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## Peter Leaver KC

Barrister

Call 1967 Silk 1987



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## Scope of Practice

• Arbitration • Banking and Financial Services • Jurisdiction and Conflict of Laws • Company and Insolvency • Company, Shareholder and Joint Venture Disputes • Takeovers, Mergers and Acquisitions • Public International Law • Restitution • Aviation Finance • Bilateral investment Treaty Arbitrations • Carbon Credits • Competition • Media, Entertainment and Broadcasting • Energy and Natural Resources • Oil and Gas Industry Issues (Upstream, Midstream and Downstream) • Insurance and Reinsurance (including Bermuda form) • Intellectual Property • Partnerships

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## Overview

**Peter Leaver KC is an experienced full-time international commercial arbitrator, recommended in Chambers and Partners and The Legal 500, who sits in arbitrations in many parts of the world, both under the Rules of many different institutions as well as under the UNCITRAL Rules. He sits as an arbitrator in a broad spread of commercial disputes and is a member of the Singapore International Arbitration Centre Panel, the Hong Kong Arbitration Centre Panel and HKIAC's Intellectual Property and Financial Disputes Panels.**

He is a past Chairman of the Board of the London Court of International Arbitration, a member of the Chartered Institute of Arbitrators (MCI Arb) and appointed to The Law Society's Accreditation Panel of Arbitrators. For many years he was a Recorder of the Crown Court and a Deputy High Court Judge, and a Director of the Investment Management Regulatory Organisation.

Whilst he was in practice at the Bar, Peter Leaver concentrated on heavyweight, highly detailed contractual work for corporations and institutions, and was described as 'a highly experienced and persuasive advocate'. Through his extensive practice at the Bar, Peter Leaver has experience in many areas of commercial law, including banking, sale of goods, insurance, financial services, energy disputes and intellectual property, and of related jurisdictional questions.

He has a working knowledge of French.

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## Examples of Recent Cases

### Jurisdiction and Conflict of Laws

- Acting in the Grupo Torras litigation (Court of Appeal) involving allegations of conspiracy to defraud the Grupo Torras company of £400 million in connection with investments in Spain by the Kuwaiti Investment Office. The action involves complex jurisdictional issues (recently resolved by the Court of Appeal) and asset tracing questions.

### Company and Insolvency

- Appearing [for 47 banks] in the Walker v Standard Chartered Bank and Jasaro SA v Standard Chartered Bank litigation (both in the High Court and the Court of Appeal) involving an application by a dismissed chief executive to restrain the banks from voting to remove him as a director.

### Company, Shareholder and Joint Venture Disputes

- Acting in a large-scale arbitration in Dubai about the validity of the termination of a management contract governed by Middle Eastern law.
- Acting for Claimant in an arbitration in Singapore in relation to the construction of a power boiler at a pulp paper mill in Thailand.

### Restitution

- Appearing for a firm of stockbrokers in the MGNPT Ltd v Invesco case, which was an action by pension fund trustees to recover funds misappropriated by the late Robert Maxwell.
- Acting in the Girozentrale and Bank der Oesterreichischen Sparkassen AG v TOSG Fund Ltd litigation, involving the liability of a tour operators' trust fund to repay bonded sums obtained from banks in circumstances where the fund had promised to return any money not spent in the exercise of its powers.
- Acting in the Dimskal Shipping Co SA v ITWF "The Evia Luck" case (House of Lords), dealing with issues of duress and interference with contractual rights. The action arose from an initiative by ITWF to improve the employment terms of crew members when Dimskal Shipping's vessel was berthed in Sweden.
- Appearing in the Agip (Africa) Ltd v Jackson litigation (Court of Appeal), involving constructive trust and fraud questions which arose from the forgery of a payment order by an Agip employee in favour of a company incorporated by the defendant accountants.
- Acting in the MacLaine Watson v DTI & International Tin Council case, dealing (among other things) with whether 1. the sovereign states which had signed the treaty establishing the International Tin Council (ITC) were liable for debts incurred by the ITC, and 2. the legal action against the signatory states and the ITC could

be tried in the English courts.

## Sports, Gaming and Licensing

Member of the Court of Arbitration for Sport: he was appointed as a member of the Ad-Hoc Division of the Court for the UEFA Championships 2000, the Salt Lake City Olympic Winter Games 2002 and also to the Chairmans List of the Sports Dispute Resolution Panel (SDRP). He is listed as a leading silk under sports law in the Legal 500 2002-3.

Experience includes:

- Appointed as the only British member of the Court of Arbitration for Sport ad hoc Tribunal for UEFA 2000.
- Has acted in a number of sporting disputes, both as Counsel and as Arbitrator, and both for and against federations, clubs and sportsmen.
- Acting as an Arbitrator in relation to a dispute between a football club and The Vauxhall Conference League.
- Advising Tottenham Hotspur in several matters including their contract with Osvaldo Ardiles.
- Advising Newcastle United Football Club in relation to a contract with Adidas.
- Appointed as President of 2 Panels of the Court of Arbitration for Sport in Salt Lake City, and as a member of 2 other Panels.
- Acting as a member of The Court of Arbitration for Sport, usually as Chairman, in relation to various disputes, and has gave an Advisory Opinion to a National Olympic Committee about the rules of an international sporting federation.

## Other Notable Cases

- Acting for the Claimant in an arbitration in Singapore in relation to a dispute arising from a share sale agreement and a warranty claim.
- Acting for Railtrack Group plc and Railtrack plc.
- Acting for Applicant for Judicial Review against Independent Television Commission.
- Acting for the Claimants in *Donohue v. Armco Inc. and Others* ([1999] 2 LLR 649 / [1999] CLC 1748), an important case on anti-suit injunctions.
- Acting for a subsidiary of a major car and construction industry manufacturer, to prevent distributor from supplying goods to competitors under an exclusivity clause in the Distribution Agreement.
- Appearing before the ECJ acting for distributor in relation to Distribution Agreements for Ford Motor Cars.
- Advising and Acting a major Japanese/UK car manufacturer in relation to dealership agreements.

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## What the Directories Say

*'Peter is a leading arbitrator. He is incisive (and decisive) and likes to cut through the superficialities. He does not hesitate to bring matters into focus and is always a pleasure to deliberate with.'* (The Legal 500 2023)

*"A leading arbitrator by any standard, he is clear in his no-nonsense approach and focuses on conducting the arbitration fairly and effectively"* (The Legal 500 2020)

*"Extremely well regarded"* and *"Really smart"*. (Chambers UK 2020)

*"Peter Leaver KC receives extensive recommendations from peers for his top-tier work as arbitrator spanning financial services, energy and intellectual property disputes"* (Who's Who Legal: Arbitration 2020)

*"Very commercial in his approach and is fair but sympathetic with the witness"* (The Legal 500 2018-19).

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## Awards



## Contact Clerks



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