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Robert Evans



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Legal 500 UK, 2022

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Practice Overview

Robert Evans predominately acts as arbitrator, adjudicator and mediator in international and domestic disputes. He began his career as a civil engineer, working for international consultants and contractors in the UK and in Hong Kong, and was subsequently called to the Bar in 1989. Robert utilises his strong civil engineering background and is often instructed in disputes with highly technical issues as a result.

Robert is a CEDR accredited mediator, and a member of the Institution of Civil Engineers' panels of arbitrators and adjudicators. He is a Fellow of the Chartered Institute of Arbitrators and is past chair of the ICE Dispute Resolution Committee.

As counsel, Robert specialised in construction, engineering and energy disputes and professional negligence work in the UK and abroad. He brings this experience to his arbitration and mediation practice. In addition, he has a particular interest in yacht and boat design and construction, and has been involved in a number of ship-building disputes, including military vessels.

Robert successfully mediated a number of remote mediations during the COVID-19 lockdown, using many of the main video platforms. He has also provided expert evidence on English law in Spanish Civil Court proceedings.

Robert is a supporter of and signatory to the World Mediators Alliance on Climate Change (WoMACC) Green Pledge. He has committed to minimising the environmental impact of each mediation in which he is involved in the ways outlined in the Pledge, including avoiding unnecessary travel and using electronic technology wherever possible, and encouraging those with whom he mediates similarly to minimise their carbon emissions. The full pledge can be found at https://womacc.org/.

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Practice Areas

Mediation

Robert Evans is a CEDR accredited mediator and is the author of the Chapter on mediation in the Keating Construction Dispute Resolution Handbook, Third Edition 2017 (Thomas Telford Publishing). He regularly mediates disputes in the construction, engineering, and energy sectors.

Recent appointments as mediator include:

- Payment dispute arising out of an EPC contract in the Middle East. Conducted remotely with participants spread over five countries.
- Dispute over defects at a port in Central America.
- Co-mediator on a dispute between an international construction JV and design JV over a major UK infrastructure project.
- Mediator and co-mediator on a number of multi-party disputes over the design, specification and construction of cladding to high-rise buildings.
- Dispute between two maritime security services companies over payment for provision of services and supplies. Remote mediation, including overseas participant.
- Dispute over payment for, and performance defects in, robotic storage systems in five locations across the globe, by remote mediation.
- Dispute between a Norwegian supplier of specialist access scaffolding systems and an Anglo-Spanish JV on major highway structures contract.
- Dispute in Malaysia under a trade contract for foundations and substructures for a substantial mixed-use development.
- Dispute between overseas owner of a prime residential property and its consulting engineer over fees, delay and defects in design.

In addition, Robert has appeared as a party representative in numerous mediations.

Examples of current or recent Tribunal Appointments

- Arbitrator for a statutory arbitration under the enabling legislation for a major UK infrastructure project relating to environmental issues.
- DAB member or chair on a number of international projects including infrastructure schemes in eastern Europe and Saudi Arabia.
- Party appointed arbitrator on a payment dispute over marine works in the UAE.
- NEC Option W1 adjudicator on a number of disputes between a South African contractor and French consulting engineer in relation to services at a power station.

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- ICC appointed expert for the determination of a dispute between the O&M contractor and owner of a power station in the UAE.
- Party appointed arbitrator in a dispute over construction works to a highway in Moldova.
- Party appointed arbitrator in a dispute in relation to an award-winning residential building in Dubai.
- Adjudicator on a dispute over the design and construction of foundations for an offshore wind farm.
- Party appointed arbitrator on a trade contract dispute arising out of the fit-out of a hotel and leisure complex in Dubai.
- Appointed by the parties as adjudicator in a dispute over valuation, payment, delay and disruption arising out of the construction of a major waste-to-energy project.
- Party appointed arbitrator in a substantial arbitration in Dubai relating to major reclamation works.
- Party appointed arbitrator in a payment and delay dispute arising out of the construction of major marine works in South Africa.
- Sole arbitrator in a delay and payment dispute in relation to a co-generation power plant in Oman.

Construction & Engineering (as counsel)

- Acted for a Government department on disputes relating to 25-year PFI contract for the provision of water and sewerage services for over 3,000 sites in England, Wales and Scotland.
- Advising an international architectural practice on a number of fee disputes.
- Acting for one of the members of the design team for the Thomas Heatherwick designed “B of the Bang” sculpture.
- Acting for a national Port authority in ICC arbitration proceedings against a design and build contractor in relation to defects in a container terminal.
- Instructed by the Treasury Solicitor in relation to arbitration proceedings against multidisciplinary consultant arising out of the refurbishment of one the Parliamentary Estate buildings.
- Acting for a Government department at all stages of a number of disputes arising out of the construction of the British Library.
- Representing a local contractor in an arbitration over the construction of a highway in Dubai.
- Acting for a number of high-net-worth individuals in disputes over the construction and/or renovation of private dwellings.

