



CONSTRUCTION, ENGINEERING
AND INFRASTRUCTURE
ENERGY, NATURAL RESOURCES AND
UTILITIES
PROFESSIONAL NEGLIGENCE
INFORMATION TECHNOLOGY AND
TELECOMMUNICATIONS

Christopher Lewis KC

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PRACTICE

Christopher practises principally in the fields of construction and engineering; energy and utilities; information technology; and related matters. He is an experienced trial advocate and is usually also involved at earlier stages of a case. His experience includes, therefore: advisory work; settling pleadings, submissions and notices; pre-trial advocacy (including advocacy in mediations); and trial advocacy. That experience spans a range of different forums, including mediation, adjudication, expert determination, arbitration (domestic and international), the High Court (principally the TCC and the Commercial Court) and appellate courts.

He has represented clients from, and advised on disputes relating to, a number of different jurisdictions throughout Europe, the Americas, Africa, the Middle East and Asia. A number of those disputes have been subject to arbitration, under differing arbitration rules. He has a particular interest in disputes which have a conflict of laws element (whether as to jurisdiction, or choice of law, or otherwise).

Very often his cases will involve complicated issues of law, fact and/or expert evidence; and those issues have arisen in a range of different types of project across a range of different disciplines.

Christopher is recommended in the most recent editions of The Legal 500 and Chambers and Partners in the fields of construction, international arbitration and energy & natural resources.

CONSTRUCTION, ENGINEERING AND INFRASTRUCTURE

Christopher has extensive experience of the issues arising in construction, engineering and infrastructure projects. He has represented contractors, employers and consultants.

Examples of his work include:

- Representing the Panama Canal Authority in a series of disputes arising from the Third Set of Locks project – one of the largest engineering projects in the world.
- Appearing on behalf of the claimant (through name-borrowing provisions) at first instance and before the Court of Appeal in **Amey Birmingham Highways Ltd v Birmingham City Council**, in relation to a dispute arising from a 25-year PFI contract for the roads and street lighting network in Birmingham. Christopher led Peter Land.
- Appearing for Vinci in two TCC cases relating to adjudications on works on the baggage handling system at Gatwick Airport. In **Beumer Group UK Ltd v Vinci Construction UK Ltd**, Christopher (leading Felicity Dynes) successfully argued that the Court should decline to enforce an adjudicator's decision on the grounds of breach of natural justice, where the adjudicator had also been adjudicator in a related dispute.
- Appearing for the defendant in **Caledonian Modular Ltd v Mar City Developments Ltd**, in which the defendant successfully resisted enforcement of an adjudicator's decision by means of a Part 8 declaration as to whether there had been a valid application for an interim payment under the HGCR 1996 (applying **Geoffrey Osborne Ltd v Atkins Rail Ltd** in which Christopher had also appeared).
- Conducting a two-and-a-half-week TCC trial (leading Jennifer Jones) before Mr Justice Coulson in **J Murphy & Sons Ltd v Johnston Precast Ltd** in respect of the failure of a water main, and involving interesting legal questions and expert evidence as to the mechanism of failure.
- Appearing as junior counsel at first instance and before the Court of Appeal in **Rust Consulting Ltd v PB Ltd** on the proper construction of an asset purchase agreement and related questions of estoppel.
- Acting as junior counsel in the Buncefield case (at the quantum stage), involving consideration of the remedial works undertaken (including works on the fire-fighting and safety integrity systems; and works necessitated by the contamination of the site as a result of extinguishing the fire).
- Acting as junior counsel on a case concerning the design and construction of a motorway and involving consideration of the use of new materials on the project (HMB 15).
- Acting for the owner in the Solitaire arbitration concerning the conversion of a bulk-carrier into the world's largest pipe-laying vessel. This was (at the time) the longest-running LMAA arbitration ever, and he was instructed in the case for five years. His involvement included representing the client at a number of lengthy hearings in 2003 to 2005, conducting cross-examination of factual and expert witnesses on a range of technically complex matters (including experts in piping and architectural work; delay; and QS).

