

Benjamin Parker

Call: 2000

“Ben is a formidable barrister who provides practical advice, is supremely clever and is commercially aware. He is a pleasure to deal with and super responsive.”

Commercial Dispute Resolution, Chambers UK Bar 2026



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Benjamin Parker has a breadth of experience across a wide range of commercial law disciplines.

He is rated by the legal directories as a leading junior in all his practice areas—commercial law, insurance, shipping & commodities, and international arbitration. Leading market participants describe him as a “class act” with “star quality”, who is “always a delight to work with” and “has an excellent reputation which is fully deserved”. He “represents a triple threat: his drafting, advices and advocacy skills are all really impressive. He takes complex and detailed information and converts it into clear, sound and practical advice.”

Ben has significant appellate experience and has appeared in the House of Lords, the Supreme Court, and the Court of Appeal. He often acts unled against KCs. He has a substantial advisory practice on top of his litigation and arbitration work.

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Leading cases in which he acted include:

- **Manchester Building Society v. Grant Thornton** [2021] UKSC 20, [2021] 3 WLR 81 (seminal decision of the Supreme Court on the “scope of duty” principle in professional negligence)
- **SBM v. Zurich Insurance** (the largest energy insurance claim ever to come before the Commercial Court)
- **ABN Amro Bank v. RSA plc** [2021] EWHC 442 (Comm) and [2021] EWCA Civ 1789 (a leading case on insurance coverage, avoidance / good faith, and brokers’ duties)
- **Rathbone v. Novae** [2015] Lloyd’s Rep IR 95 (subrogation)
- **BAT v. Exel Europe** [2016] AC 262 (a decision of the Supreme Court on international jurisdiction)
- **The Ocean Glory** [2015] 1 Lloyd’s Rep 67 (one of the very few successful challenges to an arbitration award under s. 68 of the Arbitration Act 1996)

In 2020 he won the Chambers & Partners Bar Award for **Insurance Junior of the Year**.

Ben is an accredited mediator, and accepts appointments as a mediator in civil and commercial disputes. He also accepts appointments as an arbitrator. ket participants describe him as a “class act” with “star quality”, who is “always a delight to work with” and “has an

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Expertise

Commercial Litigation

Commercial disputes of all varieties lie at the heart of Ben's expertise and practice at the Bar. He is particularly experienced at dealing with multi-jurisdictional disputes, and in advising on issues relating to the "conflict of laws". In recent years he has also had much experience of obtaining urgent relief from the courts, including anti-suit injunctions and freezing injunctions. He is well-versed in bringing committal proceedings for contempt of court.

- Supreme Court case of **Manchester Building Society v. Grant Thornton** [2021] UKSC 20, [2021] 3 WLR 81: leading case on the SAAMCO "scope of duty" principle in professional negligence.
- Acting for insurance broker in professional negligence claim arising out of placement and operation of credit insurance.
- Representing the defendants in **SBM v. Zurich Insurance**, the largest energy insurance claim before the Commercial Court. The case, which settled in autumn 2018, concerned the alleged total loss of an oil platform in the North Sea and its abandonment because of safety fears.
- That litigation included **SBM v. Aspen** [2018] EWHC 1763 (Comm), an important decision of the Commercial Court on the ability of a party to claw back privileged documents inadvertently disclosed (CPR 31.20) and on the scope of litigation privilege and legal advice privilege.

- Representing US energy company in long-running Commercial Court dispute with Nigerian company, arising out of the breakdown of the parties' commercial relationship. Successful applications for urgent injunctive relief, and to commit directors for contempt of court.
- Advising on the merits of an appeal to the Privy Council (from an appellate court in the Caribbean) concerning the recognition and enforcement of foreign judgments at common law and the scope of the "public policy" defence to recognition. The dispute settled shortly before the hearing of the appeal was due to take place.
- **Excalibur Ventures LLC v. Texas Keystone** [2011] 2 Lloyd's Rep 289: dispute concerning rights to exploit oil and gas fields in the Middle East; availability of anti-arbitration injunction.
- **Webster Thompson v. JG Pears** [2009] 2 Lloyd's Rep 339: Commercial Court trial concerning the Sale of Goods Act 1979 and the Supply of Goods and Services Act 1982.
- **Sinco v. Lloyd's Syndicate 980**: appeal to Court of Appeal concerning *lis alibi pendens* and the availability of damages for breach of a jurisdiction clause.
- **The Front Comor** [2007] 1 Lloyd's Rep 391 (House of Lords): availability of anti-suit injunctions in support of arbitration agreements.
- **Balmoral Group v. Borealis** [2006] 2 Lloyd's Rep 629: seller's obligations as to the quality of goods supplied under international sale contracts.

