

Simon Hale KC

Call: 2006 | Silk: 2025



✉ shale@4pumpcourt.com ☎ +44 (0)20 7842 5522

Simon Hale KC practises in domestic and international disputes with an emphasis on: (i) construction and energy projects, (ii) professional negligence claims, and (iii) commercial dispute resolution.

He is ranked as a leading practitioner in 5 areas in the Legal 500 and Chambers & Partners: (i) Construction; (ii) Energy; (iii) Professional Negligence; (iv) Professional Negligence: Technology and Construction; and (v) Middle East: The English Bar.

Simon is first and foremost an exceptionally powerful and persuasive advocate. Recent directory quotes include:

"Simon, as lead counsel, can go head-to-head against top silks. He never gets fazed and his trial preparation is faultless."

"Simon is an incredible advocate. He outshines other counsel in the court room with his engaging, often mesmerizing presence."

"A superb advocate, impressing time and time again when on his feet in court dealing with complex and evolving cases. He also provides the finest example of working with a "team first" attitude."

"As an advocate, he is in a league of his own."

"His advocacy was absolutely word-perfect."

"A formidable advocate – his courtroom skills are second to none."

"Simon's ability to produce a magician-like flourish in many of his cases is underpinned by hard work, dedication and spectacular brain power."

"An unerring ability to pitch cross examination just right."

"Excellent at the hearing, with an amazing memory for documents"

"He cuts through the morass and gets right to the heart of the issues with alacrity – with the focus and intensity of a laser beam. His thoroughness and attention to detail is fast becoming the stuff of legend."

Simon acts in both litigation and international arbitration. His domestic court practice is in the TCC, Commercial Court, and Court of Appeal. Internationally, he is registered to practice in the DIFC (Part II), the QICDRC and the ADGM Courts.

His international arbitration practice covers disputes from around the world, under a variety of institutional rules, but most regularly ICC and LCIA. Simon regularly accepts instructions applying other systems of substantive law, and is particularly experienced in the EMEA region. In addition to English law, his current or recent mandates have included disputes governed by the laws of the UAE, Bahrain, Qatar, Singapore and Scotland, arising from projects in Dubai, Qatar, Kuwait, Bahrain, Rwanda, Ghana, China and Scotland.

Further directory feedback singles out Simon's ability as a team player, and importantly, his client skills:

"He is a team player, ready to roll his sleeves up to get the best result for the client."

"He's really able to slip into our team as a member rather than being siloed"

"Very commercial and grounded and gets on exceptionally well with clients"

"He's a delight to work with, clients love him and his drafting and advocacy are top-notch"

"There are not enough superlatives to describe Simon's strengths. He is exceptional with gravitas far beyond his level of call. His ability to distil the issues in complex, technical cases is second to none. Clients love him and hang on to his every word."

Expertise

Energy, Natural Resources & Infrastructure

Simon has extensive experience of significant disputes concerning oil and gas, mining, power and transportation, in various locations around the world. He is pleased to accept instructions as sole counsel or in larger teams. His current or recent mandates have included projects in Qatar, Kuwait, Bahrain, Rwanda, Ghana, and China, involving assets such as refineries, power plants, military bases, railway depots and ports.

He acts across the board for developers, contractors, sub-contractors and consultants, as well as banks and other funders/lenders. Simon is fascinated by the complexity and scale of the design and construction operations which underpin projects of this nature. He has long experience of working alongside experts from diverse disciplines and thoroughly enjoys the challenge of mastering the technical issues in these disputes.

He has particular specialist expertise in bond calls and project finance disputes associated with large scale energy or similar projects, having acted in a number of leading cases relating to the enforcement of bonds (as well as dealing with such calls in an arbitral context).

Prior to taking silk, Simon was twice nominated for Construction and Energy Junior of the Year by the Legal 500 (2020 and 2023).

Cases

Appeared as lead counsel for the employer in a QICCA Rules arbitration, concerning an iconic high-profile development project in Qatar (2024, Doha seat).

Appeared as lead counsel for subcontractors in ICC arbitration, in a claim relating to the expansion of liquified natural gas facilities in Qatar (2024, Doha seat).

