ADR APPG – BRIEFING

Discussion on Law Commission's Consultation on the Arbitration Act 1996

Date: Tuesday 15th November 2022
Time: 12:00 – 14:00
Venue: Committee Room 9 and online for non-participating observers.

Running order

12:00 Welcome and introductions from **John Howell MP**, Chair of ADR APPG
12:10 Presentation by Commissioner for Commercial and Common Law, **Professor Sarah Green**
12:30 **Lord Mance**
12:40 **Toby Landau KC** via Zoom (*from Singapore*)
12:50 **Sir Bernard Eder**
13:00 Opening of discussion by the Chair and introduction of **Jonathan Wood** as moderator
Q&A and discussion for 50 mins to 1 hour
13:50 Closing remarks by the Chair

Session minutes

John Howell: Introduction.

He welcomed everyone and stated that this is a critical time for arbitration. He was fascinated to see that London and Singapore rank equally now, according to the QMUL report as referenced in the briefing document. He mentioned the fact-finding trip to Singapore that occurred in 2019. The report that was prepared following that trip indicated that London should be worried about the emergence of Singapore. He also noted that the report was right to point out that Singapore's government was doing what they could to promote arbitration in the jurisdiction.

Commissioner for Commercial and Common Law Professor Sarah Green

Introduced herself and noted that she would set the scene and then her colleagues would comment further. She explained how the Law Commission is an arm's length organisation and they decide when reform is needed. She also explained that arbitration is the appointment of an arbitrator to resolve the dispute. Arbitration has a long history that has developed over the years, and the UK currently has the Arbitration Act 1996, which is 25 years old.

She mentioned how Ciarb is headquartered in London with over 17,000 members across 149 countries. She further commented that between 2016 and 2020 arbitration has grown and London is largely understood to be the most popular seat. Arbitration occurs in a wide range of settings, for example family law, commodity trade, international commercial arbitration, investor claims against states – it covers the whole spectrum of potential disputes. Arbitration also generates around £2.5 billion for the economy, however, "this is only the tip of the iceberg". Arbitration is preceded by disputes that arise from trade agreements, insurance services, legal services and these are all mutually supportive networks which form an integral part of the economy.

Questions on reforming the Arbitration Act 1996 have been around for a while and she explained that reform was first suggested in 2016. Then last year, the Ministry of Justice, which owns the

legislation asked the Law Commission for a review. This would ensure that the Act remains fit for purpose. Due to the importance of arbitration to London and vice versa. The Law Commission has now published a consultation paper to ensure the Arbitration Act remains fit for purpose or remains the 'gold standard'.

The period of consultation is still open until Thursday 15th December 2022. She emphasised how much this is an open and genuine consultation. She also explained that they have "no agenda" at the Law Commission, other than to ensure that the reform they propose are the best they can be for the people who use this statute. She encouraged that anyone who has an interest should feel free to contribute to the consultation.

Even before writing the consultation paper, the Law Commission engaged with a broad range of stakeholders on the topic. The Commission has been delighted with the response from stakeholders, they have received a huge amount of feedback and suggestions. She pointed out that in her time at the Law Commission this project has had the greatest input and engagement from stakeholders.

Once the consultation period closes, the Commission will take three months to analyse the responses and then put together a final report. They will then give this report to government, which will outline their reform proposals, should there be any. If the outcome after the research is that the Commission should leave the status quo – then this is not a failure. As a matter of principle there may be no change.

In preparing the consultation paper, the Commission focused on 8 main areas which they will focus on today. A further chapter in the paper looks at minor tweaks and the final chapter lists all the other suggestions they received, and they explain why they have not been taken any further by the Commission. The 1996 Act is very good as it is and does not need an overhaul.

