Riaz acts as leading counsel in high value, complex disputes and advises clients on difficult legal and tactical issues. He is ranked as a leading silk for Construction, Professional Negligence and International Arbitration in the Legal 500 and Chambers and Partners.

The Legal 500 and Chambers and Partners describe his working style as "wonderfully hands-on, with a real ‘can do’ attitude, excellent client skills, very calm under pressure, highly responsive, hardworking, proactive, efficient, user friendly, approachable and always a pleasure to work with."

Commendations of his legal ability describe him as “a supreme strategist, a top-notch legal mind who always provides excellent and clear advice, has a commercial and pragmatic approach, is quick to spot solutions that other counsel may miss, concise, incisive and very good at getting to the point.”

As an advocate he is commended as “brilliant in court and hearings, a very persuasive advocate, who is a tough, forensic, ferocious and excellent cross examiner.”

Riaz has direct access rights and is often instructed directly by in house counsel from governmental bodies and commercial organisations. He has been appointed as arbitrator in ICC, UNCITRAL and DIFC-LCIA arbitrations including as chair of a tribunal. He is on the LCIA list of arbitrators and a member of the Nomination Commission for the ICC for the UK.

CONSTRUCTION AND INFRASTRUCTURE / PFI
Riaz is experienced in high court litigation in the Technology and Construction Court and the Commercial Court, in construction contract adjudications and enforcements, in disputes under PFI
contracts, in domestic arbitrations under the Arbitration Act 1996 and in advisory work. He is familiar with the major standard form construction contracts such as the JCT, NEC, ICE and FIDIC forms.

Recent experience includes:

- Key English Law decision on the approach to claims for enforcement of adjudicator’s decisions by insolvent parties *John Doyle Construction Ltd v Erith Contractors Ltd* [2020] BLR 671.

- First reported case allowing enforcement of an Adjudicator’s decision by a company in insolvency *Styles & Wood v GE CIF Trustees* [2020] 9 WLUK 460.

- First English decision successfully establishing a right to adjudicate by an insolvent company *Balfour Beatty v Astec Projects Ltd* 189 Con LR 154

- TCC Part 8 Claim to determine the meaning and operation of the payment mechanism in a Joint Venture Agreement between the Contracting Parties employed under a NEC3 Contract. *Doosan Enpure Ltd v Interserve Construction Ltd* 187 Con LR 153

- TCC Action regarding Development and subsequent Leasehold of Liberty Stadium, Swansea. Directly instructed by the Local Authority. *Swansea Stadium Management Co Ltd v (1) Swansea City & County Council (2) Interserve Construction Ltd* 185 Con LR 21.

- PFI Adjudication regarding the operation of deductions for a hospital development and the meaning of “reactive maintenance” and the meaning of an express good faith requirement in the deductions clause.

- PFI dispute for a Hospital regarding payment for Building Works and adjustment of a Building Development Fee and whether historic adjustments had been wrongly calculated.

- PFI Dispute regarding deductions for payments for operation of a major Waste Treatment Plant – dispute whether the operating requirements had to be adjusted for impossibility and/or in light of an express good faith clause.

- PFI dispute regarding a claim for deductions arising from defective firestopping in a hospital and the interaction between defects under the Construction Contract and availability of facilities under the Service and Management Contract.

- PFI dispute arising from the purported termination of a contract to manage an educational institution prior to the expiry period and the basis for compensation arising.

- PFi Adjudication for a Hospital regarding deductions for installation of non-compliant materials and alleged unavailability of clinical areas due to hygiene issues. Successful in overturning deductions imposed.

- Adjudication regarding upgrade to a railway station under a NEC3 contract incorporating the Network Rail Station Design principles. Directly instructed by the Local Authority. Successful recovery of overpayments certified as Compensation Events.

- *Lobo v Corich & Anor* [2017] All ER (D) 132 (Jun) Successful grant of charging order for failure to pay Adjudicator’s Decision. Important decision regarding proper notice and service of adjudication proceedings – Contractor claimed not to have been properly served with Adjudication Notice.
• **Ground Developments Ltd v FCC Construccion SA and others** [2016] BLR 532. Successful enforcement of adjudicator’s award. Defendant ran seven objections to enforcement running the full range of jurisdictional objections.

