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JAMES THOMPSON

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Areas of practice

- Construction & Engineering
- International Arbitration
- Energy & Natural Resources
- Infrastructure
- Offshore Construction & Marine Engineering

Clerks 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.

Recent Cases

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.

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

Legal 500 UK Bar 2023

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 the construction of the world's largest energy research and development centre, in Saudi Arabia (ICC arbitration, seated in London).

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

Legal 500 UK Bar 2024

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- 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).

“His advocacy was measured yet forceful and proved very effective.”

Chambers & Partners UK Bar 2024

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.
- 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.

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

Legal 500 2023

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.

“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.”

Legal 500 UK Bar 2024

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.

“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

Selected Reported Cases

- AIS Pipework Ltd (formerly AIG Engineering Services Ltd v Saxlund International Ltd [2017] EWHC 1523 (TCC)
 - AMD Environmental Ltd v Cumberland Construction Company Ltd [2016] EWHC 285 (TCC)
 - Larkfleet Ltd v Allison Homes Eastern Ltd [2016] EWHC 195 (TCC)
 - European Dynamics SA v HM Treasury (sued as Buying Solutions) [2009] EWHC 3419 (TCC), [2010] Eu LR 397, (2010) 26 Const LJ 191 and 128 Con LR 36
 - Avoncroft Construction Ltd v Sharba Homes (CN) Ltd [2008] All ER (D) 411 TCC, (2009) 119 Con LR 130
 - Edenbooth Ltd v Cre8 Developments Ltd [2008] All ER (D) 20 TCC; (2008) CILL 2592
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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 - 2006
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

Memberships

Technology and Construction Bar Association (TECBAR)

Society of Construction Law

Society of Construction Law (Gulf)

Commercial Bar Association (COMBAR)

Omani-British Lawyers Association (committee)

Publications & Papers

- Co-author of Keating on Offshore Construction and Marine Engineering (2015)
 - Contributor to the Construction Law Reports
 - Researcher, Keating on Construction Contracts 9th Edition (2012)
 - Researcher, Keating on Construction Contracts 8th Edition 1st Supplement (2008)
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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.