



serle court

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Harry Martin

Year of Call: 2012

“Harry is, very simply, an exceptional barrister. He is very firm with opponents and excellent with clients. His written work is also thorough and clear.”

Chambers & Partners UK Bar 2024

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Practice Overview

Harry has a busy junior practice specialising in Chancery, Commercial Chancery and Art and Cultural Property work. He advises in relation to contentious and non-contentious matters, both in England & Wales and in other jurisdictions.

Harry is ranked as a leading barrister in the Chambers UK Bar and Chambers High Net Worth guides, which describe him as “*a rising star*”, and “*very bright and commercial in his advice*”. In 2019 he received the “star junior” award at the Chambers High Net Worth Awards.

Areas of Expertise

Private Client Trusts and Probate

Harry has extensive experience across the range of trusts, probate and private client work. Many of his cases involve high profile individuals and valuable estates and assets. He advises in relation to contentious and non-contentious matters, both in England & Wales and offshore, with recent experience relating in particular to Guernsey, the BVI, Gibraltar and New York.

Recent cases include:

Bond v Bond (2023): Contentious probate dispute in London concerning the succession to shares in a valuable family trading business.

Re Guernsey Trusts (2023): Advising over several years on a dispute in the Royal Court in Guernsey concerning four trusts with very substantial assets.

Al Thani v Al Thani (2023): Advising the Respondents in relation to BVI proceedings concerning whether shares in a BVI company are movable property for succession purposes under BVI law (currently on appeal to the Privy Council).

Doyle v The estate of the 7th Marquess of Bath (2023): Acting for the Claimant in a claim under the Inheritance (Provision for Family and Dependents) Act 1975 against the estate of the 7th Marquess of Bath (the owner of the Longleat estate in Wiltshire).

Lady Brudenell-Bruce v Viscount Savernake (2022): Acting for the Defendant executor in a contested executor removal trial concerning part of the Savernake Estate in Wiltshire.

Lizzium v Crown Estate [2021] EWHC 941 (Ch): Successful claim to re-vest land held by a company incorporated in Gibraltar which was dissolved.

Goss v The estate of George Michael (2020): Acting (led) for the Claimant in a claim under the Inheritance (Provision for Family and Dependents) Act 1975 against the estate of the late pop star, George Michael.

International probate dispute (2020): Advising in relation to the negotiation and settlement of a long-running international probate dispute concerning a testator who died domiciled outside of the UK with assets situated in England, Jersey, Spain and Morocco.

Smith v Heng (2018): Acting for the trustees of a valuable discretionary trust in contested proceedings for construction and rectification of the trust instrument.

Shaw v Shaw [2018] EWHC (Ch): Acting as successful sole counsel in the High Court upholding a homemade will drawn up by the testatrix's son who substantially benefited from it.

Numan v Munter [2017] EWHC 885 (Ch): Successful claim to remove the Claimant's brother as executor of their mother's estate.

Fielden v Christie-Miller [2015] EWHC 87 & 2940 (Ch): Acting (led by Richard Wilson KC) for the trustees in a dispute concerning the ownership of a valuable estate in Oxfordshire. The case concerned proprietary estoppel, fettering of discretion by trustees, and trustee neutrality.

Harry regularly advises in relation to non-contentious matters concerning trusts, succession and tax, which are not the in the public domain. Recent experience includes advice on IHT and CGT planning and returns, applications under the Variation of Trusts Act 1958, advice setting up Family Investment Company structures, and compliance with the requirements of the Register of Overseas Entities.

Commercial Litigation

Harry's practice includes acting in a range of commercial disputes, particularly those involving a Chancery element.

Recent cases include:

H v T&D (2023): Acting (led) for the Claimant in a dispute concerning the fraudulent sale by Timothy Sammons of an impressionist painting, with substantial issues of New York law.

Winslet v Gisel [2021] EWHC 1308 (Comm): Acting as sole counsel in the Commercial Court in a dispute as to the court's jurisdiction to hear a claim for repayment of interest-free loans under the recast Brussels Regulation.

Auden McKenzie v Patel (2020): Acting (led) for the principal Defendant in a large Commercial Court case concerning the sale of a pharmaceutical company, involving the alleged fraudulent misappropriation of assets, tax fraud and competition law breaches.

Prior to commencing practice at the bar Harry taught on the undergraduate Principles of Commercial Law course at Oxford University, which particular specialisms in relation to agency, security and sale of goods.

Art & Cultural Property

Harry has a particular interest and expertise in art and cultural property disputes. He is ranked by Chambers & Partners in Band 1, as one of the top three juniors in England practising in the field.

Recent cases include:

H v T&D (2023): Acting (led) for the Claimant in a dispute concerning the fraudulent sale by Timothy Sammons of an impressionist painting, with substantial issues of New York law.

A v A&A (2023): Acting for the Claimant in a dispute concerning a large-scale fraudulent pledge of modern art.

DACS & ACS v Braka (2023): Acting for the Claimants in the first case in the UK concerning the enforcement of Artist's Resale Right.

QIPCO v Ariadne (2022): Acting for the Defendant New York gallery defending a claim brought by a member of the Qatari royal family concerning the authenticity of mosaics.

G v Christie's (2021): Acting (led) in a claim against Christie's for negligence in the sale of three valuable modern

sculptures.

A v Borro Loan 4 Ltd (2017): Acting for the Applicant in an urgent injunction to stop the auction of £10m of fine wine subject to a pledge.

G v Everything I Want Ltd (2017): Acting for the Applicant in a successful contested *Norwich Pharmacal* application in relation to the identity of the purchaser of a £15m painting.