Appeared as lead counsel in the Court of Appeal in (1) Outotec (USA) Inc (2) Metso OYJ (formerly Metso Outotec OYJ) v MW High Tech Projects UK Limited [2024] EWCA Civ 844, a prominent case on the law of abuse of process. The underlying project was an energy-from-waste centre in England.

Acted as junior counsel on disputes arising from three connected energy-from-waste, where there were claims of fraudulent misrepresentation concerning the technical capabilities of the plant and its design. ICC arbitration and court proceedings; combined value of over £0.5bn.

Appeared as lead counsel in an LCIA arbitration concerning the extension of the Dubai Metro system (2023, Dubai seat).

Advised as sole counsel in relation to delay claims and associated performance security issues arising from a £250m wind farm project; ICC arbitration (2023).

Acted as sole counsel in relation to calls on a USD115M demand bond, on a project for the construction of an FPSO unit, subsea infrastructure and an onshore base, for gas extraction in the Middle East (2023).

Acted as lead external counsel in a USD 100M ICC arbitration, arising from an energy project in Africa (2021-2023, Singapore seat).

Shapoorji Pallonji & Company Private Ltd v Yumn Ltd & Standard Chartered Bank [2021] EWHC 862 (Comm) Simon appeared as sole counsel on behalf of the Employer, successfully resisting an injunction to restrain a USD 32.2M bond call pending ICC Emergency Arbitration proceedings. The underlying energy project is a USD 214M power station in Rwanda, East Africa.

Mott MacDonald v Trant Engineering Limited [2021] EWHC 754 (TCC), [2021] 3 WLUK 544. Dispute arising from engineering services on a military power station project in the Falkland Islands. Simon successfully obtained judgment in the TCC on the proper interpretation of various exclusion and limitation clauses.

Acted on various adjudications arising from a £300 million gas pipe project, with **Sean Brannigan KC**, **Jonathan Lewis KC** and **Gideon Shirazi**.

Leonardo SpA v Doha Bank Assurance Co LLC [2020] QIC (A) 1, on appeal from [2019] QIC (F) 6. Appeared as sole counsel in the Qatari QICDRC at first instance and on appeal for Leonardo SpA, a global leader in the aerospace, defence & security sectors. The appeal judgment is now a leading international authority on the interpretation of the Uniform Rules for Demand Guarantees (URDG 758).

Blackpool Borough Council v Volkerfitzpatrick Ltd, Caunton Engineering Limited and ors [2020] EWHC 1523 (TCC). Simon appeared as sole counsel at the 5 week trial for the specialist steelworks subcontractor which had designed and supplied the structure of an electric tram depot.

Acted as sole counsel for the EPC contractor in consolidated LCIA arbitrations, arising from a FIDIC Silver Book contract to build a power station in China. Parallel Dutch injunction proceedings.

Acted for a consultant in connection with the expansion of the Port of Takoradi in Ghana, bringing claims under an agreement that the consultant would provide an operator for the terminal, equipment supply for the terminal, and an EPC partner.

Acted for one of the world's largest oil producers in a claim by 142 communities in the Niger Delta region, following an off-shore spill near the Southern coast of Nigeria. The case raised a number of complex issues: of jurisdiction and the correct operation of the Brussels Regulation; of Nigerian law; of the capacity in law of the claimant bodies to bring the action; and of vicarious liability between group companies within the defendant's operations.

Assisted with the preparation of an injunction in support of UNCITRAL arbitration, to prevent an African nation government from expropriating an oil pipeline owned and operated by a consortium of major oil interests.

Advised a large mining company on claims for directors' breaches of pre-acquisition warranties that several major construction projects were on time and on budget.

Acted as sole counsel for a haulage contractor in its claims for unpaid sums following the termination of a £43M contract for the transportation of waste products.

Construction & Engineering

Simon has a leading practice in domestic and international construction matters.