• TCC action successful strike out of claim by hotel owner against building contractor alleging breach of an implied term in a JCT 1998 standard form contract not to charge excessive or unreasonable rates. **Oakrock Ltd v Travelodge Hotels Ltd and Others** [2014] BLR 593

### GENERAL COMMERCIAL AND ENERGY DISPUTES

Riaz advises on issues arising in general commercial contracts and acts in related litigation. In particular he advises on sale of goods contracts, claims under bonds and guarantees, actions arising from bribery and corruption, supply contracts and joint venture agreements.

- Upcoming appeal in UK Supreme Court on (1) circumstances where a trial judge can amend an oral judgment prior to a sealed order (2) application of rule 3.9 of the Civil Procedure Rules for relief from sanction **Federal Airports Authority of Nigeria v AIC Limited UKSC 2020/0206**.

- Key Commercial Court Decision on the interplay between seeking a precautionary attachment on a call on a performance bond from local courts and complying with an arbitration agreement under English Law **SRS Middle East FZE v Chemie Tech DMCC [2020] 11 WLUK 14**.

- LCIA Arbitration regarding meaning and enforceability of a large value capacity agreement for the sale of Regasified Liquefied Natural Gas.

- DIFC-LCIA Arbitration regarding meaning and operation of a power supply agreement in the Middle East and the basis for payment.

- Adjudication under IChemE Rules in a dispute relating to the construction of a renewable energy Biomass power Plant – specific issues as to whether changes in the dimensions and orientation of the Plant constituted a Variation.

- UK arbitration regarding a dispute under a supply agreement for an off shore Windfarm.

- Commercial Court proceedings regarding non-payment under a policy of insurance for loss of a Yacht at sea – claim value circa £15 million.

- Commercial Court proceedings seeking an injunction for unlawful use of copyright following termination of a sale and purchase agreement for the supply of oil and gas drilling rigs.

- Commercial Court proceedings against an insurer seeking indemnity under a building works insurance policy and whether the insurer is estopped from arguing an exclusion to cover applies.

- High Court proceedings regarding interpretation of an oral agreement for a seller’s agent’s commission on sale of property.

- Sale of Goods dispute under Cayman law involving the sale of scrap metal in a tri-partite agreement between a Hong Kong and Cayman company and a Caribbean Government.

- Advising on rights and limitations of liability under an agreement for the sale of aircraft to a national carrier.
• Advised on a number of disputes regarding sale of property in the Middle East and issues arising regarding termination, LAD’s, rights of forfeiture and choice of law including the application and construction of the UAE Civil Code and DIFC Law in Dubai.

• High Court proceedings opposing enforcement of an arbitral award under the New York Convention involving conflicts of law issues, avoiding competing jurisdictions, and the public policy exception under Article V. *Honeywell International Middle East Ltd v Meydan Group Llc* [2014] 2 Lloyd's Rep 133.

### INTERNATIONAL ARBITRATION

**Construction, Engineering, Infrastructure, Energy, Investment Treaty and General Commercial Claims**

Riaz is instructed as leading counsel in international arbitrations including in the UAE, Qatar, Saudi Arabia and wider Middle East, the Caribbean and Europe. Riaz is familiar with the particular challenges of international arbitration disputes including managing mega disputes, the commercial realities of large value Projects, issues between joint venture partners, dealing with foreign law (including civil law systems), conflict of laws and jurisdictional issues. He is accustomed to dealing sensitively with a diversity of tribunal members and clients. He has led arbitrations under the major institutional arbitral rules including ICC, LCIA and DIAC.

Examples of recent cases include:

- Acting for Joint Venture in a Dispute Adjudication Board Referral USD$1 billion plus claim regarding EPC contract for an urban transport network. Particularly sensitive matter as the Project was ongoing and the client comprised a multi-party joint venture. Saudi Law.

- Dispute regarding Temporary Accommodation sub-contract in respect of the construction of a refinery in Saudi Arabia. Dispute as to whether the sub-contract was validly terminated. ICC Rules. Saudi Law.

- DIFC-LCIA arbitration claim value USD$215 million plus. Dispute regarding high rise commercial and residential towers in the UAE. Includes application to restrain call on a bond. Contract subject to UAE Law.

- DIAC arbitration. Claim value USD$150 million plus. Dispute regarding high rise mixed-use tower in the UAE. Claims for delay, variations and defects. Involved cross examination of structural and mechanical engineering experts. Contract subject to UAE Law.

- LCIA arbitration. Claim value Euro 150 million plus. Defending claim regarding the design and construction of a landmark retail and leisure complex in Moscow. Contract subject to Russian Law. Included issue of impact of Respondent’s insolvency on ongoing arbitral claims under the Rome Convention.

