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John Steel

Call: **2018**

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Practice Overview

John Steel specialises in domestic and international construction and engineering disputes as well as public procurement. Notably, John has been instructed as junior counsel in a range of high value cases spanning construction, engineering and procurement:

- In 2026, John was led in an ICC arbitration relating to an international project, led by Marc Rowlands KC. The case involved complex issues of delay and quantum. John was responsible for the cross examination of witnesses of fact and quantum.
- In 2025, John was instructed in a major internationally seated ICC arbitration relating to the green energy sector worth in excess of £100m, led by Fionnuala McCredie KC and Will Webb KC. The claim involved complex engineering issues, as well as delay and quantum.
- In *MW High Tech Projects UK Limited v Outotec (USA)* John acted as junior counsel to Adrian Williamson KC. The case involved allegations of misrepresentation in respect of complex engineering technology. The case included obtaining the strike out of a portion of the claimant's claim: [2023] EWHC 2885 (TCC) and a point that went to the Court of Appeal: [2023]

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EWHC 2885 (TCC).

- In the litigation between *Siemens Mobility Limited v HS2* [2023] EWHC 2768 (TCC) John was instructed as junior counsel to Fionnuala McCredie KC.

John is also instructed as sole counsel in domestic and international matters. These include:

- Acting as sole counsel in the First Tier Tribunal for a major housebuilder in respect of proceedings under the Building Safety Act. The applicants sought a remediation contribution order. John has also advised parties in respect of potential liability relating to claims under the Building Safety Act.
- As sole counsel in a number of cases relating to adjudication (enforcement and related matters) including *Phelan v Elliots* [2021] EWHC 428 (TCC) and *RHP Merchants v Treforest* [2021] EWHC B40 (TCC).
- As sole counsel on behalf of an international engineering company in a series of matters in the energy industry, spanning serial adjudications and advice on litigation.
- As sole counsel in respect of a dispute valued in excess of £1m involving questions of subrogation, co-insurance and technical matters relevant to liability.

John specialises in disputes involving all major forms of construction and engineering contracts, including NEC, IChemE and JCT forms. He is also the co-author of Keating on Offshore Construction and Marine Engineering Contracts.

Practice Areas

Energy & Natural Resources

John has acted as both sole and junior counsel in respect of a series of high value disputes in the energy sector. Highlights include:

- Acting in an ongoing major internationally seated arbitration relating to the green energy sector worth in excess of £100m. The claim involves highly technical engineering evidence, as well as extensive delay and quantum disputes.
- Acting as sole counsel for a major international engineering firm in adjudication proceedings regarding alleged defects in an energy facility with an ultimate claim value in excess of £1m. This has also involved advising and acting in respect of follow-on proceedings.
- Acting as junior counsel for the defendant in *MW High Tech Projects UK Limited v Outotec (USA)*, recently securing the strike out of part of the claimant's claim said to be worth in the region of £120m: *MW v Outotec* [2023] EWHC 2885 (TCC).
- Advising and acting as lead junior counsel for a major international engineering firm responding to an adjudication claim of circa £7m. The case involved in-depth expert evidence relating to a waste to energy plant. It resulted in success for the engineering firm, who received a net award of circa £1m in its favour. Also advising in the follow-on litigation strategy for the company.

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Construction & Engineering

John has extensive experience of construction and engineering disputes. Recent examples include:

- Acting as sole counsel for an insurer in respect of a subrogated claim worth in excess of £1m. This involved drafting pleadings and advising on a wide range of strategic issues.
- Acting as leading junior counsel in a London seated arbitration. The dispute relates to delays in an international project with the sums claimed in excess of USD15m.
- Acting for a main contractor responding to a circa £1m claim in adjudication proceedings. The dispute required detailed submissions on delay and the sequence of the works. It resulted in the Referring party withdrawing its Referral on receipt of the Response.
- Acting as sole counsel in the First Tier Tribunal for a major housebuilder in respect of proceedings under the Building Safety Act. The applicants sought a remediation contribution order.
- Acting for a main contractor responding to a circa £1m claim from a sub-contractor in adjudication proceedings. The dispute required detailed submissions on delay and sequencing and resulted in the Referring party withdrawing its Referral on receipt of the Response.
- Acting for and advising a firm of architects in a successful adjudication claim against a main contractor, following termination. This entailed detailed technical work with the client team. It resulted in a significant win for, and payment to (circa £200k), the architects.
- Acting in respect of matters involving questions of repudiatory breach, a number of which involved questions around the provisions of the NEC3 or JCT standard forms of contract.
- Acting on behalf of management companies advising them in respect of the Building Safety Act, its implications and ongoing remedial works.