ENERGY, NATURAL RESOURCES AND UTILITIES

OIL AND GAS

- Appearing as one of a team of five counsel (two silks and three juniors) in **Florez v Equion Energia Ltd**: a 62-day TCC trial before Mr Justice Stuart-Smith. These proceedings concerned claims by 109 Colombian farmers that their land had been damaged by the construction of an oil pipeline in the mid-1990s. The case was widely reported in the press (described by The Guardian

as “the first time [a claim for] compensation for environmental damage to privately owned land, caused by a UK oil company, has been litigated in the UK”). Christopher appeared for the defendant, and cross-examined both factual and expert witnesses.

- Appearing for the defendant/appellant in **First Abu Dhabi Bank PJSC v BP Oil International Ltd** in the Commercial Court and before the Court of Appeal (led by Bankim Thanki QC). The case concerned the proper construction of a receivables financing contract relating in turn to a contract for the delivery of crude oil.
- Initially junior, and then sole, counsel on a large international arbitration (sums claimed c.US\$1bn) relating to the design of an onshore processing facility in Russia. He was involved for over a year during the interlocutory stages of the case, including the preparation of a pleading, requests to produce and interlocutory hearings before the UNCITRAL panel.
- Appearing as junior counsel for the owner in an international arbitration concerning the construction of an oil and gas platform in the Far East. His cross-examination of factual and expert witnesses (during a five-week hearing in London under the LCIA rules) covered issues such as D&E, weight growth, miscellaneous variations and the valuation of loss caused by deferred production.
- Appearing as junior counsel for the owner in an international arbitration concerning the construction of a semi-submersible oil and gas platform. He was involved at the pleading stages, and also undertook cross-examination of factual and expert witnesses at a substantial preliminary issues hearing on defects (including in the HVAC and fire-fighting systems).

OTHER NATURAL RESOURCES AND UTILITIES

In addition to Christopher’s experience in oil and gas projects, he has also been instructed on cases relating to projects involving other natural resources, utilities and the like. By way of example:

- Appearing as junior counsel in an international arbitration (ICC; seat in London) concerning the design, construction and installation of an offshore wind farm. He undertook cross-examination of factual and expert witnesses on a range of issues at the substantive hearing.
- Acting in an arbitration (seat in the Middle East) relating to the construction of a sewage treatment plant.
- Advising on a case relating to the failure of specialist equipment in a mine in one of the former Soviet republics.
- Advising on a case relating to the design and construction of an in-vessel composting facility in the south of England.

PROFESSIONAL NEGLIGENCE

He has experience in the professional negligence field in relation to claims brought against construction industry professionals. Case examples include:

- Acting as junior counsel in a claim for professional negligence against designers of M&E services.
- Acting as junior counsel for the defendant in a case relating to a fire at a confectionery factory

(sums claimed in excess of £100m), involving allegations of professional negligence against the defendant.

- Acting for insurers in a case involving an allegation of professional negligence against a firm of architects in relation to the design of a roofing system.
- Advising on a contractor's claim against architects in respect of an allegation of negligent design of windows and doors in the conversion of a hotel into a block of flats.
- Acting as sole counsel at trial for a firm of architects in a case involving allegations that the architects had failed to obtain viable tenders for works on a listed building.

