



Lucy Colter

Call: 2008

+442078222000 l.colter@4newsquare.com

Clerk: James Barrass

j.barrass@4newsquare.com

+442078222047 +447715859771



Destined to be one of the stars of the English Bar

- Legal 500

Lucy Colter's practice is focused on the core areas of commercial litigation (including offshore work), professional liability claims, and construction.

Lucy is ranked as a leading junior in the Legal 500 for Commercial Litigation, Offshore, Construction and Professional Negligence and in Chambers & Partners for Construction, Professional Negligence and Professional Negligence: Technology and Construction. She is currently nominated for the 2020 Chambers & Partners *Construction Junior of the Year* award.

Lucy has been described as "Destined to be one of the stars of the English Bar - she is extremely bright, personable and tactically incisive", "perfect with clients and one of the cleverest barristers I have worked with." "She provides consistently excellent service and understands entirely what we and our insured and insurer clients want", "first-rate - someone who works hard under difficult circumstances and is very approachable and normal", "she is excellent, good at the detail, very positive and has a good knowledge of the law", "extremely hard-working, very bright and has an exceptional mastery of the detail of complex matters. She provides invaluable input" and "a good team player who is insightful and responsive."

In 2017, Lucy was identified as one of just twelve "Stars of the Bar" under 10 years' call by Legal Week.

Commercial litigation

Lucy's practice is dominated by large-scale litigation particularly with a Russian/CIS connection. Led by Justin Fenwick QC, she has represented Oleg Deripaska in recent arbitral, High Court and Court of Appeal proceedings against Vladimir Chernukhin.

Professional Liability

Lucy acts in challenging and high-value claims, both for and against professionals. She is presently instructed (led by Ben Hubble QC) by an ultra high-net worth client bringing lost litigation claims worth US\$500 million+ against a leading City firm of solicitors in respect of claims arising out of a failed joint venture and the extraction and dissipation of the client's interests and funds worldwide. She was recently instructed (led by Graeme McPherson QC) in a claim against a senior tax barrister instructed as an expert in respect of the demerger of a property empire, involving allegations of conflict and bias.



Construction & Engineering

Offshore

Lucy's practice involves substantial and diverse offshore work in particular in the Channel Islands and Cayman. She is instructed in trust matters and litigation; construction matters concerning offshore arbitration or claims in the Royal Court; contractual disputes. Her commercial litigation practice very frequently involves an offshore element, in particular Cyprus, Cayman and the BVI.

Details of Lucy's practice in each area can be found below.

Privacy Policy

Click here for a [Privacy Policy](#) for Lucy Colter.

Areas of Expertise

Commercial Litigation

'Wholly committed to the case – diligent and hard working. She is a pleasure to work with.' – *Legal 500, 2022*

'Very thorough and capable lawyer with an easy-going and highly professional attitude.' – *Legal 500, 2021*

'Destined to be one of the stars of the English Bar – she is extremely bright, personable and tactically incisive.' – *Legal 500, 2020*

Lucy has an extremely busy and rapidly developing commercial practice. She is particularly interested in matters with an international element and has strong experience of matters in which fraud/conspiracy have been alleged.

A flavour of Lucy's work and experience is provided by the following:

- Acting for Oleg Deripaska in long-running litigation against Vladimir Chernukhin, in arbitration in 2017, and after that in a section 67/section 68 Arbitration Act challenge in the Commercial Court and an appeal by Mr Deripaska to the Court of Appeal, from which permission to appeal is sought. The litigation, worth in excess of US\$100 million, concerns the ownership of valuable real estate assets in Moscow. This hard-fought litigation has involved allegations of fraud and corruption on both sides and allegations of oppressive conduct in the takeover of a business under section 202 of Cyprus Companies Law, along with extensive satellite issues including in the Royal Court in Jersey, impacted by US sanctions against Mr Deripaska. (Led by Justin Fenwick QC). Reported as *(1) Filatona Trading Limited (2) Oleg Vladimirovich Deripaska v (1) Navigator Equities Limited (2) Vladimir Anatolevich Chernukhin* [2019] EWHC 173 (Comm.) and [2020] EWCA Civ 109.
- Acting for an insurer in a dispute with a state-owned oil company in ICC arbitration in Abu Dhabi.
- Acting for a Jersey trust company in respect of proceedings in the Royal Court to recover losses allegedly suffered by a discretionary trust. The claimant alleged failures to implement an adequate investment strategy and risk profile together with allegations of gross negligence and fraud in respect of LIBOR and fx manipulation.
- Acting for Georgy Bedzhamov in proceedings against him in Russian law including for fraud and controlling persons liability, for more than £1 billion brought by the Russian bank VPB. Lucy was instructed in recent applications where the defendant successfully sought permission to reply documents in litigation in Russia, and where the claimant abandoned its application for summary judgment worth c.US\$ 30 million. (Led by Justin Fenwick QC).
- Acting on highly sensitive claims worth US\$500 million+ arising out of a dispute over industrial interests located internationally between high net worth individuals, involving allegations of fraud, conspiracy and money-laundering, and consequent high value claims against City solicitors for lost litigation which themselves include allegations of deliberate

