



## Ben Gardner

Called: 2010

Email: ben.gardner@quadrantchambers.com

Phone: +44 20 7583 4444

Ben is a leading commercial barrister with a focus on international arbitration, energy, shipping and commodities. He is the only junior barrister recognised for his expertise across all of these areas by Chambers & Partners and the Legal 500. He was also named Shipping Junior of the Year at the 2024 Chambers UK Bar Awards, having previously been nominated for the same award in 2018 and shortlisted for International Arbitration Junior of the Year at the 2024 Legal 500 UK Bar Awards. Recent directory quotes have highlighted:

- His strength as an advocate: "excellent on his feet", "forceful and effective in his arguments", "compelling in his submissions"; "incredibly quick thinking on his feet", "very calm and unflappable", "an excellent junior and future leading KC";
- His intellect: "phenomenally intelligent", "an amazing legal mind with the work product to match", "extremely clever, knowledgeable and capable of analysing the most complex cases", "an outstanding intellect";
- His commercial awareness: "excellent attention to detail and commercial awareness", "an amazing, commercially minded barrister", "an excellent barrister, who is precise, commercial and practical in his focus";
- His written work: "his technical legal skills, knowledge and drafting skills are first rate", "his written advocacy is excellent, even when produced under significant time pressure";
- His teamwork: "user-friendly, proactive in coming up with solutions, extremely responsive and hard-working", "a pleasure to work with, team player and an outstanding mind", "very sharp, which shows in how quickly he can get to the heart of matters, but remains approachable and is always open to discussion".

Ben is an experienced trial advocate. A particular highlight among recent commercial arbitrations as sole counsel was a trial for a successful claimant in a US\$250 million LNG sale dispute. He also regularly works as part of a counsel team, leading more junior barristers and with silks.

He also has a substantial appellate practice, including oral advocacy before the Supreme Court and the Court of Appeal. Highlights include four Supreme Court decisions: **Sharp v Viterra** (2024), **JTI Polska v Jakubowski** (2023), **The New Flamenco** (2017) and **Versloot Dredging v HDI Gerling** (2016).

Ben has given evidence of English law in foreign proceedings and often works with foreign applicable law, including the laws of France, Hong Kong, Iran, the UAE, Singapore, Switzerland and Thailand.

Much of Ben's practice is conducted under institutional and trade arbitration rules, including ICC, LCIA, UNCITRAL, LMAA, HKIAC, SIAC, DIAC, GAFTA, FOSFA, RSA and SAL Rules and he regularly appears in arbitrations abroad, with recent hearings in Paris, The Hague, Hong Kong and Singapore.

### What the directories say

---

- "Ben is user-friendly, proactive in coming up with solutions, extremely responsive and hard-working." (Chambers UK, 2025)
- "Ben really gets involved in the detail and he's very calm and unflappable." (Chambers UK, 2025)
- "Ben is an excellent junior and future leading KC." (Chambers UK, 2025)
- "Ben is very sharp, which shows in how quickly he can get to the heart of matters, but remains approachable and is always open to discussion. His written advocacy is excellent, even when produced under significant time pressure." (Legal 500, 2025)
- "Phenomenally intelligent, a pleasure to work with, team player and outstanding mind." (Legal 500, 2025)
- "A brilliant all-rounder and one of the best juniors, he is responsive, methodical and incisive, providing clarity of thought." (Legal 500, 2024)

