

# Andrew Stevens

Call 2007



Andrew specialises in high-value and complex commercial disputes in litigation and international arbitration around the world. He is recommended counsel for **international arbitration** (Legal 500 UK) and ranked for **energy** (Legal 500 UK), **shipping & commodities** (Chambers & Partners; Legal 500 Asia Pacific); **construction, energy and infrastructure** (Legal 500 Asia Pacific) and **shipping** (Legal 500 UK).

He is regarded as a “*first class*” advocate, “*exceptional on the details*”, and “*capable of handling very difficult cases*”. He is “*excellent at getting on top of the detail in a case quickly and providing clear and succinct advice*” and “*in demand for his capabilities in international shipping arbitrations*”.

He has acted for clients in the English High Court and Court of Appeal (as lead advocate) and in the UK Supreme Court.

Andrew “*excels*” in international arbitration (Legal 500, 2021). He has acted in ICC, LCIA, CIETAC (as co-counsel), LMAA, SIAC, SCMA, UNCITRAL, HKIAC, and *ad hoc* arbitrations seated in London, Singapore, Hong Kong, Paris, Beijing, Stockholm, Geneva and Rotterdam.

He has extensive expertise in court applications in support of arbitration (challenges, appeals, appointment, removal of arbitrators, recognition and enforcement). He represented the LMAA before the UK Supreme Court in the landmark arbitration decision of *Halliburton v Chubb*. He gives lectures, training and seminars on international arbitration around the world.

Andrew has obtained worldwide freezing injunction and asset disclosure relief in the High Court and has experience of claims involving allegations of fraud.

His cases are often governed by foreign law including French Law, Kazakh law, Singapore law and Swiss law. He has rights of audience in the Kazakhstan AIFC Court (Feb 2019).

He acts for clients and law firms from all over the world (including the US, Middle East, Europe and CIS) and has particular and extensive experience in Asia Pacific. He is “*particularly noted for his developing practice in the Far East*” (Chambers & Partners) with “*a track record of cases in the region*”. Andrew has acted in several large and complex disputes with China-related elements. He is described as, “*popular for China-related work*” and “*very familiar with China and a very good choice for work with Chinese elements*” in London and Asia Pacific (Legal 500).

Andrew has drafted opinions on English law for use in foreign litigation governed by English law including in China and Singapore.

Andrew is happy to accept appointments as arbitrator.

Andrew has particular experience in:

- Construction, Engineering and TCC claims
- Energy, Oil & Gas and Renewables
- Shipping and International Trade
- Shipbuilding and Offshore Construction
- Aviation
- Banking, Finance and Fraud
- Commercial Disputes

Andrew sits on the London Circuit Commercial Court Users' Committee and the Bar Council International Committee.

Andrew speaks fluent French (he has been instructed in English and French language arbitration), good German and basic Mandarin.

## Construction & Engineering

Andrew has acted for clients in several high-value and complex design, engineering and construction disputes both in court and in international arbitration. He is variously ranked in the directories for his expertise **energy, international arbitration** and **construction, energy and infrastructure**.

### Featured Construction & Engineering cases

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Counsel in a high-value arbitration relating to a major construction project in Kazakhstan (FIDIC) (ICC, Stockholm).

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Acting for a Chinese SOE in a >\$400 million dispute regarding cancellation of design and construction contract for a highly complex specialist pipe-lay vessel (LCIA, London).

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Acted for a Chinese contractor and manufacturer of port infrastructure in a \$multi-million claim relating to delay and alleged defects in a North American port development (ICC, London).

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Acted for a Chinese SOE manufacturers of offshore wind turbine towers in a c.\$400m claim regarding defective welding.

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Advised on issues/adjudication arising out of delayed and over-budget UK construction project (JCT DB 2011).

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Acted for an Indian steel company in a claim against European steel machinery suppliers in a \$multi-million claim (ICC, Singapore) (with Joe Smouha QC, Ricky Diwan and Jeremy Brier).

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Advised a contractor in relation to the construction of a hydroelectric dam in Malaysia.

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Instructed in a fire claim regarding retail premises.

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Instructed in a claim for fire allegedly caused by electrical contractor.

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Instructed in a claim arising out of a fire at a holiday resort.

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Acted in a claim for defective installation of a combined heat and power unit.

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Appeared as sole counsel in a successful TCC claim for fire at commercial premises in Wales.

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Acted for several claimants in relation to arbitration and litigation proceedings arising out of a fire in a block of flats.

