



Matthew Weaver KC

Silk: 2022 | Call: 2002

Barrister

CONTACT

Email
mweaver@radcliffechambers.com

Email Clerk
clerks@radcliffechambers.com

Telephone
020 7831 0081

ADDRESS

11 New Square
Lincoln's Inn
London WC2A 3QB

DX: 319 London
Telephone: 020 7831 0081
Fax: +44 (0)20 7405 2560

Matthew has an impressive commercial practice with a particular specialism in insolvency and company law. He is also experienced in commercial fraud and asset tracing, and partnership and professional liability, allowing him to provide his clients with a wide commercial law service covering a range of commercial issues and disputes.

He is well respected by his peers, instructing solicitors, lay clients and judges, for his abilities on paper and in court, and his common sense, commercial approach to disputes. Matthew has been recommended consistently over a number of years by both *Chambers UK Bar* and *The Legal 500 UK Bar*. He is a regular contributor to *Corporate Rescue and Insolvency* as well as being a speaker at many seminars. In 2019, he was appointed as a Recorder of the County Court.

INSOLVENCY

Matthew is ranked as a leading Silk for restructuring/insolvency by *Chambers UK Bar* and for insolvency by *The Legal 500 UK Bar*. His practice covers all areas of contentious and non-contentious corporate and personal insolvency and he is regularly instructed to advise and appear on behalf of liquidators, administrators, administrative receivers, LPA receivers, supervisors and trustees in bankruptcy. He is also instructed to act for creditors and other interested third parties within insolvency matters. He is equally adept providing complex advice to office-holders and other stakeholders or undertaking high-value and complicated litigation.

He has advised and appeared both for and against office holders in a number of multi million pound directors' misfeasance claims and for and against the government in directors' disqualification proceedings, having been appointed to the Attorney General's Provincial Panel (Civil) in 2007.

Matthew has established himself as a leading insolvency barrister.

His recent experience includes:

- Acting for the joint liquidators of a former national retailer in a high-value claim against the former parent group (2024)
- Acting for the successful joint administrators in securing a declaration that

property was held on trust for two companies as a result of breaches of duty and conflicts of interest on the part of the directors (2024)

- Acting for successful former supervisors in appealing a costs order made against them following a CVA challenge (2024)
- Acting for the debtor company in an application under Part 26A of the Companies Act 2006 for a Restructuring Plan (2023)
- Acting for the joint liquidators of a BVI registered company in a successful application against English joint administrators for recognition of sums due under security (2023)
- Acting for a wholesale gas supplier in the leading case on the obligations and liabilities of failed energy suppliers (2023)
- Acting for the secured creditor in successfully defeating an application to set aside an appointment of administrators on grounds of improper purpose (2023)
- Acting for the former fund managers in a claim brought by the joint liquidators of a venture capital trust company in members voluntary liquidation (2022)
- Acting for the liquidator of a UK company in claims to reverse property transactions in Croatia (2022)
- Acting for joint supervisors in a high-profile CVA challenge (2021)
- Acting for the joint liquidators of the liquidated subsidiary of a national retailer (2021)
- Acting for the joint administrators of a large peer-to-peer lender (2021)

His reported cases include:

- *Kendall v Ball* [2024] EWHC 746 (Ch) – Acting for the joint administrators in an application for a declaration that land transferred to the directors was held on constructive trust for the company as a result of a breach of duty and conflict of interest on the part of the directors
- *Burke v Peabody Construction Ltd* [2024] EWHC 392 (Ch) – Acting for the former supervisors of a CVA in successfully appealing a costs order against them following a challenge to the CVA#
- *Re Great Annual Savings Co Ltd* [2023] EWHC 1141 (Ch) – Acting for the debtor company in a Restructuring Plan application
- *Re Aartee Bright Bar Ltd (In Administration)* [2023] EWHC 606 (Ch) – Acting for the appointing secured creditor in an application to set aside the appointment of joint administrators on the grounds of improper purpose
- *Croxen v Gas and Electric Markets Authority* – [2022] EWHC 2826 (Ch) – Acting for a wholesale gas supplier (in administration) in the leading case on the obligations and liabilities of failed energy suppliers
- *Re Pinnacle Student Developments (Leeds) Ltd* [2022] EWHC 2327 (Ch) – Acting for the joint liquidators of a failed property development company in successfully resisting an appeal against the company's entitlement to rental payments
- *Pagden v Soho Square Capital LLP* [2022] EWHC 944 (Ch) – Acting for the former fund managers in a claim brought by the joint liquidators of a venture capital trust company in members voluntary liquidation
- *Edwards v Tailby* [2021] EWHC 2819 (Ch) – Acting for a liquidator in an appeal by a creditor against a decision to refuse relief from sanctions in a challenge to the admission of a proof of debt
- *Carraway Guildford (Nominee A) Ltd v Regis UK Ltd* [2021] EWHC 1294 (Ch) – Acting for the former joint supervisors of CVA in a challenge to the CVA and a claim for relief against the supervisors
- *Re Arboretum Devon (RLH) Ltd* [2021] EWHC 1047 (Ch) – Acting for the administrators of a lender in a case concerning interpretation of security documentation and contractual estoppel
- *Saving Stream Security Holding Ltd (In Administration) v Wordley* [2020] EWHC 2829 (Ch) – Acting for the joint administrators of a lender in a claim for rectification of a security instrument
- *Re JPF Clarke (Construction) Ltd* [2020] B.P.I.R. 194 – Acting for numerous creditors in a challenge to CVA supervisors' rejection of claims
- *Berkshire Homes (Northern) Ltd v Newbury Venture Capital Ltd* [2018]

EWHC 938 (Ch) – Acting for the application in a case addressing locus and burden of proof in a contested administration application

- *Raithatha v Arnold Holstein GmbH [2017] EWHC 3069 (Ch) – Acting in a case concerning the requirement of liquidators to hold a creditors' meeting for their own removal*
- *Re BW Estates Ltd [2017] EWCA Civ 1201; [2017] B.C.C. 406 – Acting in a Court of Appeal case addressing the effect of a director's actions in breach of a company's articles of association; the applicability of the Re Duomatic principle; estoppel and abuse of process*

COMPANY

Matthew's company law and partnership practice complements his substantial insolvency practice. He is frequently asked to advise and appear in cases concerning the validity of acts taken by directors, the recoverability of directors' loans and/or remuneration, the legality of dividends and validity of securities over company assets as well as in claims arising from the sale and purchase of shares. He also has experience of s994 CA2006 petitions as well as acting for and advising court appointed receivers. He has experience in dealing with all aspects of partnership disputes, including the need to appoint receivers over partnership assets.

He is often instructed in matters concerning directors' duties and has advised and appeared both for and against office holders in a number of multi-million pound directors' misfeasance claims and for and against the government in directors' disqualification proceedings, having been appointed to the Attorney General's Regional Panel (Civil) in 2007.

His recent work includes:

- Acting for the debtor company in an application under Part 26A of the Companies Act 2006 for a Restructuring Plan (2023)
- Advising directors on the enforceability of pre-emption share purchase rights (2021)
- Acting for a shareholder of a property company in an unfair prejudice petition (2021)
- Acting for administrators within an unfair prejudice petition concerning an international company (2018)

His reported cases include:

- *Re Great Annual Savings Co Ltd [2023] EWHC 1141 (Ch) – Acting for the debtor company in a Restructuring Plan application*
- *Re Arboretum Devon (RLH) Ltd [2021] EWHC 1047 (Ch) – Acting for the administrators of a lender in a case concerning interpretation of security documentation and contractual estoppel*
- *Saving Stream Security Holding Ltd (In Administration) v Wordley [2020] EWHC 2829 (Ch) – Acting for the joint administrators of a lender in a claim for rectification of a security instrument*
- *Re BW Estates Ltd [2017] EWCA Civ 1201; [2017] B.C.C. 406 – Acting in a Court of Appeal case addressing the effect of a director's actions in breach of a company's articles of association; the applicability of the Re Duomatic principle; estoppel and abuse of process*

COMMERCIAL DISPUTES, FRAUD AND ASSET TRACING

Matthew's practice encompasses general commercial and chancery litigation, and he has particular strengths in commercial fraud and asset tracing.

Matthew's commercial fraud practice primarily arises from his insolvency and company and partnership practices in which he has regularly been asked to advise and appear in claims that involve allegations of fraud and dishonesty. Matthew has been instructed both for and against office holders in matters that concern the fraudulent breach by directors of their duties and/or the dishonest involvement of

third parties. He has been involved in a number of multi-million pound directors'

misfeasance claims and is extremely familiar with claims that arise from fraudulent trading and the dishonest dissipation of assets, having experience of tracing and realising assets both within and outside of the jurisdiction.