Offshore Construction & Marine Engineering (as counsel)

- Advising owner of a private super yacht in dispute with shipyard over a major refit.
- Advising on defects in the design and construction of an artificial surf reef.
- Acting for the purchaser of a company in relation to defects in the design and regulatory approval of a ballast water management system.

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- Advising on a payment dispute relating to the dredging and construction of a container terminal extension.
- Advising on disputes over delay and additional payment arising out of the construction of a T23 frigate, T45 destroyer and ALSL.
- Advising on contractual issues arising out of the design and construction of a submarine.
- Acting for the supplier of marine transmission and propulsion units in a dispute over defects.

Energy & Natural Resources

- Representing the British Coal Corporation (the Department of Trade and Industry) in the contribution claims against Coal Mining Contractors in the British Coal Respiratory Diseases Litigation, with particular reference to the contracts and contractual claims.
- Acting in a dispute over the in-service failure of wind turbine components.
- Advising and drafting pleadings on a major ICC arbitration relating to a petro-chemical plant in Mexico.
- Acting for a mining contractor in a payment dispute relating to an open cast coal mine in the United Kingdom.

Reported Cases

- Interserve Industrial Services Ltd v Cleveland Bridge UK Ltd All ER (D) 49 TCC
- Palmac Contracting Ltd v Park Lane Estates Ltd BLR 301 TCC
- William Verry Ltd v NW London Communal Mikvah BLR 308 and [2004] 96 Con LR 96
- Cothliff Ltd v Allen Budd (North West) Ltd CILL 1530
- Directory of Historic Key Reported Cases involving Members of Keating Chambers Various

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Other information

Education & Professional Career

- Chairman of the ICE Disputes Resolution Panel, 2019
- Recommended International Arbitrators of PIAC, 2016
- Fellow, Institution of Civil Engineers (FICE), 2008
- Public Access Training, 2007

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- CEDR Accredited Mediator, 2004
- Fellow, Chartered Institute of Arbitrators, 1998
- Keating Chambers, 1990
- Called to the Bar (Gray's Inn), 1989
- LLB, University of London, 1988
- Member, Hong Kong Institution of Engineers (MHKIE), 1987
- Member , Institution of Civil Engineers (MICE), 1985
- BA in Engineering, Gonville and Caius College, Cambridge (MA 1985), 1981

Additional Information

Robert Evans is interested in international off-shore yacht racing and is a member of the Royal Ocean Racing Club and the Royal Hong Kong Yacht Club. He has sailed at representative level for Great Britain and Hong Kong. Robert Evans was born in Jamaica and holds a dual United Kingdom Jamaican nationality. He is trustee of the Tall Ships Youth Trust.

Memberships

- Technology and Construction Bar Association (TECBAR)
- Commercial Bar Association (COMBAR)
- Society of Construction Law (former Council member)

Seminars & Publications

- Contributor, Keating on Construction Contracts – Tenth Edition (2016).
- Contributor, Keating on Construction Contracts – Ninth Edition (2012).
- Contributor, Keating on NEC3 (2012).
- Author of the Chapter on Mediation, Keating Construction Dispute Resolution Handbook Third Edition 2017, Engineers Dispute Resolution Handbook (2006), and Second Edition (2011) Thomas Telford.
- Contributor, Keating on Construction Contracts – Eighth Edition (2006).
- Editorial team, Keating on Building Contracts, Seventh Edition (2001).
- Robert Evans regularly lectures to audiences including the Chartered Institute of Arbitrators, the Institution of Civil Engineers and firms of solicitors.

Recommendations

"Very thorough and has a detailed appreciation of technical issues".

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Mediators, Legal 500 UK Bar 2024

"Very knowledgeable, calm and unruffable – someone you can put your trust in."

Mediators, Legal 500 UK, 2022

"Robert is quick to grasp the issues in a dispute and handles clients well."

Construction, Legal 500 UK, 2021

"Very approachable, his arguments are well thought out."

Construction, Legal 500 UK, 2020

"Robert Evans utilises his strong civil engineering specialism in his ADR practice, and is frequently instructed in highly technical construction, engineering and energy disputes."

Mediators, Chambers UK 2018

"A thorough draftsman with a strong technical knowledge in engineering cases."

Construction, Legal 500 2017

"He is very user-friendly, calm and analytical."

Construction, Chambers UK, 2016

"Good on his feet; a highly effective cross-examiner.

Construction, Legal 500 UK, 2015