He acts across the board for developers, contractors, sub-contractors and consultants, as well as banks and other funders/lenders. Simon is experienced in claims from highly specialised sectors such as aerospace, defence and healthcare (including PFI claims in the UK). He has particular specialist expertise in bond calls and project finance disputes, having acted in a number of leading cases relating to the enforcement of bonds (as well as dealing with such calls in an arbitral context).

Simon Hale is ranked in Chambers & Partners Global Guide, Chambers & Partners UK, and in the Legal 500 as a Leading Junior in Construction. Simon was nominated for Construction and Energy Junior of the Year 2020 and again in 2023 by the Legal 500.

Cases

Appeared as lead counsel in the Court of Appeal in (1) Outotec (USA) Inc (2) Metso OYJ (formerly Metso Outotec OYJ) v MW High Tech Projects UK Limited [2024] EWCA Civ 844, a prominent case on the law of abuse of process. The underlying project was an energy-from-waste centre in England.

Acted as junior counsel on disputes arising from three connected energy-from-waste projects, where there were claims of fraudulent misrepresentation concerning the technical capabilities of the plant and its design. ICC arbitration and High Court proceedings; combined value of over £0.5billion.

ISG Retail Limited v FK Construction Limited [2024] EWHC 878 (TCC). Appeared with Sean Brannigan KC in Part 8 proceedings relating to the construction of a warehouse for a global logistics company.

Daruna For Real Estate Brokerage Co. LLC and Sheikh Nasser bin Abdulrahman bin Nasser Al Thani v Lesha Bank LLC [2023] QIC (A) 4. Appeared as lead counsel before the QICDRC defending a claim arising from financing arrangements to support the construction of worker accommodation in Qatar for the FIFA 2022 World Cup.

Sheffield Teaching Hospital Foundation Trust v (i) Hadfield Healthcare Partnerships Limited (ii) Kajima Construction Europe (UK) Limited (iii) Veolia Energy & Utility Services UK plc [2023] EWHC 644 (TCC). With Fiona Sinclair KC, acted for the PFI SPV in successfully resisting summary judgment on various points of law including the scope of a contractor's

common law duty of care to prevent defects.

Avantage Cheshire Ltd and ors v WSP Ltd and ors [2023] EWHC 802 (TCC) (O'Farrell J). Applications to replace expert witnesses and consideration of conditions to be attached where permission given; assessment of the law on "expert shopping"

FK Construction Limited v ISG Retail Limited [2023] EWHC 2012 (TCC) (Adrian Williamson KC). Appeared with **Sean Brannigan KC** seeking restitution of a sum paid pursuant to an adjudicator's award that was subsequently held to be wrong in law by the High Court.

FK Construction Limited v ISG Retail Limited [2023] EWHC 1042 (TCC) (Smith J). Application to enforce adjudicator's decision and consideration of the law on set off of decisions explained in HS Works Ltd v Enterprise Managed Services Ltd.

Avantage Cheshire Ltd and ors v WSP Ltd and ors [2022] EWHC 171 (TCC). Simon acted as lead counsel on this £38M claim concerning the total destruction by fire of a large care home.

Mott MacDonald v Trant Engineering Limited [2021] EWHC 754 (TCC), [2021] 3 WLUK 544. Dispute arising from engineering services on a military power station project in the Falkland Islands. Simon successfully obtained judgment in the TCC on the proper interpretation of various exclusion and limitation clauses.

Shapoorji Pallonji & Company Private Ltd v Yumn Ltd & Standard Chartered Bank [2021] EWHC 862 (Comm) Simon appeared as sole counsel on behalf of the Employer, successfully resisting an injunction to restrain a USD 32.2M bond call pending ICC Emergency Arbitration proceedings. The underlying energy project is a USD 214M power station in Rwanda, East Africa.

LSREF 3 Tigerfalkirk Limited I S.a.r.l v Paragon Building Consultancy Ltd [2021] EWHC 2063 (TCC). Claim relating to allegedly defective structural foundations of a shopping centre car park in Scotland. Simon successfully obtained declarations that the £10M claim form had not been properly served on solicitors within its period of validity.

