

# Civil and Corporate Litigation



# Firm overview

Minchin & Kelly (Botswana) was established in 1890 to serve the commercial and legal needs of Botswana and has successfully served this purpose for over a century. The firm continues to provide high quality legal services to domestic clients in Botswana but has also developed into a leading provider of services to international clients wanting to invest or do business in the country.

## About us

The firm's historical association with and presence in Botswana together with a highly skilled and internationally experienced team of lawyers allows us to provide clients with commercial, legal and business solutions to complex legal issues in a manner that is sympathetic to and workable in Botswana. The firm's primary areas of practice include corporate and commercial, banking and finance, projects, commercial litigation, insolvency, labour law and property. Clients include financial institutions, national utility companies, global corporations, FTSE 100 and Fortune 500 companies, the Botswana government, individuals and various other medium to large companies. As of March 2012, the firm formally became a member of DLA Piper Africa, a network of independent law firms working across Africa. DLA Piper is the largest law firm in the world with a total of 4,200 lawyers practising in more than 40 countries worldwide. Our membership of this network has given our firm access to specialised legal skills in practically every field of employment law.

## Department overview

We offer a one stop solution through our Civil and Corporate Litigation Division. Ranked by Chambers & Partners 2026 Band 1 in Dispute resolution. Our specialist litigators have vast knowledge and experience in dealing with and resolving disputes through arbitration, litigation and mediation. They are passionate, dedicated and determined to get the best results possible for our clients. We advise and represent national and multi-national corporations, financial institutions and government entities in complex, multi-jurisdictional disputes. We ensure that our clients receive relevant, timely and effective advice based on our extensive expertise in litigation, arbitration, conciliation, mediation, negotiation and other means of pre-empting and settling disputes. We are supported by DLA Piper's Litigation and Arbitration group. This association means we are able to manage clients dispute matters anywhere in the world. In cross-border disputes, clients will work through a single point of contact with their trusted Minchin & Kelly contact in Botswana. The relationship also gives our clients access to a wealth of experience and knowledge from around the globe, and immediate access to a worldwide database of important dispute resolution cases. The added value is that this facility saves our clients time and money.

### CHAMBERS GLOBAL 2026 RECOGNITION

"Minchin & Kelly is extremely responsive and proactive in client engagements and the team is seasoned in the management of our matters."

– STRENGTH QUOTE

"Its thoroughness and deep understanding of the laws in Botswana is unmatched, and the team always handles our matters with attention to detail and promptitude."

– STRENGTH QUOTE

Minchin & Kelly (Botswana) has a well-established dispute resolution practice. The team of lawyers is well placed to advise clients on financial disputes, including those arising out of liquidations. The firm also handles medical and professional negligence claims as well as constitutional disputes.

– CHAMBERS REVIEW



Minchin & Kelly (Botswana)



Jayne Cross

## Recent experience

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The department has acted in a wide range of complex and high-value civil and corporate disputes across several industries, including banking, insurance, mining, energy, healthcare, telecommunications, and public administration. Below is a summary of our notable representations, reflecting both past and ongoing mandates:

### Financial and banking sector

- Represented the liquidator of an insolvent bank in an audit negligence claim valued at approximately BWP200 million.
- Represented a major creditor of the same bank in a related claim against its auditors.
- Currently representing an international audit firm in an audit negligence claim valued in excess of BWP500 million.
- Represented a commercial bank in a significant tax dispute valued at approximately BWP100 million. Mining and industrial sectors.
- Represented a creditor of an insolvent diamond mine in a claim valued at approximately BWP600 million.
- Represented various creditors of an insolvent copper and nickel mining company in claims aggregating approximately BWP50 million.
- Currently representing and advising the liquidator of a major steel manufacturing plant in ongoing insolvency proceedings. Public sector and parastatal litigation.
- Represented a parastatal organisation in a delictual claim involving the electrocution of individuals, valued at approximately BWP30 million.
- Represented a feedlot owner in an arbitration against a parastatal entity, involving a contractual claim of approximately BWP50 million.
- Represented a beer manufacturing company in a constitutional and administrative dispute with the Government concerning the COVID-era ban on alcohol sales.

### Pension and investment funds

- Acting for a major pension fund in a contractual dispute valued at approximately BWP450 million.

### Insurance and reinsurance

- Represent a portfolio of leading insurance companies, including Hollard Insurance Company Botswana, Botswana Insurance Company, BICB t/a Bryte Risk Services Botswana, Alpha Direct Insurance Company and Sesiro Insurance Company and BIHL t/a Insure Guard.
- Represent a brokerage firm in a COVID-related business interruption claim valued at approximately BWP100 million. Healthcare and medical negligence.
- Represent various hospitals in complex and sensitive medical malpractice and negligence litigation. Corporate governance and director liability.
- Represent former directors of an insolvent company in defending a BWP60 million reckless trading claim brought by a creditor. Regional and international entities.
- Represent a regional economic community in various contractual and arbitration matters arising from contractual agreements.

### Tax and regulatory

- Represented a commercial entity in a contentious tax dispute valued at approximately BWP30 million. Telecommunications and ICT.
- Represent mobile network providers in a range of delictual, contractual, and employment-related disputes.
- Public and electoral law.
- Represent independent organisations and stakeholders in electoral dispute resolution, including urgent court interventions and legal challenges.

### Aviation insurance

- Advised and represented parties in high value and complex aviation related incidents, handling claims arising from negligence and breaches of statutory obligations.



## Key contacts

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