign sovereign state to ownership and return of rare antiquities of importance to national cultural heritage.
- *Lion Apparel Ltd v Firebuy Ltd* (2008) - First Junior for the Claimants in a multi-million pound High Court dispute relating to a major Government public procurement project.
- *MMR/MR Vaccine Litigation* (2001-2006) - Junior counsel for a well-known pharmaceutical company in long-running and high-profile litigation brought by parents of children with autistic spectrum and other disorders against manufacturers of the MMR vaccine, which was alleged to have caused the disorders. The case against the manufacturers collapsed following service of a substantial volume of medical and scientific expert evidence from 60 experts across many disciplines.
- *BSE Inquiry* (1998-2000) - Deputy Counsel to the public inquiry chaired by Lord Phillips of Worth Matravers to establish and review the history of the emergence and identification of

BSE and new variant CJD in the United Kingdom, and of the action taken in response to it up to 20 March 1996; and to reach conclusions on the adequacy of that response, taking into account the state of knowledge at the time. This wide-ranging inquiry involved (amongst other things) detailed investigation of the actions over 10 years of Government at the highest levels and covered several major Whitehall Departments; detailed investigation and analysis of the relevant scientific, medical and veterinary theories and knowledge, and of the organisation of scientific, medical and veterinary research in the UK; and detailed investigation of industry processes, action and controls within the farming, food, retail and waste industries.

- *FIGRE Ltd v Mander* [1999] Lloyds Rep IR 193 - Junior counsel in a reinsurance dispute concerning late tender of premium.
- *Charterhouse Development (France) Ltd v Sharp* [1998] Lloyds Rep IR 266 - Junior counsel for Defendant brokers in an insurance dispute concerning coverage issues and brokers' negligence in relation to bankers' blanket bond and professional indemnity insurance for a private equity house.
- *Berriman v Rose Thomson Young (Underwriting) Ltd.* [1996] LRLR 426 – Junior Counsel for Defendant Lloyd's Managing Agent in major claim by Lloyd's Names arising out of the LMX Spiral.

Qualifications & Further Information

King's Scholarship, Eton College (1976)

Brackenbury Open Scholarship in Classics, Balliol College, Oxford (1981)

BA (Hons) Literae Humaniores, Oxford (1985)

Dip.Law, University of Westminster (1986)

Called to the Bar by the Inner Temple (1988)

Pupillage at Brick Court Chambers (1988-1989)

Queen's Counsel (2010)

Master of the Bench, Inner Temple (2012)

Member of the Court of the Lagos Chamber of Commerce International Arbitration Centre (LACIAC) (2021)

Member, London Court of International Arbitration

Commercial Bar Association

London Common Law and Commercial Bar Association

Bar Council Professional Standards Committee 2005 – 2006

Bar Council Professional Conduct and Complaints Committee 1996 – 1998

Trustee, The Personal Support Unit (independent charity providing advice and support to litigants in person and members of the public attending court) 2008 – 2014.

Directory Quotes

- "Harry Matovu is at the top of his game. He is hugely personable, very diligent and a pleasure to work with." (Chambers & Partners 2024)
- "Harry has a real way with words and is a good tactician." (Chambers & Partners 2024)
- "Harry Matovu is a first-rate arbitrator." (Chambers & Partners 2024)
- "Harry is one of the foremost of his profession, and probably one of the most outstanding barristers of all time. His advocacy is only matched by his analytical mind and his great personality." (Legal 500 2024)
- "He is an excellent chair of an arbitration tribunal. He managed the procedural hearings and the final hearing with diligence and diplomacy. He is perceptive and challenging without ever losing his charm." (Legal 500 2024)
- "He is commercial and has a very good legal mind." (Legal 500 2024)
- "He's an engaging and consummate chairman." "He's fantastic and has a good sense of humour." (Chambers & Partners 2023)
- "He is a delight and so easy to work with. He's warm, friendly and disarmingly bright." "Harry is excellent and very quick to master the detail in a case." (Chambers & Partners 2023)
- "He lives and breathes the cases, with a superb legal and analytical mind, and his advocacy skills are through the roof." (Legal 500 2023)
- "A great team-player, always willing to discuss and accommodate ideas, fantastic oral and written advocacy." (Legal 500 2023)
- "Amongst the most erudite and sophisticated barristers on the market. He combines razor sharp analysis with beguiling charm. He makes for a very pleasant tribunal and is to be regarded as being at the very top of his game." (Legal 500 2023)
- "Calm, measured and great with clients. His advocacy is firm, polite, accurate and meticulous; and he knows when to move on (either because the point is won or it is not being well received). An absolute pleasure to deal with and engages fully with those instructing him and their clients. Tells it how it is." (Legal 500 2023)
- "Knows his subject inside out and is technically very good. He is a very, very clear advocate and easy to work with." (Chambers & Partners 2022)
- "He is really good as a chairman - he is incredibly efficient." "He is extremely conscientious." (Chambers & Partners 2022)
- "Harry is the best and most capable KC you will find, and he is a fun person to work with, which