- ICC arbitration. Claim value USD$35 million plus. Defending claim by Temporary Works Sub-Contractor in a major road upgrade project in Qatar. Claim involved difficult issues of whether the sub-contractor was entitled to the benefit of payments received under the Main Contract and whether the Main Contractor had acted contrary to the requirements of good faith under Qatari Law.
• ICC arbitration under Swiss Law regarding rights under a business consultancy agreement for mobile telephone communications in Iran. Particular issues as to whether the contract was void for bribery.

• ICC arbitration regarding a hotel management agreement between a government-owned subsidiary and a major hotel chain in the Caribbean. Trinidad and Tobago Law.

• ICC arbitrations regarding upgrade of oil and gas refinery in the Caribbean. Total claim values in excess of USD$300 million. Laws of Trinidad and Tobago.

• Riaz has experience of investment treaty claims particularly with a construction or infrastructure element including claims under umbrella clauses in Treaties. Examples include advising on an Investment Treaty Claim relating to alleged expropriation of mining rights. Advising on an Investment Treaty Claim relating to breaches of an EPC contract for the construction of an airport terminal in Africa. He appeared as Junior Counsel in an ICSID claim representing a European investor seeking compensation for alleged treaty breaches by a West African state Gustav F W Hamester GmbH & Co KG v. Republic of Ghana, ICSID Case No. ARB/07/24.

PROFESSIONAL NEGLIGENCE

Riaz has wide experience of professional negligence disputes, acting for both claimants and insurers in relation to claims brought against a variety of professionals, including engineers, contract administrators, architects and planning consultants. Riaz is experienced in leading disputes to trial, including cross examination of technical experts, advising on issues of contribution between defendants and in helping attain a successful negotiated settlement where appropriate.

Recent experience includes:

• High Court Proceedings representing insurers for the cladding trade contractor in multi-party High Court claim re defective and dangerous cladding in a central London building.

• High Court proceedings re aesthetically non-compliant cladding representing insurers for the cladding sub-contractor and installer in a multi-party claim involving the main contractor, the design consultants and the cladding panel suppliers.

• High Court proceedings regarding design and installation of a Biomass energy plant to service student accommodation and secure “zero net carbon” emissions.

• High Court Proceedings representing the employer Local Authority in a claim against the contract administrator regarding design, contract administration and quantity surveying services provided for a school refurbishment.

• Successful defence in adjudication of a £2 million Architect’s negligence claim for a luxury London residence.

• High Court proceedings representing the Employer in a claim against the Construction Manager in a development and construction of an industrial distribution warehouse. The claim concerned a failure to properly ensure or advise on site clearance and disposal.

• High Court action for negligent design of gas purification equipment in a biomass waste treatment facility. Case involved highly technical questions regarding design and working of innovative
patented technology and important contractual issues regarding recovery of renewable energy payments. **McCain Foods GB Ltd v Eco-Tec (Europe) Ltd [2011] CILL 2989**

- High Court multi-party dispute representing insurers of mechanical engineer defending a claim for defective design of a gas supply system.
- High Court claim under the Contribution Act 1978 against consulting engineers for alleged negligence in supervision of water supply works.

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**NOTABLE CASES**

**Federal Airports Authority of Nigeria v AIC Limited** UKSC 2020/0206.


**John Doyle Construction Ltd v Erith Contractors Ltd** [2020] BLR 671 – listed for appeal in the Court of Appeal.

**Styles & Wood v GE CIF Trustees** [2020] 9 WLUK 460.

**Balfour Beatty v Astec Projects Ltd** 189 Con LR 154

**Doosan Enpure Ltd v Interserve Construction Ltd** 187 Con LR 153

**Cyril Chern v (1) Apilosa Corp (2) AR Architecture Ltd** [2019] BLR 128

**Swansea Stadium Management Co Ltd v (1) Swansea City & County Council (2) Interserve Construction Ltd** [2019] 4 WLUK 366

**Lobo v Corich & Anor** [2017] All ER (D) 132 (Jun)

**Ground Developments Ltd v FCC Construccion SA and others** [2016] BLR 532; 167 Con LR 192

**Husband and Brown Ltd v Mitch Developments Ltd** [2015] All ER (D) 156 (Oct)

**Oakrock Ltd v Travelodge Hotels Ltd and Others** [2014] BLR 593

**Co-Operative Group Ltd v Carillion JM Ltd & Anor** LTL 11/2/2014

**Honeywell International Middle East Ltd v Meydan Group Llc** [2014] 2 Lloyd's Rep 133; [2014] BLR 401; 154 Con LR 113; [2014] Bus LR D13

