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## JENNIE WILD

Call: 2013

[jwild@keatingchambers.com](mailto:jwild@keatingchambers.com)

### Areas of practice

- Adjudication
- Advisory
- Advocacy
- Commercial
- Construction & Engineering
- Energy & Natural Resources
- Infrastructure & Utilities
- International Arbitration
- IT & Technology
- Insurance
- Litigation
- Mediation
- Offshore Construction & Marine Engineering
- Professional Negligence
- PFI/PPP

### Clerks' Details

Declan Redmond  
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Jade Clark  
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### Practice overview

Jennie specialises in high-value, and complex, construction and energy cases, including four international airports, four power stations (including the world's largest air-cooled station), and two major hospitals.

Jennie's practice is a balance of international arbitration and domestic litigation, and she has a fantastic reputation with clients overseas and in the UK. In respect of her domestic practice, Jennie often appears as sole counsel and is trusted by clients in complex cases due to her commercial and meticulous approach. Her instructions this year include those related to Covid-related force majeure and cladding defects, where the financial implications are significant.

Jennie is ranked as a leading junior in:

- Construction ('She is meticulous and thorough' and 'She gives excellent, clear, commercial advice. She is a master tactician and someone you want on your team');
- International Arbitration ('A highly skilled and talented barrister – her attention to detail, knowledge of the facts and law, and ability to produce thoughtful, concise submissions and advice sets her apart'); and
- The Middle East ('Very methodical in her approach and meticulous in her preparation' and 'Undaunted by large and complex cases, she deals well with clients from a diverse range of backgrounds').

She is also featured in a text of '40 under 40' rising arbitral practitioners from around the world.

Jennie's highlights include:

- Middle East: Four Middle-Eastern airport arbitrations, a \$2billion ICC arbitration arising out of the termination of a hospital project, a Qatari solar-power station and a desalination plant dispute.
- Rest of the world: A \$127m ICC arbitration concerning an offshore LNG development project and two power station disputes (DAB and arbitration).
- Domestic: A £46m TCC trial concerning the sale of machines to a Saudi Arabian company (Hamad Aldrees & Partners v Rotex Europe Limited (2019) 184 Con LR 145), a three week TCC trial concerning an on-shore gas pipeline in Shetland (Van Oord UK Ltd v Allseas UK Ltd [2015] EWHC 3074 (TCC) and [2016] 1 CostsLO 1), an emergency injunction application seeking the withdrawal of a call on a €24m bond and an adjudication enforcement hearing concerning issues of natural justice and excess of jurisdiction (Stellite Construction Ltd v Vascroft Contractors Ltd (2016) 165 ConLR 108).

Jennie is also a contributor to the Construction Law Reports, Keating on Construction Contracts, Keating on JCT, Keating on Offshore Construction and Marine Engineering, PLC and Halsbury's Laws.

Before coming to the Bar, Jennie worked at the Law Commission on the reform of insurance law, unfair contract terms and fiduciary duties and prior to that, in Australia, at the Victorian Government Solicitor's Office and for the Principal Judge of the Victorian Commercial Court.

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## Recent Cases

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### Advocacy

Examples include:

- Construction dispute (Central London County Court, TCC list) – unled. Successfully acted on behalf of the Defendant in a 3-day trial. Prepared written opening submissions and conducted all aspects of the oral hearing, including cross-examination on complex civil engineering issues.
- Construction dispute (High Court, Birmingham TCC) – unled. Acted on behalf of the Defendant in a CMC in the Birmingham TCC relating to a dispute regarding the design of an access road and crane footings (dispute value c£500,000).
- Construction dispute (High Court, Commercial Court) – Emergency injunction seeking the withdrawal of a call on a €24m bond arising out of the suspension of works to a Low Density Ammonium Nitrate facility in the Middle East. Jennie: drafted the applicant's skeleton argument, claim form and proposed order; liaised with the court to secure an out of hours emergency telephone hearing; provided oral submissions as to why an emergency hearing was required; liaised with instructing solicitors; and assisted Stephen Furst QC with submissions on the application provided by way of telephone hearing.
- Construction dispute (Central London County Court, TCC list) – unled. Acted on behalf of the Defendant in a heavily contested CMC in a professional negligence claim against an architect.
- Sale of goods (High Court, QBD) – unled. Acted for a Hong Kong based manufacturer in an application to set aside default judgment and resisting an application for a third party debt order in relation to a sale of goods dispute.
- Insolvency (High Court, Bankruptcy & Companies Court) – unled. Instructed in a number of High Court insolvency disputes.
- IT & Technology (County Court, various) – unled. Acted on behalf of a major telecommunications company in a series of interim applications and trials in commercial and consumer disputes.
- Property (High Court, QBD) – unled. Instructed to appear at a CMC in a Part 8 claim for a declaration as to the extent of the Claimant's land rights.
- Property (County Court) – unled. Acted on behalf of a property owner seeking possession and an order for outstanding rent arrears and electricity charges.