means a lot in lengthy proceedings." (Legal 500 2022)

- "A fantastic advocate who distils the most complex issues into crisp and clear submissions." (Legal 500 2022)
- "He has a commanding presence as an arbitrator, extremely well prepared and asking perceptive questions. Inspires confidence in the parties." (Legal 500 2022)
- "Very commercial and extremely thorough." (Legal 500 2022)
- "A highly intelligent and capable lawyer, an attractive advocate and a pleasure to listen to. He is calm, measured and has good judgement." (Legal 500 2022)
- "A legal force of hurricane strength, his analytical skills, combined with creativity and advocacy skills, topped by the smoothest and most highly lethal approach to cross-examination I have ever experienced, makes him the quintessential KC." (Legal 500 2021)
- "First-rate written advocacy, and he is clear and persuasive." (Legal 500 2021)
- "His oral advocacy is a joy to listen to – measured, not without lightness of touch where appropriate and well judged." (Legal 500 2021)
- "An advocate that you stop and listen to as he really commands the courtroom." "He has an excellent commercial mind, shows excellent leadership and is a great team player." (Chambers & Partners 2021)
- "He is completely on top of the facts, reads everything and has really sound judgement." "He has unparalleled diplomacy skills and is very hands-on and a pleasure to work with." (Chambers & Partners 2021)
- "He's very user-friendly and very able." (Chambers & Partners 2021)
- "A brilliant legal mind and a strategist who thinks two steps ahead." (The Legal 500 2020)
- "A very strong team player and advocate." (The Legal 500 2020)
- "Extremely hardworking, he is there with the team and for the team." (The Legal 500 2020)
- "He relishes energy sector problems, chews them into manageable issues, and gets his teeth into the opposition." (The Legal 500 2020)
- "Harry is well versed in arbitration and English law, and does a very good job of looking into the matter and summarising the necessary principles." "He's incredibly charming and clients love him." (Chambers & Partners UK & Global 2020)
- "He has a fantastic manner with clients. He works very hard and is a pleasure to deal with." (Chambers & Partners 2020)
- "A very bright individual who grasps voluminous documents very quickly. He is an incredibly good advocate. He is very responsive and very good with clients." (Chambers & Partners 2019)
- "Unbelievably hard-working and very astute." "He's totally unflappable, brings calm to the most tense situations, and is able to distil the most complex legal issues into bite-sized chunks of reality." (Chambers & Partners UK & Global 2019)
- "Delightful and fantastic with clients." "A very effective advocate and a superb speaker." (Chambers & Partners 2019)
- "Very considered and commercial and brilliant to work with." (The Legal 500 2018-19)
- "The consummate cross-examiner; superb on his feet." (The Legal 500 2018-19)
- "Very bright, user friendly and a pleasure to deal with." (The Legal 500 2018-19)

