

Andrew Hunter KC

“Andrew Hunter is a superb advocate and wise counsellor. He is utterly calm under pressure, and he is trusted implicitly by judges and clients alike.”

– CHAMBERS AND PARTNERS, 2023

Year of call: **1993**
Appointed to silk: **2012**
Degree: **BA (Oxon) in Law (First Class, Wronker Prize)**



Andrew is now established as one of the leading barristers working across commercial litigation, civil fraud and international commercial arbitration, with specialism also in sport and media / entertainment.

He regularly appears as lead advocate in the English Courts, in international arbitrations (including ICC, LCIA, SIAC Bermuda Form and ad hoc), and in a variety of English and international tribunals. He also has a wealth of experience in specialist areas, such as banking/financial services, insurance and reinsurance, civil fraud, injunctive litigation and sport/media disputes.

In the latest editions of the leading UK legal directories, Andrew is ranked in Banking & Finance, Commercial Litigation, Dispute Resolution: Commercial, Financial Services Regulation, International Arbitration, Media & Entertainment and Sport. He was also recognised in Chambers Global 2021 for Dispute Resolution and International Arbitration. Recent comments include:

- "Exceptional advocate. Absolutely first rate cross-examiner. The best of the best."- Legal 500, 2023
- "He is prodigiously bright, tremendously hard-working and excellent as a cross-examiner."- Chambers UK, 2023
- "He has a very strong strategic approach to matters and good judgement, and he is particularly effective as a frontline advocate."- Chambers UK, 2023

Previous comments include:

- "A leading fraud silk who is absolutely exceptional in his practice and advocacy."- Chambers UK
- "An advocate of the finest quality.", "A star and a delight to work with." - Legal 500

EXPERIENCE

Commercial

Andrew appears as leading counsel in a range of substantial and complex international commercial disputes in the English Courts, both at first instance and appeal. Current case highlights include being involved as lead counsel in what are arguably the four biggest commercial fraud claims currently in dispute.

“Andrew is undoubtedly a front-rank performer.”

– CHAMBERS AND PARTNERS, 2023

Examples of his current and most recent commercial Court work include the following.

Cases

Privatbank v Kolomoisky and ors

[2019] EWCA Civ 1708 (CA); [2021] EWHC 580 (Ch); [2021] EWHC 1910 (Ch)

Leading counsel for the Ukrainian bank Privatbank in this ongoing dispute. The case concerns an alleged scheme perpetrated by the defendants to misappropriate US\$2billion from the Bank. Following a Court of Appeal decision in 2019 on important jurisdictional and other issues, there have been various substantial interlocutory decisions in 2021, including on confidentiality club arrangement. A major trial is listed for 2022.

Republic of Mozambique v Credit Suisse

[2020] EWHC 1709 (Comm)

Acting for one of the lead defendants in a multi-billion dollar civil fraud case, involving allegations of bribery and involving a major state guarantee, taking place in the Commercial Court, with various reported decisions already to date.

Skatteforvaltningen (the Danish Customs and Tax Administration) v Solo Capital Partners LLP (in Special Administration) and ors

[2020] EWHC 1624 (Comm)

Acting for one of the defendants in this case concerning an alleged \$1.5bn fraud. Highlighted by The Lawyer as one of the Top 20 cases of 2020. The case was struck out by Andrew Baker J in 2021, as non-justiciable by reason of Dicey Rule 3, and is now on appeal.

The Public Institution for Social Security v Al Rajaa & Others

[2020] EWHC 1498 (Comm); [2019] EWHC 2886 (Comm)

Acting for one of the leading defendants in this commercial Court claim brought by the Kuwaiti social security fund said by the claimant to be worth in excess of US\$850m.

Mr Nigel Rowe v Ingenious Media Holdings Plc & Others

[2021] EWCA Civ 29

An important decision regarding applications for security for costs and litigation funding. The appeal arose in the context of the ongoing civil claim brought by hundreds of investors in the Ingenious films and games schemes against various defendants, including promoters and banks.

Gruber and others v AIG Inc and others

[2020] EWCA Civ 31, [2015] EWHC 2916 (Comm)

Acted for various companies in the AIG group in this £100 million claim by multiple former banker employees for sums under deferred compensation scheme. The Court of Appeal recently allowed AIG's appeal and dismissed all claims.