They propose codifying the duty on arbitrators to disclose, in circumstances which might reasonably give rise to justifiable doubts as to the impartiality of arbitrators. They propose an express power for arbitrators to dispose of matters summarily. She noted that she would not discuss the proposals in any detail today, as this was not the forum for this. She stated her belief that there has been a huge amount of consensus on a lot of the issues. The fact that there are polarised views means that this is an ideal project for the Law Commission, given that the Commission is independent and consultative. This means that the Commission needs to conclude which resolves or assimilates these views, together with reforms.

Lastly, she wanted to underline just how important arbitration is and how grateful the Commission are to the arbitration community, she highlighted that the process is ongoing, and people are welcome to contribute.

Lord Mance

Firstly, he disclosed that, he used to be in charge of the House of Lords Rooms until last year. He noted that he is still active as a part time judge in Singapore's Court of Appeal, who deal with a lot of arbitration appeals in this court. Secondly, he oversees a court which was founded by Lord Woolf in Kazakhstan – this court operates a common law procedural closed system. He also explained that he

has a supervisory role for the Arbitration centre, as well as being an Arbitrator and an Expert at his Chambers, 7 King's Bench Walk.

He stated that he is not going to comment on the similarities of London and Singapore. But, noted that the two jurisdictions do have different subject matters. He did not feel that Singapore is dealing with cases which would go to London. The types of dispute are different: for example, Singapore deals with far Eastern disputes. Singapore is a friend and a rival and so too are the Middle Eastern courts, in addition to the Kazakhstan court.

He moved on to discuss the remarkable growth of common law-based jurisdictions around the world. He explained that he wanted to focus on three areas, namely: section 67, section 69 and section 4(5).

He agrees with Professor Green that the Act has been a great success, but that is necessary and promising that they are reviewing the Act. On areas such as discrimination he was a party to the case in question and so he sympathises with what the report says on discrimination. He was more in favour of summary dismissal and he noted that there is a case for relaxing the criteria for emergency arbitration. Underscored that disclosure is becoming a contentious area.

Section 67

In his view, the Law Commission should not pursue this proposal.

The proposal that jurisdictional challenges should only occur on an appellate basis is not necessary. There are pragmatic arguments for against the need for reform. Under the present system there are rarely any vexatious challenges to jurisdiction and those can be handled efficiently with the current criteria in the Commercial Court. He suggested the main line thinking is detailed by Lord Justice Saville, in the Departmental Advisory Committee on Arbitration Law 1996 Report on the Arbitration Bill, under the Arbitration Act itself and in the case of *Dallah Real Estate* v *Government of Pakistan* (in which he wrote the leading judgment).

He argued that the Law Commission states that the court remains the final arbiter, but that is not quite correct. The first witness tribunal has assessed witnesses and they cannot deal with the evidence again. So, arbitral tribunals can rule in ways that the court cannot. He said that the lack of review does sometimes cause problems. He mentioned jurisdictional issues and how it is wrong that you cannot challenge this *de novo* (from the beginning; anew) if you lose.

He added that challenges are very rare, and courts do not allow abuse of procedure. Claimants can ask the court to rule that there is a valid arbitration clause under section 32 or under section 67(1)(a) – it is not a case of "heads I win and tails I lose". The reality is that when arbitration proceedings are brought against a respondent, who states that they are not an arbitrary party at all and thus wants to challenge the existence of any binding arbitration clause covering the claim – here the respondent is forced to argue jurisdiction before the arbitral tribunal because they would otherwise have no right to relief.

Lord Mance said Section 32 depends on the consent of the parties and the common response is for the tribunal to refuse consent. This forces the respondent to argue the merits as well, even though it may later be proven that the tribunal did not have jurisdiction.

He argued that the Law Commission points out that the other option is for the party to not take part in the arbitration, if you take issue with the tribunal's jurisdiction. He stresses that it is wrong to state the respondent is consenting. He also discussed enforcement under the New York Convention and the challenge with jurisdiction under an English award.

Section 69

He wished there was a slightly easier sliding scale rather than two extreme points. The appeal on a point of law should be easier if of greater importance. Presently it seems each side is measured against the other.

