



Jon Shaw

Year of Call: 2008

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Overview

Jon Shaw has 35 years' experience in the industry. After nearly 20 years working as a contractor's QS and a construction claims expert, Jon was called to the Bar in 2008 – with his practice in Chambers broken up between 2016 and 2019 by his three-year appointment as a partner at Fenwick Elliott, the UK's largest specialist construction and energy law firm.

Jon has a wide range of experience in construction and engineering disputes and the management and resolution of these claims, particularly in the care and conduct of proceedings and the preparation of submissions. He also has experience in the preparation of detailed factual evidence for use in all dispute resolution forums. His twenty years in the surveying, building and development sector, before being called to the Bar, gives Jon added insight into the business of construction.

Jon combines strong commercial, analytical, advisory and advocacy skills with a pragmatic and accessible manner.

A Fellow of the Royal Institution of Chartered Surveyors (FRICS) and the Chartered Institute of Arbitrators (FCIArb), Jon is also a Fellow of the Institution of Civil Engineering Surveyors (FCInstCES).

Jon has experience of matters relating to, amongst other things: building/engineering disputes; delay/extension of time matters; claims for loss and expense; liquidated damages; defective work; final account matters; certification issues; disruption claims; professional negligence; negligence and nuisance claims.

Together with litigation, Jon has extensive experience of adjudication, arbitration, mediation and other forms of ADR. Jon is a highly-experienced RICS Accredited Mediator and TECBAR accredited Adjudicator, who can advise, draft and represent parties in all forums. His experience has involved all the major standard forms of contract such as JCT, NEC, ICE, FIDIC, MF/1.

Outside busy work demands, Jon predominantly spends time with his young family and, when time allows, is an avid follower of all things cricket.

Academic qualifications

- Bar Vocational Course (Very Competent), BPP College of Law, Leeds
- Post-Graduate Diploma in Arbitration (DipArb), College of Estate Management
- Law (LLB (Hons), First Class, University of Northumbria
- QS degree (BSc (Hons), 2:1, University of Central Lancashire

Professional qualifications & appointments

- Fellow of the Royal Institution of Chartered Surveyors (FRICS)
- Fellow of the Chartered Institute of Arbitrators (FCIArb)
- Fellow of the Chartered Institution of Civil Engineering Surveyors (FCInstCES)
- RICS Accredited Mediator
- TECBAR accredited Adjudicator

Professional bodies

- Fellow, Chartered Institute of Arbitrators (FCIArb) since 2005, Member (MCIArb) since 1999
- Fellow, Royal Institution of Chartered Surveyors Fellow (FRICS) since 2007, Member (MRICS) since 1997
- Fellow, Chartered Institution of Civil Engineering Surveyors (FInstCES) since 2007, Member (MInstCES) since 2005

Expertise

Construction and engineering

Jon Shaw is a highly experienced and busy specialist construction and engineering barrister with extensive experience in handling lower value and multi-million pound claims. These have included:

Construction of a new transport interchange facility in North West England: lead a 'Value recovery team' and prepared several individual claim documents relating to prolongation, delay and disruption and associated costs. Dispute value: £6.5million

Construction of new road and bridges in North West England: Preparation of an initial claim document requesting an extension of time and associated costs. Dispute value: £900,000

Sewer replacement in North West England: Preparation of a claim for additional entitlement. Negotiation and settlement with main contractor. Contract value: £370,000

Container Port in South East England: pre-contract reports giving opinion in respect of risks and opportunities of potential contractual arrangements. Advice covered contract interpretation, delay, liabilities, insurances, causation issues. Dispute value: £20million

Installation of utilities in Central London: Advice, preparation, disclosure, instruction of counsel, overall supervision and trial. Dispute value: £5million

UK tram service repairs: Advice, preparation, disclosure, appointment of experts and overall supervision. Dispute value: £8.5million

Utilities Infrastructure Network and a £750 million 5-year Framework Contract: Preparation of a various opinions and reports re: measurement issues, contractual matters and claims

Upgrade works to rail network in South England: Preparation of a report highlighting the risks and opportunities of a contractual arrangement. Contract value: £22million

Construction of a new by-pass road in the Midlands: Preparation of a report giving opinion in respect of specific contractual issues. Contract value £2.9million

Refurbishment of water treatment works in North West England: Preparation of a report giving opinion in respect of specific contractual issues and potential sources of dispute. Contract value £4.4million

Adjudication experience

Jon has acted in many adjudications including:

Design and installation of power-generation equipment in North West England: Preparation of a referral and reply in respect of the contractual interpretation of limitation to a liability clause. Dispute value: £450,000

Civil engineering works associated with an office development in North West England: Preparation of a response submission and client representation during proceedings. Dispute value: £300,000

Construction of a new road and bridges in North West England: Preparation of submissions for adjudication proceedings requesting an extension of time and associated costs. Dispute value: £900,000

Other valuation, payment and final account adjudications: acting in many such cases for multiple parties in these adjudications.

Arbitration experience

Jon is has experience in construction arbitrations. These have included:

Hospital build project in North Wales: Assistance with the preparation of a statement of case for delay and associated additional cost. Dispute value: £1.2million

UK Tram project: Acting as the UK Team Leader defending discrete set-off claims in arbitration proceedings. Dispute value of £8million and defending delay claim in arbitration proceedings. Dispute value: £24million

Expert Witness support

Jon is a highly-respected adviser for expert witnesses in their report preparation and in giving consultancy support to quantum experts. Work has included:

Industrial estate development in North England: Assistance given to the expert witness in the preparation of an expert report in respect of planning and quantum aspects Dispute value £420,000

Autoclave Construction in North England: Assistance given to the expert witness in the preparation of an expert report in respect of planning and quantum aspects. Dispute value £820,000

Hospital building project in North Wales: Assistance provided to the quantum expert in preparing the variation account aspect of a report. Dispute value: £1.2million