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## “Senior beyond her years: very methodical in her approach and meticulous in preparation.”

Legal 500 UK Bar 2019

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### Adjudication

Jennie is regularly instructed in adjudications and DABs, by both referring and responding parties. She has recent and extensive experience in drafting submissions and in the provision of tactical advice.

Reported cases: *Stellite Construction Ltd v Vascroft Contractors Ltd* (2016) 165 ConLR 108.

Examples include:

- Defended an ad hoc 3-month adjudication concerning alleged fire stopping defects in a hospital complex.
- Defended an adjudication relating to the pre-tender design of a car park (claim value c£200,000).
- Defended an adjudication concerning defects in the construction of a large development of flats (claim value £4m).
- Prosecuted an adjudication concerning defects in a luxury residential refurbishment project (claim value c£300,000).
- Defended an adjudication relating to the refurbishment of a sport and leisure centre (claim value c£500,000).
- Defended an adjudication relating to the design, installation and commissioning of a wet riser system in a commercial office block (claim value c£700,000).
- Acted and advised in many adjudications concerning payment notices and “smash and grab” claims.
- Advised in numerous cases in relation to enforcement, and resisting enforcement of, adjudication decisions.

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## “She is meticulous and thorough.”

Legal 500 UK Bar 2020

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### International Arbitration

Jennie has a thriving international arbitration practice and specialises in high-value, and complex, construction and energy cases, including four international airports, four power stations (including the world’s largest air-cooled station), and two major hospitals.

Examples include:

- For Claimant (as sole counsel) in a dispute concerning a desalination project in the Gulf.
- For Claimant (with Richard Harding QC) in c.£120m ADCCAC final account arbitration concerning an international airport (with an area twice the size of the world’s tallest building). Jennie was afforded significant responsibility in preparing all aspects of the case (including drafting pleadings, assisting to manage a team of junior solicitors, expert reports and witness statements). The case raises issues of delay, acceleration and varied works.
- For Respondent (with David Thomas QC and Ben Sareen) in a USD \$14.5m ICC arbitration concerning a photovoltaic energy plant in Qatar. The case raises matters of interpretation, implied terms, good faith, estoppel and wilful misconduct. Jennie has been responsible for: all aspects of legal research and related submissions; drafting the Defence; drafting witness statements; drafting applications and notes for the Tribunal; drafting openings; preparing oral openings and cross examination for the hearing (recently re-listed for 2022); and preparation of a security for costs application.