Leonardo SpA v Doha Bank Assurance Co LLC [2020] QIC (A) 1, on appeal from [2019] QIC (F) 6. Appeared as sole counsel in the Qatari QICDRC at first instance and on appeal for Leonardo SpA, a global leader in the aerospace, defence & security sectors. The appeal judgment is now a leading international authority on the interpretation of the Uniform Rules for Demand Guarantees (URDG 758).

Blackpool Borough Council v Volkerfitzpatrick Ltd, Caunton Engineering Limited and ors [2020] EWHC 1523 (TCC). Simon appeared as sole counsel at 5-week trial for the specialist steelworks subcontractor which had designed and supplied the structure of an electric tram depot.

Blackpool Borough Council v Volkerfitzpatrick Ltd, Caunton Engineering Limited and ors [2020] EWHC 387 (TCC). Interim application concerning conduct of expert witnesses and whether their impartiality had been compromised.

Premier Inn Hotels Limited v McAleer & Rushe Limited v (3) KTD Facades Limited (4) Urban Innovations Limited (5) Michael Slattery & Associates Fire Safety Engineers Limited (6) Bureau Veritas Building Control UK Limited, and other associated matters. Simon acts with Anneliese Day QC for the cladding subcontractors on these “Grenfell” cladding claims concerning a number of the Premier Inn group’s hotels nationwide. The first trial is listed for 5 weeks in January 2021.

Acting for a developer enforcing a performance bond guaranteeing a main contractor’s obligations on a mixed use development of student accommodation in Plymouth.

Successfully defended a developer’s “Grenfell” cladding claims in a heavy adjudication against a main contractor, following the regeneration of 9 tower blocks with a budget of more than £500m.

Mears Limited v (1) Costplan Services (South East) Limited (2) Plymouth (Notte Street) Limited (3) J.R. Pickstock Limited [2019] EWCA Civ 502; [2018] EWHC 3363 (TCC): Acted as sole counsel for the employer’s agent in a dispute over a £35M lease of a £16M block of 348 student flats in Plymouth. Important Court of Appeal authority addressing the concept of “practical completion”:

With Fiona Sinclair KC, defending a main contractor in adjudication proceedings concerning the visual appearance of rain-screen facades, on a flagship development for a global media company.

Carillion Construction Limited v (1) Woods Bagot Europe Limited (2) AECOM Limited (3) EMCOR Engineering Services Limited (4) EMCOR (UK) Limited [2017] EWCA Civ 65; [2016] EWHC 905 (TCC). Acting for EMCOR on a main contractor’s delay and defects claim, and pursuing EMCOR’s counterclaims for extension of time and £millions of loss and expense.

As sole counsel, advising on English law principles in the Bahamas, in a dispute arising from fraudulent misrepresentations about the quantities of materials and labour required for a residential project.

Professional Negligence

Simon has a leading practice in professional liability matters, covering three primary areas: (i) construction professionals, (ii) legal professionals, and (iii) financial services professionals. He is equally comfortable bringing or defending claims and regularly handles both types of instruction.

Directory feedback for Simon in professional negligence work:

- There are not enough superlatives to describe Simon's strengths. He is exceptional with gravitas far beyond his level of call. His ability to distil the issues in complex, technical cases is second to none. Clients love him and hang on to his every word
- Simon is hugely talented. On paper he is modern, eloquent and cogent. As an advocate he is in a league of his own
- Incredibly impressive, I would be happy to have him opposite a KC
- Simon's ability to produce a magician-like flourish in many of his cases is underpinned by hard work, dedication and spectacular brain power
- Very talented and though hugely intelligent, wears it lightly. He cuts through the morass and gets right to the heart of the issues with alacrity – with the focus and intensity of a laser beam. His thoroughness and attention to detail is fast becoming the stuff of legend

Construction Sector

Simon handles a full range of claims involving architects (including for heritage and listed developments), engineers (structural / civil / M&E / geotechnical / chemical / electrical), building inspectors, employer's agents, contractors with design responsibility, and surveyors (building / dilapidations).

He is experienced in complex design-related claims from highly specialised sectors such as aerospace, defence and healthcare.

