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clerks@keatingchambers.com

John McMillan



Call: **2012**

"John is a fabulous construction barrister. He has provided incisive advice, shrewd legal judgement and excellent advocacy."

Chambers & Partners UK Bar 2027

Clerk Details

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Practice Overview

John McMillan is a "*talented barrister*" who is "*really analytical*" (Chambers and Partners, 2022). Clients say that he "*has real star quality*," is able to "*process large volumes of information at light speed*," and is "*very strong on his feet*" (Legal 500, 2022).

He specialises in commercial arbitration and litigation, with a focus on the construction, engineering, energy, and technology sectors. He is recommended by Chambers and Partners, Legal 500 and Who's Who Legal for international arbitration, and by Chambers and Partners and Legal 500 for construction.

His recent experience includes:

- acting as sole counsel in a week-long, USD 20 million ICC arbitration relating to the sale of a number of aircraft;
- acting as junior counsel in a three-week, USD 400 million LCIA arbitration relating to the construction of an LNG facility in the Middle East;
- acting as junior counsel in a three-week, USD 1 billion ICC arbitration concerning the construction of a near-shore marine works at an LNG facility;

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- acting as sole counsel in a Part 8 trial concerning the construction of an automotive manufacturing facility in East Asia; and
- acting in adjudication enforcement proceedings in the TCC (including *Iluminesia Limited (t/a Alterego Facades) v RFL Facades Limited* [2023] EWHC 3122 (TCC)).

While he has experience of all major contract forms, he has particular expertise in the FIDIC suite of contracts. He has acted in disputes involving the Yellow, Red and Pink books, and has appeared in 10 Dispute Board hearings in the past few years with values ranging between USD 5 million and USD 150 million.

He has conducted advocacy in a wide variety of settings, including the TCC and Chancery divisions of the High Court, international arbitration, Dispute Boards, the County Court, adjudication, and the First-tier Tribunal (in relation to a claim under the Building Safety Act 2022).

Having studied Chinese at Oxford University, John speaks and reads Chinese. He has acted in disputes for and against Chinese clients, in which he has been required to review Chinese-language documents.

His international work has included disputes in China, Hong Kong, Korea, Singapore, Australia, Germany, Ghana, Angola, South Africa, Uruguay, Brazil, Afghanistan, Iraq, Syria, India and Pakistan, among other jurisdictions.

In the right case, John is willing to act *pro bono*. In 2023, he successfully represented an individual in a claim arising from a domestic building contract in a 2-day County Court trial.

Practice Areas

Construction & Engineering

Construction & Engineering disputes have always been central to John’s practice. Recent highlights include:

- Acting in High Court, First-tier Tribunal and adjudication proceedings relating to a number of fire-safety related disputes for owners, contractors and tenants
- Acting in adjudication enforcement proceedings in the High Court and County Court
- Representing the claimants in $180m arbitration relating to the construction of an underground metro station
- Representing the claimant in a series of high-value FIDIC Dispute Board hearings relating to the construction of two power stations in Africa
- Acting as sole counsel in High Court litigation regarding the construction of an automotive manufacturing facility in East Asia
- Representing a State in relation to a $200 million dispute arising from the construction of a major road, involving several FIDIC Dispute Board proceedings and a SIAC arbitration
- Representing South American clients in an $85 million ICC arbitration relating to the construction of a biofuels facility in South America

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- Representing a European contractor in two ICC arbitrations (one against the employer and one against a subcontractor) relating to the construction of an industrial facility in South America
- Representing a global oilfield services company in an ICC arbitration relating to the drilling of oil wells in the Middle East

John has experience of the FIDIC, NEC, JCT and LOGIC forms.

Energy & Natural Resources

John has wide experience of energy & natural resources disputes, especially in the oil and gas sector. Recent highlights include:

- Representing the owner of an LNG facility in the Middle East in a $400 million arbitration
- Representing an Australian contractor in a billion dollar arbitration concerning near-shore marine works at a gas processing facility
- Representing an oil and gas exploration company in a $60 million ICC arbitration arising from a joint operating agreement for an offshore oil concession in West Africa
- Representing a global oilfield services company in an ICC arbitration relating to the drilling of oil wells in the Middle East
- Advising on enforcement of an arbitral award relating to a multi-billion dollar dispute arising from the development of gas fields in Northern Iraq
- Representing South American clients in an ICC arbitration relating to the construction of a biofuels facility in South America

International Arbitration

John has advised on or acted in arbitrations under the ICC, LCIA, SIAC, UNCITRAL, NAI and ICSID rules, involving common-law, civil-law and international-law issues. Recent highlights include:

- Representing an airline in a $20 million LCIA arbitration relating to the purchase of a number of aircraft
- Representing the owner of an LNG facility in the Middle East in a $400 million arbitration
- Representing an Australian contractor in a billion dollar arbitration concerning near-shore marine works at a gas processing facility
- Representing a Chinese company in a $1 billion ICC arbitration arising from purchase of a company in another East Asian jurisdiction
- Representing a leading European manufacturing company in a multi-billion dollar ICC arbitration relating to disputes with a major Japanese manufacturer
- Representing a financial institution in a $200 million LCIA arbitration relating to the alleged negligent valuation of complex assets
- Representing an American healthcare company in a $150 million ICC arbitration relating to an agreement to develop a pharmaceutical facility in the Middle East

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- Acting as secretary to the tribunal in an ICC arbitration relating to disputes between a State and a European engineering company

John has also advised on investor-State arbitrations, including:

- Advising on a jurisdictional dispute arising from an arbitration under the Energy Charter Treaty
- Advising a State entity on its international-law obligations arising from an investor-State arbitral award
- Advising on an ICSID arbitration claim

Further examples of John’s arbitration experience can be found under Construction & Engineering and Energy & Natural Resources.

Commercial

John has wide experience of commercial disputes and frequently advises on post-M&A, joint venture and sale of goods disputes. Recent highlights include:

- Advising a Hong Kong property development company on a complex, multi-jurisdictional loan transaction
- Advising an American technology company in relation to a $1 billion post-M&A dispute with a Chinese technology company
- Advising an American food and beverage company in relation to a $200 million post- M&A dispute with Chinese investors
- Advising a European aviation company on disputes arising from an engine maintenance contract
- Advising an American pharmaceutical company on a patent licensing dispute with a British company
- Advising a joint venture in West Africa on a sale of goods dispute with a vendor

Further examples of John's experience of commercial disputes can be found under Construction & Engineering, Energy & Natural Resources, and International Arbitration.

Professional Negligence

John also has experience of professional negligence disputes. He has acted in:

- Multiple cases relating to fire-safety defects in high-rise buildings
- High Court litigation regarding the hydraulic modelling for river diversion works
- An ICC arbitration relating to the design of a biofuels facility
- An LCIA arbitration relating to the valuation of complex assets
- Linked High Court and adjudication proceedings relating to cladding on a high-rise block in London

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Reported Cases

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- Buckinghamshire Council v FCC Buckinghamshire Limited [2025] EWCA Civ 921
- Iluminesia Limited (t/a Alterego Facades) v RFL Facades Limited [2023] EWHC 3122 (TCC)
- URS Corp Ltd v BDW Trading Ltd [2023] EWCA Civ 189
- Infinity Max Ltd v CGI Automotive Consulting Ltd [2022] EWHC 1740 (Ch)

Other information

Education & Professional Career

Professional Career

- Tenant, Keating Chambers
- WilmerHale, London, 2014-2020 (Associate: 2014-2016; Senior Associate 2017-2019; Counsel: 2020)

Education

- Bar Professional Training Course, City University, London, 2012 (Outstanding)
- Graduate Diploma in Law, City University, London, 2011 (Distinction)
- BA Chinese, Wadham College, University of Oxford, 2004-2008 (First)

Appointments & Awards

- City University: Oxford University Press Prize for Advocacy and Procedure (2012).
- Lincoln's Inn: Megarry Scholarship (2012), Denning Scholarship (2011), Hardwicke Entrance Award (2010), Haldane Scholarship (2010).
- Oxford University: Gibbs Prize for Oriental Studies (2006).
- Wadham College, Oxford: prize for examination results (2008), scholarship (2005, 2006).

Seminars & Publications

- Assistant Editor, *Journal of International Arbitration* (2017-2021).
- Taught cross-examination class at Africa Arbitration Academy (London, June 2019).
- Spoke about working with expert witnesses at seminar organised by Delos and Grant Thornton as part of London International Disputes Week (London, May 2019).

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- Co-author of the England & Wales chapter, *International Comparative Legal Guide to International Arbitration* (Global Legal Group, 2016-2019).
- Taught class on cross-examination as part of the L.L.M. in International Business Law at the Université Libre de Bruxelles (Brussels, December 2018).
- Spoke about the ethics of arbitrators marketing themselves at Cambridge Arbitration Day (Cambridge, March 2018).
- Taught class on arbitral awards as part of the LSE Law Society's International Arbitration Academy (London, March 2018).
- 'The Evaluation of Witness Evidence in Time-Limited Arbitral Proceedings: The Chess-Clock and the Rule in *Browne v. Dunn*' in *Young Arbitration Review* (No. 24, January 2017).

