

# James Thompson

Call: 2005

*"James has a huge amount of experience of the trickiest construction disputes. He is able to bring order to chaos and is excellent in front of clients and tribunals alike."*

Legal 500 EMEA 2024



## Practice Areas

- Adjudication
- Advisory
- Arbitration
- Dispute Boards
- International Arbitration
- Litigation
- Mediation
- Professional Negligence
- Property
- Construction & Engineering
- Energy & Natural Resources
- Infrastructure & Utilities
- Offshore Construction & Marine Engineering
- PFI & PPP

## Clerk details

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## Practice Overview

James acts in a wide range of domestic and international disputes encompassing onshore and offshore construction and engineering, energy, technology, infrastructure and international arbitration. He is ranked in Chambers & Partners for construction litigation and international arbitration, The Legal 500 UK for construction, international arbitration and energy, and in The Legal 500 EMEA for his UAE expertise. His clients recommend him as “a rising star”, and an “exceptionally bright” and “technically excellent” barrister who has “a brilliant analytical mind”. He has an excellent reputation for trial advocacy, and his “cross-examination skills are at the level you might expect of a vastly more senior counsel”.

James appears regularly in the TCC in disputes relating to a wide range of construction projects, including large-scale residential and commercial developments, power stations and infrastructure projects. He is also regularly instructed in cases involving issues of fire safety in a wide range of projects including schools, hospitals, leisure centres and residential buildings. He has extensive experience of adjudication, acting for clients in the adjudication process itself and subsequent enforcement proceedings.

James has extensive experience of international arbitration, acting in disputes in Europe, the Caribbean, Africa, the Gulf and the Far East under various institutional rules (including DIFC-LCIA, ICC and DIAC). Described as “something of an expert in Qatari, Omani and UAE-related matters”, James has extensive experience of projects in the Middle East. He has acted in numerous high value disputes in the region arising out of energy-related projects, infrastructure projects, airports, educational facilities and commercial developments.

Examples of James’ recent work include acting in a dispute concerning fire safety defects at a residential project; in adjudication proceedings concerning alleged defects in the design and construction of a ground source heating system; in multiparty TCC litigation arising out of a luxury residential redevelopment in London; in a US\$1 billion dispute concerning the construction of an airport in the Middle East; in arbitration proceedings concerning the construction of a new university in Abu Dhabi; in TCC proceedings concerning liability for a major fire at a power station in the UK; and in arbitration proceedings concerning a final account dispute relating to a project to upgrade and expand an LNG process plant in the Middle East.

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## Practice Areas

### Construction & Engineering

- Sole counsel for one of the defendants in multiparty TCC litigation arising out of a luxury residential redevelopment in London, involving claims in contract, tort and under the Defective Premises Act.
- Sole counsel for employer in a dispute concerning fire safety defects (cladding and internal) in a residential project.

- Counsel in dispute concerning alleged defects in the design and construction of a ground source heating and cooling system for a major development.
- Counsel for owners in dispute concerning structural defects in multistorey car park.
- Counsel for contractor in dispute concerning alleged fire safety defects (active and passive) in numerous projects.
- Lead junior counsel, leading a team of three other juniors, in final account dispute relating to a project to upgrade a liquid natural gas plant in the Middle East, involving issues of delay and disruption.
- Lead junior counsel for employer in dispute arising out of the construction of a new airport terminal in the Middle East.
- Counsel for owner of a power station in TCC proceedings relating to liability for a major fire during refurbishment work.
- Counsel for main contractor in dispute arising out of the construction of a new university in Abu Dhabi, involving issues of delay and disruption and variations claims.
- Sole counsel for a structural engineering consultant in multi-party TCC proceedings relating to allegedly defective design of a floor in a warehouse.
- Counsel for a UK developer in multi-party TCC proceedings arising out of the design and construction of 100 new homes pursuant to an environmentally-friendly scheme backed by the Government.
- Sole counsel for the developer in claim against the design and build contractor for defects in the roof of a residential and retail development in Cornwall.