He argued that on the *Enka* v *Chubb* point of separability under English law, there is a distinction between the substantive contract law and the proper law which governs the agreement to arbitrate. The Supreme Court held in Enka that the substantive law will govern the agreement to arbitrate, and that law will determine if the arbitration agreement is separable and if it can stand by itself (voidable for misrepresentation /fraud). There should be a default rule that if parties choose London as a seat – that means you regard the arbitration agreement as separable. So, it would be the *prima facie* (at first look) position in London that the arbitration agreement is separable, but parties should be able to contract out of this.

Sir Bernard Eder

He firstly stated it is an important disclosure to make that he is also a judge in Singapore. He noted his fundamental disagreement with Lord Mance's points on section 67. He explained that Lord Mance has never done a *de novo* hearing and is too far away from the real problem. He stressed that what is important: is that things are changed, how these are changed is a matter of debate.

He highlighted the importance of reviewing the Act and importance of arbitration. He quoted that there is a £5.7 billion trade surplus and arbitration constitutes a very large part of this. The Law Commission consultation is "brilliant" he said, and this is because the Commission has gone out to seek the view of stakeholders.

The main message that he wanted to stress is that it is imperative that parliament find time to implement recommendations to ensure that arbitration in London remains at a gold standard. He referred to how fantastic the International Dispute Resolution Centre (IDRC) is. The IDRC does around 400 arbitrations a year – more arbitrations than New York and Singapore combined, 95% of these arbitrations are international.

He questioned how arbitrations are classified as international and gave examples of cases that he has done which can be described as international. For example, a case about mobile telephones in Africa, or about oil fields in Egypt, hydroelectricity in Pakistan or the construction of a chemical plant in Australia. He stressed that the important point is that none of these cases has anything to do with England, all the parties were foreign. But these parties all decided to choose London and English law because of the Arbitration Act 1996, the Act really drove the rise of arbitration in this jurisdiction.

He identified that David Steward was in attendance from the London Maritime Arbitrators Association (LMAA) and said that, on average, about 2,500 arbitrations per year commence under the aegis of the: LMAA and that shipping disputes come to London because of English law and English arbitration. He gave the example of a ship builder in China with a Greek buyer or American

buyer will have complicated disputes but will enter into contracts using English arbitration. He noted that such parties come to London because of the gold standard for arbitration, impartiality, and independence.

The interface between the court and the arbitral tribunal is important. This is linked to sections 44 67, 68 and 69 of the Act.

Someone had said to him before that people should not go to London because the courts interfere too much. So, he about 2014, he went through all the Court cases in the previous 12 months (as reported in BAILII), to determine whether the English courts do interfere too much. Every year thereafter he has done a statistical analysis of how much the court interferes, he keeps this information on a card so that if he sees someone who states that English courts interfere too much, he can tell them that they are wrong. Court interference is a minuscule amount, but we must maintain the interface between courts and the arbitral process.

Osborne Clarke carried out a full analysis of this in a report called Arbitrations in Court, it is a full analysis of which cases the court has interfered in. He highly recommends it.

Section 67

Under the present regime, what happens in practice is that an arbitral tribunal will often determine its own jurisdiction, but this is always subject to final review under s.67 of the Act. The problem is that review is a *de novo* hearing - a full rehearing where all the witnesses and experts can come back for a second bite of the cherry. A full *de novo* hearing in that circumstance is "bonkers". It is a waste of time and money. If a question of jurisdiction arises, the parties can agree that the tribunal can decide that point. Or, if there is disagreement then the issue goes to the court. It is a very difficult problem, and it must be addressed. He referred to Lord Mance's point that the issue does not happen very often. That may be so - but that is no justification for holding on to bad laws - laws should be changed so that there is a solution when it does happen.

