



Rebecca Drake

Year of call: 2007

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"She is absolutely phenomenal and so is her work rate" Chambers and Partners, 2023

Rebecca Drake specialises in high value commercial and construction disputes, both domestic and international. She represents a diverse clientele of businesses, representing FTSE-rated companies, property professionals, offshore investors, private developers, SMEs, and ultra-high-net-worth individuals.

Areas of expertise

Construction

Commercial

Energy and Natural Resources

Sport

Construction

"She is a very safe pair of hands in any construction case." Chambers and Partners, 2023

Rebecca specialises in high value commercial and construction disputes, both as a junior and as sole counsel. She appears regularly in complex cases in the TCC and the Commercial Court and in arbitrations, both domestic and international. Rebecca is particularly experienced in international arbitrations, in particular in the Middle East and Far East.

Recent examples include:

- Acting as junior to Paul Darling KC in a LCIA arbitration concerning the legitimacy of a demand on a bond;
- Acting as sole counsel in a 5 day Dubai construction arbitration worth AED 30,000,000 under DIAC rules with complex questions of jurisdiction necessitating 2 sets of pleadings;
- Acting as junior to Gordon Nardell KC in an ICC arbitration concerning solar energy in a dispute with a Danish company;
- Acting for Bahraini marine engineering contractors against a Singapore main contractor in a dispute arising from the construction of a Desalination Plant in Algeria. The case involved issues of the validity of determination of the contract by the main contractor, including pipe design engineering

issues, adequacy of environmental permitting and issues of Algerian law;

- Being instructed in a multi million pound arbitration in Trinidad, where she was acting for an oil and gas company in relation to payment disputes over payment for changes, and delay and disruption, and as sole counsel by solicitors in Dubai in relation to an arbitration in accordance with the laws of DIFC;
- Acting as a junior to Sean Wilken KC in a multi million pound ICC Arbitration in relation to a project in the Kurdistan Region of Iraq;
- Acting as a junior to Roger Ter Haar KC and Adam Robb in a multi million pound ICC Arbitration on behalf of a Kuwaiti contractor in relation to a large plant in Qatar

Recent examples of her construction experience include:

- Acting as sole counsel in a 6 day trial concerning water damage to allegedly the world's largest collection of Russian art, in which she was successful at first instance and successful (as junior to Adam Robb KC) on appeal, reported at [2019] EWHC 186;
- Acting as sole counsel for a group of claimants concerning alleged failure by transactional solicitors to properly advise and/or breach of duty in a failed hotel investment scheme;
- Acting as sole counsel in an international multi million pound construction dispute in Ghana and Burkina Faso, at an estimated cost of €3 million against an Israeli telecommunications company;
- Acting as sole counsel in ICC enforcement proceedings for a £20m arbitration;
- Acting as sole counsel in a 4 day trial concerning water damage to a long leasehold flat and breaches of covenant.
- Rebecca has extensive adjudication experience, both as a junior and as sole counsel. She has also been instructed in adjudication enforcement proceedings in the TCC. Her experience includes:
- Successfully acting as lead counsel in a £10m payment dispute Successfully acting as junior counsel to Simon Hargreaves KC in a nuclear power dispute; Successfully acting in adjudication enforcement proceedings in *Penten Group Ltd v Spartafield Ltd*[2016] EWHC 317 (TCC)
- Successfully acting in multi million pound PFI disputes

Cases of note:

- ***Rochford v Kilhan* [2020] EWHC 941** - Rebecca was successful in obtaining judgment in this part 8 claim that under the HGCRA 1996 the final date for payment must be a fixed period of time from the due date, and cannot be linked to the provision of invoices.
[Judgment](#)
- ***Rabilizirov v A2 Dominion And Others* [2019] EWHC 186** - Led by Adam Robb KC, Rebecca successfully defeated an appeal brought by sub-contractor Ground Construction Limited. The case concerned an indemnity given by A2 Dominion's contractor, Durkan, and a further indemnity given by Durkan's sub-contractor, GCL, in relation to defective building works to a warehouse housing what was allegedly the world's largest private collection of Russian art and antique rugs.
[Judgment](#)

Recommendations

- *"Rebecca is energetic and efficient, with a razor-sharp mind. She is capable of thinking on her feet and gets to grips with complex technical issues very quickly."* The Legal 500, 2023
- *"She is absolutely phenomenal and so is her work rate"* Chambers and Partners, 2023
- *"She is a very safe pair of hands in any construction case."* Chambers and Partners, 2023
- *"Rebecca is very easy to work with and a to-the-point advocate."* Chambers and Partners, 2023

- *"Excellent ability to understand clients needs, superb choice of junior."*The Legal 500, 2021
- *"Able to deal with complex issues quickly"*The Legal 500, 2020
- *"The Lara Croft of the construction Bar: adversaries would do well not to underestimate her, she packs a powerful punch"*The Legal 500, 2019
- *"Her team spirit proves vital on long-running matters"*The Legal 500, 2016
- *"A very sharp junior punching above her call."*The Legal 500, 2015
- *"She has a tenacity in court generally associated with someone of a much more senior call"* Chambers and Partners, 2013

Memberships

- The Society of Construction Law
- COMBAR
- TECBAR
- LawInSport

Qualifications

Education

2009, Cambridge University, Corpus Christi College, MA Law
 2007-2008, University College London, LLM (Distinction)
 2006-2007, College of Law, Bar Vocational Course (Very Competent)
 2003-2006, Cambridge University, Corpus Christi College, BA Law

Scholarships and prizes

- Organ Scholarship, King's College, London: 2007-2008
- Mary MacMurray Major Scholarship, Lincoln's Inn: 2006
- Hardwicke Entrance Award, Lincoln's Inn: 2006
- Avory Award, Corpus Christi College, Cambridge: 2006
- Hewitt Exhibition, Corpus Christi College, Cambridge: 2006
- Organ Scholarship, Corpus Christi College, Cambridge: 2003-2006

Additional Information

Before coming to the Bar, Rebecca worked at Norton Rose in the Project Finance division of the Banking department. She assisted in arranging finance for a range of large construction projects.

Appointments

- Rebecca has been Honorary Associate Professor at UCL since 2018 where she teaches law on the Construction and Project Management undergraduate degree.
- TECBAR accredited adjudicator

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