- For Claimant acting for a global energy company in a number of DABs concerning two coal-fired power stations in South Africa. Jennie was part of an unled team of juniors coordinated by Calum Lamont, each of whom was responsible for running different DABs. Jennie was responsible for: running a (successful) DAB seeking prolongation costs in respect of one of the power stations, including drafting pleadings and settling witness statements and expert reports; and advising in relation to a claim in respect of the second power station.
- For Claimant (with David Thomas QC, Ben Sareen, Brenna Conroy and Harry Smith) in a £200m arbitration concerning an energy project in South Africa. Jennie assisted with preparation of the delay and disruption claim, gave contractual advice, drafted opening submissions, prepared cross examination of factual and expert witnesses, supported David Thomas QC during a three-week hearing, and prepared written and oral closing submissions.
- For Respondent (with Richard Harding QC and James Thompson) in a £600m DIAC arbitration concerning an airport in the Gulf, with a particular focus on IT system issues. Jennie was responsible for all aspects of the delay claim including: working with a team of three solicitors, working with delay and quantum experts, analysing the documentary evidence, drafting witness statements and supporting Richard Harding QC during a two-week hearing.
- For Claimant (with Marcus Taverner QC and James Thompson) in a £300m ICC Final Account arbitration concerning an airport in the Gulf.
- For Respondent (as sole junior with Richard Harding QC) in a £12.5m ICC arbitration concerning a sub-contract dispute relating to an airport in the Gulf. Jennie was the sole junior instructed and was responsible for preparing all aspects of the claim.
- For Claimant (with Lucy Garrett, Calum Lamont and Gibson Dunn & Crutcher LLP (Dubai)) in a \$120m arbitration concerning an EPC project for the construction of a manufacturing plant in the Gulf raising issues of delay, disruption, acceleration, unlawful de-scoping, additional cost and the wrongful deduction of liquidated damages. Jennie was instructed following a last-minute change of counsel and drafted openings and cross examination.
- For Respondent (with Richard Harding QC and Lucy Garrett) in \$2 billion ICC arbitration arising out of the termination of a hospital project in the Gulf.
- For Claimant (with Finola O'Farrell QC and Sam Townend) in a \$127million ICC arbitration arising out of a LNG project in Australia.

## Commercial

Reported cases: Hamad Aldrees & Partners v Rotex Europe Limited (2019) 184 Con LR 145

Examples include:

- Hamad Aldrees & Partners v Rotex Europe Limited (2019) 184 Con LR 145. Jennie was led by Simon Hargreaves QC and Piers Stansfield QC in this £46m, TCC claim concerning the sale of machines to a Saudi Arabian company. The judgment establishes a new principle regarding the incorporation of terms. Jennie worked on expert reports, preparation for trial (including drafting opening submissions and cross examination), supported Simon during trial and drafted closing submissions. As a result of Simon's busy practice, Jennie was afforded significant responsibility in managing this claim and, after trial, took charge of written closing submissions, oral case management submissions and the hand over to Piers.
- Emergency injunction seeking the withdrawal of a call on a €24m bond arising out of the suspension of works to a Low Density Ammonium Nitrate facility in the Middle East. Jennie: drafted the applicant's skeleton argument, claim form and proposed order; liaised with the court to secure an out of hours emergency telephone hearing; provided oral submissions as to why an emergency hearing was required; liaised with instructing solicitors; and assisted Stephen Furst QC with submissions on the application provided by way of telephone hearing.
- Advised on whether to seek an injunction to restrain a call on a performance bond where the alleged entitlement was in restitution.
- Advised on whether to file a proof of debt for a claim on an indemnity granted by a now insolvent defendant.
- Advised on the required time for service of papers in a possession hearing and whether time could be abridged.
- Assisted in advising on the likely forum and applicable law for a dispute between an English company and Qatari company whose main centre of operations was in Dubai, concerning a development in Qatar.

## Construction & Engineering

Jennie is regularly instructed in relation to a wide range of construction and engineering disputes, including delay and disruption, loss and expense, defects, variations, contractual money claims, payment, termination, and associated insolvency and insurance matters. She appears (for employers, contractors and sub-contractors) in the TCC and County Courts, has a thriving international arbitration practice and is regularly instructed in relation to adjudications and DABs. She has extensive knowledge of the JCT, NEC and FIDIC standard forms.

Reported cases: *Hamad Aldrees & Partners v Rotex Europe Limited* (2019) 184 Con LR 145, *Van Oord UK Ltd v Allseas UK Ltd* [2015] EWHC 3074 (TCC), *Van Oord UK Ltd v Allseas UK Ltd* [2016] 1 CostsLO 1 and *Stellite Construction Ltd v Vascroft Contractors Ltd* (2016) 165 ConLR 108.