Solicitors and Barristers

Simon has broad experience of claims relating to diverse advice and transactional work, and from numerous forms of litigation. He has handled cases against lawyers following failed or unsatisfactory claims in construction, commercial, insurance, matrimonial, probate and employment matters.

He is regularly called upon by the Bar Mutual Indemnity Fund to defend claims against other counsel. Simon's cases include those where serious and career ending allegations have been made, including of dishonesty and/or deliberately misleading the court.

Accountants, Trustees, Pensions, and Tax

Simon has acted for and against a wide variety of financial services professionals in diverse contexts, including tax

advice, claims involving insolvency professionals, broker claims, and various types of claim against accountants.

He also has particular specialist experience of claims against pension scheme advisers, having acted for and against major pension scheme trustees on several heavy claims.

Cases

Avantage Cheshire Ltd and ors v WSP Ltd and ors [2022] EWHC 171 (TCC). Simon acts as lead counsel on this £38M claim concerning the total destruction by fire of a large care home. This recent and significant judgment of Smith J in the TCC addresses arguments that WSP neither owed nor assumed any duty of care in tort to the claimants; the Judge considered there was a real prospect of success of establishing the duty. However, the Court accepted Simon's arguments that WSP could not be considered liable for physical damage to the property, rather than purely economic loss. This was a novel argument that would have had substantial implications for fire engineers and other similar professionals facing property damage claims.

LSREF 3 Tigerfalkirk Limited I S.a.r.l v Paragon Building Consultancy Ltd [2021] EWHC 2063 (TCC). Claim relating to allegedly defective structural foundations of a shopping centre car park in Scotland. Simon successfully obtained declarations that the £10M claim form had not been properly served on solicitors within its period of validity, and successfully resisted a counter application seeking an order to validate service under CPR 6.15 or dispense with it under CPR 6.16. The case considered the impact on the service of a claim form of a Covid-19 working practices statement in an email footer that required service to be effected solely by email.

With Fiona Sinclair KC, acting for a global architectural practice in a £35M delay and damages claim by the main contractor, following delayed completion of a development of 97 ultra-luxury flats in Kensington.

Acting for the main contractor in a £10M arbitration claim against structural engineers following the failure of the foundations of a school.

Multiple ongoing instructions to defend main contractors and architects in claims concerning rainscreen and rendered cladding in the wake of the Grenfell tragedy.

Defended a complex defects claim under a PFI contract, in adjudication, arising from the construction and redevelopment of a hospital. The matter involved specialist design issues specific to the healthcare sector.

With **Fiona Sinclair KC**, defending a global architectural practice on claims arising from delays and budget increases in the construction of an iconic art gallery in the UK.

Successfully appeared at trial for a solicitor who was accused of deliberately misleading the Court in the course of ancillary relief proceedings (December 2019). All claims dismissed.

Advising and appearing at trial on behalf of the BMIF in claims against various barristers. Examples include in a claim for negligent presentation of an appeal to the Administrative Court arising from underlying disciplinary proceedings against a midwife; a claim for negligent advice on a claim against a local authority employer (QBD trial: December 2019); and a claim for negligent conduct of an Employment Tribunal trial.

(1) Empirical Property Group Limited & (2) FSL Properties Limited v (1) Gateley Manchester LLP (2) Gateley LLP (Commercial Court). Acted for the claimant property developers in a claim against this well-known law firm. As reported in The Lawyer, the dispute concerned the redevelopment of the 'Trafford Press' building in Manchester.

Acting for solicitors on a £13m negligent advice claim, following a hedge fund manager's departure from an LLP. The key issue was the power of a partner to terminate an LLP for breach of trust and confidence, which was unsettled law until Flanagan v Liontrust Investment Partners LLP [2017] EWCA Civ 985.

Hurry Narain Purrusing -v- (1) A'Court & Co (2) Houseowners Conveyancers Limited [2016] 4 W.L.R. 81; [2016] EWHC 1528 (Ch). Acted for a conveyancer in this widely reported breach of trust and negligence claim, arising from a Dubai-based identity fraud. First reported decision in which a seller's conveyancer (the other defendant) was held liable for breach of trust to a claimant who had not instructed it.

