

Barbara Dohmann KC

“She has a razor-sharp legal mind and superb judgement”

– CHAMBERS AND PARTNERS, 2017

Year of call: **1971**
Appointed to silk: **1987**
Degree: **Mainz and Paris (languages and economics)**
Languages: **German (fluent), French (fluent), Spanish (working knowledge), Italian (working knowledge)**



Barbara Dohmann KC is one of the UK's leading commercial silks whose practice has a particular focus on international arbitration. She has extensive judicial experience, both as an arbitrator and judge, including in the International Commercial Court of Qatar, and she regularly acts as an expert in English Commercial Law.

Miss Dohmann's arbitration experience spans international joint ventures, metal trading, oil and gas trading (e.g. disputes between a state oil company and a private trading company), North Sea oil drilling contracts, the true construction of bare boat charters, alleged breaches of charter parties, property, intellectual property, construction, trusts, commodity trading, family foundations, shareholder disputes, the sale of companies/mergers/acquisitions, international sporting events, media services and entertainment and many insurance and reinsurance disputes. She is a member of the LCIA and is and has repeatedly been an LCIA Arbitrator, an ICC Arbitrator, an ICSID Arbitrator, an HKIAC Arbitrator and an LME Arbitrator. Since 1 January 2018 she is Chairman of the International Arbitration Centre in Nur-Sultan, Kazakhstan.

Miss Dohmann has experience in a wide variety of areas of civil law. She appears in the Appellate Courts, High Court 1st instance (in both the Chancery Division and the Commercial Court, Queen's Bench Division), arbitrations (as both Arbitrator and Counsel) as well as at regulatory and disciplinary tribunals, and she is a CEDR accredited Mediator. Miss Dohmann has extensive experience in appearing before foreign courts in very large commercial disputes, including Bermuda, Gibraltar, Singapore, Brunei, Grand Cayman, the Bahamas and The British Virgin Islands; she is a member of the BVI Bar. She has given expert evidence on English law to courts in the USA, Ireland, France, Germany, Austria and Dubai. She was a Recorder from 1987 to 2001, a Deputy High Court Judge from 1994 to 2002, and a judge of the International Court in Qatar from 2007 to 2017. She was Chairman of the Commercial Bar Association from 1999 to 2001, Leader of the European Circuit from 2014 to 2016, she has been a member of the Lord Chancellor's Advisory Committee on Private International Law, of the Learned Society for International Procedure Law, and of the Deutscher Anwaltverein GB.

Miss Dohmann has been recognised by both of the main independent legal directories as a leading silk and award recipient.

Her appointments and awards include:

- Master of the Bench of Gray's Inn
- Legal 500 Outstanding Achievement Award (2020)
- Chambers & Partners Lifetime Achievement Award (2006)
- Judge of the Civil and Commercial Court at the Qatar Financial Centre in Doha.
- Member of the Lord Chancellor's Advisory Committee on Private International Law.
- London Metal Exchange - member of the Special Committee, Appeal Panel and Arbitration Panel.
- Recorder (from 1990) and Deputy High Court Judge (from 1994) in the Commercial Court, Queen's Bench and Chancery Division until 2002. She acts as Arbitrator (including ICC, LCIA and HKIAC) and as a Mediator in commercial disputes. She is Chairman of the IAC in Nur-Sultan, Kazakhstan.

EXPERIENCE

Commercial

Miss Dohmann has a wide ranging commercial practice including banking, financial services, intellectual property, insurance and reinsurance, civil fraud and arbitrations.

Selected reported cases include:

- New Media Distribution Company SEZC Ltd v Kagalovsky [2017] EWHC 2334 (Ch)
- National Iranian Oil Co v Crescent (2016)
- Steiner v Steiner (2016)
- Baturina v Chistyakov [2014] EWCA Civ 1134
- Financial Services Compensation Scheme Ltd v Independent Financial Advisers; Keydata SLS and Keydata Lifemark actions (2011-2014)
- Salem & Ors v Salem, Rothschild Switzerland (C.I) (2014)
- Burgan Bank v Central Bank of Somalia & Ors (2014)
- National Australia Bank Ltd v ABN AMRO (2013)
- Dalement Ltd v Riggels Enterprises Ltd and AG Senatorov (2013)
- Lighthouse Wealth Ltd v Anglo Irish Bank (2012)
- Inteco Beteiligungsgesellschaft AG v Sylmord Trade Inc Eastern Caribbean Supreme Court CA (2014)
- Madoff (2010-2011)
- Credit Suisse and another v Ansbacher (2010)
- Advisory and litigation work including disputes re Fleming, RBS and Lehmann Bros.
- Citco/Headstart Class F Holdings Ltd v Y2K Finance Inc (BVI) [2008]
- Central Bank of Ecuador v Ansbacher (Bahamas) Ltd [1996 to 2008]
- First Atlantic Commerce Ltd v Bank of Bermuda [2008]
- HSBC Bank plc v 5th Avenue Partners & Ors [2007] EWHC 2342 (QB)
- K Ltd v National Westminster Bank (HSBC and SFO intervening) [2007] 1 WLR 311

“Incisive and gets through to the heart of the matter.”

