



CONSTRUCTION, ENGINEERING
AND INFRASTRUCTURE
INTERNATIONAL ARBITRATION
ADJUDICATION
PROFESSIONAL NEGLIGENCE
PUBLIC PROCUREMENT
GENERAL COMMERCIAL
ENERGY, NATURAL RESOURCES AND UTILITIES
INFORMATION TECHNOLOGY AND
TELECOMMUNICATIONS

Camille Slow

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PRACTICE

Camille's practice covers a broad range of commercial matters with a particular focus on construction and professional negligence disputes. She is experienced in all forms of dispute resolution including domestic and international arbitration, DABs, expert determination, mediation, adjudication and the High Court. She undertakes work in numerous industry sectors and has particular experience of social housing, government and public services, transport, infrastructure and energy projects.

Her professional negligence experience is considerable in particular in matters with a construction context having often acted for, and against, architects, engineers, surveyors, project managers, planning professionals and multidisciplinary firms, amongst others.

She is frequently instructed by insurers, professionals, governments, local governments and government departments, small and large developers, and construction companies as well as private individuals, both domestically and internationally. Camille also has experience in a number of high-profile fraud and conspiracy cases in the Chancery Division and Commercial Court.

Camille also has an exceptional track record acting as sole counsel, having been retained in this capacity for many high-value, complex disputes both in the UK and overseas. She carries out a considerable amount of advocacy, regularly appearing in Court and Arbitrations, conducting trials and other hearings, and directories have noted that she can "*can wipe the floor with silks*" (The Legal 500).

Camille is recommended in the most recent editions of both The Legal 500 and Chambers and Partners as a leading junior in the fields of construction and professional negligence. She is also listed as a leading junior in The Legal 500 English Bar (Middle East) and Who's Who Legal in Construction and as a Future Leader.

The directories repeatedly praise her advocacy skills, tenacity, ability marshalling complex facts and her approachability and ease in dealing with and advising clients; *"combines a good bedside manner with a high level of tenacity and intelligence. She can marshal the minutiae of a case very quickly and efficiently"* (Chambers and Partners).

CONSTRUCTION, ENGINEERING AND INFRASTRUCTURE

Camille is noted as providing *"...well-considered, timely and effective advice."* (Chambers and Partners). She regularly advises on, and acts for, clients both domestically and internationally in connection with all the standard forms of building and engineering contracts. She has particular experience of disputes involving design and build defects, cost overruns and delay and disruption cases. Her experience includes:

DOMESTIC

- **Mears v Costplan and Ors** [2019] EWCH Civ 502 (TCC) and (2019) [2019] EWCA Civ 502 (CA) Obtaining a High Court Injunction to prevent the Employer's Agent certifying practical completion acting for purchaser in an AFL agreement relating to the construction of student housing. Issues of estoppel and practical completion. Also acting for the purchaser in the Court of Appeal and related subsequent specific performance proceedings with the developer.
- **Keadby Generation v Promanex and others**: Acting for the contractor in these multi-party High Court TCC proceedings relation to the fire which destroyed the FGD at Ferrybridge Coal Fire station alleged to have been caused by hot works. £70m+ in dispute. Issues concerned questions of liability for the fire, property damage and complex Business Interruption claims requiring fire investigation, quantity surveying, forensic accounting and energy pricing experts.
- Acting for a developer in a dispute between international companies (UK Court jurisdiction) concerning the construction yoke mooring system in the Caspian Sea, used to allow crude oil to be transferred from an offshore production platform via a sub-sea pipeline onto a Floating Storage Offloading (FPSO) vessel. The sums in dispute exceeded €20m and concerned, in particular, the true value of the final account and technical disputes. Camille's involvement was from pleading stage to judgement (Netherlands and Russia). **Bluewater Energy Services BV v Mercon Steel Structures BV and others** [2014] 155 Con LR 85.

INTERNATIONAL ARBITRATION

- Acting for the developer in a DIAC arbitration concerning the construction of a residential tower development in Dubai Maritime City, FIDIC 1999 Standard Form contract (with bespoke amendments). Issues in dispute include the validity of the developer's termination, liability for historical delay and defects, and the contractor's capacity to complete the project. Sums in dispute iro £13m.
- Acting for a purchaser in a share purchase / land accusation transaction concerning the purchase and development of a private island in the Seychelles in this multi-national, multi-party LCIA arbitration. Parties based in Seychelles, Cypress, Hungary and Dubai. The dispute concerns the circumstances in which the transaction was not completed including issues of duties of co-operation and good faith, the operation of Long Stop provisions and escrow agreements.
- Acting for a developer in a DIAC arbitration concerning the construction of a two tower development in Dubai. The issues included liability for delay involving complex questions of fact

and expert delay evidence as well as contractual construction questions regarding concurrency and notice provisions. Issues include liability for delays caused by authorities and access issues as well as substantial variations to the works. Sums in dispute iro £19m.