As sole counsel, acting for defendant accountant in a claim that it negligently certified the paid-up equity capital of a UK plc to be €120M prior to the company's shares being traded on the Frankfurt Stock Exchange.

Acting for one of the largest occupational pension trusts in the country in a claim against its former investment consultants, following a £250M investment into an emerging market currencies portfolio. The claim was that the use of USD/GBP currency forward contracts within the fund (FX 'hedging') diminished the returns on its investment by £10s of millions.

Assisted in the representation of a financial adviser on a £6M breach of trust and negligence action (one of 11 defendants), involving a series of fraudulent off-shore transfers of investors' securities.

As sole counsel, acting for pension scheme trustees in their claim that the defendant consultants failed to equalise the scheme's benefits, leading to a £15M deficit in provision. Complex limitation issues.

Co-defending accountants in claim about negligent tax planning advice, which was designed to reduce the inheritance and capital gains tax on the claimant family's £3M+ property portfolio.

Commercial Dispute Resolution

Simon advises and acts (in both litigation and arbitration) on a wide spectrum of commercial disputes, involving claims or issues such as: (i) joint ventures, (ii) shareholder agreements, (iii) share purchase agreements, (iv) domestic and international contracts of sale, (v) ship-building, (vi) distributorship agency and partnering agreements, (vii) termination rights, (viii) restrictive covenants and restraint of trade; (ix) economic torts; and (x) civil fraud.

Simon also has particular, specialist expertise in guarantee and bond calls, and project finance disputes more broadly, having acted in a number of leading cases relating to the enforcement of bonds both domestically and internationally. He also wrote and presented SCL Paper 221: *Demand Bonds: Certainty in Uncertain Times?*

A number of Simon's commercial cases feature a technical aspect to the underlying product or service concerned. He is a particularly good choice for commercial disputes which involve technical or scientific expert evidence, including those that arise from, or are connected to a construction, energy or infrastructure activity. This includes I.T.: he has recently acted in an offshore termination dispute with a software developer of a financial services app.

In November 2025, he wrote and presented a further SCL paper on exclusion and limitation clauses in commercial contracts, SCL Paper 266: *Limitations of Liability*.

Simon also has specific experience of commercial disputes in the sports sector, and associated forms of arbitration. He has acted in FA Rules arbitrations for Premier League and Championship football clubs, and handled claims involving Premiership Rugby sides and an F1 team.

Cases

(1) TIC Bidco Limited (2) Project C Topco Limited (3) Construction Testing Solutions Limited v Kevin Tonge and Others [2026] (ChD). Leading **Rebecca Keating**, currently acting for the claimant group, which offers on-site and laboratory testing services to the construction, healthcare and life sciences sectors. Claims against 5 defendants are variously for unlawful means conspiracy; breaches of share purchase agreement (restrictive covenants); breach of warranty; breach of fiduciary duty.

P v C Leading **Elliott Cook**, currently acting for a Liberian oil trading company and its parent company in the BVI, in relation to parallel proceedings in: (i) the English Commercial Court (ii) London arbitration; (iii) the BVI courts; (iii) the Liberian courts, alongside local co-counsel. Dispute concerns a long-term oil supply and distribution agreement with one of the world's leading companies in the trade and supply of marine fuels, based in the UAE. There is a further claim on a parent company guarantee. Application to challenge jurisdiction will be heard later this year.

A.S. v V. S.L.U [2024] Acted in an LCIA arbitration (London seat) in a dispute over the manufacture and sale of heavy-duty mooring chains for cargo vessels. Issues concerned the binding force and interpretation of letters of intent; the effect of cancellation fee clauses; and issues of proper remedy including a claim for an account following an unlawful disposal of the goods.

Daruna For Real Estate Brokerage Co. LLC and Sheikh Nasser bin Abdulrahman bin Nasser Al Thani v Lesha Bank LLC [2023] QIC (A) 4. As lead counsel, defended a Qatari bank against a claim for hundreds of millions of QAR, arising out of an important state project to develop improved accommodation for thousands of guest workers in the build up to the Qatar FIFA World Cup.