- "A quintessential lawyer who is knowledgeable on diverse subject matter." (The Legal 500 2018-19)
- "Tremendously tenacious and committed, he's an absolute team player." "He's a consummate cross-examiner, who's great on his feet." (Chambers & Partners 2018)
- "Very astute." (Chambers & Partners 2018)
- "A charming and unflappable advocate. He has developed a real expertise in complex jurisdictional battles." (Chambers & Partners 2018)
- "An excellent and sensible leader" who is "the consummate cross-examiner." (Chambers & Partners 2018)
- "A gifted advocate with a superb voice and a great ear for a memorable soundbite." (The Legal 500 2017)
- "An extremely capable and creative silk, who has an unrivalled way of arguing cases." (The Legal 500 2017)
- "Consistently first-rate." (The Legal 500 2017)
- "He is a total joy to work with, and his cross-examination is absolutely amazing. He can charm answers out of witnesses and decisions out of arbitrators." (Chambers & Partners 2017)
- "He is a really classy performer." "A punchy advocate who is good at fraud and asset-tracing cases." (Chambers & Partners 2017)
- "One of his key attributes is his ability to, with great wit and charm, metaphorically fix his hands around the throat of an opponent and slowly strangle them. He's quite beguiling, and also has a very, very detailed grasp of the facts and a thorough understanding of the law. Everything he does is done with charm, grace and style." (Chambers & Partners 2017)
- "He is a charming and unflappable advocate. He has developed a real expertise in complex jurisdictional battles." (Chambers & Partners 2017)
- "Strong on cross-border jurisdictional issues." (The Legal 500 2016)
- "Confident acting for and against insurers, reinsurers and brokers." (The Legal 500 2016)
- "Very authoritative, calm and persuasive. He has a keen strategic eye." "A really tremendous operator. His superb cross-examination skills provide the client with confidence." (Chambers & Partners 2016)
- "Harry Matovu KC is a terrific cross-examiner" (Who's Who Legal UK Bar 2016)
- "Super-intelligent and a true gentleman who has the most charming manner. His written submissions include some of the best turns of phrase one could hope to see." (Chambers & Partners 2016)
- Much praised for his advocacy skill, and an expert in fraud, energy and insurance and reinsurance cases. He is also noted for his skill in handling jurisdictional disputes. (Chambers & Partners 2016)
- Experienced and accomplished counsel who handles a broad range of matters in the commercial sphere. He is particularly adept at handling matters arising in the context of the insurance, banking and finance and energy sectors. (Chambers & Partners 2016)
- Has a very broad commercial practice and is well regarded for his work on energy, civil fraud, and insurance matters. On the energy front he is known for his technical expertise and ability to question expert witnesses. (Chambers & Partners 2016)

- "He is very personable and brilliant with clients and expert witnesses. He really gets a lot out of them as he is very strong on the technical side." (Chambers & Partners 2016)
- A well-regarded commercial practitioner with a sizeable fraud practice. He appears in major fraud trials, and also regularly advises both claimants and defendants in relation to potential claims. (Chambers & Partners 2016)
- "Harry Matovu KC is hailed as "extremely clever and very effective" and has "deep experience" in the oil and gas sector." (Who's Who Legal UK Bar 2015)
- "He has developed real expertise in complex jurisdictional battles." "He has an incredibly good bedside manner, very intellectual and is very thoughtful about the work that he does." (Chambers & Partners 2015)
- "Comes strongly recommended by instructing solicitors, who consistently highlight his charm and his ability in cross-examination. He maintains a diverse commercial practice which encompasses civil fraud, natural resources disputes, jurisdictional challenges and arbitration." (Chambers & Partners 2015)
- "Absolutely charming to work with and very good with clients. He produces really first-rate written work and is a very good cross-examiner. He works hard, is sensible and doesn't pursue duff arguments." "Some advocates bamboozle, bully or fight; he charms them all, and mauls witnesses with a smile." (Chambers & Partners 2015)
- "Has a broad commercial practice and experience of heavyweight civil fraud disputes. He frequently handles disputes involving offshore jurisdictions and international clients." (Chambers & Partners 2015)
- "A charming and unflappable advocate. He has developed real expertise in complex jurisdictional battles." "He has an incredibly good bedside manner, very intellectual and is very thoughtful about the work that he does." (Chambers & Partners 2015)
- "A robust litigator with an extensive insurance and reinsurance practice. He often leverages his expertise in energy, arbitrations and jurisdictional disputes to service large insurance clients." (Chambers & Partners 2015)
- "Handles general commercial litigation and arbitration, and is noted for his expertise in oil and gas disputes, insurance and reinsurance and civil fraud." (Chambers & Partners 2014)
- "He's absolutely charming and has such a good brain. He always delivers in a timely way and you feel that he's part of your team. An extremely able man." (Chambers & Partners 2014)
- "A highly regarded silk with a solid domestic and international insurance and reinsurance practice. He acts in a myriad of disputes, including those concerning the aviation and energy industries." (Chambers & Partners 2014)
- "A consummate team player, who is astute at exploiting weaknesses in the opposition." (The Legal 500 2014)
- "Extremely bright." (The Legal 500 2014)
- "Clients love" Harry Matovu KC as "he is exceptionally easy to deal with and can skilfully tell a judge that he's wrong without making that judge feel bruised." He wins "the confidence of the court and clients effortlessly," and is a fine advocate with the "ability to maintain calm in a fierce battle." (Chambers & Partners 2013)