Recommendations

"He is a great junior."
Construction, Chambers & Partners UK Bar 2027

"John is a fabulous construction barrister. He has provided incisive advice, shrewd legal judgement and excellent advocacy."
Construction, Chambers & Partners UK Bar 2027

"John is all over the detail – a great drafter and quick on the uptake. He has good judgement."
Construction, Chambers & Partners UK Bar 2027

"He is incredible: on the ball, really smart and knows what he is doing."
International Arbitration: Construction/Engineering, Chambers & Partners UK Bar 2027

"John McMillan is a very capable junior who punches above his weight."
International Arbitration: Construction/Engineering, Chambers & Partners UK Bar 2027

"John articulates in direct and clear terms. He is excellent with clients and very pleasant to work with."
International Arbitration: Construction/Engineering, Chambers & Partners UK Bar 2027

"John is an excellent advocate. His written advocacy cut to the nub of the issue and presented our case in its most favorable light. His cross-examination was equally effective."
International Arbitration: Counsel, Legal 500 UK Bar 2027

"John acts as the eye of the storm, staying calm and composed in even the most chaotic of matters. This is reflected in his advocacy style which settles and manages the judge in such circumstances."
Construction, Legal 500 UK Bar 2026

"John McMillan is a very effective advocate."
Construction, Chambers & Partners UK Bar 2026

"John exudes a quiet confidence that calms clients and judges alike."
Construction, Chambers & Partners UK Bar 2026

"His advocacy and cross-examination skills are exceptional, marked by razor-sharp precision and impeccable preparation."
Construction, Chambers & Partners UK Bar 2026

"John has excelled with supporting the client and leading counsel, and was trusted to undertake complex advocacy."
Construction, Chambers & Partners UK Bar 2026

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"John is technically excellent and fantastic with the client team."

Construction, Chambers & Partners UK Bar 2026

"John was able to get up to speed in record time and drafted excellent pleadings, providing invaluable advice."

Construction: International Arbitration, Chambers & Partners UK Bar 2026

"John is an exceptionally dedicated and hard-working member of the Bar. His strong work ethic and outstanding client skills distinguish him as one of the best junior counsel at the Bar."

Construction: International Arbitration, Chambers & Partners UK Bar 2026

"He was very user-friendly, he worked day-to-day with the client team, which was very helpful. He is very intelligent and hard-working."

Construction: International Arbitration, Chambers & Partners UK Bar 2026

"John is an outstanding barrister renowned for his sharp intellect, exceptional work ethic, and unparalleled level of service."

Construction: International Arbitration, Chambers & Partners UK Bar 2026

"John has a very clear and concise approach."

Construction, Chambers & Partners UK Bar 2025

"He is really analytical, and practical and pragmatic in how he approaches things."

Construction, Chambers & Partners UK Bar 2025

"He has a real understanding of the pressures solicitors are under and he really understands the nature of working in a team."

Construction, Chambers & Partners UK Bar 2025

"You can really tell John was in private practice."

Construction, Chambers & Partners UK Bar 2025

"He's not precious; he gets stuck in."

International Arbitration: Construction/Engineering, Chambers & Partners UK Bar 2025

"John McMillan is incredibly user-friendly because he knows what it's like to work in a law firm."

International Arbitration: Construction/Engineering, Chambers & Partners UK Bar 2025

"John's drafting is typically excellent but his advocacy is particularly impressive."

Construction, Legal 500 UK Bar 2025

"John’s work ethic is unmatched at the Bar. His pleadings are brilliant, and his advocacy is strategic and to the point."

International Arbitration: Counsel, Legal 500 UK Bar 2025

"John is an exceptionally good lawyer and advocate."

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

"John has also provided very strong advocacy support on a range of matters and has demonstrated a very clear and persuasive style that marks him out as a star in the making."

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

"He has a real understanding of the pressures solicitors are under and really understands the nature of working on a team, and of client realities."

Construction, Chambers & Partners UK Bar 2024

"A diligent and thorough junior."

Construction, Chambers & Partners UK Bar 2024

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"John is an excellent advocate."

Construction, Chambers & Partners UK Bar 2024

"John is ferociously intelligent, able to cut quickly to the heart of the issues and an all-rounder at the top of his game."

International Arbitration: Counsel, Legal 500 UK Bar 2024

"John is very detailed and thorough, has fantastic attention to detail and has been great with explaining in detail to the client. Incredibly good team player."

Construction, Legal 500 UK Bar 2024

‘John is a fantastic lawyer who is able to process information very quickly and come up with creative and effective legal solutions. He is remarkably efficient and can produce written work of exceptional quality in short order.'

International Arbitration, Legal 500 2023

"John is really terrific. He's an extremely talented barrister and he's really analytical and very smart."

International Arbitration, Chambers & Partners 2022

"He is thorough, diligent and dedicated."

International Arbitration, Chambers & Partners 2022

"John has real star quality - able to process large volumes of information at light speed and conjure up compelling legal arguments from difficult facts. His written advocacy is top of the class and he is also very strong on his feet."

International Arbitration, Legal 500 2022