EL v HSL [2022]. Advised the customer on its rights to terminate a Framework Master Services Agreement for material breach. The contract related to the development of a consumer-focussed financial trading / shares and investments app. Complex technical questions arose as to whether the software and U/X complied with the specification.

Shapoorji Pallonji & Company Private Ltd v Yumn Ltd & Standard Chartered Bank [2021] EWHC 862 (Comm). Simon appeared as sole counsel on behalf of the Employer, successfully resisting an injunction to restrain a USD 32.2M bond call pending ICC Emergency Arbitration proceedings. The underlying energy project is a USD 214M power station in Rwanda, East Africa.

Leonardo SpA v Doha Bank Assurance Co LLC [2020] QIC (A) 1, on appeal from [2019] QIC (F) 6. Appeared as sole counsel in the Qatari QICDRC at first instance and on appeal for Leonardo SpA, a global leader in the aerospace, defence & security sectors. Simon successfully enforced two demand guarantees issued in respect of a major military project. The appeal judgment is now a leading international authority on the interpretation of the Uniform Rules for Demand Guarantees (URDG 758).

Defending a very large commercial fraud claim concerning the proceeds of the sale of three large properties by Hyde Park. Alleged breaches of directors' duties in diverting redevelopment opportunity to a bare nominee or trustee which then sold the properties on with planning, making around £100m profits. Complex tracing claims of the proceeds into various offshore trusts. Parallel proceeding ongoing with around 27 parties, in which the SFO acts as enforcement receiver, seeking to trace into the same money on the basis that in fact, the hotels always remained in the beneficial ownership of Gerald Smith.

Acting for a leading global manufacturer of doors in its claims for breaches of pre-acquisition warranties about the quality of fire-rated doors produced by the acquired entity.

Advising a large mining company on claims for directors' breaches of pre-acquisition warranties that several major construction projects were on time and on budget.

CRS GT Ltd v (1) McLaren Automotive Limited (2) McLaren Technology Group Limited (3) Trysome Limited [2018] EWHC 3209 (Comm). Acted for designer and manufacturer of GT series racing cars in injunction and damages proceedings against the well-known vehicle manufacturer McLaren.

QuikClot International Limited v Darwish Bin Ahmed & Co. Acted for UAE military contractor in Commercial Court trial as to its obligations under a sale and distribution contract with the UK based manufacturers of a clotting agent for treating severe battlefield wounds.

As sole Counsel, acted for Chelsea FC and its PL insurers in a very high value claim, where a player alleged that his playing career was ended by a player's negligent tackle, and that the FA and Chelsea were vicariously liable for the player's actions (which occurred during training for international duty).

Acted for Premier League club in a claim by a former U 21 squad player, who suffered a serious leg break in a pre-season friendly. Successfully obtained a High Court stay to arbitration under the FA Rules.

Acted for UAE based claimants in respect of defendant's breaches of sale and services contracts, under which the defendant was to care for and rear offspring of valuable hunting birds for onward sale and use in sport across the Middle East.

Defended a claim brought by the Red Bull Racing Formula 1 team, arising out of a sponsorship and supply agreement, against a major Japanese food and drinks retailer, producer and distiller.

Acted for a haulage contractor in its claims for unpaid sums following the termination of a £43M contract for the transportation of waste products.

Acted for a bank in a claim by a legal expenses insurance intermediary, seeking £13M for alleged breaches of a funding agreement which backed a major claims management scheme.

Acted on a claim for breach of confidence against a senior corporate financier, brought by one the largest mining concerns in Kazakhstan.

Advising a Championship football club on a claim that it illegally reneged on its offer of a player contract upon its promotion to the Premiership.

Offshore

Cases

Simon is acting as sole Counsel for a Gibraltar plc, a major international trader in gold and other precious metals. The company brings claims against its corporate advisers and accountants relating to a failed debt bond issue, by which the company sought to raise working capital to support its expanding operations.

Simon is acting as sole Counsel in a Gibraltar seated LCIA arbitration, concerning a contract to develop a multi-function financial services app. In addition to issues of breach and termination the case involves complex technical issues as to the specifications for the User Experience and User Interface of the app, and the required functionality of the software.

