



CONSTRUCTION, ENGINEERING AND  
INFRASTRUCTURE  
SHIPBUILDING, ENERGY & NATURAL RESOURCES  
TRANSPORT  
PROFESSIONAL NEGLIGENCE  
INFORMATION TECHNOLOGY AND  
TELECOMMUNICATIONS  
PROCUREMENT  
ADR APPOINTMENTS

## Andrew White KC

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### PRACTICE

*"He is a go-to person for high-value, complex, business-critical disputes, in particular those with an international flavour to them." – The Legal 500*

*"The current doyen of construction silks." - The Legal 500*

Andrew enjoys an international reputation as a commercial silk. He regularly appears as counsel in English High Court litigation, and international and domestic arbitrations, as well as mediations and expert determinations. He appeared in the House of Lords for the landmark decision of **Murphy v Brentwood District Council**.

Clients talk of his abilities as an authoritative, heavyweight, measured and incisive advocate with an ability to master the most complex of cases while also being a commercial team player who works "ferociously hard" on behalf of his clients. He is regularly instructed by the world's largest law firms on behalf of major construction, engineering and energy companies, governments and state entities.

Andrew's practice includes large civil engineering and building disputes such as hospitals and airports, shipbuilding and ship conversion, rail and rolling stock, and significant work in energy – both oil and gas, and renewable projects. He is also called on for related disputes, such as contracts for the sale and purchase of oil and gas, and more general commercial work.

Most of his work is international in nature and in recent years he has acted in disputes in Europe, North and South America, Australia, the UAE and across Asia. He has been instructed as counsel in the Court of Appeal in Gibraltar, in the High Court of Hong Kong and in arbitrations in Dubai, Abu Dhabi, Oman, Qatar, Singapore, Hong Kong, Brussels, Gibraltar, and Tanzania.

Andrew has also been appointed as an arbitrator – both as chair and party-appointed - in UNCITRAL, ICC, SIAC, LCIA and ad hoc arbitrations in England, Singapore, Nigeria, Switzerland, Paris, Trinidad,

Australia, New Zealand and New York. Andrew has been appointed as a member of both the SIAC panel of arbitrators and the approved panel of arbitrators at the Astana International Arbitration Centre (AIAC) in Kazakhstan.

In energy he is “acclaimed for his dedication to the area, having done ‘lots of the big energy cases’” according to Chambers and Partners. He has recently worked on one of the largest claims before the TCC arising out of the Greater Gabbard Offshore Wind Farm off the coast of East Anglia acting for a major Chinese state-owned multinational engineering company (**Fluor v Shanghai Zhenhua Heavy Industry Co**, [2016] EWHC 2062 (TCC) and also [2016] EWHC 2500 (TCC), [2018] EWHC 1 (TCC), [2018] EWHC 490 (TCC)).

Other recent energy disputes include representing one of the world’s largest offshore drilling companies in a dispute related to exploration operations offshore Libya; an ad hoc arbitration under an amended EPC agreement on behalf of the Chinese contractor in a dispute in relation to a coal-fired power plant in India, and a multi-million-pound ICC arbitration with an Abu Dhabi seat in relation to a contract dispute concerning the upgrading of one of the world’s largest oil refineries.

His wider commercial experience is significant. In recent years this has included a Middle East dispute over a royalty agreement. He also has considerable experience in the professional indemnity, IT and telecommunications, and procurement fields.

He has been recognised for many years as a leading silk by the legal directories - Chambers and Partners Guide (Global, Asia and UK Bar) and The Legal 500 (UK Bar, Asia-Pacific and Middle East) - in the fields of international arbitration, energy and natural resources, construction and professional negligence.

In 2011 Andrew was awarded Construction Silk of the Year and in 2015 he was awarded International Arbitration Silk of the Year – both at the Chambers UK Bar Awards.

Andrew’s arbitral appointments include:

- Arbitration under the Nigerian Arbitration Act relating to offshore oil fields in Nigeria.
- ICC arbitration with a Geneva seat about a project in Iraq.
- Arbitration administered by SIAC under the law of Western Australia in relation to a large contract and project in Australia.
- LCIA arbitration related to a major national road network road on a Caribbean Island.
- ICC arbitration with an Australian seat concerning a fertiliser plant.
- New York dispute under a consultancy agreement between South African and German entities.

