



James Drake KC

James Drake KC, FCIArb, FACICA is a full-time arbitrator, with a practice covering a wide range of international commercial and sporting disputes.

Before becoming a full-time arbitrator, James was in private practice for over 35 years, in London, New York and Sydney. In London, James had a broad international commercial practice in chambers, with particular emphasis on commercial fraud, financial services, insurance/reinsurance, energy and commodities, and joint venture/ partnership disputes. Before being called to the Bar in London, James practised in New York where he was a partner in Owen & Davis, a specialist litigation firm in New York, since merged with Norton Rose and, prior to that, he was in the New York and Sydney offices of Baker McKenzie.

James is admitted to practice in London, New York, Australia (Sydney, Adelaide), and the British Virgin Islands.

He is also a qualified accountant and worked at KPMG before moving into the law.

ADR Experience and Qualifications

James has extensive experience in international commercial arbitrations (whether as sole or co-arbitrator or chairman) under the auspices of a number of international arbitral institutions including the American Arbitration Association (AAA), the Chartered Institute of Arbitrators (CIArb), the International Chamber of Commerce (ICC), the London Court

of International Arbitration (LCIA), the Singapore International Arbitration Centre (SIAC), the Singapore Maritime Academy (SMA), the Swiss Arbitration Centre (SAC), as well as in *ad hoc* arbitrations. He is a member of ICC (Australia), the LCIA, a fellow of the CIArb, a fellow of the Australian Centre for International Arbitration (ACICA), a member of the CIArb's Presidential Panel, and a chartered arbitrator.

James also has had extensive experience in sport arbitrations and is a member of the panel of arbitrators for the Court of Arbitration for Sport (in Lausanne) (CAS) and was, until recently, on the panel of Sport Resolutions (SR). James is also on the judicial panels of the Lawn Tennis Association (LTA) and the Premier League (PL).

Representative Matters

Commercial

- Chairman of the panel (appointed by co-arbitrators) in a dispute concerning the development of luxury London real estate. LCIA Rules.
- Chairman of the panel (appointed by co-arbitrators) in a dispute concerning a distribution agreement in UAE and north Africa. ICC Rules.
- Co-arbitrator in disputes (three arbitrations) concerning Covid business interruption losses incurred by North American retailer. Ad hoc; NY law.
- Chairman of the panel in \$250 million commercial dispute in relation to Ukraine facilities and force majeure effect of Russia-Ukraine conflict. LCIA Rules.
- Chairman of a three-member panel, appointed by the co-arbitrators, in relation the sale of petroleum products into West Africa. Ad hoc, LCIA Rules.
- Chairman of a three-member panel, appointed by the co-arbitrators, in relation to a joint venture for the development of green energy in the UK between sovereign state and domestic company, US\$400m in issue, LCIA Rules.
- Chairman of a three-person panel, appointed by the LCIA, in a dispute as to the sale of iron ore by South African seller to Ukraine buyer.
- Chairman, appointed by the ICC, of a three-member panel in a \$500 million dispute between international oil companies and a Nigerian concern in relation to contracts for local development and exploitation of oil.
- Co-arbitrator, appointed by the claimant. This New York reference related to the sale of asphalt by a Swiss seller to a Mexican buyer. New York law.
- Chairman of the panel, appointed by the ICC. The dispute related to the design, construction and installation of a sugar refinery (and related facilities) in Nigeria.
- Co-arbitrator, appointed by the LCIA. The dispute related to the trade credit risk insurance in respect of the sale of helicopters in Mexico.
- Sole arbitrator, appointed by the CIArb, in this *ad hoc* reference in relation to a dispute between a Saudi national and a BVI company in relation to a real estate transaction. English law.
- Sole arbitrator, appointed by the CIArb, in this *ad hoc* reference in relation to a long-running dispute between partners of a financial advisory firm.

- Sole arbitrator, appointed by the parties, in a dispute between a Turkish buyer and a Canadian seller in respect of the sale of iron ore in Canada. SCMA Rules; English law.
- Sole arbitrator, appointed by the parties, in an insurance dispute between two London insurers as to the applicable period of coverage in respect of liability to the insured. LCIA Rules.

Sport

- Served as chair, sole and co-arbitrator in more than 100 cases administered by CAS and/or Sport Resolutions. These matters run the gamut of sporting disputes including:
 - eligibility disputes (e.g., the eligibility of disabled athletes to participate in able-bodied events at the Olympic Games);
 - board level disputes at national federations and in member clubs;
 - governance disputes between national federations and their respective international federations;
 - disputes between international federations and national federations arising out of steps taken in response to the Russia-Ukraine war;
 - disputes between national federations and the IOC (e.g., an application by a national federation to set aside the decision of the IOC to withdraw recognition);
 - disputes between national federations as to the contractual obligations of players (e.g., ice hockey in USA and Russia);
 - disputes between international federations and national federations as to the organisation and conduct of sporting events (such as the world championships);
 - disputes between national sport governing bodies over licensing matters and governance issues;
 - disputes between player and agent;
 - field of play challenges;
 - corruption/ unlawful gambling by players; and
 - doping cases (e.g., Russian doping scandal cases; whereabouts cases).
- Served as chair of PL disciplinary commissions in respect of profitability and sustainability rules.
- Served as chair of LTA panels (e.g., misconduct of player entourage).
- Advised national federation in relation to transgender eligibility policy.

Honors, Memberships and Affiliations

- Queen's Counsel, 2011
- Fellow, Chartered Institute of Arbitrators
- Fellow, Australian Centre for International Commercial Arbitration
- Member, The Court of Arbitration for Sport
- Member, London Court of International Arbitration

- Member, International Chamber of Commerce (Australia, UK)

Education

- University of Greenwich: M.Sc. (Dist), 2025
- Columbia University of New York: LL.M, 1991
- University of Adelaide: LL.B (Hons), 1985
- University of South Australia: BA, 1980