- Acting in an international arbitration concerning a five-star Abu Dhabi hotel and apartment complex – acting for the mechanical, electrical and plumbing subcontractor in a final account dispute. Particular focus on delay claim (nearly two years of delay experienced) and associated costs sums in dispute in excess of £7m.

ADJUDICATION

Camille's adjudication experience includes advising on the enforcement of awards and attending summary judgement hearings both to enforce and resist the enforcement of adjudicator's decision. As well as her enforcement experience, she has significant experience conducting adjudications including attending hearings before adjudicators. Her experience includes:

- Acting for the respondent in a series of significant adjudications relating to the Manchester Metrolink system upgrade and extension project. Role included advising, drafting submissions and advising on expert and factual evidence. Issues related to delays and overspends on the project. (See [2013] All ER (D) 41 (Jan) for related proceedings in which Camille was also involved).
- Acting as counsel in a number of adjudications in a dispute concerning the Crossrail Project. Issues included the validity of liquidated damages provisions, penalties, sectional completion, partial possession as well as issues of liability for delay and defects, and the proper effect of interim certificates.
- Successfully resisting the enforcement of an adjudication decision on the bases of alleged breaches of jurisdiction and natural justice. Jurisdictional issues concerned the procedure for nomination using a rolling programme of appointing named individuals and the meaning of the statutory requirement to have a 'timetable to secure the appointment' of an adjudicator.

PROFESSIONAL NEGLIGENCE

Camille is *"really good on her feet, and very unassuming and gentle in conference."* (Professional Negligence, Chambers and Partners). She has considerable experience in representing claimants, defendants and their indemnity insurers in professional negligence matters. This includes advising on and representing clients in respect of cases relating to allegations of negligence against surveyors, engineers, solicitors, contract administrators, party wall surveyors and architects. Camille has particular expertise in multi-party cases. Her experience includes:

- Acting for a member of the design team JV in multi-party TCC proceedings concerning the construction of Mersey Gateway bridge. Issues in dispute include the proper measure of loss flowing from alleged design failings at tender stage, alleged defects in the design of the water attenuation and drainage strategy, viaduct design and piling and bridge reinforcement.
- Acting as counsel for the claimant borough council in a multi-party dispute against both engineering and ground improvement specialists relating to the failure of ground improvement solutions in a sports facility development.

- Acting for the claimant in a high-profile dispute concerning the social housing development proportion of the 'Arsenal on the Move' project in Highbury commenced in the TCC. Allegations concerning fire stopping defects, insulation inadequacies, water ingress and inadequate heating provision.
- Acting as sole counsel for the claimant, a registered social landlord, in a multi-party TCC action against a well-known surveyor and engineering company in relation to the catastrophic collapse of cladding (and other cladding failures) in a number of high rise blocks in a Liverpool housing estate. Sums in dispute were in excess of £7m. Issues included; VAT share agreements, stock transfer valuation, engineering and surveyor obligations on stock transfer, breach of warranties and mechanism of failure.

PUBLIC PROCUREMENT

Camille advises and acts for public bodies and unsuccessful tenderers in relation to all aspects of Public and Utilities Procurement including the application of the Public Works, Services and Utilities Regulations 1991 and the Public Contracts and Utilities Contracts Regulations 2006 and remedies for their breach. Her experience includes:

- Advising and acting in a procurement case concerning the provision of architectural services in connection with the design and construction of a new sports facility. The client was advised his tender had been successful but a complaint by an unsuccessful tenderer led to the process of appointment being re-commenced and the tenderer who had complained ultimately being offered the contract.
- Drafting proceedings on behalf of an information technology supplier against a government department seeking an order restraining the letting of several contracts and / or damages relating to breaches of the procurement regulations. Alleged breaches included application of incorrect regulations, failures to follow procedures, legitimacy of proposed Enabling Agreements.
- Advising a police authority on the application of the Procurement Regulations to the procurement of a new police headquarters. Issues included how to evaluate tenders which included alternative proposals for developing different sites within the tenderer's ownership in the local area and potential discrimination against tenders not having access to land in the local area to offer as an alternative.