#### International Arbitration

- Counsel for EPC contractor in £250million termination dispute regarding a project to construct a power plant in Iraq (ICC arbitration).
- Counsel for MEP subcontractor in several final account arbitrations arising out of construction projects in the Middle East (DIFC-LCIA arbitrations, UAE law).
- Counsel for main contractor in dispute arising out of the construction of a new university in Abu Dhabi (DIFC-LCIA arbitration, UAE law).
- Lead junior counsel, leading a team of three other juniors, for contractor in dispute relating to upgrade and expansion of an LNG plant in Qatar (ICC arbitration, seated in Switzerland, Qatari law).
- Lead junior counsel for employer in US\$1 billion dispute arising out of the construction of a new airport terminal in the UAE (DIAC arbitration, UAE law).
- Sole counsel for owner of maritime facility in dispute relating to the design, construction and installation of vessel docking facilities (DIAC arbitration, UAE law).
- Lead junior counsel for IT contractor in relation to a project to upgrade two airports in Oman (ICC arbitration, seated in Oman, Omani law).

- Counsel acting for the main contractor in a \$150 million termination dispute arising out of the construction of the world's largest energy research and development centre, in Saudi Arabia (ICC arbitration, seated in London).
- Counsel representing a joint venture contractor in a circa \$50 million arbitration concerning delay and disruption to the construction of a new highway in Qatar (ICC arbitration, seated in Qatar, Qatari law).
- Counsel acting for main contractor in numerous disputes arising out of the construction of a 720MW combined cycle power station in the Caribbean (ICC arbitrations seated in London).
- Counsel acting for main contractor in dispute with developer arising out of a \$1 billion combined commercial and residential development project in Dubai, UAE (DIAC arbitration, UAE law).
- Counsel for a joint venture developer in a multi-million-dollar dispute arising out of the construction of a large office complex in Russia (ICC arbitration, seated in London, Russian and English law).
- Counsel for contractor in a series of high value international arbitrations arising out of four major road construction and maintenance projects in Oman and Yemen (ad hoc under the Omani Arbitration Act, seated in Oman, Omani law).

#### Energy & Natural Resources

- Counsel for employer in dispute arising out of the upgrade of an oil and gas facility at one of the world's largest oilfields.
- Counsel for EPC contractor in £250million termination dispute regarding a project to construct a power plant in Iraq (ICC arbitration).
- Lead junior counsel, leading a team of three other juniors, for contractor in US\$100 million dispute relating to upgrade and expansion of an LNG plant in Qatar.
- Counsel for main contractor in US\$50 million dispute with sub-contractor arising out of the construction of a new 720MW combined cycle power station in the Caribbean.
- Counsel for member of a joint venture engaged as EPC contractor under a US\$1 billion contract relating to the construction of a new oil refinery and terminal in Saudi Arabia.
- Sole counsel for contractor in disputes arising out of the construction of fuel feed systems for three new alternative fuel power stations in the UK.
- Counsel for the main contractor in a \$150 million termination dispute relating to the construction of the world's largest energy research and development centre in Saudi Arabia.
- Sole counsel for main contractor in dispute with pipework subcontractor engaged for the construction of a new combined heat and power biomass power plant in the UK.
- Counsel for main contractor in dispute with sub-contractor arising out of chemical cleaning and commissioning works to a gas-fired combined cycle power plant.

#### Infrastructure

- Counsel for main contractor in dispute relating to design and construction of water treatment plant.

- Lead junior counsel for employer in US\$1 billion dispute arising out of the construction of a new airport terminal in the UAE.
- Lead junior counsel for contractor in disputes arising out of a project to upgrade two airports in the Gulf.
- Counsel representing a joint venture contractor in a \$50 million arbitration concerning delay and disruption to the construction of a new highway in Qatar.
- Counsel for contractor in TCC proceedings concerning the construction of the Cambridge Guided Busway.
- Counsel for contractor in four arbitrations arising out of major road construction and maintenance projects in Oman and Yemen.
- Counsel instructed by HM Treasury Solicitor in a high value domestic arbitration relating to 25-year PFI infrastructure contracts covering 3,000 sites in England, Wales and Scotland.
- Sole counsel for owner of damaged gas apparatus in £1 million claim for negligence and statutory liability.
- Sole counsel for developer in relation to works to install various utilities services as part of a wider project to construct a housing development.