– CHAMBERS AND PARTNERS, 2019

- WPP Holdings Italy SRL v Benatti [2007] EWCA Civ 263, [2007] 1WLR 2316(Commercial Court and CA)
- FFSB v Seward and Kissel [2007] UKPC 16
- Investec v A Michael & Ors [2006] (Commercial Court)
- M.J Select Global Ltd v Oceanic Bank [2006]
- Bank Candtrade/HSBC v FFSB (Bahamas)
- Re Oracle Fund Limited (in liquidation) Bahamas
- Law Debenture Trust Corporation Ltd v Lexington Insurance Co & Ors [2002] EWCA Civ 1824 (Commercial Court and Court of Appeal 11.11.02)
- Brown & anr v Bennett & Ors (Ch and CA)
- Alfred Billes v Bank of Bermuda Limited [2001]
- Bank Handlowy v Bank of New York (CA 8th December 1999).
- Henry Ansbacher & Co Ltd. v Binks Stern [1998] PNLR 221; [1998] Lloyd's Rep. Banking 1. Court of Appeal
- Morgan Stanley UK Group v Puglisi (Queen's Bench Division Commercial Court) 29.01.98 (Financial Services Act 1986 s 62(1))
- Lordsvale Finance plc v Bank of Zambia [1996] QB 752

Financial Services & Banking

Miss Dohmann regularly advises and acts in international banking disputes. She has acted for and advised clients with regard to investments, derivatives, alleged misselling, privatisations and in disputes arising from takeovers and acquisitions.

Selected reported cases include:

- Burgan Bank v Central Bank of Somalia & Ors (2014)
- Lighthouse Wealth Ltd v Anglo Irish Bank (2012)
- National Australia Bank Ltd v ABN AMRO (2013)
- Dalemont Ltd v Riggels Enterprises Ltd and AG Senatorov (2012-2013)
- Oracle Fund Ltd v Seward v Kissel (2010)
- Headstart Ltd v Y2K (2009)
- Credit Suisse and another v Ansbacher (2010)
- Advisory and litigation work including disputes re Fleming, RBS and Lehmann Bros.
- Citco/Headstart Class F Holdings Ltd v Y2K Finance Inc (BVI) [2008]
- Central Bank of Ecuador v Ansbacher (Bahamas) Ltd [1996 to 2008]
- First Atlantic Commerce Ltd v Bank of Bermuda [2008]
- HSBC Bank plc v 5th Avenue Partners & Ors [2007] EWHC 2342 (QB)
- K Ltd v National Westminster Bank (HSBC and SFO intervening) [2007] 1 WLR 311
- WPP Holdings Italy SRL v Benatti [2007] EWCA Civ 263, [2007] 1WLR 2316(Commercial Court and CA)
- FFSB v Seward and Kissel [2007] UKPC 16

“She's perfect for very complex cases which require a heavyweight”

– CHAMBERS AND PARTNERS, 2017

- Investec v A Michael & Ors [2006] (Commercial Court)
- M.J Select Global Ltd v Oceanic Bank [2006]
- Bank Candtrade/HSBC v FFSB (Bahamas)
- Re Oracle Fund Limited (in liquidation) Bahamas
- Law Debenture Trust Corporation Ltd v Lexington Insurance Co & Ors [2002] EWCA Civ 1824 (Commercial Court and Court of Appeal 11.11.02)
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- Morgan Stanley UK Group v Puglisi (Queen's Bench Division Commercial Court) 29.01.98 (Financial Services Act 1986 s 62(1))
- Lordsvale Finance plc v Bank of Zambia [1996] QB 752

Miss Dohmann has specialised in financial services for most of her career, having acted for and against Self-Regulating Organisations, in relation to investigations, disciplinary proceedings, judicial review, appeals and advice. She has been involved in many of the major regulatory cases instructed by the Regulators, including the SIB, SFA, IMRO, PIA and thereafter the FSA. She has acted in Bank of England, Stock Exchange, Lloyd's and Governmental investigations, making written submissions and representing clients before inspectors and tribunals.

She has advised on and in acted in cases relating to the Financial Services Compensation Scheme, off shore regulators, PPI misselling and interest swaps, the powers of the financial ombudsman, market abuse and hedge funds.