Section 69

S.69 allows an award to be challenged on a question of law arising out of an award which substantially affects the rights of the parties – section 69 is a very carefully constructed section. England is the only country that allows the possibility of a challenge of an award based on a point of law. He also mentioned how England deliberately decided not to follow the UNCITRAL Model Law, rather it was decided that there should be appeal on points of law. It is very important to England. Referred to a debate that the gateway should be wider but allowing such flexibility would be detrimental to the gold standard. At the base level the importance of restricting appeals in very limited circumstances, section 68 and 69 works well – he argued "we should not change this". Something needs to be done in relation to section 67 but he was not sure what should be done. Section 44 on the other hand, needs slight changing.

Toby Landau KC

Stated that it is a great pleasure to address the group. He gave his perspective in three parts; firstly, he was involved with the drafting of the Arbitration Act 1996. Secondly, he is in practice as counsel

in the London and Singapore courts and lastly, he also acts as an arbitrator and counsel in international arbitrations.

He raised the importance of securing parliamentary time and how this is a critically important project. We have heard about the essential critical importance of this dispute resolution mechanism; "it is essential" to the UK's worldwide standing in international trade and investment. It is essential for attracting foreign direct investment and a wider scope of legal and financial business in London and brings with it a large amount of invisible earnings, he said.

Since 1996, it is true that London has maintained its position right at the top of international arbitral seats. The 1996 Act plays an important role in this, it is respected worldwide, and it is cited worldwide including in the courts of our competitors. The Act is also copied in institutional rules and laws of other countries in many different jurisdictions, but he stressed that this market is highly competitive.

He disagreed with Lord Mance's point on the types of cases coming to London and Singapore. Rather, he argued that there is a marked flow of cases which are going from London to Singapore. Also, he noted that for many years in India, London was the default place for Indian parties to arbitrate and now they look more naturally to Singapore. Jurisdictions and regions such as, India, Caribbean, and Middle East and further afield, they used to come to London but now look to Singapore. He stressed that "we cannot sit back" and think that we have a market which is naturally coming to London and won't go elsewhere.

He commends the Law Commission on their approach so far, as the review is necessary but wholesale reform is not needed. He said that there is no need to send the message that the Act has changed in any degree, because of the level of popularity that the Act has. He noted that the part in the consultation paper on confidentiality is almost identical to the paper circulated 5 years ago.

Summary disposal

Toby said that the idea of this sounds simple, but it is terribly important. To empower arbitral tribunals to hear cases summarily, he explained that tribunals already have this power under section 33. It was the aspiration in 1996 that section 33 would be used to make arbitration timelier and more cost effective. However, section 33 has not been used as it was envisaged. Arbitrators have due process so are unwilling to utilise this section for fear of challenges against them. He questioned the thresholds to specify when summary disposal is appropriate. He added that we cannot make the Act too technical. Rather the power should be a broad brush, for expedition on default procedure or strike out.

Section 67

Section 67 is a very significant provision, and current proposals are quite dangerous. The issue with *de novo* hearings are that the court will be stuck with the record, so parties are only left with an appeal since the court may be unwilling to open the record. This approach is in negative conflict with Singapore, it sends a bad message that there is not a safeguard to whatever the tribunal determines, as the court has the final say. The fundamental principle cannot change: the court has the right to a *de novo* hearing, but the court also has decided with its case management powers whether there should be a full hearing.

Confidentiality

When the 1996 Act was being debated in parliament, there was nothing added on confidentiality, even though it was a major thing that needed to be included he said, and he referred to Lord Roskill's points on confidentiality. The complexity that surrounds confidentiality remains, but the tide is turning, particularly in investor-State and international disputes. He suggested that there is a state of flux when it comes to confidentiality, so it is not yet at a position where it can be codified. Therefore, we should do nothing and let the common law develop as it did before.

When the work on the 1996 Act was finished, they said thank you and don't comeback for 40 years. However, that view is unrealistic because things are moving, so there is a need to review things and to implement change for optical reasons.

Question & Answer session

John Howell: introduced Jonathan Wood as the moderator of the question-and-answer session.