Examples include:

- Advice to the largest manufacturing company in Europe in respect of Covid-19 project implications. Jennie advised in relation to force majeure, termination, change of law and other contractual remedies (under amended FIDIC and NEC forms) in respect of three on-going projects, and provided commercial and practical advice to be applied by the company generally in relation to all projects.
- An ad hoc adjudication (spanning 3 months), defending a claim concerning passive fire protection defects in one of the largest single-site hospitals in the UK (costing c£545m). Jennie drafted the pleadings and witness statements.
- For Defendant (as sole counsel) providing limitation advice and drafting a complex settlement agreement in respect of window and cladding defects for one of the UK's largest house builders.
- For Claimant (with Adam Constable QC) providing on-going, real-time, advice to three contractors working on a major infrastructure project in London in respect of Covid-19-related force majeure and change of law claims, and drafting position papers in respect of such claims.
- *Hamad Aldrees & Partners v Rotex Europe Limited* (2019) 184 Con LR 145. Jennie was led by Simon Hargreaves QC and Piers Stansfield QC in this £46m, TCC claim concerning the sale of machines to a Saudi Arabian company. The judgment establishes a new principle regarding the incorporation of terms. Jennie worked on expert reports, preparation for trial (including drafting opening submissions and cross examination), supported Simon during trial and drafted closing submissions. As a result of Simon's busy practice, Jennie was afforded significant responsibility in managing this claim and, after trial, took charge of written closing submissions, oral case management submissions and the hand over to Piers.
- *Prater Limited v RSA Façade Design Limited*. Jennie was instructed as sole counsel to defend this £200,000 TCC claim in respect of the design of roof glazing to Olympia West Hall, London. Jennie drafted the Defence and response to an RFI, provided advice on strategy for a mediation and negotiations which led to a favourable settlement of the claim.
- *Kaplan NT Limited v Vinci Construction UK Limited*. Jennie was led by Sam Townend in this c£1m TCC claim concerning defective lifts in student accommodation in Nottingham. Jennie drafted the Particulars of Claim and responses to RFIs, worked on expert reports and led various conferences with the client advising on merits and strategy.
- For Defendant (as sole counsel) in a 3-day County Court trial concerning sums allegedly owing in respect of the design and installation of various telecommunications towers manufactured by the defendant. Jennie successfully defended the claim and conducted all aspects of the oral hearing, including cross-examination on complex civil engineering issues.
- Drafted numerous pleadings including: Defence in architect's professional negligence dispute concerning a defective church roof (claim value £120,000); Particulars of Claim in a dispute relating to a window and door fabrication machine (claim value c£1.5m); Particulars of Claim, Response to Part 18 Request and Reply in a claim relating to an industrial air conditioning supply and installation contract; Particulars of Claim seeking payment of invoices for the manufacture and installation of steel handrails.
- Advised a contractor in relation to a number of issues referred by the Supreme Court of Ireland to the Court of Justice of the European Union.
- Regular advice, pleadings and court work for a UK fibre network provider.
- Regular advice and pleadings in disputes relating to breaches of the National House Building Council Rules and Buildmark Policy.
- For Claimant (with Richard Harding QC) in c.£120m ADCCAC final account arbitration concerning an international airport (with an area twice the size of the world's tallest building). Jennie was afforded significant responsibility in preparing all aspects of the case (including drafting pleadings, assisting to manage a team of junior solicitors, expert reports and witness statements). The case raises issues

of delay, acceleration and varied works.