Selected cases include:

- Financial Services Compensation Scheme Ltd v Independent Financial Advisers; Keydata SLS and Keydata Lifemark actions (2011-2014)
- Citco Global Custody N.V. v Y2K Finance Inc (2010)
- PPI Misselling & Interest Swaps (2014-2015)
- FSA v Philippe Jabre/GLG Partners
- Split Capital Trusts
- Hedge Fund Matters
- Underwriters at Interest C/o PYV Limited v DB
- Underwriter Matters

Arbitration

Miss Dohmann has acted in many large international arbitrations as Counsel or Arbitrator. Given client confidentiality, little can be said beyond the fact that the subject matters have included and include international joint ventures, metal trading, oil and gas trading (e.g. disputes between a state oil company and a private trading company), North Sea oil drilling contracts, the true construction of bare boat charters, alleged breaches of charter parties, property, intellectual property, construction, trusts, commodity trading, family foundations, shareholder disputes, the sale of companies/mergers/acquisitions, international sporting events, media services and entertainment and many insurance and reinsurance disputes. She is a member of the LCIA and is and has repeatedly been an LCIA Arbitrator, an ICC Arbitrator, an ICSID Arbitrator, an HKIAC Arbitrator and an LME Arbitrator, and is Chairman of the IAC in Nur-Sultan, Kazakhstan.

Insurance & Reinsurance

Miss Dohmann has acted for and against insurance and reinsurance companies and Lloyds Syndicates, and for Lloyds names, and in disputes relating to the availability of cover in financial services matters.

Selected reported cases include:

- Gold Fields Mining LLC v Energy Holdings (No 3) (2011) (Chairman of Claims Tribunal)
- Douglas Bee v Carl Jenson [2007] EWCA Civ 923
- Carvill America Inc and R K Carvill & Co Ltd v Camperdown UK Ltd QBD (Commercial Court) – 02.09.04 and [2005] EWCA Civ 645
- Chubb v London Life
- First National Litigation Funding Plc v various Lloyd's Syndicates and Investec Bank (UK) Ltd [2005]
- Law Debenture Trust Corporation Ltd v Lexington Insurance Co & Others (Commercial Court and Court of Appeal 11.11.02)
- Manulife v Chubb [2002]
- Allianz & Others v Chubb [2001]
- Sovereign v M&G [2001]
- Kingscroft Insurance Co Ltd & ors v Nissan Fire & Marine Insurance Co Ltd [1999] Lloyd's Rep. IR 603, (Commercial Court), Moore-Bick J. 29th July 1999, [2000] 1 All ER (Comm) 272
- Kennecott Utah Copper Corp & ors v Cornhill Insurance plc & ors [2000] Lloyd's Rep. IR 179 (Commercial Court)
- Credit Lyonnais v New Hampshire Ins Co [1997] 1 Lloyd's Reps 191; [1997] 1 LCLR 1 (whilst sitting as deputy judge in Commercial Court)
- Sheldon v Outhwaite [1996] 1 AC 102
- Novelli SPA v Watkins CA 26.11.96. Times December 24 1996
- Regularly advising Banks and Underwriters on coverage issues.
- Amin Rasheed Shipping Corporation v Kuwait Insurance Co. [1984] AC 50

“A first-class strategist.”

– LEGAL 500, 2017

Civil Fraud, Asset Recovery & Injunctive Relief

Miss Dohmann has dealt with many major fraud cases and has given advice to multinational companies on the Bribery Act and on Freedom of information requests.

Selected reported cases include:

- Fifth Street Owners Corp & Ors v Pierre Rolin (2011-2013)
- Baturina v Chistyakov [2014] EWCA Civ 1134
- Barclays Pharmaceutical Ltd v Waypharm LP & Ors [2012] EWHC 306 Comm
- Credit Suisse and another v Ansbacher (2010)
- The Central Bank of Ecuador v Ansbacher (Bahamas) Ltd and others [2010]
- Morley v El Maleh (Ch) (2009)
- FFSB v Seward and Kissel [2009] Bahamas
- Berezovsky v Abramovich [2008] EWHC 1138 (Comm)
- Yugraneft v Abramovich and Berezovsky [2008] EWHC 2613 (Comm)
- Water and Sewerage Authority of Trinidad & Tobago v Desalination Company of Trinidad & Tobago and Others
- A v B [2006] EWHC 2006 (Comm); [2007] 1 All ER (Comm) 591; [2007] 1 LP Rep 237
- Ashton Investments Ltd v OJSC Russian Aluminium [2006] EWHC 2545 (Comm); [2007] 1 Lloyd's Rep 311; [2006] 2 CLC 739, QBD (Comm)
- Brimko Holdings Ltd v Eastman Kodak [2004]

“She is very good on paper and commands huge sway with the judiciary.”