Remains of King Richard III (2013): Advising (led) Leicester City Council in relation to the dispute concerning the exhumation and re-interment of the remains of King Richard III.

Property

Harry regularly appears in court in property disputes concerning matters such as ownership, adverse possession, easements, boundary disputes, and landlord and tenant disputes.

Recent experience includes:

Lizzium v Crown Estate [2021] EWHC 941 (Ch): Successful claim to re-vest land held by a company incorporated in Gibraltar which was dissolved.

Dobson v Griffey [2018] EWHC 1117 (Ch): Appearing as sole counsel in a four day High Court trial concerning the ownership of a family home.

Fielden v Christie-Miller [2015] EWHC 87 & 2940 (Ch): Acting (led by Richard Wilson KC) for the trustees in a dispute concerning the ownership of a valuable estate in Oxfordshire. The case concerned proprietary estoppel, fettering of discretion by trustees, and trustee neutrality.

Injunction proceedings. Bringing and defending urgent applications in the Chancery Division and the County Court, including for re-admittance to property after entry by the landlord.

Squatters. Harry has experience in obtaining orders for the eviction of squatters. On a pro bono basis he has also represented a group of protestors responding to a claim by a property developer for possession and injunctive relief regarding premises in and round Denmark Street, Soho (known as "Tin Pan Alley").

International and Offshore

Harry has a growing expertise in matters in offshore courts.

Recent cases include:

Re Guernsey Trusts (2023): Advising over several years on a dispute in the Royal Court in Guernsey concerning four trusts with very substantial assets.

Al Thani v Al Thani (2023): Advising the Respondents in relation to BVI proceedings concerning whether shares in a BVI company are movable property for succession purposes under BVI law (currently on appeal to the Privy Council).

S v S (2023): Advising in relation to an application in New York for discovery under 28 USC 1782 in aid of foreign proceedings.

Professional Negligence

Harry is frequently instructed by Claimants and Defendants in professional negligence disputes which touch on matters within his expertise. Particular recent experience includes cases involving negligence in relation to tax advice, will drafting, art, and advice to pension trustees.

Civil Fraud

Harry has acted in a number of fraud cases, particularly those involving art.

Recent cases include:

H v T&D (2023): Acting (led) for the Claimant in a dispute concerning the fraudulent sale by Timothy Sammons of an impressionist painting, with substantial issues of New York law.

A v A&A (2023): Acting for the Claimant in a dispute concerning a large-scale fraudulent pledge of modern art.

Auden McKenzie v Patel (2020): Acting (led) for the principal Defendant in a large Commercial Court case concerning the sale of a pharmaceutical company, involving the alleged fraudulent misappropriation of assets, tax fraud and competition law breaches.

Insolvency

Harry has experience in a wide range of matters concerning both corporate and personal insolvency. His recent experience includes:

Re Telrock Communications Limited. Thought to be the first early neutral evaluation in the Companies Court.

Re Nortel Networks. Harry was instructed to act as part of a team for the European administrators in relation to this very large, multi-jurisdictional insolvency dispute. Harry's role involved reviewing the depositions of a large number of witnesses to facilitate the marshalling of the evidence into the written arguments.

Acting for trustees in bankruptcy. Harry is regularly instructed by trustees in bankruptcy in relation to matters such as annulment, possession of tenanted residential premises (in particular the High Court appeal in *Re Bolter* reported at [2016] BPIR 367), and possession and sale of property).

Tax

Quotes

"Harry Martin is a rising star who is building a highly regarded traditional chancery practice. He regularly handles wills and trusts, and is also taking on art and cultural property matters." (Chambers and Partners UK Bar, 2024)

"Harry Martin of Serle Court is a popular Chancery barrister who also advises on significant art and cultural property matters, particularly on title disputes and other contractual issues." (Chambers and Partners UK Bar, 2024)

"He is super intelligent, he really understands this area and he is really good with clients. For his year of call he is over and above where you would expect someone to be." (Chambers and Partners UK Bar, 2024)

"Harry has got a huge amount of expertise. He is very personable, straightforward and easy to work with." (Chambers and Partners UK Bar, 2024)

"Harry is very good - very bright and articulate. He is incisive and knows the area well." (Chambers and Partners UK Bar, 2024)

"Harry has got a huge amount of expertise. He is very personable, straightforward and easy to work with." (Chambers and Partners High Net Worth, 2023)

"He is very good - very bright and articulate. He is incisive and knows the area well. I am very impressed with him." (Chambers and Partners High Net Worth, 2023)

"Harry is, very simply, an exceptional barrister. He is very firm with opponents and excellent with clients. His written work is also thorough and clear" (Chambers and Partners High Net Worth, 2023)

"He is super intelligent, really understands this area and is really good with clients. For his years, he is over and above where you would expect someone." (Chambers and Partners High Net Worth, 2023)

"He is fantastic. Strategically, he is very good and his written submission are first-rate". (Chambers and Partners, 2023)

"He's very bright and very commercial in his advice". (Chambers and Partners, 2023)

"Harry Martin is competent beyond his years and is a dream to work with". (Chambers and Partners, 2023)

"Harry is wonderful and I really enjoy working alongside him. He always takes the time to answer my calls and is always on hand if I need to ask any questions". (Chambers High Net Worth, 2022)

"Excellent junior in the chancery world." (Chambers High Net Worth, 2022)

Publications

- Co-editor of the *Sale of Goods* and *Choses in Action* volumes of the *Encyclopaedia of Forms and Precedents* (LexisNexis)

Education & Qualifications

BA in Jurisprudence at Keble College, Oxford: First Class

BCL at Keble College, Oxford: Distinction

Bar Professional Training Course: Outstanding