- For Respondent (with David Thomas QC and Ben Sareen) in a USD \$14.5m ICC arbitration concerning a photovoltaic energy plant in Qatar. The case raises matters of interpretation, implied terms, good faith, estoppel and wilful misconduct. Jennie has been responsible for: all aspects of legal research and submissions; drafting the Defence; drafting witness statements; drafting applications and notes for the Tribunal; drafting openings; preparing oral openings and cross examination for the hearing (recently re-listed for 2022); and preparation of a security for costs application.
- For Claimant acting for a global energy company in a number of DABs concerning two coal-fired power stations in South Africa. Jennie was part of an unled team of juniors coordinated by Calum Lamont, each of whom was responsible for running different DABs. Jennie was responsible for: running a (successful) DAB seeking prolongation costs in respect of one of the power stations, including drafting pleadings and settling witness statements and expert reports; and advising in relation to a claim in respect of the second power station.
- For Claimant (with David Thomas QC, Ben Sareen, Brenna Conroy and Harry Smith) in a £200m arbitration concerning an energy project in South Africa. Jennie assisted with preparation of the delay and disruption claim, gave contractual advice, drafted opening submissions, prepared cross examination of factual and expert witnesses, supported David Thomas QC during a three-week hearing, and prepared written and oral closing submissions.
- For Respondent (with Richard Harding QC and James Thompson) in a £600m DIAC arbitration concerning an airport in the Gulf, with a particular focus on IT system issues. Jennie was responsible for all aspects of the delay claim including: working with a team of three solicitors, working with delay and quantum experts, analysing the documentary evidence, drafting witness statements and supporting Richard Harding QC during a two-week hearing.
- For Claimant (with Marcus Taverner QC and James Thompson) in a £300m ICC Final Account arbitration concerning an airport in the Gulf.
- For Respondent (as sole junior with Richard Harding QC) in a £12.5m ICC arbitration concerning a sub-contract dispute relating to an airport in the Gulf. Jennie was the sole junior instructed and was responsible for preparing all aspects of the claim.
- For Claimant (with Lucy Garrett, Calum Lamont and Gibson Dunn & Crutcher LLP (Dubai)) in a \$120m arbitration concerning an EPC project for the construction of a manufacturing plant in the Gulf raising issues of delay, disruption, acceleration, unlawful de-scoping, additional cost and the wrongful deduction of liquidated damages. Jennie was instructed following a last-minute change of counsel and drafted openings and cross examination.
- For Respondent (with Richard Harding QC and Lucy Garrett) in \$2 billion ICC arbitration arising out of the termination of a hospital project in the Gulf.
- For Claimant (with Finola O'Farrell QC and Sam Townend) in a \$127million ICC arbitration arising out of a LNG project in Australia.

## Energy & Natural Resources

Jennie has been instructed in relation to a number of significant, and complex, international energy disputes. Examples include:

- For Respondent (with David Thomas QC and Ben Sareen) in a USD \$14.5m ICC arbitration concerning a photovoltaic energy plant in Qatar. The case raises matters of interpretation, implied terms, good faith, estoppel and wilful misconduct. Jennie has been responsible for: all aspects of legal research and submissions; drafting the Defence; drafting witness statements; drafting applications and notes for the Tribunal; drafting openings; preparing oral openings and cross examination for the hearing (recently re-listed for 2022); and preparation of a security for costs application.
- For Claimant acting for a global energy company in a number of DABs concerning two coal-fired power stations in South Africa. Jennie was part of an unled team of juniors coordinated by Calum Lamont, each of whom was responsible for running different DABs. Jennie was responsible for: running a (successful) DAB seeking prolongation costs in respect of one of the power stations, including drafting pleadings and settling witness statements and expert reports; and advising in relation to a claim in respect of the second power station.
- For Claimant (with David Thomas QC, Ben Sareen, Brenna Conroy and Harry Smith) in a £200m arbitration concerning an energy project in South Africa. Jennie assisted with preparation of the delay and disruption claim, gave contractual advice, drafted opening submissions, prepared cross examination of factual and expert witnesses, supported David Thomas QC during a three-week hearing, and prepared written and oral closing submissions.
- For Claimant (with Finola O'Farrell QC and Sam Townend) in a \$127million ICC arbitration arising out of an LNG project in Australia.

## Insurance

Examples include:

- Jennie regularly acts for the National House Building Council (NHBC) in relation to claims against builders, developers and personal guarantors.
- Advised on the applicability of insurance policies to claims relating to defective new-build properties.
- Assisted in advising on the implications of potential claims on CAR and PI policies in framing an adjudication claim.
- Assisted in advising on the merits of a claim against the insurer of an insolvent company, pursuant to the Third Parties (Rights Against Insurers) Act 1930.
- Whilst at the Law Commission, Jennie was intimately involved in the drafting of the new Consumer Insurance (Disclosure and Representations) Act 2013 and the Insurance Act 2015.