## CONSTRUCTION, ENGINEERING AND INFRASTRUCTURE

Andrew has dealt with the whole range of issues including claims for loss and expense, defects claims, cost overrun claims and liquidated damages in relation to the design and construction of power stations, airports, shipbuilding and conversion, roads and other transport infrastructure, and town and city redevelopments, including hospitals and schools. Examples of work include:

### INTERNATIONAL

#### Middle East

- Acting for the consortium of contractors who were building the new Dubai Metro which comprised of 40 stations and some 70km of viaduct and tunnels.
- Acting for a contractor involved in the construction of the Pearl Project in Qatar – The world's largest gas-to-liquids (GTL) plant and one of the world's largest, most complex and challenging energy projects ever commissioned. Qatar law and arbitration.
- Acting for the Government of Canada in a dispute concerning the construction of the Canadian Embassy in Saudi Arabia.
- Acting in arbitration and in the High Court for a major joint venture contractor in three major disputes concerning the construction of gas liquefaction facilities on Das Island, Abu Dhabi.
- Acting in arbitration under DIAC rules for the contractor in an arbitration concerning cost overruns on a residential development in Dubai Marina. Dubai law.
- Acting for international contractor in arbitration under DIAC rules for the contractor in a dispute concerning the construction of the Dubai International Financial Centre.
- Acting in LCIA arbitration for the contractor in a dispute concerning a water treatment plant in Oman.
- Acting in LCIA arbitration for the contractors on a dispute regarding liquidated damages levied at US\$30 million but part of wider disputes relating to the completion of the desalination facility forming part of a combined power and desalination project in Oman.

#### Far East

- Acting in Hong Kong arbitration for an international contractor pursuing a claim against the government in respect of a viaduct and road construction project in Hong Kong. The claim was for HK\$1 billion.
- Acting in a series of related arbitrations heard in Hong Kong relating to final account disputes between a Hong Kong property developer and a Korean construction company arising out of the construction of a hotel, an office block and a serviced apartment block. The issues involved questions of constructions of related contracts, practical completion, delay on the project, liquidated damages, variations and defects.

- Acting in ad hoc arbitration broadly following UNCITRAL/IBA procedures. Claims for liquidated damages by owner for late completion c€70million. Counterclaim by contractor joint venture for extension of time and early completion bonus. Disputes relate to responsibility for delay caused by hydrocarbon contamination of ground-affecting tunnel works.
- Acting in a series of arbitrations in Hong Kong relating to a dispute between the domestic developer and a local contractor concerning issues relating to government consents for tree felling defects loss and expense claims, final account and completion. Acted for one of the biggest contractors in Asia.
- Acting for the contractors on a multi-million-pound arbitration in Singapore concerning a failed foundation piling scheme for a prestigious city centre office development.
- Acting for the contractor in relation to a major dam project in Malaysia which included disputes as to unforeseen ground conditions.
- Acting for employers and contractors in various other disputes concerning the design, construction and reconditioning of several power stations in various parts of the world. These include fossil fuel power stations, fluid bed boilers, tyre burning and combined cycle power stations.

## DOMESTIC

- Acting for Mott McDonald defending substantial claim brought by Brookfield in relation to Wembley. Leading a large team of leading and junior counsel, this highly-publicised matter was the largest of all the Wembley disputes with the sums claimed in excess of £280 million and was the largest-ever claim issued in the UK Technology and Construction Court although was settled in June 2010. **Brookfield Europe (formerly Multiplex) v Mott McDonald**.
- Acting for the contractor on a matter which related to the circumstances in which an injunction can be granted to restrain a call on a performance bond. **Simon Carves v Ensus** [2011] BLR 340.
- Acting on behalf of parties to contracts made under the UK Government's PFI initiative. Advising upon, conducting and defending claims on a wide range of large projects relating to the construction of roads, tunnels, hospitals, schools and railways.
- Representing Bovis End Lease, in a case relating to a substantial claim arising from the construction of a Cadbury Chocolate Factory.