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Defended specialist sports surface contractors in a claim relating to the alleged defective laying of artificial sports pitches.

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Sole counsel in a TCC claim for damaged underground cabling in a major redevelopment project.

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Advised main contractors in relation to a construction adjudication claim.

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Seconded to the construction/professional risk team of a nationwide firm of solicitors (experience of JCT and NEC3 claims and claims involving the NHBC).

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Various subsidence claims and a claim under the UK Drainage Protocol.

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Worked on the Buncefield case on behalf of an oil major.

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## Energy, Oil & Gas and Renewables

Andrew has experience of claims relating to nuclear energy, offshore wind, solar energy and oil/gas contracts, pipelines and joint venture agreements (see also section on Construction, Engineering and TCC expertise) mostly in arbitration. He is variously ranked in the directories for his expertise in **energy, international arbitration, and construction, energy and infrastructure**.

### Featured Energy, Oil & Gas and Renewables cases

Instructed in a high-value dispute regarding cancellation of a design and construction contract for a highly complex specialist pipe-lay vessel (LCIA, London).

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Acted for manufacturers of offshore wind turbine towers in a c.\$400m dispute.

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Advised on breach and termination of jack up rig contract for use in offshore wind projects.

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Advised on termination of rig hire contracts on LOGIC form.

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Acted for European oil trading house against an African state in a multi-lingual (French and English) arbitration regarding the long-term supply of fuel oils (UNCITRAL, London).

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Acted in a nuclear energy joint venture dispute between a French company and German JV partners with a team of French and Swiss counsel in a c.€800m dispute. Issues of EU competition law, wrongful termination and interim non-compete injunction (ICC, Geneva).

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Acted as sole counsel in a dispute between Indian and UK parties relating to a solar energy project in southern Europe (ICC, London).

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Acting in a claim for defective installation of a combined heat and power unit.

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## Shipping & International Trade

Andrew is ranked for **shipping & commodities** (Chambers & Partners; and Legal 500 Asia Pacific) and for “**shipping**” (“Legal 500). Chambers & Partners 2022 notes he is “*in demand for his capabilities in international shipping arbitrations*”. Previously Legal 500 and Chambers & Partners referred to him as “*first class*”, “*extremely able*” and as a lawyer who “*punches above his weight*”.

Andrew represents clients in court and in international arbitration (e.g. LMAA, ICC, SIAC and ad hoc in e.g. London, HK and Singapore). He is recommended as a leading junior barrister for international arbitration in Legal 500. He has experience of often high value and complicated disputes arising out of time and voyage charters, COAs, carriage of goods and commodities contracts, ship finance, guarantees, mortgages, ship management agreements, and admiralty matters. He has also acted for clients in MOA disputes.

Andrew has significant experience of advising and representing Chinese owners and charterers. He was also previously seconded to a Scandinavian shipowners’ defence club.

As well as general shipping disputes, Andrew has a niche practice in Admiralty Court applications regarding claims under loan agreements/swaps/ship mortgages and applications for the judicial sale of vessels acting for major international banks (e.g. Deutsche Bank, RBS and the Bank of Tokyo-Mitsubishi).

## Featured Shipping & International Trade cases

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Appeared unled in Commercial Court regarding enforcement of CIETAC award relating to sale of chemicals from China to EU (CIETAC award, Commercial Court).

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Sole counsel in significant commodities/COA arbitration (ad hoc, Hong Kong).

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Sole counsel in a c.\$40m COA dispute relating to carriage of cargoes to West Africa (ad hoc, London).

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Acting as sole counsel in two demurrage and wrongful exercise of lien and cancellation disputes (LMAA, London).

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Acting for cargo interests and marine insurers in a grounding salvage claim (LMAA, London).

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Acting for various Chinese owners in deviation, off-hire and hold cleaning disputes (LMAA, London).

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Defending major Chinese charterers and a Chinese airline in several \$multi-million arbitrations under charterparties and guarantees (LMAA, London and SIAC, Singapore).

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Acting for Norwegian owners in relation to piracy/CONWARTIME clause issues (voyage into African piracy zone) and a claim for wrongfully withheld hire (LMAA, London).

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Defending Chinese/HK voyage charterers as sole counsel in a significant claim for demurrage (ad hoc, Hong Kong).

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Acting for Norwegian owners in relation to bunker supply claims in Egypt and London.

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Appearing as sole counsel for Italian traders for late delivery of fuel oil (Commercial Court).