GENERAL COMMERCIAL

Camille has experience in a wide range of practice areas, including commercial fraud. Additionally, she has developed considerable experience in insolvency related cases, with a particular focus on insolvency issues arising within a construction context. Her experience includes:

- Advising upon and conducting injunction / strike out proceedings in the Companies Court to restrain the publication of a winding up petition against a company with a historical turnover of £17m. Issues included insolvency law and procedure whether the Claimant had locus to bring a claim (dependent, in part, on when 'sums were due' under the Contract) and what impact the failure by the petitioner to take the matter to adjudication had on the application.
- Acting for the seller in a domestic arbitration concerning a land sale transaction which was terminated when the purchasing company was struck off the company register for default and subsequently restored to the register, issues included allegations of bad faith and issues

concerning the proper operation of the Companies Act concerning the consequences of restoration to the register of companies.

- Acting for a major newspaper in connection with multi-proceedings involving several high-profile media companies against whom allegations of both lawful and unlawful conspiracy are alleged. Involved from pre-action stage, drafting proceedings and continuing.
- Instructed to appear at trial, leading a junior member of Chambers, on behalf of three of the 10 defendants (the only represented defendants) in Chancery Division claim listed for eight weeks. Sums Claimed in excess of £3m. Issues related to works carried out to overhead lines – claims alleged including, fraud, conspiracy, deceit, breach of trust, breach of fiduciary duties and receipt of bribes. Secured a settlement for her clients at the early stages of the trial. **National Grid v McKenzie and Others** [2009] EWHC 1817 (Ch).

ENERGY, NATURAL RESOURCES AND UTILITIES

Camille has particular expertise in the energy sector having been instructed as junior counsel in a number of substantial high-value disputes on behalf of major energy companies. Her experience includes:

- Advising in connection with an ICC arbitration relating to a power and desalination plant in the Middle East. Issues in the case relate to termination, commissioning, delay and design defects, (Middle East).
- Acting as junior counsel in an international oil and gas arbitration, conducted under the auspices of the LCIA, which concerned a marine oil extraction facility. The dispute related primarily to cost overruns and liquidated damages. Her involvement included the preparation of advice, case preparation and investigation, and assisting with drafting and statements of case (US).
- Acting as junior counsel in a further international oil and gas arbitration relating to allegations of design and construction defects in a land-based oil extraction facility in the Middle East. Her involvement included case preparation and drafting of statements of case (Middle East).

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

Camille has experience in the information technology and telecommunications field acting for suppliers and contractors in relation to telecommunication systems. Her experience includes:

- Advising an ongoing involvement on behalf of a well-known mobile telecommunications company in a dispute worth £8m concerning GSM Gateways, licensed operator's conditions, pre-action disclosure and competition law.
- Advising in connection with a primary connection point survey / refurbishment contract; her advice was provided on issues of contractual obligations of good faith and confidentiality and the extent of adjudicator's powers.

NOTABLE CASES

Dimension Data Advanced Infrastructure Ltd v Berkeley Homes Plc [2020] EWHC 1328 (TCC)

Mears Ltd v (1) Costplan Services (South East) Ltd (2) Plymouth (Notte Street) Ltd (3) JR Pickstock Ltd (2019) [2019] EWCA Civ 502 (CA)

Mears Ltd v Costplan Services (South East) Ltd [2018] EWHC 3363 (TCC)

Lindsay v Berkeley Homes (Capital) Plc 4. Lindsay v Berkeley Homes (Capital) Plc [2018] EWHC 2042 (TCC)

Balfour Beatty Regional Construction Ltd v Grove Developments Ltd [2016] EWCA Civ 990 (CA)

Marc Gilbard 2009 Settlement Trust (trustees of) v OD Developments and Projects Ltd 159 Con LR 150, [2015] BLR 213, [2015] EWHC 70 (TCC)

O'Rourke Construction Ltd v Healthcare Support (Newcastle) Ltd & Ors 155 Con LR 148 / [2014] CILL 3549

Bluewater Energy Services BV v Mercon Steel Structures BV & Ors [2014] 155 Con LR 85

Transport for Greater Manchester v Thales Transport & Security Ltd [2012] EWHC 3717 (TCC)

