

## Lucy Colter

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*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

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### 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

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## Areas of Expertise

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### Offshore

**'Wholly committed to the case – diligent and hard working.'** – *Legal 500, 2022*

**'Very bright and good attention to detail. Also very responsive. Worked well as part of a team.'** – *Legal 500, 2021*

**'A very good junior – she thoroughly researches her cases'** – *Chambers and Partners, 2020*

Lucy's practice involves substantial and diverse offshore work in particular in the Channel Islands and Cayman. A significant part of her commercial litigation practice (particularly Russian/CIS litigation such as *Deripaska v Chernukhin*) has involved a significant offshore element and required expertise in this area. Recent instructions have included:

- Representing a Jersey trust company in an action in the Royal Court in respect of losses allegedly suffered by a discretionary trust. The claim concerned allegations of a failure to implement an adequate investment strategy and allegations of gross negligence and fraud regarding alleged LIBOR and fx manipulation.
- Acting for Oleg Deripaska in applications brought in the Jersey Royal Court regarding the proposed enforcement of £100 million+ arbitration awards and English judgments, in the context of the US sanctions.
- Acting for a high-net worth individual in respect of loss of chance claims, involving careful consideration of claims/litigation pursued offshore including in the BVI. Led by Ben Hubble QC.
- Acting on a contractual dispute regarding the purchase of substantial property on Jersey. With Anneliese Day QC and George McDonald.
- Acting on multiple Royal Court claims and arbitrations in Jersey of large-scale construction disputes. Lucy is one of the go-to English counsel for Jersey/Guernsey construction claims. (See Construction.)

## Qualifications & Memberships

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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

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### **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 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.