He has also acted both for and against the government in directors' disqualification proceedings. Having been appointed to the Attorney General's Regional Panel (Civil) in 2007, he was instructed to appear in one of the first directors' disqualification claims to come to court which arose from missing-trader intra-community fraud.

His experience includes:

- Acting in a £50m claim for deceit, fraudulent misrepresentation and breach of warranty following a sale of a market-leading online casino business (2024)
- Acting for the US based claimants in a multi-million pound claim concerning breaches of director's duties and conflicts of interest (2024)
- Acting in a multi-million pound claim arising from the assignment of intellectual property rights and software to foreign entities (2023)
- Advising an international bank in a contractual claim against it (2022)
- Acting for the executor of an estate in a claim for defrauding creditors (2022)
- Acting for a lease company in a multi million pound claim for fraud against the former director (2022)
- Advising a national bank in a claim against it by a commercial borrower (2021)
- Acting for an international corporate franchisor in a contractual dispute with a UK based franchisee (2019)
- Advising a national retailer in respect of claims against freight forwarders (2018)
- Advising a US-based corporation in respect of claims against former professional advisers (2018)
- Acting for a company in a claim against two former directors and five other associated or connected parties arising from the fraudulent dissipation of company and trust funds (2017)

His reported cases include:

- *Re Arboretum Devon (RLH) Ltd [2021] EWHC 1047 (Ch)* – Acting for the administrators of a lender in a case concerning interpretation of security documentation and contractual estoppel
- *Saving Stream Security Holding Ltd (In Administration) v Wordley [2020] EWHC 2829 (Ch)* – Acting for the joint administrators of a lender in a claim for rectification of a security instrument
- *C21 London Estates Ltd v Maurice Macneill Iona Ltd [2018] EWCA Civ 1823; [2017] EWHC 998 (Ch)* – Appearing in the High Court and then the Court of Appeal in a case concerning the interpretation of contractual terms as conditions

PROFESSIONAL LIABILITY

Matthew's commercial practice includes regularly advising and acting in claims against insolvency, legal and accountancy professionals. He is particularly identified by those instructing him for his expertise in professional liability cases that involve or arise from company insolvency issues, including claims by successor office holders against their predecessors.

His recent work includes:

- Advising the insurers of solicitors acting for the joint administrators of a company in respect of a proposed multi-million pound claim (2023)
- Acting for an LPA Receiver in a claim against them (2022)

- Acting for a company in a claim for negligence against a large firm of solicitors (2021)

RECOGNITION

The directories have consistently praised Matthew. A selection of his recent editorial comments includes:

