

# Rupert Choat KC

Call: 1998 | Silk: 2022

**"Rupert is a bit of a phenomenon. He's all over the details, leaving no stone unturned."**

Chambers & Partners



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## Rupert Choat KC has specialised since 1997 in construction, engineering, PFI / PPP, energy and similar disputes.

He has considerable experience in related claims involving professional negligence as well as bonds and guarantees. He has worked on disputes concerning projects in over 50 jurisdictions, with most of them governed by the local law. He is an experienced advocate from the English Court of Appeal to arbitration venues around the world.

Rupert is a practising arbitrator and has sat in ICC, LCIA, SCC, DIAC and ad hoc arbitrations. He has also acted as the expert in expert determinations. In addition, Rupert is a CEDR accredited mediator.

Rupert teaches on the MSc in Construction Law & Dispute Resolution at King's College, London.

Prior to taking silk, Rupert was named 'Construction and Energy Junior of the Year' at The Legal 500 UK 2018 Awards. He was ranked the No. 1 Thought Leader in Europe for two years running (Who's Who Legal Construction 2017 & 2018): he *"wins praise from clients for being "charming and talented"*. He is known to be *"an exceptional talent"* and *"one of the foremost names in construction arbitration and litigation"*. He is highly-ranked by The Legal 500 and Chambers and Partners for construction, energy and international arbitration.

## Expertise

### International Arbitration

- Co-counsel in an ICC arbitration concerning the design and construction of modules for six floating production storage and offloading units (FPSOs). Claims and counterclaims total over US\$ 250m.
- Counsel in two ICC arbitrations on a Middle Eastern power plant, for a total of c.US\$1bn.
- Counsel in an ICC arbitration concerning a major new airport in the Middle East worth c.US\$600m, including variations, extensions of

## Atkin Chambers

time, delay and disruption costs.

## Construction, Engineering & Infrastructure

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- Counsel for Jersey developers in ad hoc arbitration over a final account for a high-specification, new-build residential project.
- Counsel for a contractor regarding claims arising out of its work on a hotel in Libya, in arbitral and court proceedings.
- Junior counsel for Hackney Empire Theatre and Lord Sugar on issues arising from a contractor entering administration before completing its refurbishment works, including claims against a bondsman.

## Bonds

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- Counsel in *Lukoil Mid-East Ltd v Barclays Bank plc* [2016] B.L.R. 162 regarding the interpretation of an “on demand” bond and a call under it for US\$ 7m. The call concerned the late drilling of production wells in one of the world’s largest oil fields (in the Middle East).
- Counsel in two TCC hearings regarding an injunction against calls on on-demand bonds (owing to alleged bad faith) concerning a power plant in Brazil; *Doosan Babcock Ltd v Comercializadora de Equipos y Materiales Mabe Lda* [2013] EWHC 3010 (TCC) and [2013] EWHC 3201 (TCC); [2014] B.L.R. 33.
- Advising on whether a £5m bond for a London hotel development was an “on demand” bond and associated issues of interpretation and claiming under the instrument.

## PFI / PPP

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- Lead Counsel in €250m arbitration against an East European state over bonus and completion date issues.
- Counsel to a Project Company in adjudication proceedings on various multi-million pound issues arising under a UK hospital PFI project agreement.
- Advising project companies on claims arising under military, waste and schools PFI/PPP projects (including one concerning the termination of a project agreement and sub-contract).

## Energy, Natural Resources & Utilities

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### Energy

- Counsel in TCC litigation concerning the proper interpretation of dispute resolution provisions and when an appointing body is said to have appointed a panel of experts who were not suitably qualified.
- Advising on contractual issues and multi-million euro claims concerning five separate European interconnector projects, including contractual adjudication proceedings.
- Advising an EPC contractor in relation to arbitral and associated court proceedings concerning a power plant in a former Soviet republic.

### Oil and Gas

- Counsel for a state in ICC arbitration proceedings for over US\$650m concerning an oil and gas project involving deficient wells and environmental damage as well as breaches of duties of good faith and concealment.
- Counsel in a SIAC arbitration for over US\$200m concerning the drilling of oil wells in the Persian Gulf (in particular, for providing offshore drilling vessels).
- Advising a joint venture on contractual issues and arbitral proceedings with regard to an oil and gas project in Central Asia.

