



Douglas James



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Douglas's practice spans construction, insurance, professional negligence, property damage and personal injury matters – and the overlaps between these areas of work.

Douglas prides himself on providing clear and practical advice, crisp written work and forceful advocacy. He accepts Public Access clients in appropriate cases.

Douglas read History at UCL and came top of his year. He went on to write a PhD in medical History. After turning to law Douglas gained a Distinction in the GDL and was graded Outstanding in Bar finals. He is a Hardwicke, Eastham, Lord Bowen and Lord Denning scholar of Lincoln's Inn.

Outside the office Douglas is a rugby referee and a church bell-ringer.

Construction & Engineering

Douglas acts in all forms of construction dispute resolution, including adjudications and claims against construction professionals. He has wide experience of many standard contracts, including JCT, NEC, FIDIC, and IChemE forms.

Douglas was recently seconded to the construction team of a major City firm, where he assisted, among other things, on a £14m claim under a PFI facilities management contract, a £7m claim on a latent defects insurance policy, and a HSE investigation into the design of a luxury Thames-side development.

Douglas is a contributing editor to *Emden's Construction Law*. he wrote the chapters on misrepresentation, estoppel and frustration. He has also recently presented to the SCL on delay analysis.

Douglas is a member of the SCL and TECBAR.

Selected Cases

Douglas's current and recent instructions include:

- Second junior acting for an eastern European state entity in a c. \$66m ICC arbitration on a delayed infrastructure project (led by Roger Stewart QC and Richard Liddell QC).
- Acting for the parent company in a £2.1m claim on a parent company guarantee for delayed and defective M&E works.
- Advising the lessors of biogas boilers on a £1.7m claim against their lessees for breaches in respect of Renewable Heat Incentive payments.
- Acting for the employer in a £350k claim under the Third Party (Rights Against Insurers) Act 2010.
- Acting for the employer in 2 c. £250k interim and final account adjudications (led by David Sears QC).
- Acting for the main contractor in 2 c. £150k adjudications concerning scaffolding works on a school refurbishment project.
- Acting for a subcontractor in a £170k wrongful termination dispute.
- Acting for the main contractor in TCC adjudication enforcement proceedings (O'Farrell J and Pepperall J).
- Acting for the main contractor in a c. £400k delay and disruption dispute with its building material supplier.
- Advising the main contractor in a c. £110k final account dispute.
- Advising an assignee on the enforceability of an adjudicator's decision following insolvency; the matter was later litigated in Bresco v Michael J Lonsdale [2018] EWCA Civ 27.
- Advising on economic loss in relation to a claim for allegedly defective renovation works at a premium property development in Belgravia.
- Acting for a solar-farm developer in a claim for delayed and defective preparatory works.
- Acting for a building owner in an appeal under the Party Wall Etc. Act 1996.

Commercial

Douglas is regularly instructed in commercial disputes. He has experience of a wide range of commercial matters involving: the sale of goods; the supply of services; jurisdiction and conflict of laws; guarantees and indemnities; unjust enrichment; agency; bailment and conversion; credit hire disputes; and corporate and personal insolvency.

Selected Cases

Douglas's recent instructions include:

- Assisting in a £8m claim against a high-street bank concerning alleged breaches of long-term agency licensing agreements, including implied terms of good faith (led by Jason Evans-Tovey).
- Acting for the parent company in a £2.1m claim on a disputed parent company guarantee.
- Acting for an international retailer in a c. £200k sale of goods dispute.
- Advising on conversion in a c. £100k chain of sales of agricultural machinery.
- Acting for a firm of consultants in a claim against a Swiss IT company.
- Advising on the scope of equitable subrogation and unjust enrichment following a mistaken payment by a company settling another company's liability.
- Acting for an agricultural machinery manufacturer in an agrifoods company's claim for loss of yields and profit.