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## SHIPBUILDING, ENERGY & NATURAL RESOURCES

Andrew has extensive experience of both domestic and international disputes regarding oil and gas exploration and exploitation particularly in relation to the design and construction of on-shore and off-shore installations including oil rigs, pipelines and FPSO units. Andrew has also acted as counsel in disputes regarding the sale and purchase of oil and gas.

## INTERNATIONAL

- Acting for main contractors who are in dispute with their subcontractors over the termination of lengthy section of an oil pipeline in Turkey and the financial consequences that flow from that. ICC arbitration and the seat is London.

- Acting on behalf of the Singaporean owners of a shipyard in Rotterdam who were responsible for the conversion of a drilling rig into a deep-water rig. Clients are part state-owned and the employer is a Norwegian company. The arbitration was conducted under SCIMA rules.
- Instructed by the owners and operators of an oil and gas process facility off the west coast of Russia. The claim was against the designers of the facility. UNCITRAL arbitration with a London seat.
- Acting in LMAA arbitration for the operators of an oil field off the coast of West Africa in relation to a dispute with the company that built and operates the FPSO that processes the hydrocarbons extracted from the field.
- Acting for a Canadian oil company which was in dispute with a Scandinavian shipping company over disputes that have arisen under contracts for the construction and operation of an FPSO which is now in production in Gabonese waters. The issues arising include delay, the allegedly late provision of information, and technical issues relating to the integrated control and safety system, and the soil conditions at the FPSO site.
- Acting in a LCIA arbitration concerning the design and construction of the topsides of an offshore oil and gas processing platform in South East Asia. Claims included wrongful termination, variations, loss of profit, loss of production and defects.
- Acting for the owners in an LMAA arbitration regarding a dispute over the conversion of a 130,000t bulk carrier into the world's largest dynamically positioned pipe layer the "Solitaire" in what was the described at the time as history's largest arbitration.
- Acting in an ad hoc international arbitration for a claim for late completion works to a power station in Spain due to hydrocarbon contamination of ground affecting tunnelling works.
- Acting on a UNCITRAL arbitration concerning liability for extensive defects in welds in a newly constructed oil and gas processing facility in Kazakhstan. The sums claimed exceeded £100m, representing the costs of rectifying the defective welds together with associated losses (including a claim for recovery of delayed production losses).
- Acting, in the High Court and in arbitration, for ABB Lummus Global Limited in a dispute with Keppel Fels Limited, concerning the design and construction of the topsides of the Varg FPSO.

## DOMESTIC

- Acted for a major Chinese state-owned multinational engineering company against a Fortune 500<sup>®</sup> company in one of the largest claims before the TCC arising out of the Greater Gabbard Offshore Wind Farm off the coast of East Anglia. **Fluor v Shanghai Zhenhua Heavy Industry Co, Ltd** [2018] EWHC 1 (TCC).
- Instructed on behalf of a Danish contractor which has constructed foundations for two wind farms in the Solway firth.
- Instructed by Amec and Alstom to act on their behalf in a dispute with RWE over responsibility for delay and additional cost incurred by my clients who were the contractors for the construction of a desulphurization project for a power station in South Wales. One aspect of the dispute was the subject of a hearing and judgment by Akenhead J in the TCC.
- Acting for the contractors in defects action in relation to a fuel pipeline from Birmingham to Gatwick Airport.

- Acting for the contractors in cost overrun claims in relation to an ethylene pipeline from England to Scotland. The dispute concerned unforeseen ground conditions.
- Acting in the High Court for Amec Process and Energy Limited in a dispute with Stork BV concerning the design and construction of the topsides of the Anaseuria FPSO.
- Acting for Sovereign Oil Limited in a High Court dispute with Aker Limited concerning the payment of a sail-away bonus in relation to the construction of the topsides of the Banff Ramform FPSO.