## Process Plants

- Counsel for a wastewater engineering contractor in £5m TCC litigation against its employer concerning a new build process plant. IChemE Green Book.
- Counsel in an LCIA arbitration on a US\$ 60m claim concerning a late and allegedly defective process plant in Southeast Asia and a bond call.
- Advising on the termination of a contract to construct a new process plant in South Asia and related issues.

## Water

- Counsel to EPC contractors on claims, including termination issues, regarding a US\$1bn+ project to deliver water to a capital city. Three separate international arbitrations with various subcontractors and international arbitration proceedings with the client for US\$400m.
- Counsel in an ICC arbitration against a Central African country concerning claims on a dam, water treatment plant and pipeline project.
- Counsel to an international contractor concerning a new desalination plant in Northwest Africa.

## Mining

- Advising in relation to a contractor's multi-million dollar claims regarding a mining project in Russia.
- Advising on rock issues on a project in South America.
- Advising on contractual issues concerning a nickel mine in Africa and potential arbitral proceedings.

## Professional Negligence

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- Counsel in litigation against architects and contractors concerning a negligently designed school.
- Junior counsel to two major UK contractors and a PFI project company in professional negligence litigation against engineers for £35m regarding a defective road in the UK.
- Counsel in a successful mediation concerning a claim against architects regarding their design of a supermarket destroyed by fire.

## Information Technology & Telecommunications

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- Acting for a blue chip telecoms company in disputes and adjudications worth over £200m.
- Advising on New Roads and Street Works Act 1991 claims.
- Advising an international supplier of hardware/equipment to a new build plant in Russia on a multi-million euro dispute with its employer.

## Transport

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- Counsel in an ICC arbitration regarding JV / Subcontract arrangements for the construction of a road in East Europe.
- Counsel in an ICC arbitration concerning the termination of its contract in relation to works at two airports in SE Africa.
- Advising on claims regarding various projects for rail and signalling work.

## General Commercial

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- Counsel to one-half of a contractual JV in a dispute with the other half over an energy project in the Middle East, where the latter – in

breach of duties of good faith – materially breached the JV agreement.

- Advising a Kuwaiti supplier of equipment in relation to multi-million dollar contractual claims regarding a project in Iraq.
- Counsel for a project company in an ICC arbitration regarding a contract with an East Asian company for the supply of equipment for a wind farm that was terminated owing to fraud, collusion and kickbacks (as the Arbitral Tribunal found, in ProjCo's favour).

## Notable Cases

**BDW Trading Ltd v Lantoom Ltd** [2020] EWHC 2744 (TCC), [2020] Costs L.R. 1597 and [2023] EWHC 183 (TCC)

**University of Manchester v John McAslan and Partners Ltd** [2022] EWHC 2750 (TCC), [2023] T.C.L.R. 2, 205 Con. L.R. 56, [2022] Costs L.R. 1607

**Broseley London Ltd v Prime Asset Management Ltd** [2020] EWHC 944 (TCC), 190 Con. L.R. 41; and [2020] EWHC 1057 (TCC), [2020] Costs L.R. 661

**Flexidig Ltd v M&M Contractors (Europe) Ltd** [2020] EWHC 847 (TCC); [2021] EWHC 784 (TCC); and [2021] EWHC 1841 (TCC)

**ISG Construction Ltd v Platform Interior Solutions Ltd** [2020] EWHC 1120 (TCC), [2020] B.L.R. 525, 191 Con. L.R. 152

**Platform Interior Solutions Ltd v ISG Construction Ltd** [2020] EWHC 945 (TCC), 190 Con. L.R. 212; and [2020] EWHC 1120 (TCC), [2020] B.L.R. 525, 191 Con. L.R. 152; and EWHC 1310 (TCC)

