

# ANDREW MILLER QC

Call 1989  
Silk 2014  
Mediator 2015

## Get in touch

[amiller@2tg.co.uk](mailto:amiller@2tg.co.uk)  
+44 (0)20 7822 1200

## ARBITRATOR

*"Excellent interpersonal skills"; "Always extremely well prepared";  
"Very pleasant to work with" - Legal 500"*

Andrew Miller QC has over 25 years of experience of dealing with and resolving commercial disputes both domestically and internationally. He practices as an Arbitrator in a wide range of commercial sectors, including in the areas of construction, energy, property damage, insurance and reinsurance, professional negligence and general commercial disputes.

## Arbitration

Andrew is a qualified and accredited arbitrator and a Fellow of the Chartered Institute of Arbitrators, having qualified as an arbitrator (FCIArb) in 1999. Andrew has been involved in domestic and international arbitrations including large value arbitrations of half a billion US\$.

Andrew has used his background as a successful QC commercial practitioner and his substantial experience of both litigation and arbitration to become a practical, efficient, approachable and user-friendly arbitrator. He works with the parties to the arbitration by ensuring that the key issues in dispute are properly ventilated and addressed during the course of the arbitration process. Andrew believes in a hands-on approach to the procedural management of arbitrations.

Andrew has consistently recognised by clients and in the legal directories for his strong negotiation and tactical skills. He is praised for his commercial approach to the resolution of disputes, whether in the traditional litigation forum, arbitration or in mediation.

In addition to being FCI Arb Andrew is also a Trustee of the Chartered Institute of Arbitrators.



*"Very savvy, with good client skills and a commercial approach"*  
(Chambers UK)

## Practice areas

Mediator – AMQC@2TG  
Arbitrator  
Arbitration and Project Dispute Resolution  
Insurance & Reinsurance  
Construction & Property Damage  
International Arbitration & Projects  
Commercial Dispute Resolution  
Professional Negligence

## Memberships

CEDR Exchange  
CIArb  
TECBAR  
PNBA  
COMBAR  
LCLCBA

## Qualifications

CEDR Accredited Mediator  
FCIArb



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# ANDREW MILLER QC

## Arbitration and Project Dispute Resolution

Andrew has had a large construction practice both domestically and internationally. Andrew has in-depth understanding of delay and disruption claims, defects claims and engineering disputes. He also has specialist knowledge of disputes involving power plants, as well as of the oil and gas and energy sectors, having focused upon this area throughout his time in practice. He has experience of claims involving most of the major standard form contracts including the JCT suite of contracts, the FIDIC suite of contracts, ICE Conditions of Contract, NEC Engineering Contracts and IEE (Institution of Electrical Engineers). Andrew also has experience of many ad-hoc forms of construction contracts.

In addition to domestic UK litigation, Andrew has substantial experience of both domestic and international arbitration, and litigation experience in South East Asia in Singapore and Brunei.

## Current and Recent Work

Construction litigation and arbitration dispute experience has included the following:

US\$140m construction/property damage (fire) claim brought by owners of a fertilizer plant against their insurers following repudiation of insurance claim post. (Arbitrator)

£32m – Delay and disruption, EOT, acceleration and prolongation claims brought in respect of the design and build of a cement plant in Nigeria (FIFIC) (Arbitration and Mediation)

£20m – breach of contract and negligence claim brought by 26 individual property owners over the defective construction, certification and negligent building of a large residential block of flats in Manchester. (JCT Contract)

US\$6m dispute arising out of the project management of two prospective wells being drilled in the North Sea. (NEC Engineering Contract)

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US\$43m dispute arising out of the project management of an exploration drilling campaign in waters off Guinea, West Africa. (FIDIC and ad-hoc Construction Contracts)

£7m ICC Arbitration by the reinsurers of the Cement factory in respect of a subrogated recovery against a Chinese construction company who constructed and then operated and maintained the cement factory. Delay, disruption and property damage claim. (FIDIC Contracts)

Dispute concerning the design, manufacture, transportation, installation and commission of four turbines and associated equipment for the Bakun Hydroelectric project in Sarawak. (FIDIC Suite of Contracts)

US\$650m ICC Arbitration claim concerning the design, manufacture and construction of a power boiler in the largest paper mill in Indonesia.