## Professional Negligence

Examples include:

- *Prater Limited v RSA Façade Design Limited*. Jennie was instructed as sole counsel to defend this £200,000 TCC claim in respect of the design of roof glazing to Olympia West Hall, London. Jennie drafted the Defence and response to an RFI, provided advice on strategy for a mediation and negotiations which led to a favourable settlement of the claim.
- Drafted pleadings for Defendant in architect's professional negligence dispute concerning a defective church roof (claim value £120,000).
- Advised on the prospects of pursuing a claim in negligent misstatement against a firm of architects.

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## Education & Professional Career

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### Education

Law with Australian Law LLB, First Class (Hons), University of Nottingham 2004-2008

Year abroad to Melbourne University 2006-2007

BPTC (Outstanding) City University 2011-2013

### Professional career

Australian Wheat Board (Melbourne) 2008-2009

Victorian Government Solicitors Office (Melbourne) 2009-2010

Associate to the Honourable Justice Hargrave, 2010-2011

Supreme Court of Victoria (Melbourne)

The Law Commission 2011 - 2013

Called to the Bar, Inner Temple 2013

Pupil, Keating Chambers 2013-2014

Tenant, Keating Chambers 2014

### Other achievements

Duke of Edinburgh Entrance Award 2011

Inner Temple exhibition Award 2011

Winner City University Mooting Competition 2012

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## Memberships

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SCL  
TECBAR  
COMBAR  
LCLCBA

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## Seminars, Publications & Papers

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- Contributor to Keating on Construction Contracts 11th Edition (forthcoming) and 10th edition (2016), Keating on JCT (loose-leaf), Keating on Offshore Construction and Marine Engineering, Construction Law Reports, PLC and Halsbury's Laws.
- Seminar: Conflicts of Interest in International Arbitration (SoCLA) – May 2021
- Seminar: SCL Hong Kong Annual Conference - Planning for the Unexpected – December 2020
- Webinar: Introduction to Construction Law – November 2020
- Webinar: Conflicts of Interest in International Arbitration – July 2020
- Seminar: Remote hearings – rules, guides and practical tips – June 2020
- Article: Fiduciary duties and group loyalty – A Company v X and others – May 2020
- Seminar: Variations – How to get paid - November 2019
- Article: What's the "matter": Sodzawiczny v Ruhan and a mandatory stay under s9 of the Act – August 2018
- Article: Nearly, but not quite: the difficulties of resisting payment of an on-demand guarantee – May 2018
- Article: Persimmon Homes v Ove Arup: Another raid on the arsenal? - June 2017
- Article: Just to clarify: Xstrata Coal and Article 27.1 of the LICA Rules – November 2016
- Seminar: Professional negligence adjudication (with Justin Mort QC) – September 2016
- Seminar: Offshore construction (SCL Astra UK/Australia Vidcon) – September 2016
- Article: When does an insurer have to meet an adjudication liability (Construction Law Quarterly) – September 2016
- Article: The cost of switching experts – June 2016
- Seminar: Makdessi and the Australian penalties doctrine (SCL Australia, with Adam Constable QC, Marcus Taverner QC and Robert Fenwick-Elliott) – January 2016
- Seminar: Liability (incorporation of and implied terms) (with Paul Buckingham), In-House Lawyers Forum – January 2016
- Article: When is a door not a door? When it is ajar! – December 2015
- Seminar: Design Liability (with Nerys Jefford QC) – October and November 2015
- Seminar: Recent Cases of Interest to Construction Lawyers, Keating Construction Law Conference – October 2015
- Seminar: Civil Litigation Update – November 2015
- Article: Mixing the Rough with the Bust (with Robert Fenwick-Elliott) – summer 2015
- Article: Issuing a TCC claim before complying with the Protocol: "extreme peril" – February 2015
- Seminar: Construction legal update: Practical lessons to be learnt (with Simon Hughes QC and Wragge Lawrence Graham & Co LLP) – October 2014
- Seminar: The new Part 36 – June and July 2015

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## Languages

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French (basic)

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## Additional Information

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Jennie enjoys art, yoga, netball and spending time with her daughter (and husband!).