#### Offshore Construction & Marine Engineering

- Counsel for shipyard in dispute arising out of design and construction of harsh environment semi-submersible drilling units.
- Counsel for shipyard in dispute relating to design, construction and delivery of an LNG carrier.
- Sole counsel for contractor in relation to a dispute arising out of the decommissioning of a topside oil platform.
- Sole counsel for owner of a maritime centre in the Gulf in relation to a dispute concerning docking and undocking facilities.
- Counsel for main contractor in dispute arising out of €0.5 billion project to construct breakwater for new port in Iraq.
- Sole counsel for supplier of equipment for the construction of a new port in Pointe Noire, Republic of Congo.

## Reported Cases

- AIS Pipework Ltd (formerly AIG Engineering Services Ltd) v Saxlund International Ltd [2017] EWHC 1523 (TCC)
- Larkfleet Ltd v Allison Homes Ltd [2016] EWHC 195 (TCC)
- AMD Environmental Ltd v Cumberland Construction Co Ltd [2016] EWHC 285 (TCC)
- Avoncroft Construction Ltd v Sharba Homes (CN) Ltd All ER (D) 411 TCC, (2009) 119 Con LR 130
- Edenbooth Ltd v Cre8 Developments Ltd All ER (D) 20 TCC; (2008) CILL 2592
- European Dynamics SA v HM Treasury (sued as Buying Solutions) EWHC 3419 (TCC), [2010] Eu LR 397, (2010) 26 Const LJ 191 and 128 Con LR 36

## Other information

### Education & Professional Career

- Editor, Construction Law Reports (2014 – date)
- Committee Member, Omani-British Lawyers Association (2013 – 2018)
- Keating Chambers (2006 – date)
- Pupillage, Keating Chambers (2005)
- Astbury Scholar, Middle Temple (2005)
- Harmsworth Exhibitioner, Middle Temple (2005)
- Bar Vocational Course (Inns of Court School of Law) (2005)
- BA (Cantab) Law, Selwyn College, Cambridge (2004)
- Tripos Part 1A prize, Selwyn College, Cambridge (2002)

### Additional Information

When allowed some spare time by his young family, James enjoys sports (in particular skiing and golf, both of which have suffered significant deterioration in skill level over the years) and walking in the Kent countryside. He also likes cooking and to collect cook books, and particularly recommends those of Nigel Slater (his Instagram account is also worth a follow). His prized possession however is a First Edition copy of Fergus Henderson's "Nose to Tail Eating", although he is yet to attempt to cook anything from it.

### Memberships

- Technology and Construction Bar Association (TECBAR)
- Society of Construction Law
- Commercial Bar Association (COMBAR)
- Society of Construction Law (Gulf)
- Omani British Lawyers Association (committee)

### Seminars & Publications

- Co-author of Keating on Offshore Construction and Marine Engineering 2<sup>nd</sup> Edition (2018)
- Co-author of Keating on Offshore Construction and Marine Engineering (2015)

- Construction Law Reports, Editor (2014 – date)
- Keating on Construction Contracts 9th Edition (2012), Researcher
- Keating on Construction Contracts 8th Edition 1st Supplement (2008), Researcher

## Recommendations

"James is good at providing tactical legal strategies to deliver great results."

Energy, Legal 500 UK Bar 2025

"James is a very good advocate and develops a good rapport with Tribunals. He is accessible and down to earth which makes it easier for him to get into the detail of a case quickly and get to the key issues. This is reflected in his advocacy."

International Arbitration: Counsel, Legal 500 UK Bar 2025

"James is very practical, rolls up his sleeves and gets totally gets stuck into the detail of the claim. He is clear and very user friendly."

Construction, Legal 500 UK Bar 2025

'James has a huge amount of experience of the trickiest construction disputes, including those in the Middle East. He is able to bring order to chaos and is excellent in front of clients and tribunals alike.'

