

Steven Walker QC



Contact Details

Tel (Clerk): 0131 260 5830

Fax (Clerk): 0131 225 3642

Address

Terra Firma Chambers, Parliament House, Edinburgh, EH1 1RF
DX 549302, Edinburgh 36; LP 3, Edinburgh 10

Steven Walker QC is a British Queen's Counsel and a leading Advocate (Scotland), Barrister (England), Attorney (Cayman Islands) and a Registered Foreign Lawyer at the Bar of Western Australia. He is an international commercial lawyer with a specialisation in international arbitration, energy, oil & gas, mining, commercial/corporate/financial disputes, construction and engineering. He also sits as an international arbitrator.

He is based in Asia Pacific, Europe and works internationally. Steven is one of only four British Silks ranked in Singapore and Terra Firma Chambers is the only Scottish Chambers to have a resident Silk practising in South East Asia.

Steven has been ranked as a New Silk for Dispute Resolution - Arbitration Singapore in the latest edition of Chambers & Partners Asia Pacific Guide (2018): *'New silk Steven Walker of Terra Firma Chambers advises on a wide range of arbitration mandates connected with energy, natural resources and infrastructure projects.'*

Steven was also ranked as a New Silk for Dispute Resolution - Arbitration Singapore in Chambers & Partners Asia Pacific Guide (2017): Chambers & Partners Asia Pacific Guide 2017 testify to his *"amazingly wide experience of the subject area in which he operates, spanning every energy dispute imaginable"* from his dedication to *"making clients feel at their ease"* to his *"excellent advocacy, not just in terms of the legal issues, but in terms of making the best case for the client."*

He was also ranked as a BAND 1 leading junior counsel for Dispute Resolution - Arbitration Singapore in Chambers & Partners Asia Pacific Guide (2016): As one source noted, *"he is very quick, able to see the key points and give the right wording. He makes complicated matters very simple. He is very familiar with how arbitrators think, what they want....he also maintains a regular presence in Malaysian disputes."*

Biography

Practice

Early in his career, he worked in the international arbitration group of Allen & Overy. Since then, Steven has developed an extensive international arbitration practice and now acts as senior counsel in multiple ad hoc and institutional international arbitrations conducted in many countries around the world and subject to a wide variety of governing substantive and procedural laws. He has built a formidable reputation acting in international energy, oil & gas cases involving exploration and production disputes, engineering, procurement and construction disputes, power purchase disputes as well as a whole range of commercial/corporate disputes concerning joint venture agreements, shareholders agreements and other financial and commercial agreements.

Professional Career

Steven started his career as a solicitor in 1997. He called to the Scottish Bar in 1999, to the Cayman Islands Bar in 2007 and to the English Bar in 2008. He has been an accredited Mediator since 2003 and became an accredited arbitrator in 2011. He was appointed an ad hoc Advocate Depute in 2007 (criminal court prosecutor) by the Lord Advocate (Head of the Scottish Prosecution Service) and has prosecuted serious offences for the Crown including attempted murder and armed robbery. Steven also held a public appointment from the Scottish Government to sit as a Tribunal Judge and did so for 9 years.

He was made an Honorary Fellow of the University of Edinburgh in 2009, an Honorary Lecturer of the Centre for Energy, Petroleum, Mineral Law & Policy, University of Dundee in 2008 and appointed Seminar Director & Lecturer on the Professional Seminar Training Programme of the Energy Studies Institute, National University of Singapore 2014. He was appointed visiting lecturer and course director on international commercial arbitration by the University of Notre Dame, Australia in 2017.

He lectures frequently on energy disputes, law and policy all over the world.

Steven is co-author of the leading international book 'Pleading in Arbitration - A Practitioner's Guide' published by Sweet & Maxwell/Thomson Reuters 2012. A second edition was released in 2017. The leading German International lawyer and arbitrator, Professor Peter Klaus Berger of the University of Cologne, described the first edition of this book as "an essential addition to every arbitration practitioner's library", in the journal of Transnational Dispute Management.