Defending a very large commercial fraud claim concerning the proceeds of the sale of three large properties by Hyde Park. Alleged breaches of directors' duties in diverting redevelopment opportunity to a bare nominee or trustee which then sold the properties on with planning, making around £100m profits. Complex tracing claims of the proceeds into various offshore trusts. Parallel proceeding ongoing with around 27 parties, in which the SFO acts as enforcement receiver, seeking to trace into the same money on the basis that in fact, the hotels always remained in the beneficial ownership of Gerald Smith.

Assisted in the representation of a financial adviser on a £multi million breach of trust and negligence action (one of 11 defendants), involving a series of fraudulent off-shore transfers of investors' securities.

As sole counsel, advising on English law principles in the Bahamas, in a dispute arising from fraudulent misrepresentations about the quantities of materials and labour required for a residential project.

Mott MacDonald v Trant Engineering Limited [2021] EWHC 754 (TCC), [2021] 3 WLUK 544. Dispute arising from engineering services on a military power station project in the Falkland Islands. Simon successfully obtained judgment in the TCC on the proper interpretation of various exclusion and limitation clauses. The successful result meant that the claims against Simon's client, pleaded at £5M+ along with unlimited indemnities, are capped at a maximum aggregate recovery of £0.5M (the claims are denied). Interesting legal issue as whether the character of a breach as allegedly being fundamental, deliberate or wilful could affect the operation of the clauses.

Recommendations

Simon Hale is ranked in Chambers & Partners Global Guide, Chambers & Partners UK, the Legal 500 UK and the Legal 500 EMEA as a Leading Junior in Construction, Professional Negligence, and Professional Negligence: Technology and Construction. The most recent quotes in those directories include:

- There are not enough superlatives to describe Simon's strengths. He is exceptional with gravitas far beyond his level of call. His ability to distil the issues in complex, technical cases is second to none. Clients love him and hang on to his every word
- Simon is hugely talented. On paper he is modern, eloquent and cogent. As an advocate he is in a league of his own
- He is brilliant and incredibly bright – just good at everything and a very impressive advocate
- Incredibly impressive, I would be happy to have him opposite a KC
- He handled a very high-pressure, complex hearing and his advocacy was absolutely word-perfect
- He really is an outstanding tactician and advocate
- Tactically astute and with great judgment. No matter how great the technical complexity of the underlying construction issues, Simon is always all over it
- He has an unerring ability to pitch cross-examination just right
- Fantastic intellect and superbly attentive to detail. My first choice barrister. Prepared to challenge clients to get to the root of the facts. Extremely good working within a team and a brilliant and determined advocate
- He's a delight to work with, clients love him and his drafting and advocacy are top-notch
- Simon is extremely quick on his feet, and is quick to grasp complex legal issues. His advocacy is impressive and he is great at turning complicated legal issues into clear and logical submissions. He is an all-rounder who can be relied upon.
- Simon's ability to produce a magician-like flourish in many of his cases is underpinned by hard work, dedication and spectacular brain power
- He is very commercial and grounded and gets on exceptionally well with clients
- Fiercely bright, determined and has great attention to detail. Excellent at the hearing, with an amazing memory for documents
- Extremely methodical and exceptionally talented at distilling the issues amongst an ocean of information
- He cuts through the morass and gets right to the heart of the issues with alacrity – with the focus and intensity of a laser beam. His thoroughness and attention to detail is fast becoming the stuff of legend

Appointments

- King's Counsel (2025)
- Part II of the DIFC Courts' Register of Legal Practitioners

- Registered to practice in the QICDRC and ADGM Courts
- Former executive committee member of TECBAR
- Former executive committee member of PNBA

Publications

- Demand Bonds: Certainty in Uncertain Times? (SCL Paper no. 221)
- Limitations of Liability (SCL Paper 266)

Memberships

- LCIA
- IBA
- TECBAR
- PNBA
- COMBAR

Education

- MA Jurisprudence (Oxford University)
- BVC (Inns of Court School of Law, London)

Languages

- French (good)
- German (working knowledge)