

# JONATHAN COPE

Adjudicator | Arbitrator | Mediator | Expert Determiner



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## PROFILE

Jonathan is a highly experienced dispute resolver and has been appointed in over 400 construction and engineering disputes as either adjudicator, arbitrator, expert determiner, conflict avoidance panel member or mediator. Many of these disputes have concerned multimillion pound claims and counterclaims, and have involved projects in a variety of sectors including infrastructure, power generation (including renewable energy and nuclear), hospitality, healthcare, offices, education and residential. Jonathan is on a number of panels of dispute resolvers, and is also named as dispute resolver in a variety of significant contracts and framework agreements. He is also regularly agreed to act as dispute resolver by parties and their representatives. Jonathan is a CEDR accredited mediator. Examples of recent experience acting as dispute resolver include:

- Adjudicator: £6m dispute between national energy infrastructure company and JV concerning the proper assessment of compensation events (NEC3 ECC Option C)
- Adjudicator: £7m multi-party dispute between office building owner, main contractor and subcontractors arising out of alleged defects (JCT D&B contract)
- Adjudicator: £4m dispute between hospital trust and main contractor concerning entitlements to extension of time and loss and expense (JCT D&B contract)
- Arbitrator: £1m dispute between cladding and drylining subcontractor and main contractor concerning value of account, termination and alleged defects (Bespoke subcontract)
- Arbitrator: £1m dispute between subcontractor and main contractor concerning the lawfulness of a suspension and associated damages (Bespoke subcontract)
- Expert Determiner: £10m dispute between an investment company and developer concerning completion issues on the purchase of a 700 unit residential development (Bespoke agreement)
- Mediator: Dispute between a home-owner, contractor and architect concerning the costs of rectifying alleged defects (RIBA domestic building contract)

Prior to becoming a full-time dispute resolver, Jonathan acted as an expert witness in adjudication, arbitration and litigation proceedings, providing oral evidence both in court and arbitration. Notably, Jonathan was appointed as quantum expert to an arbitral tribunal on a circa £320m dispute in the Middle East.

Jonathan is a former Chair of the UK Society of Construction Law (2018- 20) and is a member of the Society of Construction Arbitrators, ARBRIX, the Adjudication Society and the DRBF. Jonathan is also a former Chair of the RICS Dispute Resolution Professional Group (2011-13), and is the principal author of the current edition of the RICS Guidance Note, *Surveyors acting as adjudicators in the construction industry*.

## PROFESSIONAL QUALIFICATIONS

- Called to the Bar at Gray's Inn
- Chartered Arbitrator
- Fellow of the Chartered Institute of Arbitrators
- Fellow of the Royal Institution of Chartered Surveyors (Chartered Building Surveyor and Chartered Quantity Surveyor)
- Fellow of the Chartered Institute of Building (Chartered Construction Manager)
- CEDR Accredited Mediator

## ACADEMIC QUALIFICATIONS

- Bar Vocational Course (Outstanding), BPP Law School
- Graduate Diploma in Law (Distinction), College of Law: Winner of Hammicks Prize for achieving the best overall result
- BSc (Hons) Building Surveying (2:1), University of Reading: Winner of Giles Curwell Memorial Prize for best project work

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Jonathan regularly gives lectures and presentations on construction law and dispute resolution topics, both in the UK and internationally, for organisations such as the Adjudication Society, ARBRIX, Chartered Institute of Arbitrators, IBC, International Cost Engineering Council, RICS, Technology and Construction Bar Association and the Society of Construction Law. He has also written extensively on legal and ADR topics, and has had articles published in RICS Journals and Building Magazine. He was also a regular contributor to the Thomson Reuters Practical Law construction blog from 2008 to 2023. In 2024, Jonathan co-authored his first book entitled “*Adjudicating Construction and Engineering Disputes*”.

## PANEL MEMBERSHIPS

- Centre for Effective Dispute Resolution – Adjudication Panel
- Chartered Institute of Arbitrators – Adjudication Panel
- Chartered Institute of Arbitrators – Arbitration Panel
- Construction Industry Council – Adjudication Panel
- Irish Government – Adjudication Panel
- Royal Institute of British Architects – Adjudication Panel
- Royal Institution of Chartered Surveyors – Adjudication Panel
- Royal Institution of Chartered Surveyors – Arbitration Panel
- Royal Institution of Chartered Surveyors – Dispute Board Register
- Technology and Construction Solicitors’ Association – Adjudication Panel
- Transport for London – Conflict Avoidance Panel

## CAREER SUMMARY

### **2004 - Present: MCMS Limited, London EC2 – Director**

Since joining MCMS in 2004, Jonathan has been involved in all aspects of dispute resolution, mainly acting as a dispute resolver or expert witness.

### **1997 - 2004: William Martin & Partners, London SW1 – Partner**

Jonathan undertook a variety of surveying services whilst at William Martin & Partners, including undertaking the roles of contract administrator, project manager, employer’s agent and project monitor on building repair, maintenance, refurbishment and conversion projects. On many of these projects Jonathan also undertook the quantity surveying. Jonathan had responsibility within the practice for the review of all extension of time and loss and expense claims, and also provided contract advice to a number of clients.

### **1996 - 1997: Lawson’s Chartered Surveyors, East Sussex - Graduate Surveyor**

Jonathan joined Lawson’s after graduating from the University of Reading. He was mainly involved with the project management of new build and refurbishment public sector residential developments.

### **1991 - 1996: Hayward Building Group, Dorset - Quantity Surveyor and Estimator**

Jonathan gained a wide variety of experience whilst working for Hayward Building Group and was based both in the office and on site. His work involved the preparation of tenders, general surveying duties throughout the construction phase and the preparation of main contract and subcontract final accounts. Jonathan continued to work for Hayward during his university vacations.