Practice Areas

Arbitration
Commercial Law
Corporate Law
Construction & Engineering & Infrastructure
Energy & Natural Resources
International Commercial Arbitration
International Investment Arbitration
International Trade, Trade Finance & Commodities
Mining
Oil & Gas
Renewable Energy (onshore and offshore)

Appointments

Arbitrator Panels

International Chamber of Commerce United Kingdom National Committee
London Court of International Arbitration
Kuala Lumpur Regional Centre for Arbitration
Stockholm Chamber of Commerce
Dubai International Arbitration Centre

Public Appointments

Appointed Ad Hoc Advocate Depute by the Lord Advocate 2007 to date.
Appointed Chairman of the Private Rented Housing Panel 2006 to 2015.
Appointed member of Geneva Petroleum Club 2014.

Academic Appointments

Appointed lecturer and member of the Global Academic Faculty of the Centre for Energy, Petroleum, Mineral Law and Policy (CEPMLP), University of Dundee in 2002 and 2008
Appointed Principal lecturer on the International Arbitration LLM at the University of Edinburgh 2009
Appointed Honorary Fellow of the University of Edinburgh 2009
Appointed Honorary Lecturer of the Centre for Energy, Petroleum, Mineral Law and Policy (CEPMLP), University of Dundee in 2008, 2011, 2014
Seminar and Course Director for CEPMLP arbitration conferences and professional seminars
External PhD Examiner CEPMLP 2011
Appointed Seminar Director & Lecturer on the Professional Seminar Training Programme of the Energy Studies Institute, National University of Singapore 2014
Appointed visiting lecturer and course director on international commercial arbitration by the University of Notre Dame, Australia in 2017

Publications

Co-Author of leading book 'Pleading in Arbitration - A Practitioner's Guide', Sweet & Maxwell/Thomson Reuters, 2012 (First Edition) 2017 (Second Edition).
Numerous articles and papers on commercial law.

Recent Articles and Events

A New Scottish Export - Scottish International Arbitration
Outside the Box
Resolution is the Key
Renaissance of Scottish International Arbitration

Recent Cases

Advising in relation to trade sanctions with Cuba.
Advising and drafting pleadings in a multi-jurisdictional oil and gas dispute arising out of the insolvency of a Dubai state-owned entity.
Advising on and drafting multi-tier arbitration clauses for a complex multi-jurisdictional confidentiality matter with Schillings LLP.
Assisting leading Irish Counsel with issues arising out of a major arbitration and advising on confidentiality.
Assisting Houthoff Burma in the Netherlands with English aspects of witness examination proceedings arising out of an international arbitration.
Assisting BSJP Poland with arbitral enforcement proceedings under the New York Convention in the Polish Commercial Court and related injunctive relief proceedings in the Court of Appeal in Warsaw.
A v A - Steven Walker was lead counsel assisted by Joseph England as junior counsel. This was an ICC arbitration concerning the construction of a shareholders' agreement. The case concerned complex expert valuation and technical oil and gas issues, spanned multiple jurisdictions and involved damages in excess of Euro 40m.
Advising the CEO of a private equity group and the inhouse team. Corporate transactional advice concerning a major international transaction for a US\$1 billion dollar oil services deal for the acquisition of an international oil services company.
E v A & others- ICC arbitrations concerning disputes between shareholders' in relation to and IT service company US\$25 million.
M v G - commercial contract dispute which relates to the development of a financial analytics platform for a consortium of financial institutions. Seeking to recover the (multi-million US\$) costs of the development of the platform and the rights to the technology and business plan under the terms of the contract.
Oil and Gas Litigation - Europe - Acting as lead foreign senior counsel for private equity group against a gas operator for breach of contract and potential fraud involving relinquishing gas concessions to a third party.

A v S - dispute concerns a multi-million professional negligence case against an international law firm who negligently advised in a high value oil & gas matter.

Advising on an Engineering, Procurement and Construction contract and related subcontracts as part of a €2 billion turnkey project in the Indian sub-continent.

Advice to South Africa-based high voltage power and infrastructure contractor in ongoing contractual dispute in Saudi Arabia.

B v A - ICC arbitration concerning a construction contract dispute, which relates to construction work carried out on one of Europe's tallest buildings. Deep foundation-engineering contractor is seeking to recover damages from UAE construction firm.

Ongoing advice to an Oil Company in relation to four licenses in Africa with development partners in a project expected to be worth a combined \$3 billion from the project.

Asset Protection Advice - advice concerning the protection of the client's multibillion-dollar estate via trusts and arbitration with a protection of privacy aspect. The multi-jurisdictional project involved the drafting of a complex confidentiality agreement including multi-tier arbitration clauses.