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## TRANSPORT

Andrew has extensive experience acting for a wide variety of employers and contractors on disputes arising from major road, rail, tram and tunnel infrastructure projects all over the world. His cases include:

- Appearing as counsel in the House of Lords in **Balfour Beatty v Eurotunnel** and in relation to several disputes arising out of the project.
- Dubai Metro.
- Section of the MTR in Hong Kong – original and more recent extension.
- Hong Kong Airport.
- London Underground – Connect project.
- A major Singaporean expressway.
- Muscat International Airport.
- Ninoy Aquino International Airport (formerly known and still commonly referred to as Manila International Airport).
- Croydon Tramlink.
- Manchester Metrolink (trams).

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## PROFESSIONAL NEGLIGENCE

Andrew has a great deal of experience in the professional negligence field acting for claimants, defendants and their indemnity insurers in relation to claims brought against a wide range of professionals primarily, although not exclusively, in the construction and infrastructure industries. In the field of negligence generally, Andrew appeared as counsel in the House of Lords in the landmark decision of **Murphy v Brentwood District Council**.

Cases include:

- Acting for the employer in a dispute in the courts of Guernsey concerning the construction of a residential and commercial development in St Peters' Port. A claim was brought by the project managers against the employer for sums due under the contracts of engagement and the employer had a substantial counterclaim for £70m.



- Acting on a US\$100 million professional negligence claim in UK High Court relating to design of power station in the Philippines including two successful results in response to appeals to the English Court of Appeal: **Mirant Asia-Pacific Construction (Hong Kong) Ltd v Ove Arup and Partners Intl Ltd**.
- Wembley Stadium – instructed by Mott MacDonald in proceedings bought by Multiplex.
- Acting on a \$900 million claim by consortium of international oil companies against design engineers, concerning design defects in an onshore oil and gas processing facility located on an island off the east coast of Russia, in an area that is ice bound half the year and prone to seismic movement.

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## INFORMATION TECHNOLOGY AND TELECOMS

Andrew has been instructed in various disputes concerning the design and construction of computers and the development of software. Cases include:

- A lengthy dispute between the London Fire and Civil Defence Authority and Marconi concerning the design and construction of its central mobilising command and control system.
- Instructed on behalf of London Underground in a series of high-value arbitrations concerning contract for installation, operation and maintenance of new telecoms system on underground railway network. A factually complex case involving PFI contract issues, construction disputes and environmental matters, such as detection and treatment of asbestos.

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## PROCUREMENT

Andrew has considerable experience in disputes under UK and European procurement rules. He was instructed by the Corporate Office of the House of Commons in connection with a lengthy High Court Action brought by the tenderers for fenestration works on the new parliamentary building at Westminster.

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## APPOINTMENTS AS ARBITRATOR

Andrew has been appointed to sit as sole and party appointed Arbitrator on numerous occasions both domestically and around the globe. Example cases include:

- Appointed as Chairman on an arbitral tribunal (Adhoc, Nigerian Seat) in respect of an offshore oil field located in Africa and the parties rights under a Unit Agreement. Claims in excess of US\$900million.
- Appointed as party nominated arbitrator (LCIA) regarding an International Offshore Platform Fabrication Agreement for the manufacture, fabrication, assembly, supply, testing and delivery of the platform. The platform was located in the Mediterranean sea.
- Appointed as party nominated arbitrator (Ad hoc) regarding a project for UK Government
- Appointed as party nominated arbitrator under UNCITRAL rules. The dispute arises out of a water purchase agreement (WPA) for the expansion of a seawater desalination facility in the Middle East, using a project financing structure and has a term of 20 years.