Insurance & Reinsurance

Ben is experienced in handling complex insurance and reinsurance disputes, across the spectrum of marine and non-marine business. Between 2015 and 2018 he was instructed on behalf of excess insurers to defend the highest value energy insurance claim to have come before the Commercial Court in London. In 2020 he was awarded **Insurance Junior of the Year** by Chambers & Partners. His work in this area includes the following:

- Acting for the Claimant in **ABN Amro v. RSA plc and others** [2021] EWHC 442 (Comm) and [2021] EWCA Civ 1789, a leading decision of the Commercial Court and Court of Appeal concerning various issues in the law of insurance, including policy interpretation, the duty of the utmost good faith, affirmation, estoppel, and the duties of insurance brokers.
- Representing excess insurers in **SBM v. Zurich Insurance**, which concerned the alleged total loss of an oil platform in the North Sea and its abandonment because of safety fears.
- Acting for insurance broker in professional negligence claim arising out of placement and operation of credit insurance.
- Arbitration against market of reinsurers arising out of widespread property damage to commercial premises following civil unrest in Chile.
- **MS Amlin Marine v. King Trader Ltd and others** [2024] Lloyd's Rep IR 703: operation of "pay first" or "pay to be paid" clauses and the Third Parties (Rights Against Insurers) Act 2010.
- Representing London underwriters in Commercial Court proceedings for the alleged total loss of three tankers seized by the government of Venezuela in response to the imposition of US sanctions.
- Representing market of leading London energy underwriters, in successful defence of claims for property damage arising out of earthquakes in the Netherlands caused by underground oil / gas drilling operations.
- **Mamancochet Mining v. Aegis**. Acted for claimant in leading case on the construction and application of policy sanctions clause—claim for misappropriation of cargoes exported to Iran; order for expedited trial; claim succeeded in full.

- Representing hull and machinery insurers in proceedings for alleged total loss of bulk carrier in South America, arising out of lengthy physical detention by public authorities.
- **Rathbone Brothers Plc v. Novae Corporate Underwriting** [2015] Lloyd's Rep IR 95: leading modern decision of the Court of Appeal on the doctrine of subrogation in insurance law, and the limitation on the availability of a subrogated claim against a co-insured. Very substantial PI insurance claim concerning allegations of breach of trust.
- Instructed for the insured in a multi-million dollar claim for the total loss of a fishing vessel by fire/explosion in the Pacific Ocean.
- **Equitas Ltd v. Walsham Bros** [2014] Lloyd's Rep IR 398 (Commercial Court): acted for Equitas in successful claim against brokers for failure to remit payments. The case raised important issues as to the scope of duties owed by insurance/reinsurance brokers, as to the construction of the Lloyd's R&R settlement agreements, and as to limitation.
- Reinsurance/retrocession dispute concerning damage to oil installations in the Gulf of Mexico as a result of Hurricane Katrina.
- Reinsurance arbitration concerning the September 11, 2001 terrorist attacks and whether very substantial contingency losses (e.g. arising out of the cancellation of the Ryder Cup / postponement of the Super Bowl) could be aggregated.
- Advising on the construction of a major European bank's "Crime Policy" in relation to losses caused by dishonest employees.