Jonathan Wood: thanked the speakers, mentioning that he wanted to say how arbitration is of great value to the British economy.

Audley Sheppard: noted that he would be speaking from the perspective of clients, he is also Head of the London Court of International Arbitration (LCIA). He commented on the perspective of the users because they are the most important people. He also congratulated Lord Saville and Toby Landau because the Act has stood the test of time. He further thanked Professor Sarah Green and Nathan Tamblyn for the report, which is well written and timely.

He highlighted how important it is that the Act remains fit for purpose. Taking the LCIA as an example – over 80% of cases are seated in London. Arbitration is important for the echo system that supports arbitration, it is also important to the shipping and maritime community. According to the International Chamber of Commerce (ICC), the UK was ranked fourth after France and Switzerland. In 2019 the UK was ranked first, however in 2020 the UK was no longer ranked first. He mentioned that Singapore is also coming up.

He added that ship building in Korea is important and therefore these people should be able to look to England. In relation to section 67, he suggested that if an arbitral tribunal's jurisdiction is challenged 4 days before the tribunal itself, then it is in court for 5 weeks and in the Court of Appeal for 2 days – such delay is not attractive. Furthermore, London is seen as being very expensive, with arbitrating and litigating here being very expensive. Even if section 67 challenges are unusual – this can be used against us. He noted that he does not agree that there is a different approach to be taken under the New York Convention. He additionally, mentioned the issue of estoppel.

He explained that no one is saying that the court should not have the final word, if there is a clear example of evidence that is being sought out by the tribunal – this should be looked at. It is important that the documentary record in the arbitration stands – we cannot have new witnesses or cross examination except in exceptional circumstances (for example, fraud). Leaving this issue to be

handled by case management is putting it too low but on the other hand an appeal is putting it too high.

Emilia Onyema: explained that she had a few points on two of the proposals. Firstly, she agreed that London should not be complacent. Speaking from an African perspective, we should not forget that the disputes arising from contracts use templates from English arbitration, but we should not presume this will continue.

Secondly, with any reform we need to take the model law a little more seriously (in this case the UNCITRAL Model Law). On the point of discrimination, this is not just linked with the Equality Act 2010, the international community has moved on from these considerations. Now in terms of diversity, it is really a question of nationality and inclusion. She noted that she was not sure how the Law Commission wants to deal with this issue. She stressed that the English Arbitration Act is not just a domestic act.

On lack of independence and impartiality, the UNCITRAL Model Law makes provision for lack of independence, therefore we should really consider whether lack of independence should be included in the Act. Transparency is also very important, we need to look a little more far afield, we should be bolder in our approach. She concluded by stating that we shouldn't discount the UNCITRAL Model Law.

Edward Album: noted that he would like to congratulate the Law Commission, he added that it is commendable for our common law that Singapore is competing with us.

He explained that sometimes arbitrators are very tempted to use summary disposal. But the power is not utilised because it may not be enforced, since parties would argue that they were denied representation – so it is quite dangerous.

The main decision in *Enka* is 133 pages long, so it is undesirable for the international community to have to review *Enka*. There should be a default provision on the law of the arbitration agreement as well.

David Steward: Firstly, the LMAA are very in favour of the consultation and it is very important to keep this legislation under review. He explained that a maritime dispute would be any dispute related to things that occur on the sea, therefore it covers quite a broad church of disputes. However, competition from Singapore is not translating into dispute numbers. He said that people do not favour Singapore because it is too expensive so any perceived competition from Singapore is not a reason for reform.

Secondly, on independence, he believed that we do not need to legislate for this as the Act provides for impartiality. He questioned whether it would be appropriate to legislate to codify the *Halliburton v Chubb* decisions. It is a great decision and there should be disclosure of things that may affect independence. However, there is an issue if we try to legislate independence in detail and therefore there needs to be an understanding that any duty should be defined in broad terms. Continuing, he said that a broad duty in statute could provide difficulty if it goes beyond *Halliburton*. He concluded by saying that there are challenges so we should proceed with caution.