- President of an ad hoc arbitration under UNCITRAL rules regarding a hydroelectric plant in Asia
- Appointed as Chairman on an arbitral tribunal (SIAC, UNCITRAL Rules, Perth Seat) in respect of an iron ore mine located in Australasia. Claims in excess of AUS\$350million
- Appointed as co-arbitrator (SIAC) regarding a conditional sale and purchase agreement
- Appointed as party nominated arbitrator (ICC) regarding a gas turbine power plant in Africa.
- Appointed as party nominated arbitrator (ICC, London Seat) relating to an ethylene plant in the Middle East. Claims over US\$50million.
- President of an ICC arbitration, seated in Paris regarding claims arising from an agreement between a national Government and an oil and gas company for Petroleum exploration and production. Claims in excess of USD300million.
- Appointed as party nominated arbitrator (ICC, Singapore Seat) relating to a geothermal power plant located in Southeast Asia.
- Appointed as party nominated arbitrator (ICC, Geneva Seat) in respect of the construction of an 8km breakwater at a grand port located in the Middle East. Claims in excess of US\$330million.
- Appointed as Chairman of an arbitral tribunal (ICC, Paris seat) regarding the agreement for petroleum exploration and production in the Middle East. Claims in excess of US100million.
- Appointed as party nominated arbitrator (LCIA, Trinidad Seat) regarding the construction of a highway located on a Caribbean island. Claims in excess of US\$300million
- Appointed as party nominated arbitrator (ICC, Perth Seat) regarding the construction of a Technical Ammonium Nitrate Plant Project located in Australasia. Claims in excess of AUD\$105million
- Sitting in London with in a dispute between two large companies concerning claim for sums allegedly due under a contract for the construction in the Far East of steel manufacturing equipment. The arbitration was governed by UNCITRAL rules.
- Sitting as chair of arbitration in Abu Dhabi under ADCAC Rules.
- Sitting as sole arbitrator in London in dispute between Japanese finance company and Japanese contractor to determine liability for failure of pipework in a closed air-conditioning system in a 16 storey office building in the City of London. The dispute involved extensive technical evidence relating to water treatment and its chemistry and the possible interaction between chemicals used for water treatment and the failure of pipe fittings and metallurgy.
- Sitting as party-nominated arbitrator in New York governed by ICC Rules. The dispute was between a German company and Venezuelan company under a consortium agreement for the construction of a sulphur handling project in Venezuela. There were several hearings and three awards.
- Sitting as arbitrator in Wellington, New Zealand within a dispute between the Government of a group of Pacific Islands and a New Zealand contractor concerning the construction of a road. Claims made by the Contractor included unforeseen ground conditions, breach of contract and measurement claims. FIDIC conditions applied. The arbitration was governed by ICC Rules.



## NOTABLE CASES

**Fluor v Shanghai Zhenhua Heavy Industry Co**, [2016] EWHC 2062 (TCC) and also [2016] EWHC 2500 (TCC), [2018] EWHC 1 (TCC), [2018] EWHC 490 (TCC)

**Mirant Asia Pacific Construction (Hong Kong) Ltd v Ove Arup & Partners** [2004] C/A BLR 75 90, ConLR 40

**Lesotho Highland Development Authority v Impreglio SpA and Others** [2003] C.A. Lloyds Rep.497

**Road Management Services (AB) Plc v London Power Networks** [2003] BLR 303

**Amec Process and Energy Ltd v. Stork Engineers & Contractors BV** [2000] BLR p. 70

**Harmon CFEM UK v Corporate Officer of House of Commons** [1999] 67 Con LR 1

**Balfour Beatty v. Eurotunnel H.L.** [1992] 2 Lloyds Rep. 7

**Murphy v. Brentwood B.C. H.L.** [1991] 1 AC 398

**Lampitt v. Poole Borough Council C.A.** [1991] 2 QB 545

**L.B. Barnet v. London Residuary Body C.A.** [1990] 154 LG Rev.

**Martin Grant v. Sir Lindsay Parkinson C.A.** 29 BLR 31

**ABB Lummus Global Ltd v. Keppel Fels Ltd** [1999] Lloyds Rep. p. 24

**BICC Ltd v. Parkman** 78 CLR p. 18

**Bovis Lend Lease v. Braehead Ltd** 71 CLR p. 208

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## QUALIFICATIONS AND AWARDS

2018	Appointed to the approved panel of arbitrators at the Astana International Arbitration Centre (AIAC)
2003	Bencher of Lincoln's Inn
1979	LLB (Hons) Wales
	Hardwicke Scholar
	Megarry Scholar

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## ADDITIONAL INFORMATION

Andrew is a member of TECBAR, COMBAR and the Western Circuit.