Construction, Legal 500 EMEA 2024

James is a skilled and technically sound barrister who offers invaluable legal and commercial advice to clients in difficult situations. He is very easy to work with and is reliable, insightful and pragmatic in the way he approaches the litigation process.

Construction, Legal 500 UK Bar 2024

"He is excellent at getting into the detail and making robust arguments."

International Arbitration: Counsel, Legal 500 UK Bar 2024

"Thorough, very bright and user friendly, James is excellent at getting into the detail and making robust arguments."

Energy, Legal 500 UK Bar 2024

"His advocacy was measured yet forceful and proved very effective."

International Arbitration: Construction/Engineering, Chambers & Partners UK Bar 2024

"James is a highly skilled senior junior and is always on top of the detail."

Construction, Chambers & Partners UK Bar 2024

"James Thompson can be relied on to focus on the issues and to be able to distil complex contracts quickly."

Construction, Chambers & Partners UK Bar 2024

'James is bright, hardworking and a great advocate; he is essentially everything you would want in a construction advocate.'

Construction, Legal 500 EMEA 2023

'James is one of the up and coming stars in the construction dispute market.'

International Arbitration, Legal 500 2023

'James gets stuck into the detail and gets to grips with the issues quickly. He provides his advice with clarity and has a personable approach.'

Construction, Legal 500 2023

'Having worked on some of the biggest energy disputes, he and has been instrumental in delivering results for clients.'

Energy, Legal 500 2023

"He's brilliant."

International Arbitration, Chambers UK Bar 2022

"Excellent both on his feet and in his written advocacy and drafting skills."

Construction, Chambers UK Bar 2022

"Understands how to get the best results for his clients. He is good at steering strategy from a high level and getting into the detail when needed."

International Arbitration, The Legal 500 2022

"Prepared to roll up his sleeves and put in the hard yards when necessary, he is incredibly perceptive when it comes to the client's needs."

Energy, The Legal 500 2022

"James is very responsive and user-friendly. He is prepared to roll up his sleeves and put in the hard yards when necessary. He is incredibly perceptive when it comes to the client's needs. His case analysis is a particular strength. "

Construction, The Legal 500 2022

"His key strengths are his sharp intellect married to his warm and charming personality. This is a rare combination that increasingly appeals to tribunals faced with determining complex, technical construction disputes."

Middle East, Construction, The Legal 500 2022

"Technically excellent and an absolute pleasure to work with, which makes him our first-choice advocate."

International Arbitration, The Legal 500 2021

"He has a brilliant analytical mind and is adept at navigating the complex technical issues."

Energy, The Legal 500 2021

"Ability to engage in the issues at all levels from the procedural to the complex factual issues extant in the particular case in question."

Construction, The Legal 500 2021

"A high-quality advocate who is excellent at dealing with witnesses."

Middle East, Construction, The Legal 500 2021

"He can be relied upon to deliver offering good written advocacy and fantastic oral advocacy."

Construction, Chambers UK 2021

"He is analytical and effective in drawing out particular lines of argument in a case."

Construction, Chambers UK 2021

"He is very accessible. His advice is practical and commercial and he understands his client's objectives." "He has a very passionate and pleasant manner, which tribunals really warm to."

Construction, Chambers UK 2020

"Very good at cutting through the chaos of construction disputes to identify the key legal and commercial issues."

International Arbitration, The Legal 500 2020

"Calm, forensic and highly effective."

Construction, The Legal 500 2020

"He understands the commercial realities, has a great style and is good with clients."

Construction, Chambers UK 2019



"Has great ability to analyse proceedings and was fantastic at the hearing. The judges took to him."

Construction, Chambers UK 2019

"A very good up-and-coming construction junior."

Construction, Legal 500 EMEA 2018

"A rising star. He builds relationships, and his advice and written work is spot on."

Construction, Chambers UK 2018

"The way he can just pick up a case and run with it is impressive."

International Arbitration: Construction/Engineering, Chambers UK 2018

"He's exceptionally bright, excellent at streamlining the arguments and very good at breaking up huge amounts of evidence in order to get to what's crucial to the client's case."

International Arbitration: Construction/Engineering, Chambers UK 2017

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