– CHAMBERS AND PARTNERS, 2019

Media & Entertainment

Miss Dohmann is very experienced in covering a wide range of Media & Entertainment matters and has acted in leading cases relating to disputes in the music industry.

Selected reported cases include:

- Teamsport B.V. v Umbro International Ltd
- Finance Group and CT Mobile v IPOC et al (TCI)
- Arbitrations relating to international Telecoms disputes.
- Liverpool Football Club v Reebok [2007] (Commercial Court)
- BBC Worldwide v Bee Load Ltd [2007] EWHC 134 QBD (Commercial Court)
- MTV Networks Europe v Performing Right Society
- George O'Dowd v Virgin Records Ltd and The Bay City Rollers
- BPI v Mechanical Copyright Protection Society/Glidepath Holdings B.V. & Others v John
- Campbell Junior & O'Donnell v Gullane Productions Ltd & Ors [2005]
- Re BBC Worldwide Ltd

- British Broadcasting Corporation v Talksport Ltd [2001] FSR 53 The Times 29.06.00
- Columbia Tristar Home Video (International) Inc v Polygram Film International BV (Court of Appeal) 8th February 2000
- Hadley and Others v Kemp [1999] EMLR 589 (Chancery Division), Park J. 30th April 1999. ("The Spandau Ballet")
- Miss Dohmann has acted for, amongst others, The Stone Roses, Take That (v Robbie Williams) Vangelis, Eric Clapton, Oasis, Sony, BMG and ITV. She has also been dealing with other confidential work for artists and record companies.
- Miss Dohmann has been a member of the Ethics Committee of the University of the Arts, London advising on media and IP matters.

Private International Law

Miss Dohmann has acted and advised in many cases where litigation was proceeding in a number of jurisdictions, she has appeared as an expert witness and has given opinions on English law to Courts in several European countries, the USA and the Gulf.

She has recently given expert opinions in Madoff related class actions in the USA.

Miss Dohmann has extensive experience in appearing before foreign courts in very large commercial disputes, including Bermuda, Gibraltar, Singapore, Brunei, Grand Cayman, The British Virgin Islands, and the Bahamas.

Selected reported cases include:

- FFSB v Seward and Kissel [2007] and [2009]
- Ministry of Defence of Iran v Faz Aviation [2007] (Commercial Court)
- Ashton Investments Ltd v OJSC Russian Aluminium [2007] EWHC 2545 (Commercial Court)
- In the matter of T & N Ltd (and Others) [2005] EWHC 2990 (Ch), [2006] 1 WLR 1792
- Carvill America Inc and R K Carvill & Co Ltd v Camperdown UK Ltd QBD (Commercial Court) [2005] EWCA Civ 645
- British American Tobacco (Investments) Ltd v United States of America [2004] EWCA Civ 1064
- Mukta Gheewala & Ors v Mahesh Gheewala & Ors [2003] (Privy Council)
- M/S Alghanim Industries Inc & others v Skandia International Insurance Corp & Others [2001]
- Naz Smyth v Abdul Behbehani & Maha Behbehani (Court of Appeal) The Times, 7 April 1999
- Lubbe & ors v Cape plc [1998] CLC 1559 (Court of Appeal); and also Pill LJ, Aldous LJ, Tuckey LJ 29th November 1999
- Sedigep Ltd. v The Administrators of Polly Peck [1997] 2 BCLC 630
- Simon Engineering v Butte Mining PLC QB, (Commercial Court) [1996] 1 Lloyd's Reports 91
- Continental Bank SA v Aekos Compania Naviera S.A. [1994] 1 Lloyd's Rep 505 (Court of Appeal)

- Owens Bank v Bracco [1992] 2 AC 443, [1994] ECR I-146, [1994] 2 WLR 759, Miss Dohmann represented Bracco at all levels, including the House of Lords and the ECJ
- Kurz v Stella Musical [1992] Ch 196

ACHIEVEMENTS

Memberships

- 1997-1999 Treasurer of the Commercial Bar Association (COMBAR); 1999-2001 Chairman of COMBAR
- The General Council of the Bar
- The Legal Services Committee of the Bar Council
- Committee Member of COMBAR, leader of the European Circuit 2014
- The Bar European Group
- The European Circuit
- Deutscher Anwaltverein GB
- Berliner Anwaltsverein
- The London Common Law & Commercial Bar Association (LCLCBA)
- The London Court of International Arbitration (LCIA)
- The Association for Financial Services Lawyers (FSLA).
- The Learned Society for International Procedure Law (founded by Professor Schlosser, the reporter/commentator to the Brussels Convention).
- Founding Member of the Chancellor's Forum of the University of the Arts
- Previous member of the Court of Governors, London Institute Higher Education Corporation.

VAT registration number: 244754843

Barristers regulated by the Bar Standards Board