Advice and preliminary stages of a confidential ICC arbitration concerning a multi-party dispute relating to financial OTC derivatives contracts and trades between the largest international financial institutions amounting to over US\$100 million. Providing strategic advice in relation to the role of the company.

Commercial contractual advice concerning a complete contract review of a proposed major acquisition of shares in a fleet of cargo ships valued at several US\$100 million.

B v I - instructed for the Claimant. The Claimant is a provider of subsea construction and support services to the offshore oil and gas energy industry. The Respondent was an oil and gas operator with a focus on North Sea production, appraisal and development. This dispute essentially concerned whether or not a North Sea oil pipeline had been correctly installed and buried in the seabed.

Premier Oil & Others v Dubai Dry Docks and Others - multiple proceedings in Dubai and London and Scotland relating to the insolvency of a high profile Dubai state-owned oil and gas entity. Advised on complex issues of insolvency and conflicts of law applying the latest Rubin and Heritable Bank cases of the Supreme Court. The subject matter related to the delivery of a large subsea storage tank, the size of an oil tanker, which was being fabricated in Dubai and sent to the North Sea, Scotland. The subsea tank rests on the seabed just above the oil well. Acted to resist enforcement of a High Court judgment based on conflicts of law and insolvency issues in the English Commercial Court and Dubai Courts. £500 million.

Confidential Construction Contracts - instructed by the contractor to review and analyse the proposed construction and installation contracts in relation to installing monopoles and subsea foundations for an array consisting of 269 submerged tidal turbines in the Pentland Firth and offshore Orkney, which would have the capacity to power 175,000 Scottish homes.

S v G - instructed in an ad hoc arbitration concerning a very large construction project in Jordan. Construction began in 2009 with a total cost of US\$1.1 billion.

A USD\$50 million construction/engineering dispute arose concerning the drilling of a variety of boreholes and the extent to which these complied with the contract.

B v S - the project concerned the supply and installation of a subsea monopile which was part of a subsea tidal energy project located offshore of the Orkney Islands, Scotland. The contractor attempted to execute the works from a 'jack-up' barge. During execution of the works in the summer of 2010, the 'jack-up' barge encountered vortex induced vibrations/oscillations. This caused delay and additional cost to the contractor. An ICC arbitration commenced to determine if the VIV was unforeseeable and/or not reasonably

foreseeable. The seat of arbitration was Munich, Germany. £10 million.

Expert Evidence to Greek Court of Appeal - instructed to give independent expert witness written evidence on certain matters of English Marine Insurance law for the benefit of the Greek Court of Appeal in relation to a marine/shipping dispute.

X v Y - ad hoc Norwegian arbitration seated in Oslo, Norway, which concerned construction/engineering defects in relation to several subsea manifolds that connect the seabed part of an oil well in the North Sea. There was also a dispute in relation to extensions of time to complete the works and variation requests for additional costs as a consequence. The amount in dispute was GBP£45 million.

N v R - instructed for the Claimants in this ad hoc arbitration. The Claimants' vessel suffered engine damage to the extent that its repair cost is greater than its insured value and as such the Owners claim the insured value of the vessel from the Hull & Machinery Underwriters on the basis that the loss is a constructive total loss.

C v G - instructed for the Claimants in this ad hoc arbitration. The Claimants hired a vessel to transport some cargo. The vessel suffered engine damage due to the shipowners' negligence off the Argentine coast and the Claimant's cargo had to be offloaded after the vessel grounded.

AGR Peak Well Management Ltd. v Bridge North Sea Mercantile Court of the High Court before HHJ Mackie QC - a legally and factually complex hearing in the High Court, London, concerning terms of a settlement agreement. Steven acted for the Claimant and HHJ Mackie QC in his judgment referred to Steven's submissions as 'skillful and ingenious'.

Fugro-Rovtech Ltd. v Offshore Marine Management Ltd Mr Justice Edwards-Stuart - instructed for the defendant on a case in the Technology and Construction Court, London before the Hon Mr Justice Edwards-Stuart. This concerned an offshore wind farm in Germany. The defendant entered into a contract with a company called EON to carry out route clearance work and subsea mattress installation work on cable crossings in advance of EON laying a new subsea power cable. In order to perform this work, they had to deploy a Remotely Operated Vehicle ('ROV'). As a consequence of this, they sub-contracted certain works concerning the provision of the ROV, together with specialist personnel, to the Claimant, Fugro. The dispute concerned failures of the Fugro equipment which resulted in costs and delay.