Energy & Natural Resources

Many of Ben's recent cases have concerned disputes relating to energy and natural resources. His instructions in this area include the following:

- Representing excess insurers in **SBM v. Zurich Insurance**, the largest energy insurance claim before the Commercial Court. The case concerned the alleged total loss of an oil platform in the North Sea and its abandonment because of safety fears.
- Representing market of leading London energy underwriters, in defence of claims for property damage arising out of earthquakes in the Netherlands caused by underground oil / gas drilling operations.
- Representing US energy company in long-running Commercial Court dispute with Nigerian company, arising out of the breakdown of the parties' commercial relationship. Applications for urgent injunctive relief, and to commit directors for contempt of court.
- Acting for the contractor in a UNCITRAL arbitration concerning oil exploration in Venezuela and urgent interim relief for security and injunctive protection.
- **Excalibur Ventures LLC v. Texas Keystone** [2011] 2 Lloyd's Rep 289: dispute concerning rights to exploit oil and gas fields in the Middle East; availability of anti-arbitration injunction.
- Numerous claims arising out of the Buncefield gas explosion, raising issues as to the tort of private nuisance, the actionability of public nuisances, and the recovery of "pure" economic losses.

Shipping & Transport

Ben has been involved in some of the most significant shipping law and international carriage cases of the past decade, including **The Rena** casualty in New Zealand, the seminal decision of the House of Lords in **The Achilles**, and the collision between **Panamax Alexander** and **NYK Orpheus** in the Suez Canal. He is regularly instructed by P&I Clubs direct, and has been noted in the legal directories for his expertise in advising on the construction and effect of P&I Club rules. His instructions in this area include the following:

- **The Achilles** [2009] 1 AC 61: leading decision of the House of Lords on remoteness of damage in the law of contract. Represented the successful Owners in their appeal to the House of Lords.
- **British American Tobacco v. Exel Europe** [2016] AC 262: represented BAT in appeal to the Supreme Court concerning the jurisdiction regime under the CMR convention for claims against successive carriers and the relationship between the Judgments Regulation and specialist conventions.
- **MS Amlin Marine v. King Trader Ltd and others** [2024] Lloyd's Rep IR 703: operation of "pay first" or "pay to be paid" clauses and the Third Parties (Rights Against Insurers) Act 2010.
- **MV Pacific Pearl Co. Ltd v. (1) NYK Orpheus Corp (2) Quick Ship Holding SA** [2022] EWHC 2828 (Admlty): collision between containership NYK Orpheus and bulk carrier Panamax Alexander in Suez Canal.
- **The Rena**: instructed by MSC (long-term time charterers) in relation to the grounding of the containership Rena and subsequent loss.
- **The Ocean Glory** [2015] 1 Lloyd's Rep 67: successful challenge to arbitral award under s. 68 of the Arbitration Act 1996 for failure by tribunal to act fairly, contrary to the requirements of s. 33. One of the very few successful challenges under s. 68.
- **The K Amber** [2018] 2 Lloyd's Rep 121: application under s. 68 of the Arbitration Act 1996 arising out of tribunal's dismissal of an arbitration for "want of prosecution" under s. 41 of the Arbitration Act 1996.
- Representing owners in Commercial Court dispute concerning the contamination of an oil cargo during ship-to-ship operations off the east coast of Africa.
- Representing charterers in a multi-party arbitration concerned with the inability of an LNG carrier to perform cargo liftings as a result of being shut out of a loading terminal following an adverse SIRE inspection.
- Defending owners in an arbitration claim arising out of the grounding of a bulk carrier in Australia; allegations of unseaworthiness and incompetence of the master.
- Numerous disputes under shipbuilding contracts, including representing the shipyard in a series of successful arbitrations arising out of the transactions which were considered by the Supreme Court in **Rainy Sky SA v. Kookmin Bank** [2011] 1 WLR 2900.
- Numerous disputes under MOAs for the sale of vessels and superyachts. These include an arbitration concerning allegations of fraud and forgery against a Russian purchaser of a superyacht, and an arbitration raising complex legal issues as to the effect of Clause 9 of the Norwegian Saleform and the nature of statutory liens in Admiralty.
- **VTC v. PVS** [2012] 2 Lloyd's Rep 527: Commercial Court decision concerning the construction of a tanker time charterparty, and the application of a warranty of fitness to the "slop" tanks.
- **Author of "Liability for incorrectly clausung bills of lading"** [2003] LMCLQ 201 (an article cited in Carver on Bills of Lading and Voyage Charters), and other journal articles on shipping law / international trade.

