

Francis Burt Chambers  
Level 19 Allendale Square  
77 St Georges Terrace  
Perth Western Australia 6000

PO Box C122  
Perth Western Australia 6839

T +61 8 9220 0472  
F +61 8 9220 0445  
M +61 438 104 000  
jhealy@francisburt.com.au

  
James Healy  
BARRISTER

---

## PROFILE\*

### Barrister and Arbitrator

LLB, FCIArb, DipICIArb, RITP



James specialises in resources and construction disputes, acting at various times for all of the proponents in such projects across Australia and internationally. He also practices extensively in directors' duties, insolvency and loan recovery matters.

Prior to joining the bar in 2010, James was a partner of a national law firm and assisted clients with all commercial and contentious aspects of the development of resources projects in Australia, the Asia Pacific and Africa.

His practice focuses on complex contractual disputes with respect to major construction and engineering projects and infrastructure. This has included acting for parties in international arbitrations in the London Court of International Arbitration (LCIA), Singapore International Arbitration Court (SIAC) and numerous *ad hoc* international arbitrations. That work has seen him work extensively with delay and quantum experts and collating the supporting lay evidence.

He has acted as counsel to a number of the leading cases on enforcement and judicial review of determinations under the *Construction Contracts Act 2004 (WA)*.

James has a substantial regulatory enforcement practice acting for the Australian Taxation Office, Fair Entitlements Guarantee Department, Commonwealth Director of Public Prosecutions, United States of America Federal Reserve and regularly appears for individuals being examined by the ASIC, Australian Federal Police and the Corruption and Crime Commission (WA). In 2016 and 2017, he acted as counsel in the Royal Commission into Institutional Responses to Child Sexual Abuse hearings held in Newcastle and Sydney.

A CIArb Australia director since 2013, James is a member of the global CIArb Approved Faculty List, and regularly teaches, presents and publishes papers in Australia and overseas. He is the Immediate Past Chair of the CIArb Australia Young Members Group and the Australian representative of the global CIArb YMG and as CIArb Australia's Vice President is actively involved in the branch activities.

Through his involvement in the Law Council of Australia and Law Society of Western Australia he is actively involved in law reform. James regularly teaches, presents and publishes papers in Australia and overseas.

Doyles Guide to the Australian Legal Profession and the Australian Financial Review Best Lawyers regularly peer reviews James as a leading junior counsel. He is named as a leading construction junior barrister, a pre-eminent Western Australian junior barrister in insolvency and reconstruction and is recognised for his work in general litigation.

---

## Professional Qualifications & Memberships

LLB - University of Western Australia

Fellow – Chartered Institute of Arbitrators

DiplCIArb – Oxford

Qualified adjudicator under the *Construction Contracts Act 2004* (WA)

RITP – Professional Member of the Australian Restructuring Insolvency & Turnaround Association

2017 – Australian Bar Association Appellate Advocacy Course (Brisbane)

2018 – Australian Bar Association Advanced Trial Advocacy Course (Sydney)

## Professional Organisations

James is an active member appointed and/or elected to the following organisations:

- CIArb Australia – Vice President and Director
- Law Council of Australia – International Law Committee
- Law Council of Australia & WA Law Society – Construction and Infrastructure Law Committee
- Law Council of Australia & WA Law Society – Insolvency and Reconstruction Law Committee
- Member of International Chamber of Commerce Australian Chapter (ICC)
- Member of Society of Construction Lawyers Australia (SOCLA)
- Australian Restructuring Insolvency and Turnaround Association (ARITA)
- Resources and Energy Law Association (AMPLA)

## Recent Matters

- Counsel in international arbitration seated in Indonesia concerning construction of processing plant, and an international arbitration in the Philippines concerning a joint venture dispute over offshore petroleum permits.
- Offshore oil and gas processing plant dispute for South Korean client.
- Briefed to advise and appear in Supreme Court proceedings involving construction of a gold mine and associated infrastructure.
- Briefed to advise and appear in relation to Supreme Court proceedings concerning design and construction of a Perth hospital.
- Project financing success fee dispute for an infrastructure development in the Sydney Federal Court.
- Judicial review proceedings under the *Construction Contracts Act 2004* (WA).
- Lead counsel in a design and construction dispute concerning a biofuel cogeneration plant.
- Numerous unfair preference claim recoveries under the *Corporations Act*.
- *Personal Properties Securities Act* vesting and recovery proceedings.
- *Corporations Act* oppression and winding up proceedings.

Francis Burt Chambers  
Level 19 Allendale Square  
77 St Georges Terrace  
Perth Western Australia 6000

PO Box C122  
Perth Western Australia 6839

T +61 8 9220 0472  
F +61 8 9220 0445  
M+61 438 104 000  
jhealy@francisburt.com.au



---

## Recent Reported Decisions

- *Clough Projects Australia Pty Ltd v Floreani* [2018] WASC 101 (CCA judicial review)
- *Deputy Commissioner of Taxation v Josway Hospitality Pty Ltd* [2018] FCA 466 (review application of winding up orders)
- *Webster Family Superannuation Pty Ltd v Kennedy* [2018] WASC 92 (loan enforcement)
- *Bredenkamp v Gas Sensing Technology Corporation, in the matter of Welldog Pty Ltd (In Liq) (Receivers and Managers Appointed)* [2017] FCA 1065 (PPS lease application)
- *Blackgold International Holdings Limited, in the matter of Blackgold International Holdings Limited* [2017] FCA 601 (shareholder scheme of arrangement)
- *Hughes v Zhenya Holdings Pty Ltd, in the matter of Malt Supper Club Pty Ltd (in liquidation)* [2017] FCA 601
- *Hughes v Pluton Resources Ltd* [2017] WASCA 213 (PPSA and DOCA directions)
- *Pluton Resources Limited (in liq)* [2017] WASC 142 (section 511 Corporations Act application for scheme of arrangement directions)