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

Christopher has been instructed by customers and suppliers in relation to claims concerning computer hardware/software and telecommunication systems, including:

- Conducting a four-week TCC trial (leading Peter Land) before Mr Justice Edwards-Stuart in **De Beers UK Ltd v Atos Origin IT Services UK Ltd**. The case related to a software development and supply agreement, and concerned allegations of repudiatory breach, variations (including in particular arguments about the scope of the works undertaken), delay and quantum. The case is often cited for the Judge's findings on the correct approach to concurrent delay.
- Conducting (as sole counsel) a one-week arbitration in Hong Kong concerning the licensing of software and the provision of related IT deliverables and services in respect of a bank's private wealth management division.
- Advising on the proper construction of a contract relating to the provision of mobile telephone services.
- Acting as junior counsel for Atos in the trial before Mr Justice Teare in **Atos v Avis**. The case concerned the provision of an ERP technology system throughout Europe and the introduction of a Shared Services Centre. It involved technically complex evidence (both factual and expert) relating to the selection, configuration and customisation of the software package in question, the construction of bespoke interfaces, and the processes which would be carried out with the new system; allegations of misrepresentation, professional negligence and repudiatory breach; and complex issues as to quantum.
- Appearing as sole counsel for the supplier in an expert determination (before a specialist silk) concerning the proper construction of a contract in respect of the provision of IT services to a government department.

QUALIFICATIONS AND AWARDS

2017	Appointed Queen's Counsel
1998	Called to the Bar (England & Wales)
1997-1998	BVC, ICSL London. 7 th Overall (Outstanding) Queen Mother Fox Scholar and Harmsworth Exhibitioner (Middle Temple)

1992-1996

Law, University College Oxford

Law Moderations (Distinction), Finals (First), BCL (First)

Eldon Scholar

ADDITIONAL INFORMATION

Christopher was a full-time tutor of law at Wadham College, Oxford from 1996 to 1997; and a part-time tutor of law at the London School of Economics from 1997 to 1998.

He spent three months in early 2000 as judicial assistant at the Court of Appeal to the then Master of the Rolls, Lord Woolf.

Christopher is a member of TECBAR, COMBAR, LCLCBA, SCL and the Society for Computers and Law.

Christopher is a former editor of the Building Law Reports.

Christopher speaks conversational Italian.

RECENT RECOMMENDATIONS

"Exceptionally clever and brilliant legal analysis skills. He is a lovely man to work with and is very good at handling clients and explaining the issues to them."

Construction, The Legal 500 2024

"Christopher delivers exceptionally clever and brilliant legal analysis. He is very good at explaining issues to clients."

Energy, The Legal 500 2024

"On advice matters, he has complete mastery of the file, legal, technical and factual."

International Arbitration: Construction/Engineering, Chambers UK Bar 2024

"Christopher Lewis is just fantastic. He has an incredible ability to get on top of detail, incredible precision in how he presents and a prodigious work ethic."

"Christopher Lewis is not only the most intelligent counsel I have ever had the chance to work with, but he is also a brilliant advocate and a complete pleasure to work with at all times."

"Christopher really gets into it and tries to find the commercial way forward."

Construction, Chambers UK Bar 2024

"He's a superb advocate and an excellent cross-examiner."

Energy & Natural Resources. Chambers UK Bar 2024

"Christopher Lewis is a superbly talented lawyer who gets to the nub of any issue, however complex, incredibly quickly."

"He has a brilliant mind, he's commercially very astute and he's very client-friendly."

"He's just excellent in a hearing and he shows a real mastery of the detail."

Construction, Chambers & Partners UK Bar 2023

"Christopher offers a consistently high-quality service."

"Christopher is very bright and very user-friendly."

Energy & Natural Resources client, Chambers & Partners UK Bar 2023

"His recall of facts is uncanny."

"He's just excellent in a hearing and shows a real mastery of the detail." "He's extremely quick, smart and client and user-friendly."

International Arbitration: Chambers & Partners UK Bar 2023

"He inspires confidence with the depth of his analysis and strategic thinking."

Construction, The Legal 500 2023

"He provides practical advice on complex issues, recognising the commercial priorities of the client."

Energy, The Legal 500 2023

"He inspires confidence with the depth of his analysis and strategic thinking."

International Arbitration: Counsel, The Legal 500 2023

The above are a selection of recent client endorsements from the leading legal directories, both UK and internationally. For a complete list of endorsements, please contact the practice management team at Atkin Chambers.