- “Matthew knows the law inside and out; he can deliver solutions and answers that are often not thought about.” (Restructuring/Insolvency, *Chambers UK Bar 2024*)
- “Matthew is very bright, good on his feet and quickly grasps the commercial points as well as the legal points.” (Restructuring/Insolvency, *Chambers UK Bar 2024*)
- “He is polished in his delivery and written opinions and exceptional on his feet.” (Restructuring/Insolvency, *Chambers UK Bar 2024*)
- “He is very strong on his feet but also client-friendly and approachable.” (Restructuring/Insolvency, *Chambers UK Bar 2023*)
- “He is robust, friendly and certainly very bright.” (Restructuring/Insolvency, *Chambers UK Bar 2023*)
- “Matthew is an excellent advocate and very client-facing due to his personable and commercial approach.” (Restructuring/Insolvency, *Chambers UK Bar 2023*)
- “Matthew is extremely measured but does not pull punches on his feet and, accordingly, is incredibly effective with the judges. He understands very well how the insolvency market works and the team approach that is required in officeholder-led insolvency litigation. He is an excellent barrister.” (Company and Insolvency, *Legal 500 UK Bar 2023*)
- “Extremely client facing and accessible, he performs very well in contested situations on his feet and is able to easily grasp the commerciality of what is required.” (Insolvency, *Legal 500 UK Bar 2023*)
- “Matt is a go-to barrister. He is incredibly smart but also commercial and understands what the clients want from the proceedings.” (Insolvency, *Legal 500 UK Bar 2023*)
- “He is very commercial, good on his feet and very persuasive in front of judges.”, “His demeanour puts clients at ease and he is always willing to discuss another’s point of view and take that on board. When instructing Matthew it is as though he becomes an additional member of the team and he will always make himself available.” and “He is always available at the end of the phone, and you know that any advice he gives can be passed straight on to clients with minimal explanation as it is so well written and clear.” (Restructuring/Insolvency, *Chambers UK Bar 2022*)
- “He is a very impressive counsel and adopts a very commercial approach which clients really appreciate.” (Insolvency, *Legal 500 UK Bar 2022*)
- “Matthew has the full package – fierce intellect, persuasive charm and calmness under pressure.” (Company and Insolvency, *Legal 500 UK Bar 2022*)
- “His work is always top-rate and he’s probably the most amenable barrister at the Bar.” “An insolvency heavyweight – he is very approachable, technically very good, understands what clients need and thinks outside of the box.” “Very approachable and pragmatic.” (Restructuring/Insolvency, *Chambers UK Bar 2021*)
- “He is a preferred barrister for us and our clients. He is truly experienced in the cases we have and can always bring his intellectual power and experience to the work we instruct on. Judges are warm to him, he is quick thinking on his feet and has been strong on highly intellectual test cases we have worked on together. He has the added quality of being very likeable and not pretentious which is a huge draw for our client base.” (Company and Insolvency, *Legal 500 UK Bar 2021*)
- “He’s exceptionally capable as a junior and is an insolvency specialist.” “He is intelligent, detailed and good with clients.” (Restructuring and Insolvency, *Chambers UK Bar 2020*)
- “He’s very accessible, user-friendly, reliable, experienced and good

technically.” *“He has excellent technical knowledge of the insolvency rules and procedure.”* (Restructuring/Insolvency, Chambers UK Bar 2019)

- *“He is always available to discuss matters, is commercially astute and exemplary with clients. He provides clear advice every time and is diligent and professional.” “He’s a very good advocate – he is reassuring with clients and always well prepared.”* (Commercial Dispute Resolution, Chambers UK Bar 2019)
- *“Accomplished commercial barrister with a particular interest in insolvency law. He provides further guidance in areas such as banking and finance, commercial fraud, company law and professional liability”* (Commercial, banking, insolvency and Chancery Law, The Legal 500 UK Bar 2017)
- *“He’s superb – he’s very commercial, user-friendly, a great barrister.” “He’s to the point, incisive, really client-friendly, approachable and produces good-quality work.”* (Commercial Dispute Resolution, Chambers UK Bar 2018)
- *“Matthew has an excellent technical knowledge of insolvency and the commercial, pragmatic approach he applies is outstanding.”* (Restructuring/Insolvency, Chambers UK Bar 2018)
- *“Astute, responsive and great with clients and judges.”* (Commercial, banking, insolvency and Chancery Law, The Legal 500 UK Bar 2017)
- *“A user-friendly litigator who understands the client’s objectives. He is a strong technical advocate who is very bright.” “A very accommodating and commercial barrister who’s always thinking of the bigger picture.”* (Commercial Dispute Resolution, Chambers UK Bar 2017)
- *“My first port of call. He’s very commercial, good in conference and good on his feet. I can’t recommend him highly enough.”* (Restructuring/Insolvency, Chambers UK Bar 2017)
- *“His service is always of a high standard and he performs admirably in court and in meetings with clients.”* (Commercial Dispute Resolution, Chambers UK Bar 2016)
- *“He is very responsive and provides high-quality commercial and insolvency advice”* (Restructuring/Insolvency, Chambers UK Bar 2016)

QUALIFICATIONS

- LLB (Hons) in Law, University of Kent at Canterbury (1995-1998)
- Legal Practice Course (commendation), College of Law (1999)
- Bar Vocational Course (very competent), College of Law (2002)
- Buchanan Prize Winner, Lincoln’s Inn (2002)
- Attorney General’s Regional Panel (Civil) (2007 to 2021)
- Judicial Chairman for the Rugby Football Union; EPCR; Rugby Europe & World Rugby
- Recorder of the County Court (2019)

MEMBERSHIPS

- Chancery Bar Association (ChBA)
- Commercial Bar Association (COMBAR)

POLICIES AND OTHER DETAILS

Read Matthew’s [Privacy Notice](#), [Data Protection Policy](#) and [Disposal Policy](#)