



SHY JACKSON

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BIOGRAPHY

Shy Jackson has a strong reputation for his representation of construction and engineering firms across a range of contentious matters, including high-stakes arbitrations, adjudications, court proceedings and various forms of Alternative Dispute Resolution proceedings. Shy's clients are involved in some of the most significant building, infrastructure and energy projects across the UK and internationally, with his breadth of experience having seen him advise and represent some of the world's leading developers across major road, rail and processing plant projects, as well as across high-value office buildings, luxury hotels and residential developments.

With over 20 years' experience in dealing with a wide range of construction related disputes throughout Europe, the Middle East, Africa and Asia, Shy provides his clients with strategic advice,

identifying commercial solutions and limiting the impact of adversarial situations relating to project delays, payments and quality issues. He is highly experienced in the main forms of construction contracts, including FIDIC and JCT, whilst being widely recognised as a leading expert on the NEC form of contract. Shy was appointed as a member of the NEC Contract Board during 2020 in recognition of his experience in advising on a number of substantial projects involving the NEC form of contract.

Shy is well known for his expertise in construction law, he is a Visiting Fellow at the Construction Law MSc course at King's College London and lectures at the Masters of Business Engineering course at the University of Stuttgart. In addition, he regularly speaks at industry events in the UK as well as internationally, having recently spoken in conferences in Lagos, Istanbul and Hong Kong on topics including FIDIC contracts and collaborative contracting, and has contributed to leading text books in addition to regularly writing on construction law topics. Shy has been recognised as a 'Global Elite Thought Leader' by Who's Who Legal for Construction and has consistently been commended for his expertise in Legal 500 and Chambers & Partners, having first been listed in 2011.

PROFESSIONAL AFFILIATIONS

- Solicitor Advocate, Law Society, England and Wales
- Fellow of the Chartered Institute of Arbitrators
- Fellow of the Chartered Institution of Civil Engineering Surveyors
- Member of the Society of Construction Law
- Member of the Technology and Construction Solicitors' Association

ADMISSIONS

- England and Wales

RELATED PRACTICE AREAS

- Construction Disputes
- Litigation & Dispute Resolution
- Business & Commercial Disputes
- International Arbitration
- Energy Transition

- Real Estate

EXPERIENCE

Shy has experience of acting for all parties in construction projects and his recent cases include:

- Acting for a developer in a number of adjudications in connection with a luxury residential development in London.
- Advising contractors in relation to a number of complex high value rail projects in London, including acting in adjudications.
- Acting for an EPC contractor in relation to a waste treatment plant and defending claims related to the plant's performance, involving proceedings in the Technology and Construction Court.
- Acting for an international EPC contractor in an ICC arbitration in relation to a project in Australia.
- Acting for a joint venture in relation to various issues arising out of highway maintenance contracts in the UK.

RESOURCES

PUBLICATIONS

Shy's recent publications include a joint paper with Professor David Mosey on "Good Faith and relational contracting – do enterprise contracts offer a way through the woods?" published by the Society of Construction Law in 2020, What do the words mean: Different approaches to the interpretation of contracts, a joint paper with Wolfgang Breyer, Julio Bueno and Brian Gaudet, presented at the 2018 North American Society of Construction Law and published by the International Construction Law Review, and he writes regularly for publications such as the RICS Journal and the NEC Newsletter.

Shy has also contributed to leading textbooks, including the UK chapter of Studies in European Construction Law, published by the European Society of Construction Law in 2015, writing a chapter in Construction Law, Costs and Contemporary Developments: Drawing the Threads Together A

Festschrift for Lord Justice Jackson, published in 2018 and contributing to International Construction Contract Law by Lukas Klee published by Wiley.

RELATED INSIGHTS

Insights

Apr 16, 2025

Payment notices under the Construction Act 1996, a welcome clarification

Insights

Apr 09, 2025

Shifting contractual risks and managing electronic contracts

In this Insight, Shy Jackson takes a look at the decision of *John Sisk and Son Limited v Capital & Centric (Rose) Limited* [2025] EWHC 594 (TCC) where the court had to grapple with interpreting a contract which was kept on a USB drive as well as a bound hard copy, where the key provisions were in a spreadsheet, which included hidden columns, and where the electronic version included a document which did not appear in the paper version.

Insights

Mar 03, 2025

Battle of the forms: a recent example

In this Insight, first published in the March 2025 edition of the NEC Newsletter, Shy Jackson considers the topic of the “battle of the forms” in the context of a recent Scottish case, *Caledonia Water Alliance v Electrosteel Castings*, where the parties each provided their own standard terms and conditions, but it was held that the applicable terms were governed by the Framework Agreement.

Insights

Jan 14, 2025

JCT 2024 contracts – good faith in practice

In this Insight, Shy Jackson considers the scope and implications of the parties’ obligation to work together in good faith under the Joint Contracts Tribunal (JCT) 2024 contracts.

Insights

Dec 04, 2024

Design responsibility: the need for clarity

In this Insight, Shy Jackson and Rebecca Maxwell consider what we can learn from the case of *Workman Properties Ltd v Adi Building & Refurbishment Ltd* [2024] EWHC 2627 (TCC) which provides a salient reminder of the importance of making sure the contract reflects the terms of the parties’ agreement.

Insights

Nov 28, 2024

Mediation and the limits of without prejudice privilege

Events

Nov 20, 2024

BCLP partner Shy Jackson to speak at SCL Singapore event

Insights

Nov 14, 2024

The IBA Site Visit Protocol: A framework for avoiding disputes within disputes

Awards

Oct 29, 2024

Partner Shy Jackson presented with Outstanding Industry Collaboration Award