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Defending Middle-Eastern time charterers/guarantors in a \$multi-million dispute (LMAA, London).

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Acting for Italian ship managers in multiple ship management arbitrations (LMAA, London).

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Claim relating to contaminated cargo of grain.

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Claims relating to speed and performance.

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Acting for Russian charterers of a lightering vessel claiming losses in the straight-run and cracked fuel markets in Singapore (LMAA, London).

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Acting for Norwegian owners in a claim involving issues of off-spec bunkers and redelivery in breach of charter (LMAA, London).

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Sole counsel in a chain of off-hire, grounding, double banking and speed/consumption claims.

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Advising on the use and sale of an MPSV/DSV for the oil and gas industry off the coast of Brazil and potential sale in Singapore.

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Acted for RBS as sole counsel in a claim for over \$300m.

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## Shipbuilding, Superyachts and Offshore Construction

Andrew has significant experience of high value and complicated shipbuilding, superyacht and offshore construction disputes (including oil, gas and wind turbines) as well as related finance disputes (e.g. refund guarantees), mostly in arbitration (e.g. LMAA, HKIAC, LCIA and ICC in e.g. London, Hong Kong and Singapore) and also in court.

Chambers & Partners 2022 refers to Andrew as “a respected junior in demand for his capabilities in international shipping arbitrations” and notes his “expertise acting in superyacht cases”. He is variously ranked for his expertise in **energy, international arbitration, shipping and construction, energy and infrastructure**.

Andrew was lead advocate for the yard in the most recent leading case on the SAJ form *Jiangsu Guoxin v Precious Shipping* [2020] BLR 653 (Commercial Court and on appeal to the Court of Appeal – settled before hearing) dealing with delay, extensions of time, notices, modifications and the prevention principle.

He has specific experience of highly technical issues including in relation to stern tube bearing failures, vibration, paint/coatings and scrubbers.

Andrew has significant experience of acting for Chinese yards and SOEs as well as for European buyers and yards. Andrew’s experience includes disputes involving the construction of bulk carriers, superyachts, OSVs, AHTSs, pipe-lay vessels, specialist survey vessels, platforms, FPSO conversion and offshore wind.

## Featured Shipbuilding, Superyachts and Offshore Construction cases

Andrew was lead advocate for the yard in the Commercial Court in *Jiangsu Guoxin v Precious Shipping* [2020] BLR 653

before Butcher J (and on appeal to the Court of Appeal), which (along with *Zhoushan Jinhaiwan Shipyard v Golden Exquisite*) is the leading case on the SAJ form shipbuilding contract relating to delay, notice, EOTs, modifications and the prevention principle (s.69 appeal from two London LMAA arbitration awards).

Successfully defended Chinese state-owned yard in two bulk carrier cancellation claims (two-week HKIAC hearing).

Represented Chinese SOE in a >\$400 million dispute regarding cancellation of design and construction contract for a highly complex specialist pipe-lay vessel (LCIA, London – successfully settled).

Sole counsel in an arbitration regarding the cancellation of at €100 million superyacht (LMAA, London).

Counsel in eleven related arbitrations worth over \$100 million in relation to 14 cancelled bulk carriers and the issue of stern tube bearing failures seen in scores of vessels in the mid-to-late-2010s. The disputes involved eleven weeks of hearings and extensive work with and expert evidence from scientists and engineers at the cutting-edge of research on the operation of stern tube bearings (LMAA, London).

Sole counsel for owners in a number of London arbitrations relating to a programme of scrubber installation on multiple vessels (ad hoc, London).

Sole counsel for a Chinese yard in three LMAA arbitrations regarding the cancellation of four specialist newbuild vessels (LMAA, London).

Acting for German buyers in four concurrent shipbuilding cancellation disputes against Chinese yard (LMAA, London).

Acting for a European buyer against a Chinese yard in a series of four shipbuilding disputes (LMAA, London – successful settlement).

Acting for European yard in a series of 17 shipbuilding disputes (ad hoc, Rotterdam).

Advised on breach and termination of jack up rig contract for use in major offshore wind projects.

Advised on termination of rig hire contracts on LOGIC form.

Acted for manufacturers of offshore wind turbine towers in a c.\$400m dispute.

Acted for European yard in claim by buyers of specialist research vessel (LMAA, London).

Celtic Explorer [2015] EWHC 1810 (Comm) (s.68 challenge).

Acted unled for Chinese yard in arbitration relating to partial retention of instalment by buyers after delivery (LMAA, London).