International Arbitration

Much of Ben's work concerns international arbitration across the whole spectrum of commercial disputes. He is also experienced in making applications to the English courts in relation to arbitrations, and succeeded in making one of the few successful challenges to an arbitration award under s. 68 of the Arbitration Act 1996. Recent work in this area includes:

- **The Ocean Glory** [2015] 1 Lloyd's Rep 67: successful challenge to arbitral award under s. 68 of the Arbitration Act 1996 for failure by tribunal to act fairly, contrary to the requirements of s. 33. One of the very few successful challenges under s. 68.

- **The K Amber** [2018] 2 Lloyd's Rep 121: application under s. 68 of the Arbitration Act 1996 arising out of tribunal's dismissal of an arbitration for "want of prosecution" under s. 41 of the Arbitration Act 1996.
- Arbitration against market of reinsurers arising out of widespread property damage to commercial premises following civil unrest in Chile.
- Numerous arbitrations under shipbuilding contracts, including representing the shipyard in a series of successful arbitrations arising out of the transactions which were considered by the Supreme Court in **Rainy Sky SA v. Kookmin Bank** [2011] 1 WLR 2900.
- ICC arbitration in Hong Kong, concerning the impact of the global financial crisis on the performance of a long-term international sale; complex issues under the Vienna Convention on the International Sale of Goods as to the right to suspend performance.
- Acting for the contractor in a UNCITRAL arbitration concerning oil exploration in Venezuela and urgent interim relief for security and injunctive protection.
- **Excalibur Ventures LLC v. Texas Keystone** [2011] 2 Lloyd's Rep 289: dispute concerning rights to exploit oil and gas fields in the Middle East; availability of anti-arbitration injunction.

Professional Negligence

- Supreme Court case of **Manchester Building Society v. Grant Thornton** [2021] UKSC 20, [2021] 3 WLR 81: seminal case on the SAAMCO "scope of duty" principle in professional negligence, and the theoretical foundations of the tort of negligence.
- **ABN Amro v. RSA plc and others** [2021] EWHC 442 (Comm): leading decision of the Commercial Court on the duties of insurance brokers. (Also acted on appeal to the Court of Appeal: [2021] EWCA Civ 1789)
- Acting for insurance broker in professional negligence claim arising out of placement and operation of credit insurance.
- Defending leading City firm in professional negligence claim arising out of alleged advice relating to the termination of a shipbuilding contract and conduct of arbitration.
- **Equitas Ltd v. Walsham Bros** [2014] Lloyd's Rep IR 398 (Commercial Court): acted for Equitas in successful professional negligence claim against brokers for failure to remit payments. The case raised important issues as to the scope of duties owed by insurance/reinsurance brokers, as to the construction of the Lloyd's R&R settlement agreements, and as to limitation.

Admiralty

Ben is experienced in dealing with disputes falling within the jurisdiction of the Admiralty Court. He was instructed for MSC in the well-known Rena casualty in New Zealand. He has acted in numerous collision actions (including **MV Pacific Pearl Co. Ltd v. (1) NYK Orpheus Corp (2) Quick Ship Holding SA** [2022] EWHC 2828 (Admlty), concerning a collision between containership NYK Orpheus and bulk carrier Panamax Alexander in the Suez Canal), claims for salvage, and claims in general average.

Memberships

COMBAR

LCLCBA

IMI Qualified Mediator

Education

Queen Mother Scholar of the Middle Temple

MA (Jurisprudence) University of Oxford (First Class).

BCL University of Oxford (First Class).

MA University of Cambridge (by incorporation).

Whilst at the University of Oxford, Ben was awarded numerous university and college prizes, including the Sweet & Maxwell Prize for the best performance in his year, the Gibbs Prize, the Hurry Prize for the most distinguished first in finals, the Prize for International Trade, and the Prize for Corporate Insolvency.