**KNN Colburn LLP v GD City Holdings Ltd** [2013] All ER (D) 33 (Oct)

**Clark Electrical v JMD Developments UK Ltd** [2012] BLR 546; [2012] CILL 3249

**McCain Foods GB Ltd v Eco-Tec (Europe) Ltd** [2011] CILL 2989

**YCMS LTD (T/A Young Construction Management Services) v (1) Stephen Grabiner (2) Miriam Grabiner** [2009] BLR 211; 123 Con LR 202; [2009] CILL 2692

**Letchworth Roofing v Sterling Building Co** [2009] CILL 2717

**Bole v (1) Richard Money (T/A Richard Money Associates) (2) Huntsbuild Ltd** (2009) 127 Con LR 154
**McAlpine v Tilebox [2005] BLR 271**

**Haden Young v Laing O Rourke LTL 29/09/08**

**YCMS v Grabiner [2009] BLR 211**

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**QUALIFICATIONS AND AWARDS**

<table>
<thead>
<tr>
<th>Year</th>
<th>Qualification</th>
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<tr>
<td>2016</td>
<td>Appointed Queen’s Counsel</td>
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<tr>
<td>2000-2001</td>
<td>Prince of Wales’ Scholarship (Gray’s Inn)</td>
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<td>2000-2001</td>
<td>BVC Inns of Court School of Law</td>
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<tr>
<td>2000</td>
<td>Andrews Medal, Most Outstanding Graduate, Faculty of Laws, University College, London</td>
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<tr>
<td>1997-2000</td>
<td>Awarded Medals for Best Examination Performance for each of the three years of LLB Degree at University College, London</td>
</tr>
<tr>
<td>1997-2000</td>
<td>LLB (1st Class), University College, London</td>
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**RECENT RECOMMENDATIONS**

"An excellent QC who is a powerhouse in cross-examination."
Construction, Chambers & Partners UK Bar 2021

"First-class legal knowledge and delivery." "He is technically excellent and very user-friendly. I have been really happy with what he has produced." "Very responsive, plain-speaking and a powerful advocate"
Professional Negligence, Chambers & Partners UK Bar 2021

"He has a terrific reputation for his Middle Eastern practice."
International Arbitration, Chambers & Partners UK Bar 2021

“Very down to earth. Hard working. An absolute joy to work with. He becomes your friend more than your professional advisor, which is a worthy accolade when you are in the trenches fighting.”
Construction, The Legal 500 2021

“A go-to QC for complex commercial dispute resolution with a construction focus; he brings longstanding experience and a forensic mind to construction disputes, combined with outstanding advocacy and unparalleled cross-examination skills.”
International Arbitration, The Legal 500 2021

“He is very approachable; really rolls his sleeves up and gets stuck in.”
Professional Negligence, The Legal 500 2021
“A great eye for detail and understanding of complex and technical issues.” "Fierce on his feet when needed, very analytical and responsive.”
Construction, Chambers & Partners UK Bar 2020

“He is quick, strategically very strong and good on paper.” “He’s very responsive and goes out of his way to help you out, as well as being quite a fierce advocate.”
Professional Negligence, Chambers & Partners UK Bar 2020

“Well prepared, good with clients and gets to the heart of the issues.”
International Arbitration, Chambers & Partners UK Bar 2020

“Bright, hardworking, excellent client skills and tenacious.”
Construction, The Legal 500 2020

“An ideal choice for complex international arbitrations in the energy sector (both treaty and commercial).”
International Arbitration, The Legal 500 2020

“He is very approachable.”
Professional Negligence, The Legal 500 2020

“He has a forceful, tenacious and effective cross-examination technique.”
Construction, The Legal 500 Europe, Middle East and Africa (EMEA) 2020

“Bright, hard-working and very calm under pressure. Also very user-friendly and approachable and always a pleasure to work with.” "Excellent in court, a top-notch legal mind and an excellent cross-examiner.”
Construction, Chambers & Partners UK Bar 2019

“He is excellent, sharp-witted, very clever and focused.” "A top-notch legal mind and excellent cross-examiner.”
Professional Negligence, Chambers & Partners UK Bar 2019

"He has a deep knowledge of the construction industry and a great eye for detail." "Phenomenal in terms of intellect. Brilliant in court and at hearings.”
International Arbitration, Chambers & Partners UK Bar 2019

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.