West Country Renovations Ltd v McDowell & Anor (Rev 1) [2012] EWHC 307 (TCC) (23 February 2012) [2012] 3 All ER 106, [2012] BLR 255, [2013] 1 WLR 416

Redwing Construction Ltd v Wishart [2011] BLR 186; [2011] TCLR 5; [2011] 2 Costs LO 212; [2011] Lloyd's Rep IR 331; [2011] 1 EGLR 13; [2011] 15 EG 94; [2011] CILL 2997; [2011] 161 NLJ 137

LPI (Hotels) Ltd v Technical & General Guarantee CO SA [2010] 132 Con LR 90, [2010] CILL 2926

Enterprise Managed Services Ltd v Tony McFadden Utilities Ltd [2009] [2010] BLR 89 and see also [2010] EWHC 1506 (TCC) / [2011] Bus LR D11

QUALIFICATIONS AND AWARDS

2001	Harmsworth Scholar of the Middle Temple
2001	Blackstone Entrance Exhibitioner of the Middle Temple
2001	Best Overall Mark: Law of Succession, University of Bristol
2000	First Prize, Herbert Smith, Final Year Mooting Competition
2000-2001	BVC (Very Competent (8th Overall)) BPP Law School
1998-2001	LLB (Upper Second Class) University of Bristol

ADDITIONAL INFORMATION

Camille is a member of COMBAR, LCLCBA, TECBAR and the SCL.

Camille is one of the contributors to *'Hudson's Building and Engineering Contracts'*.

RECENT RECOMMENDATIONS

"She is unquestionably all over the detail of any matter and her drafting has been incredibly strong."
Construction, Chambers & Partners UK Bar 2021

"Has a confident style and approach in court, gets judges on side and is always right."
Professional Negligence, Chambers & Partners UK Bar 2021

"She's incredibly smart and is happy to get her hands dirty and discuss issues with the broader team."
Professional Negligence, The Legal 500 2021

"Camille is intelligent, thoughtful and analytical. Her ability to dissect a problem and analyse the possible outcomes is invaluable."
Construction, The Legal 500 2021

"Her technical ability, attention to detail and client skills are all of the highest level." "Always delivers measured and accurate advice in a timely and clear style."
Construction, Chambers & Partners UK Bar and Global 2020

"She's very strong on paper, and very calm and unflappable in court. Even in moments where she's under attack from judges, she always maintains a nice, balanced style." "She has great judgement and is approachable, down to earth and friendly to clients."
Professional Negligence, Chambers & Partners UK Bar 2020

"An excellent junior, well organised and industrious."
Construction, The Legal 500 2020

"She is a team player and well suited to the biggest and most complicated cases."
Professional Negligence, The Legal 500 2020

"Unquestionably all over the detail of the case"
Construction, The Legal 500 Europe, Middle East and Africa (EMEA) 2020

"Has real strength in advocacy and a really sharp wit."
Construction, Professional Negligence, Chambers & Partners UK Bar 2019

"Incredibly bright, considered, well prepared, and excellent on her feet."
Construction, Professional Negligence, The Legal 500 2018

"A real team player who is prepared to roll up her sleeves and get stuck into the evidence to come up with compelling and well thought-through arguments." "Camille is very thorough and excellent with clients. Her advocacy is her real strength and where she punches well above her weight."

Construction, Chambers & Partners UK Bar 2018 and Chambers Global 2018

"She is bright, tenacious and has a commercial approach. A pleasure to work with." "Her technical ability, her attention to detail and her client skills are all of a high level."

Professional Negligence, Chambers & Partners UK Bar 2018

"Very bright and engaging with clients."

Construction, The Legal 500 2017

"She has an ability to assimilate, analyse and fully understand complex, technical information quickly and thoroughly."

Professional Negligence, The Legal 500 2017

"Her technical ability, her attention to detail and her client skills are all of the highest level." "She is very thorough and leaves no stone unturned."

Construction, Chambers & Partners UK Bar 2017

"A real team player who is prepared to roll up her sleeves and get stuck into the evidence, she comes up with compelling and well thought through arguments."

Professional Negligence, Chambers & Partners UK Bar 2017

"An excellent all-rounder, who is well respected by clients."

Construction, The Legal 500 2016

"Strategically excellent."

Professional Negligence, The Legal 500 2016

The above are a selection of recent client endorsements from the leading legal directories, both UK and internationally. For a complete list of endorsements, please contact the practice management team at Atkin Chambers.