- "Ben is an persuasive, nimble and incisive advocate. His professional and calm manner always make him a pleasure to work with." (Legal 500, 2024)
- "Extremely clever and excellent on cases requiring intellect and thoughtfulness, yet user-friendly." (Legal 500, 2024)
- "He's very clever, quick and gives clear advice on difficult issues." (Chambers UK, 2024)
- "He's very knowledgeable, practical and responsive." (Chambers UK, 2023)
- "He is extremely astute, committed and good in working as part of a team." (Chambers UK, 2023)
- "He's very clever, quick and gives clear advice on difficult issues." (Chambers UK, 2023)
- "He's very good and gets a lot of instructions." (Chambers UK, 2023)
- "Ben is an amazing, commercially-minded barrister." (Chambers UK, 2023)
- "Ben is very practical and user-friendly." (Chambers UK, 2023)
- "Highly intelligent, diligent, user-friendly, and a really nice guy." (Legal 500, 2023)
- "Excellent on his feet, very quick thinking and calm, gets stuck in with the documents, has a feel for tactics and how an arbitrator will view something." (Legal 500, 2023)
- "He shows excellent attention to detail and commercial awareness, and is incredibly quick-thinking on his feet, taking unexpected twists in his stride." (Legal 500, 2023)
- "He has a fantastic reputation and he is extremely popular with clients and leaders. He has a lot of experience in heavyweight international arbitration." (Chambers UK, 2022)
- "Ben is exceptional. He is super bright, very commercial and quick to understand client needs." (Chambers UK, 2022)
- "A trusted and always outstanding member of the team on the largest and most complex commercial arbitrations, and a joy to work with." (Legal 500, 2022)
- "Down to earth and easy to work with, he gets fully immersed in the details without losing sight of the bigger picture commercially." (Legal 500, 2022)
- "Thorough, well-researched and provides well-written, reliable advice. He has a sound grip on the commercial issues of any given matter." (Legal 500, 2022)
- "He's an excellent lawyer who inspires confidence in his clients." (Chambers UK, 2021)
- "Ben offers good advice and is very eloquent and clear in his advocacy." (Chambers UK, 2021)
- "He is very responsive and thorough, a real team player." (Chambers UK, 2021)
- "He produces high quality written work." (Legal 500, 2021)
- "An extremely polite and proactive barrister who understands clients' needs." (Legal 500, 2021)
- "He is reassuringly confident on difficult legal points." (Legal 500, 2021)
- "He's fast, accurate and has an exceptional understanding of both the business and legal aspects of a case." (Chambers UK, 2020)
- "Very user-friendly, bright and prompt to respond." (Chambers UK, 2020)
- "He's easy to work with and respected by clients." (Chambers UK, 2020)
- "A very capable junior with an exceptional understanding of both the commercial and legal aspects of a case." (Legal 500, 2020)
- "Quickly processes a high level of technical detail and works extremely hard." (Legal 500, 2020)
- "He provides prompt, concise, practical advice." (Legal 500, 2020)
- "He is very smart and focuses immediately on the issues." (Legal 500, 2019)
- "An excellent barrister – commercial, practical, precise and always quick to respond." (Legal 500, 2019)
- "He is incredibly fast at turning work around and the work is without fail of the highest standard." (Chambers UK, 2019)
- "Thorough, diligent and very personable. He has a great eye for detail." (Chambers UK, 2019)
- "Very bright and easy to work with." (Chambers UK, 2019)
- "...A super-bright guy who is very accessible and easy to work with."... "Very clever and a very good advocate. He's mature beyond his years."... (Chambers UK, 2018)
- "...An excellent barrister, who is precise, commercial and practical in his focus and forceful and effective in his arguments"... (Legal 500, 2017)
- "...A "very impressive" junior with a broad practice covering commodities, shipping matters as well as insurance and conflict of laws."... (Chambers UK, 2017)
- "...Very helpful, sensible and willing to get stuck in as much as required."... (Chambers UK, 2017)
- "...He is a great junior counsel and very user-friendly. He is solution driven, helps you make a decision and is very personable."... (Chambers UK, 2017)

## International Arbitration

---

Much of Ben's practice is conducted under institutional and trade arbitration rules, including ICC, LCIA, UNCITRAL, LMAA, HKIAC, SIAC, DIAC, GAFTA, FOSFA, RSA and SAL Rules and he regularly appears in arbitrations in Paris, The Hague, Hong Kong and Singapore. Recent examples of international arbitration work include:

- An ICC gas supply dispute in the various jurisdictions worth about US\$30 billion, with Simon Rainey KC.
- An LMAA arbitration concerning the non-delivery of LNG worth US\$250 million, as sole counsel.
- A series of ad hoc arbitrations in London and Dubai on behalf of a state-backed oil trading company concerning non-delivery of crude, co-counselling with two international law firms, worth more than US\$200 million;
- An HKIAC arbitration relating to the non-delivery of LNG worth US\$50 million, with James Willan KC.
- An LMAA arbitration relating to the sanctioning of a charterer worth US\$25 million, with Luke Parsons KC.
- A DIAC arbitration concerning a billet off-take agreement worth US\$20 million, as sole counsel.
- An LMAA arbitration concerning the enforceability of a guarantee worth US\$20 million, with Steven Berry KC.
- Two RSA arbitrations worth over US\$15 million as lead counsel, concerning a 1 million tonne sugar sale contract.

## Energy

---

Ben has a busy energy practice encompassing the range of energy disputes including upstream, midstream, downstream and offshore construction disputes. He is recognised as a 'Band 1' junior for Energy work by Chambers & Partners. His recent work includes:

- LCIA arbitration relating to the failure to drill an exploration well under a farmout agreement, with Luke Parsons KC.
- An ICC arbitration concerning a dispute under a JOA as to the operator's right to acquire an FLNG vessel, with Robert Thomas KC.
- A long-running ICC arbitration in London, Paris and the Hague worth over US\$30 billion relating to a Middle Eastern gas supply contract for a 25-year period, with Simon Rainey KC.
- A series of ad hoc arbitrations in London and Dubai on behalf of a state-backed oil trading company concerning non-delivery of crude, co-counselling with two international law firms.
- A Hong Kong arbitration on behalf of several Oil Majors relating to the operation of an LNG facility, with Simon Rainey KC.
- Several arbitrations relating to the construction of 6th generation semi-submersible drilling rigs.
- A High Court claim for over £10 million relating to the supply of into-plane refuelling services across UK airports.

## Shipping

---

Shipping is one of Ben's core practice areas and he is recognised as a 'Band 1' junior in this field by Chambers & Partners. His shipping work includes acting for the charterers in **The New Flamenco** [2017] 1 WLR 2581, with Simon Croall KC, an important Supreme Court decision on the assessment of damages following repudiation of a time charter, a long-running dispute arising out of an LOU in **The Miracle Hope** [2023] Lloyd's Rep. 610 with Robert Thomas KC, and a bill of lading dispute relating to the loss of a superyacht in **Weco v Loro Piana** [2021] 2 All ER (Comm) 383 with Nigel Jacobs KC.

Ongoing work includes arbitration proceedings arising out of the Ever Given grounding in the Suez Canal, arbitrations in London and Singapore on behalf of shipowners arising out of the imposition of US sanctions on cargo interests and a 3-week Commercial Court trial arising out of a stow collapse.

## Commodities & International Trade

---

Commodities and international trade work are a core part of Ben's practice. He is ranked as a 'Band 1' junior in this field by Chambers & Partners.

Ben's recent commodities work includes acting for the successful buyers in **Sharp v Viterra** [2024] 4 All ER 273, an important Supreme Court decision on the measure of damages in non-supply and non-delivery cases.

He is experienced across a broad range of commodities trading disputes, and has dealt with crude and refined oil, naphtha, petcoke, LNG, gas, steel, aluminium and soft commodities including grain, soybeans, coffee and raw and refined sugar, among others. He is very familiar with the trade arbitration rules as well as the legal, technical and commercial issues which arise in this type of dispute.