**Tecnicas Reunidas Saudia for Services and Contracting Co Ltd v The Korea Development Bank** [2020] EWHC 968 (TCC)

**Grandlane Developments Ltd v Skymist Holdings Ltd** [2019] EWHC 747 (TCC), [2019] B.L.R. 363, 183 Con. L.R. 100

**Equitix ESI CHP (Sheff) Ltd v Veolia Energy and Utility Services UK Plc** [2019] EWHC 593 (TCC), 183 Con. L.R. 129. (2019) 35 Const. L.J. 524

**Anchor 2020 Ltd v Midas Construction Ltd** [2019] EWHC 435 (TCC), 184 Con. L.R. 215

**Skymist Holdings Ltd v Grandlane Developments Ltd** [2018] EWHC 3504 (TCC), [2019] B.L.R. 173, 183 Con. L.R. 78

**Wharfside Regeneration (Ipswich) Ltd (In Administration) v Laing O'Rourke Construction South Ltd** [2018] EWHC 3858 (TCC)

**Ground Developments Ltd v FCC Construcción SA** [2016] EWHC 1946 (TCC), [2016] B.L.R. 532, 167 Con. L.R. 192, [2016] C.I.L.L. 3886

**Deluxe Art & Theme Ltd v Beck Interiors Ltd** [2016] EWHC 238 (TCC), [2016] B.L.R. 274, 164 Con. L.R. 218, [2016] C.I.L.L. 3808

**Lukoil Mid-East Ltd v Barclays Bank plc** [2016] EWHC 166 (TCC), [2016] 1 C.L.C. 791, [2016] B.L.R. 162, [2016] C.I.L.L. 3795

**Mi-Space (UK) Ltd v Bridgwater Civil Engineering Ltd (BCE)** [2015] EWHC 3360 (TCC)

**Amec Foster Wheeler Group Ltd v Morgan Sindall Professional Services Ltd and Ors** [2015] EWHC 2012 (TCC)

**Al-Waddan Hotel Ltd v Man Enterprise Sal (Offshore)** [2014] EWHC 4796 (TCC), [2015] B.L.R. 478

**ISG Construction Ltd v Seevic College** [2014] EWHC 4007 (TCC), [2015] 2 All E.R. (Comm) 545, [2015] B.L.R. 233, 157 Con. L.R. 107, [2015] C.I.L.L. 3598

**Doosan Babcock Ltd v Comercializadora de Equipos y Materiales Mabe Lda (formerly Mabe Chile Lda)** [2013] EWHC 3010 (TCC), [2014] 1 Lloyd's Rep. 464; and [2013] EWHC 3201 (TCC), [2014] B.L.R. 33

**UK Highways A55 Ltd v Hyder Consulting (UK) Ltd** [2012] EWHC 3505 (TCC), [2013] B.L.R. 95; (2013) 29 Const. L.J. 234, [2013] C.I.L.L. 3296

**Hackney Empire Ltd v Aviva Insurance UK Ltd (No. 2, interest)** [2013] EWHC 2212 (TCC), 149 Con. L.R. 213

**Hackney Empire Ltd v Aviva Insurance UK Ltd** [2012] EWCA Civ 1716, [2013] 1 W.L.R. 3400, [2013] B.L.R. 57, 146 Con. L.R. 1, [2013] 1 E.G.L.R. 101, [2013] 2 E.G. 66 (C.S.); and [2011] EWHC 2378 (TCC), [2011] B.L.R. 726, 138 Con. L.R. 165

**Man Enterprise SAL v Al-Waddan Hotel Ltd** [2013] EWHC 2356 (TCC), [2014] 1 Lloyd's Rep. 217

**MBE Electrical Contractors Ltd v Honeywell Control Systems Ltd Queen's Bench Division** [2010] EWHC 2244 (TCC), [2010] B.L.R. 561

**Ringway Infrastructure Services Ltd v Vauxhall Motors Ltd Queen's Bench Division (No. 2)** [2007] EWHC 2507 (TCC), [2008] T.C.L.R. 2, 115 Con. L.R. 149, [2007] C.I.L.L. 2532

