

William Godwin KC

Call Date: 1986 | Silk Date: 2017



as an arbitrator and adjudicator.

Chambers UK have described him as *'an outstanding advocate'* and UK Legal 500 as *'very bright and experienced, providing detailed analysis of issues'*, *'an expert on FIDIC contracts and related arbitration'*, with *'very strong analytical skills and attention to detail'* and *'good credentials in the arbitration communities of China and Asia'*.

William is a graduate of University College London (First class) and Oxford University (BPhil, DPhil/PhD) and author of numerous publications on commercial, construction and arbitration law. He is proficient in German. From 2014-21 William was a board member of the Great Britain China Centre.

Legal Services

Commercial

William acts and advises in a wide range of commercial disputes, including shipping, insurance and commercial professional liability.

Illustrative cases include acting for Indian buyers of breeding poultry from US sellers under a sales right agreement in challenge proceedings to an ICC award raising issues of US state and federal law, New York Convention issues and co-ordination of US and London proceedings; acting for Chinese metal traders in LCIA arbitration concerning supply of alumina in breach of UN/US sanctions; acting for Chinese charterers in Hong Kong ad hoc arbitration arising from voyage charters for commodities shipments from Australia to China; and in HKIAC arbitration for Chinese pharmaceutical company in claims arising from a share sale agreement. Other cases include acting for German industrial group in substantial and complex English Commercial Court proceedings arising from acquisition debt push down in 15 jurisdictions following private equity buy-out and restructuring involving conflicts of laws, German corporate law and law of succession and Mexican tax advice; and appearing for the policy-holder accountants against insurers in the landmark decision in *HLB Kidsons v Lloyds Underwriters and Others* [2009] Lloyd's Rep IR 8 (CA).

Construction Law

William acts and advises in construction disputes of all kinds, including off-shore and shipbuilding cases and professional liability of engineers, architects and others.

His extensive experience covers both international and UK projects and he is an accredited adjudicator and arbitrator of the English Technology and Construction Bar Association. He has particular expertise in FIDIC contracts and was legal member of the FIDIC Updates Task Group responsible for drafting the second edition of the FIDIC Red, Yellow and Silver Books. In 2020 Wiley Blackwell published his guide to the new contracts, *The 2017 FIDIC Contracts: the Second Editions of the Red, Yellow and Silver Books*.

Illustrative cases include acting for French joint venture contractors in arbitration concerning EPC contract for container terminal project in North Africa and advising same client on nuclear containment works project in Ukraine; acting for UK engineering contractors in arbitration concerning nuclear power plant works in Wales; acting in claims by state-owned Chinese group arising from port expansion project in Ghana; acting in LMAA arbitrations defending Chinese shipyard and finance house in claims for late delivery in respect of multiple chemical tanker new build contracts; and advising contractors on hospital development project in Saudi under an EPC/turnkey contract. Other cases include acting for UK architecture practice pursuing arbitration claims arising from projects in UAE and a cultural centre project in Jordan and advising central European transport authority in dispute review board claims arising from urban transport project under a design-build contract.

International Arbitration

William acts in international and English domestic arbitrations in a wide range of disputes.

He has very substantial experience as counsel in institutional (LCIA, ICC, HKIAC, DIAC) and ad hoc commercial and technical arbitrations and related applications, challenges and appeals. He accepts appointment as arbitrator.

William has written widely on arbitration law and teaches a class on dispute resolution at City, University of London; he has also taught on Chinese arbitration at the School of Oriental and African Studies, London. His cases as counsel include a number of important arbitration law decisions, most notably *North Range Shipping Ltd v Seatrans Shipping Corp (The Western Triumph)* [2002] 2 Lloyd's Rep 1 (seminal decision on reasons in leave to appeal applications under s 69 Arbitration Act 1996) and *Peterson Farms Inc v C&M Farming Ltd* [2004] 1 Lloyd's Rep 614 (first reported decision on power under s70(7) Arbitration Act 1996 to secure award pending appeal or challenge).

Arbitrations in which William has acted as counsel include acting for Russian shipping corporation defending UNICTRAL arbitration claims by European bank on parent company guarantee raising Russian and English company law issues; acting in LCIA arbitration for Italian receivers in jurisdiction challenge involving the European Insolvency Regulation, Italian and English law; acting for Chinese charterers in substantial LMAA arbitration defending claims by Korean disponent owners for damages for breach of contract of affreightment; acting for Chinese charterers facing various claims arising out of five C/Ps in LMAA arbitration; and acting for contractors in arbitration claims arising from a hydro project in the Balkans.