misconduct. (Led by Ben Hubble QC).

- Acting for Dubai-based claimants to advise on strategy in respect of potential claims against investment advisors arising out of a fraud in their pension and investment arrangements and the payment away of significant sums, dissipated through an unprotected offshore investment in Mauritius.
- Acting for a technology company now in administration seeking to bring claims against its directors for asset stripping and breach of trust and in particular, the transfer away of assets and funds to related companies in the US and the Philippines.
- Acting in a multi-million pound claim brought in relation to the drafting of a Share Purchase Agreement. (With Patrick Lawrence QC and Rick Liddell).
- Acting in relation to claims arising out of overpayment of shareholder dividends.
- Acting for the claimant in a claim for restitution in respect of monies paid away under a mistake.
- Instructed to advise and attend applications in various cases where complex issues have arisen in relation to a party being in administration or liquidation, including acting for a defendant wealth management company in liquidation.

Qualifications & Memberships

Lucy is a member of Lincoln's Inn. She was awarded the Lord Brougham, Lord Mansfield and Lord Sheldon scholarships for the CPE, BVC and pupillage respectively.

Lucy is a long-standing contributor to Jackson & Powell on Professional Liability (currently in its 8th edn.).

She is a member of COMBAR, TECBAR and PNBA.

Lucy sits on COMBAR's Equality & Diversity Committee and is a former chair of the Young COMBAR committee.

Education

Lucy read English Language & Literature at Trinity College, Oxford, where she achieved a First Class Degree (coming top of her year in Moderations). She was a Percival Exhibitioner and Scholar at Trinity College, and won the Mrs Claude Beddington and the Violet Vaughan Morgan university prizes. She obtained a distinction in the law conversion (CPE), and took a year out to travel in Russia, China, Hong Kong and South East Asia, before the Bar Vocational Course.

Insights

Jackson & Powell on Professional Negligence

1 December 2011

Lucy is a contributor to the 7th edition

Inquests and the “detachable” article 2 obligation: *In Re McCaughey*, *Judicial Review*, 2011, 16(3), 290-296

1 December 2011

Discusses the Supreme Court judgment in *Re McCaughey's Application for Judicial Review* [2011] UKSC 20 on whether the House of Lords decision in *Re McKerr's Application for Judicial Review* [2004] UKHL 12, ruling that an inquest into deaths occurring before the Human Rights Act 1998 entered into force need not meet the procedural requirements of the European Convention on Human Rights 1950 art.2, should be overruled as a consequence of the European Court of Human Rights ruling in *Silih v Slovenia* (71463/01) (2009) 49 E.H.R.R. 37 (ECHR) that, in certain circumstances, art.2 imposed freestanding procedural obligations.

Smith (Oxfordshire Coroner) in the Supreme Court, *Judicial Review*, 2010, 15(4), 356-365

1 December 2010

Comments on the Supreme Court judgment in *R. (on the application of Smith) v Oxfordshire Assistant Deputy Coroner* [2010] UKSC 29 on whether British service personnel serving overseas remained within the UK's jurisdiction for the purpose of determining if they retained the rights conferred by the European Convention on Human Rights 1950. Considers whether the death of a soldier should have been made subject to an inquest satisfying the procedural and investigative standards implicitly required by



NEW SQUARE

art.2 of the Convention.

The Atomic Veterans Litigation (Ministry of Defence v AB and others)

22 November 2010

[2010] EWCA Civ 1317

The law on donations to political parties considered for the first time by the Supreme Court: R. (on the application of the Electoral Commission) v. UKIP

30 July 2010

By a 4 to 3 majority the United Kingdom Independence Party (“UKIP”) has won its appeal in the Supreme Court in respect of the proper interpretation of section 58 of the Political Parties, Elections and Referendums Act 2000 (“the Act”), which provides for a power of forfeiture of donations impermissibly made to a political party in the United Kingdom.