## RECENT RECOMMENDATIONS

*"Andrew is a silk at the top of his game. Very detail-driven and really rolls his sleeves up and gets stuck into the detail. Excellent strategist."*

Construction, The Legal 500 2024

*"Andrew has no weakness. He is a strong advocate and for a person of his seniority he makes an impressive effort to get into the detail."*

Energy, The Legal 500 2024

*"Andrew is a silk at the top of his game. Very details driven and really rolls his sleeves up and gets stuck into the detail. Excellent strategist."*

International Arbitration, The Legal 500 2024

*"Excellent attention to detail, capable of managing large volumes of information, very bright indeed."*

Professional Negligence, The Legal 500 2024

*"He demonstrates great advocacy, leadership and strategic thinking."*

*"He impressed me with his great oral advocacy and outstanding experience."*

*"He is very experienced, very good and very well regarded."*

International Arbitration: Construction/Engineering, Chambers UK Bar 2024

*"Andrew provides great advocacy, leadership and strategic thinking."*

*"Andrew is able to grapple with complex construction contract provisions and provides practical advice to clients."*

*"Andrew is a very good strategist, is excellent on his feet and is very likeable too."*

Construction, Chambers UK Bar 2024

*"Andrew White is excellent on his feet."*

Professional Negligence, Chambers UK Bar 2024

*"Andrew is extremely helpful, is able to identify the issues quickly and provides his input efficiently."*

*"Andrew is one of my favourite KCs to use. He is diligent, meticulous and a superb advocate in construction arbitrations."*

International Arbitration – The Bar, Chambers Asia Pacific 2024

*"Andrew is a highly regarded construction silk. He is an excellent strategist and advocate."*

Construction, Energy & Infrastructure, The Legal 500 Asia Pacific 2023

*"He is not only on top of the case and the issues and a superb advocate, but also a real team player."*

*"He has an impressive grasp of the whole spectrum of construction law."*

*"His powers of recall are almost superhuman."*

Construction, Chambers & Partners UK Bar 2023

*"His ability to distil the essence out of the complex issues is very impressive and he has such gravitas. He makes a really valuable contribution in that regard."*

*"He rightly has a phenomenal reputation in the energy sector."*

Energy & Natural Resources, Chambers & Partners UK Bar 2023

*"His ability to distil the essence out of the complex issues is very impressive. He has such gravitas and makes really valuable contributions."*

*“He is very methodical and thorough.”*

*“He’s the man to get when you need to make bricks without straw.”*

International Arbitration, Chambers & Partners UK Bar 2023

*“Andrew is a concise thinker who speaks with clarity whether in court or when providing advice.”*

Professional Negligence, Chambers & Partners UK Bar 2023

*“Andrew White KC is one of the leading lights at the Construction Bar and an absolute delight to work with. He has massive gravitas but at the same time is humble and approachable.”*

International Arbitration, Chambers Asia Pacific 2023

*“Andrew is world-class; he is incredibly knowledgeable, has the ear of any leading tribunal, and has an extraordinary eye for details. He is an experienced advocate and has top-rated cross-examination skills.”*

Construction, The Legal 500 2023

*“He is able to condense and synthesise complex factual and legal disputes to distil the key issues, and his vast international arbitration experience gives him unmatched insight into the tribunal’s thinking.”*

Energy, The Legal 500 2023

*“One of the most sought-after arbitrators in the construction/commercial dispute field.”*

International Arbitration: Arbitrators, The Legal 500 2023

*“Incredibly hard-working and extraordinary eye for details. Consummate advocate who can lead a witness down paths they do not want to go without them noticing.”*

International Arbitration: Counsel, The Legal 500 2023

*“Incredibly hard-working and for such a senior QC is very “hands on” – will really get stuck into a case.”*

Construction: Middle East: The English Bar Legal 500 2023

*“Andrew is a highly regarded construction silk. He is an excellent strategist and advocate.”*

Construction, Energy & Infrastructure, The Legal 500 Asia Pacific 2023

*“He is not only on top of the case and the issues and a superb advocate, but also a real team player.”*

*“He has an impressive grasp of the whole spectrum of construction law.”*

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Construction, Chambers & Partners UK Bar 2023

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Construction: Middle East: The English Bar 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.