



Caleb Kirton

Called: 2022

Email: Caleb.Kirton@quadrantchambers.com

Phone: 020 7583 4444

Caleb specialises in commercial arbitration and litigation and accepts instructions, led and unled, in all of Chambers' core areas and beyond.

Recent instructions have involved him:

- **Advising** charterers and shipowners on various bill of lading and charterparty disputes (including, e.g., the applicability of exceptions to hire and laytime or demurrage) and in admiralty matters (including, e.g., advising a shipowner in a multimillion-pound collision action (with Chris Smith KC)).
- **Drafting:**
 - Claim, Defence, Reply Submissions and other pleadings in arbitral and court proceedings (including under the LMAA Small Claims Procedure) that assert or resist claims for damages, demurrage, hire and other relief in commodities, insurance and shipping disputes.
 - Applications (e.g., for Final Partial Awards) and submissions (e.g., Skeleton Arguments) in arbitral and court proceedings.
- **Representing** claimants and defendants in arbitral and court hearings (including, e.g., successfully resisting a time-bar defence in the summary-judgment application in **The Alion** [2025] EWHC 368 (Comm) (with Ben Coffey), successfully securing Judgment in Default in an in rem action (as sole counsel) and resisting a jurisdictional challenge in an LCIA arbitration (as sole counsel)).

Caleb previously experienced the full spectrum of commercial disputes through a unique combination of positions, including serving as a Judicial Assistant / Law Clerk in the Supreme Court (2023–24) and Court of Appeal (2019–20) and undertaking a yearlong internship in Shell International Limited's Global Litigation department. In these roles, Caleb became familiar with how clients and courts operate day to day and assisted in various high-profile cases, including:

- **Herculito Maritime Limited v Gunvor International BV (The Polar)** [2024] UKSC 2 (interpretation of charterparty insurance clauses, including war risks, as incorporated into related bills of lading).
- **RTI Limited v MUR Shipping BV** [2024] UKSC 18 (interpretation of charterparty force majeure clause, invoked as result of Russian sanctions).
- **Fimbank Plc v KCH Shipping Company Limited (The Giant Ace)** [2024] UKSC 38 (construction of Hague-Visby Rules, as incorporated into charterparty and related bills of lading).
- **Sharp Corporation Limited v Viterra BV** [2024] UKSC 14 (correct approach to the measure and recoverability of loss in sale-of-goods contracts, as codified in a standard industry default clause).
- **UniCredit Bank GmbH v RusChemAlliance LLC** [2024] UKSC 30 (availability of and jurisdiction to order anti-suit relief to protect an arbitration seated outside England and Wales).
- **Aiteo Eastern E&P Compant Limited v Shell Western Supply and Trading Limited** [2022] EWHC 2912 (Comm) (challenge to proper exercise of contractual election to arbitrate dispute) and [2024] EWHC 1993 (Comm) (challenge to arbitrator under Section 68, Arbitration Act 1996, for apparent bias).

A full summary of Caleb's experience is available below.

Charterparties and Carriage of Goods

Caleb has an in-depth knowledge of many common time and voyage charterparty claims, including cargo handling and storage, hire/freight, laytime/demurrage and COVID-19- and Russian invasion-related liabilities.

Examples include:

- Advising:
 - On the interpretation and performance of charterparty obligations (including the application and scope of cancellation, safe-port and war-risks clauses).
 - On the application of charterparty exceptions in time and voyage charterparties (including act of god, off-hire, restraint of princes and the immunities and rights contained in the Hague and Hague-Visby Rules)
- Drafting:
 - Pleadings in arbitration and litigation for hire, demurrage, dangerous goods and other disputes under time and voyage charterparties.
 - Drafting Claim Submissions / Particulars of Claim for claims arising out of the carriage of, e.g., electrical equipment, rice and urea.
- Assisting on summary-judgment applications concerning, among other issues, the impact of economic sanctions on loan facilities under shipbuilding contracts.
- Assisting on an arbitration concerning safe-port and seaworthiness obligations under a time trip charterparty.

Commodities & International Trade

Caleb has a strong command of sale-of-goods law, including claims and remedies available in contract and tort.

Examples include:

- Advising a buyer on its right to reject defective goods, the procedure for doing so and its liability in damages for any rejection.
- Drafting Reply and Surrejoinder Submissions in a GAFTA arbitration asserting claims for debt or damages arising under a sale contract.
- Assisting on an LCIA arbitration concerning contractual and tortious claims against the collateral manager of certain commodities.
- Assisting Lord Leggatt with interpreting the measure of loss codified in a GAFTA Default Clause invoked in **Sharp Corporation Limited v Viterro BV** [2024] UKSC 14.

Arbitration and Litigation

Caleb accepts instructions, led and unled, to act as counsel in arbitration and litigation hearings. Before practice, Caleb was a National Champion and internationally ranked mooter and, at the Court of Appeal and Supreme Court, gained unparalleled insight into the most effective oral and written advocacy techniques.