Advocacy

John has appeared in the TCC in a number of matters. Select examples include:

- Appearing in complex adjudication enforcement claims. Examples include *RHP Merchants v Treforest* [2021] EWHC B40 (TCC); *Phelan v Elliots* [2021] EWHC 428 (TCC); and *Phelan v Elliots* [2021] EWHC 428 (TCC).
- Appearing on behalf of a claimant in respect of the assessment of damages following default judgment obtaining an order for payment of circa £550,000.00.
- Acting in a number of Case Management conferences in a range of cases including professional negligence claims (involving directions for expert evidence) and wide-ranging defects claims with budgeting for multiple parties.
- Appearing on behalf of a significant main contractor in the TCC to address a series of applications and case management hearings.

International Arbitration

John has acted in respect of a number of significant disputes in international arbitration proceedings. This has included:

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- Acting as the leading junior in an ICC arbitration in relation to an international project.
- Acting as junior counsel in an international ICC arbitration in a major dispute in the energy sector of the relevant jurisdiction. The claim value is in excess of £100m, and involves wide-ranging technical issues surrounding delay, termination and quantum.
- Assisting in drafting pleadings and taking witness statements in a major arbitration dispute relating to an infrastructure project in the Gulf.

Public Procurement

John acted as junior counsel in respect of the litigation between *Siemens v HS2*. This involved a number of interlocutory hearings involving questions of 'knowledge' for the purposes of UCR 2016 application: [2022] EWHC 2451 (TCC) and expert evidence: [2022] EWHC 2190 (TCC) and multiple rounds of applications in order to obtain specific disclosure.

In addition to his work on *Siemens v HS2*, John has acted:

- To advise a major events company regarding the intersection of the old procurement regime and the Procurement Act 2023.
- In respect of a judicial review of a decision to place a party in 'special measures' – this was ultimately successful.
- As sole counsel to advise a contractor in respect of a potential challenge to the award of a contract under a framework agreement.
- Advising a contractor in respect of the provisions of an award of a contract for the refurbishment of housing stock.
- Assisting in preparing for a hearing involving an application for security for costs and an application to amend.

Professional Negligence

John has acted for firms of architects and design & build contractors in respect of claims involving allegations of negligence. In addition, John has undertaken work including:

- Acting as sole counsel on behalf of a housebuilder to advance allegations of professional negligence against architects and quantity surveyors.
- Advising a company in respect of a fire at a manufacturing unit. This entailed extensive review of the professional obligations owed by those who built, maintained or inspected the unit prior to the fire.
- Assisting in drafting particulars of claim against an architect as part of a major project to provide performing arts facilities.
- Assisting in advising a client on obtaining an injunction to prohibit solicitors acting for another party in adjudication proceedings. The advice, and subsequent hearing preparation, related to concurrent adjudication proceedings.

PFI/PPP

Recent examples of John's work in respect of PFI & PPP includes:

- Acting on behalf of a private company engaged to act on behalf of NHS Trust in respect of a major claim against an FM contractor involving questions of termination, fire safety and deductions.

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- Acting on behalf of an NHS trust in adjudication proceedings against an FM contractor.

Reported Cases

- MW High Tech Projects UK Limited v Outotec (USA) Inc Metso OYJ [2023] EWHC 2885 (TCC)
- Siemens Mobility Limited v High Speed Two (HS2) Limited [2023] EWHC 2768 (TCC)
- DMD Environmental Limited v Mitchell Demolition Limited [H20CL003] CLCC (TCC List)
- Phelan Construction v Elliots Construction Limited [2021] EWHC 428 (TCC)
- Outotec (USA) Inc & Anor v MW High Tech Projects UK Limited [2024] EWCA Civ 844

Other information

Education & Professional Career

John was awarded the Michael Hodge Scholarship by the Inner Temple to study the BPTC.

Professional Career

- Tenant, Keating Chambers: 2020
- Pupil, Keating Chambers: 2019 – 2020
- Called to the Bar. Inner Temple: 2018
- Peters & Peters LLP (Commercial Litigation): 2017
- Legal Intern, Hausfeld & Co LLP (Competition and Commercial Litigation): 2016

Education

- GDL & BPTC at City Law School, London: 2016 and 2018
- MA International Peace and Security, King's College London: 2013 – 2014
- MA History, University of Edinburgh: 2009 – 2013
- Newcastle Royal Grammar School: 2002 – 2009

Additional Information

John is a keen runner, cross-country skier and supporter of Newcastle United. He is also fascinated by travels in Italy. He speaks French and Italian to a good standard.

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Appointments & Awards

- Jane Lemon QC Memorial Prize, 2nd Place (*"Bribes for Contracts, and Contracts for Bribes" – Comparative analysis of English and French law on bribery, contracts and arbitration).*
- Society for Construction Law Hudson Prize, 2nd place 2019 *("A Ticket to the South of France or Rough Justice? Construing Ambiguity in Manchikalapati v Zurich Insurance"* – the essay assessed the Court of Appeal decision in *Manchikalapati v Zurich Insurance).*