Arbitration

Andrew regularly acts in a wide variety of domestic and international commercial or investment arbitrations, and has extensive experience of anti-arbitration injunction applications and other arbitration applications in the Commercial Court. He co-wrote the Arbitration chapter in Lewis on Sports law, and is a member of Chartered Institute of Arbitrators. Current and recent work includes the following.

“He has a very strong strategic approach to matters and good judgement, and he is particularly effective as a frontline advocate.”

– CHAMBERS ADN PARTNERS, 2023

Cases

Manchester City Football Club v the Premier League

[2021] EWCA Civ 1110 (CA); [2021] EWHC 711 (Comm); [2021] EWHC 6218 (Comm)

Acting for the Premier League in an arbitral dispute with Manchester City relating to an ongoing investigation, and in associated Commercial Court proceedings to challenge awards under the Arbitration Act 1996.

Oil Company A v Oil Company B

(2021)

An SIAC and an LCIA arbitration arising out of a contractual dispute with significant allegations of fraud valued in the billions of dollars.

An LME arbitration

Acting for a Chinese alumina supplier in London Metals Exchange arbitration.

A SIAC Arbitration

Advising Qatari media company and football regulatory body in relation to impact of Qatari/Saudi Arabia blockade.

A Pharmaceutical Arbitration

Acting as leading counsel for the claimant multinational pharmaceutical company in an arbitration concerning liability insurance cover in respect of exposure to large scale US litigation arising out of the manufacture of PCPs.

[Energy Company] v [Insurance Company]

(Bermuda Form London arbitration, 2018)

Leading counsel for the Claimant oil company in this arbitration concerning liability insurance cover in respect of pollution following a massive oil spill from a pipeline in the US.

Civil Fraud, Asset Recovery & Injunctive Relief

Andrew is now established as one of the leading barristers working in civil fraud. He is currently involved as lead counsel in what are arguably the four biggest fraud claims currently in dispute.

He has appeared in dozens of Freezing Order and Search Order applications as well as many civil fraud trials, and heavy committal/contempt applications. He acts both for fraud claimants (e.g. banks or large corporations) and for fraud defendants. Current and recent examples include the following.

“Andrew is a very effective advocate. He cuts through issues quickly and has good commercial judgement.”

— CHAMBERS AND PARTNERS, 2023

Cases

Privatbank v Kolomoisky and ors

[2019] EWCA Civ 1708 (CA); [2021] EWHC 580 (Ch); [2021] EWHC 1910 (Ch)

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Acting for one of the leading defendants in this commercial Court claim brought by the Kuwaiti social security fund said by the claimant to be worth in excess of US\$850m.

Katara Hospitality v Guez & Ors

[2018] EWHC. 3063 (Comm)

Leading Counsel for the successful Defendants in this Euro65million claim brought by the Qatari sovereign wealth fund. Arising out of the purchase of the "Buddha Bar" chain. Moulder J. gave judgment dismissing the claim in November 2016.

Sabbagh v Khoury and ors

[2017] EWCA Civil 20

Leading Counsel for Wael Khoury, the first defendant in this US\$600 million claim arising out of a dispute between the shareholders of one of the world's largest private construction and infrastructure companies. The principal claim (for in excess of US\$500 million) was held to be unarguable and stayed following a five-day jurisdictional hearing before Carr J, but reversed on appeal. The Court of Appeal gave important guidance on anchor defendants claims and remitted the claim to the Commercial Court.

Libyan Investment Authority v Societe Generale and others

(2017)

Leading Counsel for one of the individual Defendants in this ongoing US\$1 billion+ claim by the Libyan Investment Company against the French Bank, Societe Generale and various individuals.

Financial Services & Banking

Andrew's experience in this sector stretches back to his secondment as enforcement counsel at the SFA in 1999. Since then he has regularly acted in numerous financial regulatory disputes both as prosecuting counsel (for the FCA and predecessors) and as defence counsel. He also acts both for and against banks and financial institutions in a variety of banking and financial matters including the ongoing Libor/Euribor investigations; foreign exchange trading; and shareholder actions against banks and others. Current and recent work includes the following.

"His advocacy is outstanding; he's all over the material, can pull witnesses up on the slightest inaccuracies."

— CHAMBERS AND PARTNERS, 2023

Cases

FCA/ PRA v X

Acting for the former chair of a major financial institution in regulatory proceedings following the financial crisis.

Bonds Market Advice

Advising a number of banks and financial institutions in relation to the Lebanese bonds market.

Re: Enterprise Insurance Company Limited

Advising the Gibraltar Financial Services Commission in relation to regulatory matters arising out of the collapse of the Enterprise Insurance Group (ongoing).

