

JAMES PENROSE

YEAR OF CALL: 2022

James has a diverse practice with a particular interest in commercial and corporate matters, public law matters and arbitration.

Prior to being called to the Bar, James was a senior associate in the international disputes department of Baker Botts (UK) LLP in London. In that role, he acted for clients in complex disputes before the English courts and international commercial arbitration tribunals (as solicitor and advocate).

James commenced his career as a solicitor at Clayton Utz in Brisbane. He also served as an Associate to the Hon. Justice Patrick Keane in the High Court of Australia.

James holds a Master of Law (Hons Class I) from the University of Cambridge and a Bachelor of Laws (Hons Class I) from the University of Queensland.



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AREAS OF PRACTICE

Appellate, Arbitration, Building & Construction, Class Actions, Commercial Equity, Competition & Consumer, Contract, Corporate Insolvency & Bankruptcy, Corporations, International, Judicial Review & Administrative, Media & Defamation, Resources & Energy.

CASES

Icon Office Solutions Aust Pty Ltd v Hughes [2024] QMC 13

August 2024, Contract

BMG SP Pty Ltd v YFG Strathton Pty Ltd [2023] QSC 52

March 2023

Maller & Anor v Australia Pacific LNG CSG Transmissions Pty Ltd & Ors [2022] QLC 12

September 2022, Land Law & Property, Resources & Energy

EXPERIENCE

Recent experience as a barrister:

- > Acting (led by Dunning KC and others) in Supreme Court proceedings for the owners of a large-scale CSG to LNG project in relation to various claims against their insurers.
- > Acting (led by Clothier KC) in Land Court proceedings for the owners of a large-scale CSG to LNG project in relation to an application by landholders to review the amount of compensation payable to them.
- > Acting (led by Armstrong KC and May) in two class actions against the Commonwealth related to the 2016 outbreak of white spot syndrome virus.
- > Acting in a class action in the Federal Court concerning the Queensland energy market.
- > Acting (led by Doyle KC and May) in an expert determination.
- > Acting (led by Potter SC) in Supreme Court defamation proceedings concerning two Queensland State politicians.
- > Acting (unled) in a London-based expert determination conducted under English law concerning the sale of a stockbroking business.
- > Acting (unled) in a SIAC administered international commercial arbitration conducted under the law of the Seychelles in relation to a cryptocurrency dispute.
- > Acting (unled) in an ICC administered international commercial arbitration conducted under the law of the Seychelles in relation to a cryptocurrency dispute.
- > Acting (unled) in the Supreme Court of Queensland in relation to security for costs applications.
- > Acting (led by May) in Supreme Court proceedings concerning the termination of a lease and the law of penalties.
- > Acting (unled) in Supreme Court proceedings concerning the enforcement in Australia of foreign judgments.
- > Acting (unled) in District Court proceedings concerning breach of contract and related tortious claims, including in relation to a summary judgment application.
- > Acting (unled) in District Court defamation proceedings concerning the “serious harm” threshold.
- > Acting (unled) in Magistrates Court proceedings concerning an employee’s alleged breach of a post-employment restraint.
- > Acting (unled) in various other Magistrates Court proceedings in relation to a variety of claims.

Relevant advocacy experience as a solicitor in international arbitration:

- > Acting in LCIA proceedings (including at the final hearing) for the non-operator of an Egyptian petroleum

concession concerning allegedly wrongful charges against the joint account.

> Acting in LCIA proceedings for a lender in relation to a loan purportedly written-off by a central bank of a European state.

> Acting in an ICC arbitration for a subsidiary of a major US oil company in relation to the sale and purchase from an African state-owned oil company of offshore oil concessions.

> Acting for the investor in a bilateral investment treaty arbitration against a middle eastern state in relation to the construction of a power project.

> Acting for the investor in a bilateral investment treaty against a central Asian state in relation to the telecommunications industry.

APPOINTMENTS

2016-2017 Appointed as an Honorary Senior Scholar by Fitzwilliam College, University of Cambridge

CAREER

2022 Barrister, Queensland

2017-2022 Associate/Senior Associate, Baker Botts (UK) LLP (London)

2014-2017 Solicitor, Clayton Utz (Brisbane)

2013 Admitted as a solicitor, Supreme Court of Queensland

2013 Associate to the Hon. Justice Patrick Keane, High Court of Australia

EDUCATION

2016 Master of Law (Hons I), University of Cambridge

2012 Bachelor of Laws (Hons I), University of Queensland

AWARDS

2016 Awarded 1912 Senior Scholarship by Fitzwilliam College, University of Cambridge

2016 Awarded Houston Putnam Lowry Prize for Law by Fitzwilliam College, University of Cambridge

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