Examples include:

- Successfully resisting a time-bar defence to cargo claims arising under standard-form Bills of Lading in the summary-judgment application in **The Alion** [2025] EWHC 368 (Comm) (with Ben Coffey).
- Assisting John Kimbell KC and Maya Chilaeva in the Supreme Court appeal in **JTI Polska Sp Z o.o. and Ors v Jakubowski & Ors** [2023] UKSC 19, concerning the correct interpretation of the Convention on the Contract for the International Carriage of Goods by Road 1956.
- Assisting Nigel Eaton KC and Benjamin Coffey on an arbitration concerning safe-port and seaworthiness obligations under a time trip charterparty.
- Assisting Steven Berry KC and Andrew Leung on summary judgment applications in **Havila Kystruten AS v STLC Europe Twenty Three Leasing Ltd** [2022] EWHC 3166 (Comm), concerning, among other issues, the impact of economic sanctions on loan facilities under shipbuilding contracts.
- Assisting Peter Stevenson with a consequential hearing on various issues arising from the arbitration appeal in **Trafigura Pte Ltd v TTK Shipping Pte Ltd (The Thorco Lineage)** [2023] EWHC 26 (Comm).
- Assisting with case-management hearings (including, e.g., applications for relief from sanctions and permission to appeal)
- Drafting skeleton arguments (including, e.g., for security for costs and case-management and trial hearings)
- Drafting case-management documents (including, e.g., Lists of Common Ground and Issues and Disclosure Review Documents).

Insurance

Caleb has a strong command of insurance matters and is developing his practice in this area.

Examples include:

- Advising and drafting Particulars of Claim arising from the refusal of an indemnity under motor-vehicle insurance policy.
- Advising on prospects of a claim under a personal-guarantee insurance policy.

Banking

Caleb is well-versed in banking disputes and has previously assisted Paul Downes KC and Emily Saunderson.

Examples include:

- Advising on causes of action for the recovery of sums fraudulently withdrawn from a bank account.
- Drafting pleadings for claims in contract and tort against a bank for authorising fraudulent payments.

International Law (including conflict of laws, State immunity and treaty interpretation)

Caleb studied international law at the University of Cambridge's world-leading Lauterpacht Centre for International Law and taught the subject as a Visiting Lecturer at King's College London. Before practice, he worked as a research assistant to eminent practitioners in the field, including Professor Philippa Webb and Amal Clooney. His work contributed to cases before various courts and tribunals (including the International Court of Justice) and to several landmark monographs (such as *The Right to a Fair Trial in International Law*, published by Oxford University Press). At the Supreme Court, Caleb co-authored the Second Edition of *Public International Law in the Supreme Court of the United Kingdom* with Lord Lloyd-Jones.

He is, therefore, well-placed to assist with questions of international law as they arise in commercial disputes, such as those arising in:

- **JTI Polska Sp Z o.o. and Ors v Jakubowski & Ors** [2023] UKSC 19, assisting John Kimbell KC and Maya Chilaeva with submissions on the correct approach to the use of travaux préparatoires in the interpretation of treaties under international law, which were accepted by the Supreme Court in its clarification of how the rules of treaty interpretation apply in English law.
- **Fimbank Plc v KCH Shipping Company Limited** [2024] UKSC 38, assisting Lord Leggatt with the correct interpretation of provisions in the Hague and Hague-Visby Rules, including on the role of context and the travaux préparatoires and other supplementary means of interpretation.
- **UniCredit Bank GmbH v RusChemAlliance LLC** [2024] UKSC 30, assisting Lord Leggatt with the jurisdictional competence of English courts to issue anti-suit injunctions protecting arbitral proceedings with a foreign seat.
- **Argentum Exploration Limited v Republic of South Africa** [2024] UKSC 16 and **UK P&I Club N.V. v Republica Bolivariana de Venezuela**, examining the application and scope of State immunity provisions invoked by States defending commercial claims by private parties.

Academic

Bachelor of Law (LLB), King's College London
Master of Law (LLM), University of Cambridge
Bar Vocational Students (PGDip), City, University of London

Awards

King's College London

- Dickson Poon Scholarship, 2014–17
- King's Undergraduate Research Fellowship, 2017
- King's Research Experience Award, 2017
- UK National Championship, Philip C Jessup International Law Moot Court Competition, 2017

University of Cambridge

- Girton College Book Prize, 2019

City, University of London

- Lord Mansfield Scholarship, Lincoln's Inn, 2021
- Buchanan Prize, Lincoln's Inn, 2022
- The City Law School Bar Vocational Studies Scholarship, 2021

Appointments

Judicial Assistantships / Clerkships:

- Supreme Court of the United Kingdom and Judicial Committee of the Privy Council, 2023–24
- Court of Appeal of England and Wales, 2019–20

Internships:

- Shell International Limited (Global Litigation), 2020–21
- Quinn Emanuel Urquhart & Sullivan LLP, 2022
- Clyde & Co LLP, 2018

Academic and Research Positions:

- Visiting Lecturer in Public International Law, King's College London, 2021–22 and 2023–24
- Visiting Lecturer in Public International Law Mooting, King's College London, 2022–24
- Research Assistant to Professor Philippa Webb and Amal Clooney and at the Lauterpacht Centre for International Law (University of Cambridge)