US\$200m delay and disruption and additional cost claim arising out of the construction of a 1000 MW multi-fuel combined cycle power plant in the Philippines. (Combination of Ad-Hoc and FIDIC suite of contracts)

£7m claim against the manufacturers and suppliers of a defective protective paint system installed at Didcot B Power Station. (JCT Contract)

US\$28m delay and disruption claim, arising out of the construction of an extension to an LNG plant and jetty in Brunei.

£6m delay and disruption and additional cost claim in respect of the upgrade to the Docklands Light Railway. (JCT Contracts)

£30m claim by the purchaser of a hotel being built by the defendant developer in Wembley, London in respect of whether practical completion was achieved in time or at all. (JCT and IEE contracts)

Delay and disruption and defects claim arising out of upgrade works being undertaken to the London Underground at Charing Cross and Embankment Underground stations. (Ad-hoc - Transport for London Standard Form Contract)

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## Arbitration – Insurance and Reinsurance

As barrister and QC Andrew had a significant commercial insurance practice and is now appointed as both arbitrator mediator in insurance related disputes.

In practice Andrew was involved in several landmark cases for the insurance industry including the *Employers' Liability Trigger Litigation* and the *Brit Inns Case*, which provided a much needed wake-up call to the recovery sector of the insurance industry.

Andrew was regularly instructed in insurance and reinsurance disputes arising out of a range of covers (including business interruption, property, property damage, employers' liability, public liability, life, critical illness and motor) and concerning coverage, policy interpretation and indemnification matters (fraudulent claims, misrepresentation, breach of warranty, co-insured's negligence, non-disclosure issues, questions of dual insurance).

Andrew has specific expertise regarding the insurance relating to the construction, operation and maintenance phase of projects and to matters concerning insurance claims arising out of property damage. Andrew is currently acting as an arbitrator in a US\$140m construction/property damage (fire) claim brought by owners of a fertilizer plant against their insurers following repudiation of insurance claim post. (Arbitrator)

## Current and Recent Work

Insurance disputes (litigation and arbitration) have included claims and disputes arising out the following:

Cases involving flood damage, both man-made and by nature.

Insurance claims arising out of a conflict between joint insurers.

Conflicts over insurance relating to the construction and operations phase of a project.

Dispute over conflicts between primary insurers and reinsurers over compensation arising out of substantial damage caused by hurricane Juliette in 2001 in Mexico.

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Policy coverage issues and Policy *Trigger* issues.

Claims by policyholders / insurers in respect of indemnity either given or refused under domestic and commercial policies.

Inadequate and wrongful assessment of damage by loss adjusters.

Fire claims – including subrogated, first party, third party and insurer to insurer disputes.

Business interruption claims arising out of insurance claims.

Life insurance claims / Critical illness claims.

Insurance disputes relating to insurance claims against insurance companies in runoff.

Insurance non-disclosure and fraudulent claims.

Claims involving wrongful assessment of damages by loss adjustors (*Brit Inns*).

## Recommendations

### Chambers UK 2018:

*"He is able to explain complicated matters without too much legalese.";*  
*"His is a calm and steady style and he is highly persuasive.";* *"He has an excellent commercial attitude, and is astute, responsive and approachable.";* *"He is extremely well regarded, very professional and someone who certainly knows his stuff.";* *"Very approachable and knowledgeable";* *"He has an excellent commercial attitude and is astute, responsive and approachable."*

### Chambers UK 2017:

*"He's got a friendly, non-pompous approach. He's good with clients and he just gets his head down and works.";* *"Very savvy, with good client skills and a commercial approach. He's astute and responsive."*

### Legal 500 2016:

*"Extremely strong on his feet, providing silky smooth advocacy"*

### Chambers UK 2016:

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*"He was very commercially aware, understood our position, and was forceful in fighting for us."*

**Chambers UK 2015:**

*"He's very user-friendly, effective and good to work with."*

**Legal 500 2014:**

*"Excellent interpersonal skills and good on his feet."; "Always extremely well prepared."*

**Chambers UK 2014:**

*"Andrew Miller has an extensive property damage practice, and regularly receives instructions from both public bodies and insurers."; "He's a very good advocate who can make tough decisions."; "He is a veteran of complex claims relating to fires floods, subsidence and explosions."*

**Legal 500 2013:** *"Andrew Miller is brilliant"*

**Legal 500 2011:** *"an outstanding Junior"*

**Legal 500 2011:** *"a standout Junior"*

**Legal 500 2010:** *"very pleasant to work with."*

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