**Ringway Infrastructure Services Ltd v Vauxhall Motors Ltd Queen's Bench Division (No. 1)** [2007] EWHC 2421 (TCC)

## Qualifications and Awards

- LLB Law (Hons), Warwick University
- LLM Commercial Law (Hons), Cambridge University
- Hardwicke and Sir Thomas Moore Scholar, Lincoln's Inn

- Fellow of the Chartered Institute of Arbitrators
- No. 1 Thought Leader in Europe (Who's Who Legal Construction 2017 & 2018)
- Construction and Energy Junior of the Year (Legal 500 UK 2018 Awards)

## Legal Texts

- Contributing editor for Global Arbitration Review's *Construction Arbitration*.
- Columnist for the UK's industry weekly magazine, *Building*.

## Recent Recommendations

*"Rupert is a bit of a phenomenon. He's all over the details, leaving no stone unturned. This shows in his advocacy. He wipes the floor with the less prepared."*

*"Rupert is highly experienced and looks at matters from all angles."*  
International Arbitration, Chambers UK Bar 2025

*"His commercial appreciation teamed with a remarkable understanding of the law make him a standout KC. His strategic advice is spot-on."*  
Professional Negligence, Chambers UK Bar 2025

*"Rupert has an exceptional grasp of the detail and a demonstrable desire to push the matter forward for the client."*  
*"He is a fantastic advocate who really involves himself in the matter with clear thought and strategy."*  
Construction, Chambers UK Bar 2025

*"Rupert Choat is an incredibly strong advocate who always thinks outside the box."*  
Energy & Natural Resources, Chambers UK Bar 2025

*"Rupert is a fantastic advocate. He really gets into the detail of the case early doors and explains and sets out the key legal points in a comprehensive but client friendly manner. His advocacy is thorough and pointed."*  
Construction, The Legal 500 2025

*"Rupert is a great advocate who is always fully prepared."*  
Professional Negligence, The Legal 500 2025

*"Rupert is a brilliant lawyer, who knows how to integrate another counsel team and bring a real input. He is a great strategist and is amazing in cross examination. He is a real expert in construction law."*  
International Arbitration, The Legal 500 2025

*"A silk who thinks outside the box."*  
Energy, The Legal 500 2025

*"Fantastic barrister and always able to think outside the box!"*  
Construction, The Legal 500 EMEA 2025

*"Rupert is superb. Extremely intelligent and knowledgeable but also excellent at communicating with clients. He's very strategic and responsive to the need to be commercial in approach."*  
Construction, The Legal 500 2024

*"He is helpful and patient, accommodating urgent requests for help, and he is quick to explain aspects of complex supporting evidence."*

Energy, The Legal 500 2024

*"Very commercial and client-focused, Rupert grasps the client's strategic objectives and finds a way through even the most complicated cases."*  
Energy, The Legal 500 2024

*"Rupert is a refined strategist in construction law and a brilliant cross examiner."*  
International Arbitration, The Legal 500 2024

*"Sharp and extremely attentive to details."*  
Professional Negligence, The Legal 500 2024

*"Rupert presents in a convincing and forthright way."  
"He's excellent."*  
Energy & Natural Resources, Chambers UK Bar 2024

*"Rupert is an excellent leading counsel who fully involves himself in matters, poised to address any issues arising and works with the team to push the case forward productively and efficiently."  
"Rupert is very detail-oriented. He presents in a convincing and forthright way and brings his experience in tribunals to the team, which is very helpful."  
"He provides clear, practical advice."*  
Construction, Chambers UK Bar 2024

*"Rupert has a great legal mind and will take time to talk through both legal and commercial issues. He is extremely approachable and personable."  
"Rupert is an excellent leading counsel who fully involves himself in matters. He is poised to address any issues arising and works with the team to push that case forward productively and efficiently."  
"Rupert is very detail-oriented. He presents in a convincing and forthright way."*  
International Arbitration, Chambers UK Bar 2024

*"Rupert is fantastic, he spots areas of vulnerability in evidence, works very hard and with great flair."*  
Professional Negligence, Chambers UK Bar 2024

