



Karen Gough

Year of call: 1983

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"Immensely hard-working, is tireless, resourceful, well-prepared at all times and a delight to work with." The Legal 500, Leading Juniors, Tier 2, International Arbitration: Counsel 2021

"Karen is tenacious, accomplished, thorough and constructively fierce when required. One of the best barristers we have worked with."

The Legal 500, Leading Juniors, Tier 3, Construction

"The sort of advocate that most clients dream of instructing." The Legal 500

Karen Gough practises internationally as counsel, attorney-at-law, arbitrator, adjudicator and ADR neutral. She has specialised, for more than 30 years, in complex construction, engineering, professional negligence and general commercial disputes whether resolved by litigation, arbitration or ADR. She represents a wide range of clients including governments, government agencies, local authorities, educational institutions, contractors, sub-contractors, and major commercial organisations. Her construction practice includes disputes concerning private domestic and commercial industrial and retail developments, major public works and infrastructure projects including water, sewage, energy and power plants, nuclear facilities, hospitals, prisons, schools, roads, rail, and sea defences. She has dealt with all manner of disputes under many SFCs including JCT, NEC and FIDIC, including claims for payment, extensions of time, delay and disruption, termination disputes and other specialist disputes involving complex M&E and building management systems, ground conditions, cladding and roofing projects.

She has undertaken a number of high profile commercial disputes including *Azevedo and Alvarez v Imcopa Importacao, Exportacao E Industria De Oleus Ltda and Others*, concerning the legality of consent payments in corporate debt restructuring proposals; a number of disputes arising from share purchase agreements; a substantial and long-running banking dispute arising out of an international commodities transaction in Jamaica; and a number of other complex disputes involving financing and guarantees for major commercial developments. In 2015 she appeared in the Privy Council case of *National Housing Trust v Y P Seaton & Associates Company Limited* a case about the power of an arbitrator to award compound interest under a commercial agreement governed by Jamaican law. Karen also acts for clients in

insolvency/insolvency related disputes. She is the immediate past chairman of the Institute of Chartered Accountants Insolvency Licensing Committee, being the first lay chairman of this important RPB for the regulation of insolvency practitioners in the UK, and in 2017 was elected as a Council Member of the UK Society of Construction Law.

Karen has a strong commercial practice in the Caribbean. In April 2016 she completed a course at the Norman Manley Law School at UWI in Jamaica and was awarded a Legal Education Certificate giving her an entitlement to be admitted to practise across the wider Caribbean. In July 2016, Karen was admitted to practise as an Attorney-at-Law in the Courts of Jamaica and in November 2016, in Trinidad and Tobago.

She has more than 30 years' experience of domestic and international commercial arbitration, both as counsel and as arbitrator. She is a recognised expert on disputes arising out of projects governed by the FIDIC forms of contract and acts as an expert "Friendly Reviewer" for FIDIC. In 2017 she was also appointed to, and is a member of, the KLRCA (now AIAC) panel of experts advising on the KLRCA new standard forms of building contract launched in August 2017 and the Advisory Board of the Jamaica International Arbitration Centre. Karen is a past President of the Chartered Institute of Arbitrators; a Chartered Arbitrator; a Certified International ADR Practitioner of the Asian Institute of ADR, and an accredited TECBAR adjudicator.

She is described in Chambers UK as being *"Just the person you want if the battle is going to be hot" in construction claims, and having "immense arbitral experience", and by Legal 500 as "outstanding in her detailed and analytical grasp of her field and fearless in her protection of the client"*.

Karen was shortlisted for The Legal 500 UK Awards 'International Arbitration Junior of the Year' in both 2018 and 2020 and 'Construction Junior of the Year' in 2019.

Areas of expertise

Arbitrators
Construction
Commercial
Professional Liability

Commercial

Karen has undertaken many high value and high profile commercial disputes both in the UK and abroad, and successfully conducted claims/defences in a range of general commercial matters involving debt restructuring, share purchase agreements, project finance, banking and insolvency claims. Karen also has particular experience dealing with claims arising from and relating to the recognition and enforcement of international arbitration awards in different jurisdictions.

Recommendations

- *"Superb rapport with clients and tremendously knowledgeable"*The Legal 500
- *"Demonstrated expert knowledge and rapidly and incisively mastered the voluminous and intricate documentation"*The Legal 500
- *"She has a no-nonsense approach, good tactical nous and gravitas to her name"*The Legal 500
- *"A prominent arbitration barrister, who is great at handling clients"*The Legal 500
- *"She has a no-nonsense approach"*The Legal 500
- *"Very approachable and easy to get on with"*The Legal 500
- *"Very experienced"*The Legal 500

Appointments

- Appointed to the Advisory Board of the Jamaica International Arbitration Centre Ltd (JAIAC) (2019)
- Fellow of the Asian Institute of ADR (2018)
- Council Member of the UK Society of Construction Law (2017)
- Panel Arbitrator with the Kuala Lumpur Regional Centre for Arbitration (2014)
- Chairman of the Institute of Chartered Accountants' Insolvency Licensing Committee 2013-2016
- ICAEW Lay member Insolvency Licensing Committee: 2008; Vice Chairman 2011-2012
- CEDR "Super Adjudicator" Panel: 2008
- Committee Member of South Eastern Circuit of the Bar: 2005-2011
- Secretary to the Sole Practitioners' Group: 2005-2011
- Panel Arbitrator/Adjudicator CIArb. London Housing Panel
- Committee Member TECBAR: 2004-2012
- President of the Chartered Institute of Arbitrators: 2001-2002
- Chairman of the Council of the Chartered Institute of Arbitrators 2001-2002
- Chairman of the Executive Board of the Chartered Institute of Arbitrators: 1997-2000
- Member of the Council of the Chartered Institute of Arbitrators: 1992-2003

Memberships

- ISAF (Chair of Drafting Committee for the draft model law on statutory adjudication for construction disputes)
Appendix
- TECBAR
- LCLBA
- CIArb
- LCIA
- AIADR
- SCL
- IBA
- Inner Temple
- ICC United Kingdom 4
- The South Eastern Circuit of the English Bar
- Attorney-at-law of the Jamaican Bar
- Attorney-at-law Trinidad and Tobago

Qualifications

- Certified International ADR Practitioner AIADR 2021
- Admitted as Attorney-at-Law in Jamaica 2016
- Admitted to the Bar of Trinidad and Tobago: 2008; 2009, 2016 (with full rights of audience)
- CEDR "Super Adjudicator" Panel: 2008

- TECBAR Accredited Adjudicator: 2004
- FCI. Arb.; Dip ICArb; Chartered Arbitrator: 1999
- Diploma in International Commercial Arbitration, Dip ICArb:1998
- Fellow of the Chartered Institute of Arbitrators: 1991

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