## Insurance

---

Ben is regularly instructed to advise and act in insurance and reinsurance matters, particulars marine and cargo insurance disputes. Illustrative cases include:

- **Versloot Dredging v HDI Gerling, The DC Merwestone** [2016] 3 W.L.R. 543 (SC) (with Colin Edelman KC): A claim by shipowners on their hull and machinery policy following the partial flooding of the "DC Merwestone". The underwriters raised defences relating to insured perils, fortuity and peril of seas as well as fraudulent presentation of the claim, on which they were ultimately successful at trial. Ben acted for the underwriters at trial, on appeal to the Court of Appeal and to the Supreme Court. Ultimately, the Supreme Court rejected the existence of the fraudulent device defence, in a groundbreaking judgment.
- **Natixis SA v Marex Financial** [2019] 2 Lloyd's Rep 431: Ben appeared with Luke Parsons KC for the cargo underwriters in a multi-party, US\$30m dispute relating to metal trading fraud. The claim against underwriters focused principally on the non-disclosure defence under the Insurance Act 2015. The claim against the underwriters focused principally on the non-disclosure

defence under the Insurance Act 2015. The claim against the underwriters settled on day 9 of the 16 day trial, with judgment handed down on the surviving claims in October 2019.

- **Engelhart v Lloyd's Syndicate 1221** [2018] 2 Lloyd's Rep. 24 (Comm): Ben appeared with Luke Parsons KC for the successful underwriters in a cargo insurance claim, where the assured claimed losses resulting from a fraud relating to the sale of copper ingots. The judgment is important in affirming the rule that an insurance policy on goods will not cover paper losses without express wording to that effect.

## Jurisdictional Disputes and Conflicts of Laws

---

Much of Ben's practice involves foreign parties and often raises questions of applicable law and jurisdiction. Ben has a strong academic interest in the area, having studied conflict of laws at Harvard.

He often works with foreign applicable law, with recent examples including French, Iranian, UAE, Singaporean, Swiss and Thai law, and disputes as to the extent of the applicable substantive law under Rome I, Rome II and in arbitration.

He is also very familiar with anti-suit and anti-arbitration injunctions, having obtained a number of these injunctions and worked on appeals to the Court of Appeal and the Supreme Court on related issues.

## CMR

---

Ben is regularly instructed to act in CMR and other road carriage and multi-modal transport matters. He acted for the successful Respondent's in a rare leapfrog appeal to the Supreme Court in **JTI Polska v Jakubowski** [2024] AC 621, only the second CMR case to reach the Supreme Court.

## Academic

---

B.A. in Law, Cambridge (Double First, ranked 1st in Part I of Tripos); LL.M., Cambridge (First Class, ranked 2nd in the University); LL.M., Harvard Law School; B.V.C., BPP Law School (Outstanding).

## Awards

---

### Prizes

Vaughan Bevan Prize Emmanuel College Cambridge 2006 ; Clifford Chance David Gottlieb Prize Cambridge University 2006 ; Rodwell Prize Emmanuel College Cambridge 2007 ; Mancini Prize Harvard Law School 2009 ; Certificate of Honour Middle Temple 2010

### Scholarships

Porter Scholarship Emmanuel College Cambridge 2006-2007 ; Bachelor Scholarship Emmanuel College Cambridge 2007-2008 ; Rebecca Flower Scholarship Cambridge University Cambridge 2007-2008 ; Research Scholarship A.H.R.C. 2007-2008 ; Herchel Smith Harvard Scholarship Emmanuel College Cambridge 2008-2009 ; Queen Mother Scholarship Middle Temple 2009-2010

## Ranking

---



## Publications

---

Curaçao, the Netherlands Antilles and the Kingdom: A look through the Constitutional Prism, Ben Gardner and Jeremias Prassl Submitted as a paper at Harvard Law School under the supervision of Professor Gráinne de Burca (2009)

Published by VanEps Kunneman VanDoorne, Willemstad, Curaçao (2009)

Delivered as a paper at the University of Groningen (2009)

## Memberships

---