*"Rupert's cross-examination is extraordinary. He is also very adept at coming up with a winning strategy overall."*  
Construction, The Legal 500 Europe, Middle East and Africa (EMEA) 2023

*"Rupert is incredibly switched on and detailed orientated. He throws himself into the case and absorbs vast amounts of information in very short spaces of time, which makes his advocacy particularly good."*  
Construction, The Legal 500 2023

*"He is helpful and patient, accommodating urgent requests for help, and he is quick to explain aspects of complex supporting evidence."*  
Energy, The Legal 500 2023

*"Rupert is incredibly switched on and detailed orientated. He throws himself into the case and absorbs vast amounts of information in very short spaces of time. This makes his advocacy particularly good as he is able to cross refer to other evidence and react to comments from witnesses very efficiently and tactfully."*  
International Arbitration, The Legal 500 2023

*"Sharp and extremely attentive to details."*  
Professional Negligence, The Legal 500 2023

*"He has a particular flair for advocacy and is persuasive, well prepared and well spoken." "Rupert's written advocacy is second to none." "He is very hard-working, thorough and conscientious. He is a skilled advocate who makes sure that the important points are both covered and grasped."*  
Construction, Chambers & Partners UK Bar 2023

*"Rupert Choat KC is a highly thought-of barrister for construction matters who frequently appears in energy disputes. He has appeared in both court hearings and international arbitrations relating to the full gamut of energy cases, notably handling disputes involving offshore wind farms and*

*drilling rigs.”*

Energy & Natural Resources, Chambers & Partners UK Bar 2023

*“Rupert Choat KC has a flourishing arbitration practice and appears regularly in the Middle East. He has demonstrable strength in construction disputes, acting for states, contractors and construction companies in a number of ICC arbitrations and advocating before the SCC. “Rupert has a real expertise in construction arbitration. He is a brilliant strategist, a sharp legal mind and a fearsome cross-examiner.””*

International Arbitration, Chambers & Partners UK Bar 2023

*“When he is on your team you can be confident that you will have sensible, excellent arguments.” “A skilled advocate who makes sure that the important points are both covered and grasped.” “He has a particular flair for advocacy and is persuasive, well prepared and well spoken. His written work is impeccable and gets right into the detail of the issues.”*

Professional Negligence, Chambers & Partners UK Bar 2023

*“Phenomenal counsel who gives his 100% to deliver the results for his client. Incredibly hard working professional. A very good arbitrator too.”*

Construction, The Legal 500 Europe, Middle East and Africa (EMEA) 2022

*“Rupert is extremely focused and detailed orientated. He gets thoroughly involved in all aspects of the case, giving you confidence he has grasped all issues fully and comprehensively.”*

Construction, The Legal 500 2022

*“He shows excellent commerciality and ability to identify the points which a court or tribunal will be interested in.”*

Energy, The Legal 500 2022

*“Extremely sharp, attentive to details, brilliant cross-examiner. An advantage in any construction arbitration.”*

International Arbitration, The Legal 500 2022

*“Very organised and intelligent. He has a great grasp of the law and the facts.”*

Professional Negligence, The Legal 500 2022

*“He is excellent – a very responsive, hard-working and easy to work with barrister who knows the law inside out.” “He is very commercial, pulls out the points that really matter and argues them in a way that is really creative.”*

Construction, Chambers & Partners UK Bar 2022

*“He is knowledgeable on the legal points as well as the technical elements of a case.” “He is very commercial and impressive with clients. He pulls out the points that really matter and argues them in a way that is really creative.”*

Energy & Natural Resources, Chambers & Partners UK Bar 2022

*“Rupert has a brilliant legal mind. He is a highly skilled and astute cross-examiner.” “He is very responsive. He knows his stuff when it comes to engineering and construction matters – he has seen it all.”*

International Arbitration, Chambers & Partners UK Bar 2022

*“His strength is being cerebral. A details man, he really puts in the work to grind through. His written submissions and strategising are very good, and he works well in a leading role.” “It’s very nice working with him. He gives really good advice on litigation strategy and is very good in hearings.”*

Professional Negligence, Chambers & Partners UK Bar 2022