

Robin Neill



YEAR OF CALL: 1979

INN: GRAY'S INN

“ Robin is commercially minded, gives clear strong pragmatic advice and works ferociously hard. Clients love him.”

PARTNER

DISPUTE RESOLUTION

Practice Overview

Robin is a highly experienced lawyer, bringing with him the twin benefits of having worked in an international law firm and practising at the Bar in the field of domestic and international construction projects and trade disputes. He is also a trained mediator.

Robin's practice is focused on the resolution of commercial, construction and property-related disputes, through arbitration within the High Court. His construction cases include disputes arising out of international construction / supply projects, defective designs, management or construction of new or refurbished buildings, including professional negligence claims against engineers, surveyors, architects and project managers. Property and commercial cases include disputes arising out of sale contracts, partnerships and joint ventures.

Robin was called to the Bar in June 1979, and practised from Chambers in Gray's Inn Square. Having switched professions, he became a Partner in the Construction and Arbitration Group at Clifford Chance in 1991. He was appointed a Solicitor Advocate in 1996. He moved to Bristol in 2000, and became a partner in Bevan Brittan (formerly Bevan Ashford), before returning to the Bar in 2005.

Other Expertise

Robin has appeared in numerous commercial arbitrations (both international and domestic) in the UK, Europe, Middle East and Asia.

Areas of Expertise

Commercial

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Robin also acts in partnership and shareholder disputes, the vast majority of which are resolved through arbitration and mediation.

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Construction & Engineering

Robin has acted for and against employers and contractors, as well as professional members of the project team. His work is both domestic and international in provenance, as are the tribunals before which he appears.

Much of his work involves detailed consideration of designs and their fitness for purpose within the constraints of the relevant structure, and thus the articulation of design concepts in conjunction with engineers as part of the case presentation so as to ensure that the tribunal has the best possible understanding of the issues..

Examples of his recent work include:

- Sear v Kingfisher [2011] EWHC 3481 (TCC) – Successfully obtaining judgment on the basis of a fraud committed by the defendant through her silence and non-disclosure.
- Arbitration arising out of disputed sub-soil conditions in respect of a contract for the sale of land (2007)

International Arbitration

Robin has been involved in arbitrations since the 1990's, both as a partner in Clifford Chance and at the Bar. Most recently he successfully obtained a mandatory injunction in the Commercial Court against a foreign domiciled respondent in support of a (nascent) international arbitration with its seat in Switzerland. He has sat as an Arbitrator, but primarily appears as Counsel.

- ▶ ICC Arbitration [2011]: Successfully acting for a claimant (commercial agent) in ICC arbitration against a German Principal and covering an award in success of £11.5 million.
- ▶ Arbitration [2000] 1 LI Rep 480: Involving a dispute between a Middle Eastern finance house and an Indian company in respect of the recovery of monies loaned through an Islamic financing scheme. Subsequent challenge of the Award in the High Court successfully defeated.
- ▶ Arbitration involving a US\$9million dispute between a European bank and a pharmaceutical company in respect of a disputed valuation under a share-sale agreement of the shares in a recently privatised company in Central Europe.
- ▶ Arbitration [2007] against engineers and surveyors arising out of the valuation of land based on a false assessment of sub-soil conditions.
- ▶ Dalkor v ASES [2012] EWHC 3667 (Comm): Setting a precedent by successfully obtaining a High Court injunction in support of a Swiss Arbitration to restrain the defendant from enforcing securities held by a UK bank.

Mediation

Robin is a highly experienced lawyer, bringing with him the twin benefits of having worked in an international law firm and practising at the Bar in the field of domestic and international construction projects and trade disputes. He is also a trained mediator.

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Professional Negligence

Robin's construction cases involve professional negligence claims against engineers, surveyors, architects and project managers, and more recently Solicitors, in the field of development agreements and joint ventures.

Real Estate

Robin primarily acts in the resolution of disputes in the context of property sale and development agreements. Many of these disputes are resolved through arbitration or mediation.

Recent Cases:

- ▶ Delkor v ASES [2012] EWHC 3667 (Comm)
- ▶ Sear v Kingfisher (no.2) [2011] EWHC 3481 (TCC)
- ▶ Kingfisher v Whale (2) [2011] EWHC 3481 (TCC)
- ▶ Cheadle v Edwards [2010] EWHC 1216 (TCC)

Appointments

- ▶ Arbitrator primarily in commercial and construction disputes
- ▶ Solicitor advocate
- ▶ Mediator

Professional memberships:

- ▶ Financial Services Lawyers Association

Qualifications & awards:

- ▶ LLB (Bucks)

Contact Robin:

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