Bittar v Financial Conduct Authority

[2015] UKUT 602

Leading Counsel for a former Euribor trader in this significant ongoing disciplinary case in relation to alleged fixing of Euribor interest rates, including a successful application before the Upper Tribunal in November 2015 for third party rights to challenge an FCA Notice against a major bank.

Insurance & Reinsurance

Andrew has a long pedigree and an established reputation in insurance and reinsurance, acting primarily for policy holders.

Recent experience includes advice in relation to business interruption insurance in light of the coronavirus pandemic and following the recent FCA v Arch Supreme Court decision. Andrew has also advised policy holders extensively on the extent of insurance cover in relation to financial services regulatory disputes, and he continues to act as leading counsel for a claimant multinational pharmaceutical company in an arbitration concerning liability insurance cover in respect of exposure to large scale US litigation arising out of the manufacture of PCPs. Recent cases include.

“Andrew provides very clear advice.”

– CHAMBERS AND PARTNERS, 2023

Cases

[Pharmaceutical Company] v [Insurance Company]

(Bermuda Form London arbitration)

Leading Counsel for the Claimant pharmaceutical company in this arbitration concerning liability insurance cover in respect of exposure to large scale US litigation arising out of the manufacture of PCPs.

[Energy Company] v [Insurance Company]

(Bermuda Form London arbitration, 2018)

Leading counsel for the Claimant oil company in this arbitration concerning liability insurance cover in respect of pollution following a massive oil spill from a pipeline in the US.

The Tennessee Valley Authority v Various Bermudan Insurers

(Bermuda Form Arbitrations: 2013-2015)

Leading Counsel for the Claimant, a US public corporation in this US\$300 million series of Bermuda Form arbitrations in London following a major environmental disaster at a US power plant.

Sport

Andrew has been ranked as a leading counsel in sports law for many years. In the sports sector, he has acted in a wide variety of commercial and disciplinary cases, including many high-profile matters such as the “Bloodgate” and “Spygate” affairs in Rugby Union and Formula One and the recent FIFA corruption allegations.

“Andrew Hunter KC is a very clever barrister.”

– CHAMBERS AND PARTNERS, 2023

Cases

Manchester City Football Club v the Premier League

[2021] EWCA Civ 1110 (CA); [2021] EWHC 711 (Comm); [2021] EWHC 6218 (Comm)

Acting for the Premier League in an arbitral dispute with Manchester City relating to an ongoing investigation, and in associated Commercial Court proceedings to challenge awards under the Arbitration Act 1996.

A SIAC Arbitration

Advising Qatari media company and football regulatory body in relation to impact of Qatari/Saudi Arabia blockade.

RDA Television v EPCR

(Commercial Court)

Concerning force majeure and the impact of Covid-19 on a media rights company looking after European Rugby.

Wasps Rugby Club - various

Acting for Wasps Rugby Club in various disciplinary hearings before the RFU Disciplinary Tribunal (including on behalf of Nathan Hughes and Sam Jones).

Chelsea FC v FA

Acting for Chelsea FC before the Appeal Board over the mass confrontation during and after the fixture against Spurs at the end of the 2015-16 season.

Media & Entertainment

Andrew has acted in a large number of music, video and film cases, both for artists and for record, publishing, and other media companies. Current and recent work includes the following.

“Andrew Hunter is very good, smart and able.”

– CHAMBERS AND PARTNERS, 2023

Cases

Duchess of York v Mazher Mahmood & News Group Newspapers

(2020)

Acted for Sarah Ferguson, the Duchess of York, in claims arising from ‘sting’ in which Duchess allegedly offered access to Prince Andrew in return for cash.

Charles Saatchi & Saatchi Online Inc

(2015)

Leading Counsel for the Claimant business man and art gallery owner in this dispute with a US based licensee.

Bill Straw & Blix Street Records v Jennings & ors

(Warren J, [2013] EWHC 3290)

Leading Counsel for the Claimant record label, in this successful £2 million royalty claim and copyright counterclaim concerning the late American singer/songwriter Eva Cassidy. After a 2 week trial, Warren J granted judgment for the Claimant and dismissed all counterclaims.

ACHIEVEMENTS

Education

BA (Oxon) in Law (First Class, Wronker Prize), BCL (Bachelor of Civil Law)

VAT registration number: 447008068

Barristers regulated by the Bar Standards Board