Graham Chase: was keen that the Arbitration Act retains its profile since the Act has served arbitrators well. Many parts of the Act should be kept the same. Speaking from the perspective of

property, the issue of confidentiality should be dealt with on a case-by-case basis. For example, the Pubs Code Adjudicator arbitrations need to be published. He cautioned that the world should not see the UK moving towards the issue of confidentiality.

He agreed with looking at independence and impartiality but identified that it is really an issue of impartiality. On summary disposal he asked if it was possible to do an explanatory note or evaluation. On section 70, he noted that any appeals require proper reasoning and that there is a worry that summary disposal attacks the base of premise of section 1. Furthermore, we should ensure that section 67 is not used in a way that allows parties to the dispute to take a tactical position which can be very damaging. Additionally, he did not think that separability should be mandatory.

Andrew Miller: highlighted that he has practiced in international arbitration. He explained that he sits as a mediator too, so he questioned where mediation "comes to play in all this". He said he had downloaded the consultation paper and attended the previous APPGs on mediation, one of which as a speaker. He said there is nothing in the Law Commission consultation paper about mediation. Therefore, he questioned whether there should be an encouragement or an expectation for arbitration to be considered in government.

Nasir Khan: spoke about the domestic arbitration point, he noted that there have been a lot of comparisons with Singapore. He said that there are two separate regimes for domestic and international arbitration. He questioned what level of court supervision and court interference is needed. He stressed that there needs to be consideration for domestic arbitration and if something could be done for domestic arbitration.

Manuel Penades: thousands come to the UK to study arbitration, then they recommend use of the English Arbitration Act. On the duty to disclose, we need to take account of failure to disclose and what liability arises from this. Section 67 is usefully described under the Act, but the definition should be clarified. He referred to section 66, and ROME I and ROME II, retained after Brexit and the many implications that arise from this. For example, mandatory provisions and illegality.

James Clanchy: stated that he would like to echo Toby Landau's comments, that there is no doubt that Singapore is taking up international trade and commodities arbitration. Most disputes take place in the Singapore International Arbitration Centre (SIAC). The SIAC only saw 288 appointments of arbitrators, he explained that this could be due to cost or bureaucracy. The same problem will happen in London if we codify *Halliburton*. He pointed out that *Enka* and *Halliburton* are nuanced judgments that do not need to be brought into the Act. Rather we need to exercise caution on the duty of disclosure.

Rebecca Warder: noted the importance of the echo system of arbitration. She said that there are a wide range of quantum in disputes. She vehemently stressed that the people who matter are the end users.

Arbitration can be of very high or very low value, so there needs to be assurance that all types of arbitration are included in the review. Also, she said there should not be an alteration of the position in relation to section 69, as there are lots of arbitrators who are not lawyers.

John Howell: asked if Sarah has had a good response to answer the consultation.

Sarah Green: recommended that anyone who did not get to have their say should submit a response to the consultation.

John Howell: agreed with Andrew Miller's point on mediation and thanked everyone for their contribution.

End of session.

In-person attendees:

Professor Sarah Green	Speaker, Commissioner for Commercial and Common Law, Law Commission
Alex Cunningham MP	House of Commons
Alexandra Braby	The Chartered Institute of Arbitrators (Ciarb)
Andrew Crease	Andrew Crease & Co
Andrew Miller KC	2 Temple Gardens
Andrew Parsons	Bar Council
Audley Sheppard KC	London Court of International Arbitration
Carlos Carvalho	Opus2
Catherine Dixon	The Chartered Institute of Arbitrators (Ciarb)
Catriona Gallagher	The Chartered Institute of Arbitrators (Ciarb)
David Steward	President, the London Maritime Arbitrators Association (LMAA)
Professor Emilia Onyema	SOAS University of London
Edward Album	E.J.C. Album Solicitors, LegukUK
Enehuwa Adagu	The Chartered Institute of Arbitrators (Ciarb)
Farad Asghari	London Chamber of Arbitration and Mediation (LCAM)
Garreth Wong	Shearman & Sterling
Gillian Carmichael Lemaire	Carmichael Lemaire
Grace Cheng	Bar Council
Graham Chase	Chase and Partners
Lord Guy Sandhurst KC	House of Lords
Ian Gaunt	The London Maritime Arbitrators Association (LMAA)
James Clanchy	The London Maritime Arbitrators Association (LMAA)
Dr John Fletcher	Royal Institution of Chartered Surveyors
John Howell MP	Chair of ADR APPG, House of Commons
John Pugh-Smith	39 Essex Chambers
Jonathan Wood	Moderator, RPC
Karina Albers	Chair of London Ciarb Branch
Kateryna Honcharenko	The Chartered Institute of Arbitrators (Ciarb)
Katie Foster	*On behalf of the* City Remembrancer Paul Double, City of London Corporation
Kim Wager +1 (need to check)	Ministry of Justice
Laura Burgoyne	Law Commission

Lord Mance	7 King's Bench Walk Barristers
Dr Manuel Penades	Kings College London
Marcus Cato	McComb Partnership
Mariam Diaby	Bar Council
Martin Burns	Royal Institution of Chartered Surveyors
Mercy McBrayer	The Chartered Institute of Arbitrators (Ciarb)
Nasir Khan MBE	Vice Chair of the Pakistan Branch
Nathan Tamblyn	Law Commission
Nicola Cohen	The Academy of Experts
Nikita Feifel	Bar Council
Phoebe Sarjant	Bar Council
Rachel Newman	Clerk of Sir Bernard Eder
Richard Bamforth	CMS-CMNO
Richard Hine	Law Commission
Robin Brons	Ministry of Justice
Sir Bernard Eder	Speaker

Online attendees:

David Brynmor Thomas KC	39 Essex Chambers
Alison Green	Bar Council
Toby Landau KC	Speaker, Duxton Hill Chambers
William Rees	
Dr Karl Thompson	CMC Fellow, Ciarb Member, MSoM, PPR Board Member, Mediation & Negotiation Judge CEDR
Scott Devine	The City UK
Steven Jarman	Ministry of Justice
Emily Sterry	Grain and Feed Trade Association (GAFTA)
Clare Ambrose	Twenty Essex Chambers

Apologies sent:

Sir Bob Neill MP	House of Commons
Helen Dodds	LegalUK
Elizabeth Gloster	LegalUK
Lord Campbell of Pittenweem	House of Lords
Lord Wolfson	House of Lords
Lord Collins	House of Lords
Lord Phillips of Worth Matravers KC	House of Lords
Norah Gallagher	Queen Mary University London (QMUL)
Jamie Harrison	London Court of International Arbitration (LCIA)
John Sorabji	University College London (UCL)
Paul Double	City Remembrancer, City of London Corporation

Iain Christie	45 Gray's Inn Square
Marine Shah	National Engineering Policy Centre
Lord Pannick KC	House of Lords, Blackstone Chambers
Tony Guise	Disputes eFiling
Loukas Mistelis	Queen Mary University London (QMUL)
James Bridgman SC	Bar Council
Sarah Rose or Isobel Clarke (job-share)	Ministry of Justice
Charlotte Steinfeld	10 King's Bench Walk
Megan Waring	Ministry of Justice
Anouska Wilkinson	Ministry of Justice

Please note the names highlighted in grey expressed their interest in attending the session, but we were unable to capture their confirmed attendance in the room. If you were in attendance and you wish to be confirmed in these minutes, or if you wish to make any changes to your comments, please contact adrappg@ciarb.org and we'll amend the minutes accordingly.

Thank you in advance for your understanding and your engagement with the ADR APPG.