Acted for European buyers of cancelled bulk vessels against Chinese yard (LMAA, London).

Acted for converters of FPSO in a long-running conversion dispute and disputes regarding the construction of multiple platforms off the coast of West Africa (LMAA, London) (with Vernon Flynn QC and Edmund King).

Acted for and advised European buyers/bank in relation to the cancellation of shipbuilding contracts with a Chinese yard, calls under refund guarantees and issues of assignment.

Acted for purchasers of two offshore PSVs from a European yard (LMAA, London).

Assisted Norwegian buyers in relation to Singapore High Court injunction proceedings restraining calls on refund guarantees in relation to multiple hulls in the Far East.

Assisted Singapore lawyers in relation to a judicial management application for offshore accommodation vessel owners in Singapore.

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Advised and acted in a mediation regarding the failure of a Chinese-built ship's European manufactured engine on her maiden voyage.

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## Insurance & Reinsurance

Many of the construction related disputes referred to above arise out of subrogated claims brought by insurers. He also has experience of reinsurance disputes. Andrew has advised on issues arising out of the Third Parties (Rights against Insurers) Act and subrogated claims. He has experience of coverage disputes under marine and non-marine policies.

## Banking, Finance & Fraud

### Featured Banking, Finance & Fraud cases

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Acted for Korean Bank resisting call on refund guarantee (ICC, Singapore).

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Has acted for several banks (e.g. Deutsche Bank, RBS, and Bank of Tokyo–Mitsubishi) in relation to ship financing disputes involving swaps (ISDA Master Agreement) and ship mortgages.

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Andrew has advised in relation to several refund guarantees issued by Chinese banks.

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Acted for Chinese yard in relation to alleged fraud on a refund guarantee (LMAA, London).

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Drafted expert opinions on the English law of refund guarantees for Singapore High Court proceedings.

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Drafted particulars in a successful \$multi-million letter of credit claim against a major bank.

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Acted for an urban regeneration charity in a claim for an alleged major fraud on the charity (Chancery Division).

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## Commercial Disputes

Andrew has a broad range of experience in commercial disputes, often high-value and complex, in both litigation and international arbitration including applications for interim injunctive relief.

## Appointments

- Bar Council, International Committee
- London Commercial Circuit Court, Users' Committee
- London Shipping Law Centre, YMP Committee

## Publications

- "Protecting the Lifeblood of International Commerce: Parties Beware" [2010] L.M.C.L.Q 548
- "Is it "make your mind up" time? Cancellation and waiver in shipbuilding contracts" Maritime Risk, September 2011 (with Sean O'Sullivan)
- "Charter by conduct: TTMI v Statoil" Insurance Day (with Sean O'Sullivan)
- "Refund guarantees under shipbuilding contracts. Review of recent English judgments" Nordisk Medlemsblad No. 571 (with Karl Even Rygh and Henrik Aadnesen)

## Memberships

- ICC
- LCIA Users' Council
- HKIAC HK45
- LMAA (Supporting Member)
- Combar
- TECBAR

## Education

- BA Law & Modern Languages: French & German (Cambridge University)
- MA Law (Cambridge University)
- BVC (BPP Law School, London)

## Languages

- French (fluent)
- German (good)
- Mandarin (basic)



# Recommendations

Andrew is recommended as counsel for **international arbitration** (Legal 500 UK) and ranked for **energy** (Legal 500 UK), **shipping & commodities** (Chambers & Partners; Legal 500 Asia Pacific); **construction, energy and infrastructure** (Legal 500 Asia Pacific) and **shipping** (Legal 500 UK).

Comments in Legal 500 and Chambers & Partners have included:

- *“A first-class young advocate who shows great attention to detail and has good cross-examination skills”*
- *“Professional, hardworking and capable of handling very difficult cases”*
- *“In demand for his capabilities in international shipping arbitrations”*
- *“He is excellent at getting on top of the detail in a case quickly and providing clear and succinct advice”*
- *“Extremely able”*
- *“Exceptional on the details”*
- *“He has a profound understanding of laws in shipping and international trade”*
- *“Determined and insightful”*
- *“Dedicated to his work and immensely approachable”*
- *“He can quickly grasp the key point of the dispute and understands the client’s needs”*
- *“Very clever, client-friendly, responsive and quick”*
- *“Extremely thorough and very measured and reassuring when dealing with solicitors”*
- *“Popular for China-related work; very familiar with China and a very good choice for work with Chinese elements”*
- *“Punches above his weight”*