Douglas is also a member of the Government Legal Department's 'junior junior' panel. He recently assisted on a judicial review of the sale of a publicly-owned bank and is currently being led by Isabel Hitching QC on a [Francovich](#) claim against the Dept. of Transport by the injured passenger of an uninsured vehicle.

Professional Liability

Douglas's professional liability practice covers claims against professionals of all kinds, including solicitors, architects, surveyors, financial advisors and brokers.

Douglas recently completed a secondment to the PI team of a major firm of solicitors, where he handled claims about property, probate, divorce, tax, personal injury and company law matters.

Selected Cases

Douglas's current and recent instructions include:

- Acting for solicitors in a c. £700k claim about alleged misadvising on employment redundancy terms that excluded personal injury claims.
- Acting for solicitors in a c. £600k lost injury claim.
- Acting for solicitors in c. £110k High Court proceedings about alleged misadvising on planning matters during a building development.
- Acting for solicitors in a c. £250k claim about the purchase of a property with flawed title.
- Acting for an IFA in proceedings about the settling of a trust.
- Acting for an architect in a claim alleging defective design.
- Advising on the trust implications of a mistaken insurance payment.

Property Damage

Douglas acts for major insurers in claims involving damage by subsidence, fire/smoke, water, trees and environmental waste. He is regularly instructed in claims involving professional services providers, utilities companies and local authorities.

Selected Cases

- Junior counsel in a £6.5m claim arising out of arson at a warehouse during the 2011 London riots (led by Ben Quiney QC).
 - Junior counsel in a £1.6m fire claim against main contractors for faulty chimney flue installation (led by Ben Quiney QC).
 - Acting for a commercial landlord in a contribution claim against its managing agent for persistent damp and water ingress following a c. £600k payout to its lessee for business interruption (led by Julian Field).
 - Acting for a main contractor claiming for the faulty installation of a chilled water system in a £2m office refurbishment project.
 - Acting for a precision machining company on BI losses following the servicing of its equipment.
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- Advising an unincorporated private members club on a claim for a defective air conditioning system.
- Advising a chemicals supplier on a claim for damage in transit.
- Acting for a local authority in a claim for alleged nuisance following extensive landscaping works to public parkland.
- Advising on recovery following a spill from a defective oil tank.
- Acting for homeowners in a claim against an AGA servicing contractor for fire and smoke damage.

Insurance & Reinsurance

Douglas acts regularly in insurance disputes. He was recently seconded to the construction team of a major City firm, where he assisted (among other things) on a £7m claim on a latent defects insurance policy.

Selected Cases

His recent instructions include:

- Acting for the Dept. of Transport in a Francovich claim for failing to implement EU Motor Insurance Directives (led by Isabel Hitching QC)
- Advising on a £100k claim for BI losses for damage to advertisement hoardings.
- Advising on whether a company could pursue its “affiliate” under a shareholders agreement to recover losses after a fire.
- Advising insurers on notification and aggregation clauses of a PI policy.
- Successfully defending insurers in motor policy repudiation proceedings.

Personal Injury

Douglas has a busy personal injury practice, both on paper and in court. His work spans the fast-track and the multi-track, including 7- and 8-figure claims. His practice covers:

- Catastrophic injury
- Industrial and occupational disease, including WRULD and NIHL.
- Employers’ and Occupiers’ liability
- RTAs (including MIB cases)
- Highway authorities’ liability
- Claims against medical professionals

Douglas offers clear and straight-talking advice on prospects, quantum and strategy – including where fraud and exaggeration are suspected. Besides his extensive trial experience, Douglas is alive to the commercial and personal benefits of mediation and JSMs.



Qualifications

- 2015 – BPTC – City University – Outstanding
- 2014 – GDL – City University – Distinction
- 2013 – PhD History (*Portraits of early-modern patients*) – King’s College London
- 2010 – MA Early Modern History – King’s College London – Distinction
- 2009 – BA (Hons) History – University College London – First Class (top in year)

Memberships

- SCL
- TECBAR
- PNBA
- COMBAR
- PIBA