

**MINUTES OF THE
CLLS ARBITRATION COMMITTEE MEETING
ON 6 NOVEMBER 2025, 10:00-12:00**

Attendees: Richard Bamforth (CMS), Marie Berard (Clifford Chance), Lisa Dubot (Mayer Brown), Kevin Hart (CLLS), Robert Price (Latham Watkins), Matthew Saunders (Vice-Chair, Ashurst)

Shadow Committee: Sarah Morreau (Allen & Overy), Annabel Maltby (Hogan Lovells), Joel Halliday (HSFK),

Via Zoom: Hannah Ambrose (HSFK), Oliver Brown (Paul Hastings), Stuart Dutson (Stephenson Harwood), Chloe Edworthy (Macfarlanes), Alejandro Garcia (Stewarts Law), Alice Zhou (Latham and Watkins),

Apologies: Michael Davison (Chair, Hogan Lovells) James Freeman (A&O Shearman), Basil Woodd-Walker (Simmons & Simmons), Melissa Hollenders-Brown (Clifford Chance), Andrew Sarraf (Mayer Brown), Nishant Nath Singh (Stewarts Law), Maanas Jain (Paul Hastings)

1. WELCOME

Matthew Saunders took the role as Chair and welcomed the Committee members to the meeting.

2. APPROVAL OF THE MINUTES OF 10 JULY 2025

The minutes were approved without comments.

3. REPORT ON CLLS CHAIRS' MEETING

Matthew Saunders raised that there are areas and topics that are overlapping with other sub-Committees. The CLLS Chairs' meeting went well and Kevin Hart raised the action points from that meeting. One of the action points will be to liaise with The CityUK and GC 100 in order to have a closer relationship with clients and peers in London.

Each Committee needs to look at liaising with relevant government departments. There is engagement by CLLS Committees with former ministers and with the Law Commission as well. Meetings will be organised for specialised committees by the CLLS PR team. The CLLS will also reach out to Opposition leaders to involve them in conversations to ensure that they are on message regarding London's position as a top arbitral seat and they are aware of the benefits of arbitration in London.

Matthew Saunders raised that there was appetite for liaising with Government. He also reiterated that the CLLS Arbitration Committee is the only organisation that is capable of promoting London as global arbitration seat.

Other Committees may have contacts within Government and other organisations that might be helpful for those promotion efforts. It was noted that often retired Government personnel are more amenable to discuss topics now they are no longer part of Government and also have more time to do so.

There are also legal skill sets that are predominately available in arbitration groups within law firms, particularly in relation to international law, which means that this committee is in a unique position to be able to reflect a different perspective on proposed reforms, for example to the ECHR.

Richard Bamforth raised that a paper was produced by Legal UK about growth strategy and about the importance of the law as vehicle for growth. This might be a gateway to connect with civil servants.

Richard Bamforth also raised the International Law Committee (previously Brexit Law Committee). Kevin confirmed that Colin Passmore is member of that committee.

Kevin Hart emphasised that some CLLS Committees have engaged with the civil service with mixed results and impact.

Stuart Dutson suggested that the Committee could seek to re-engage with civil servants in the MoJ who are focused on arbitration (if there are still civil servants with that remit).

The Lord Chancellor has set up a new panel which CLLS would like to connect with.

Kevin Hart noted that another avenue would be to work with embassies and consulates and potentially arrange a meeting for all of them and have different Committees raise their topics. This would raise awareness of English law in a global world and this Committee could also explain the benefits of London as a seat. Promoting and supporting UK trade is part of a diplomat's role.

4. OPPORTUNITIES FOR ENGAGEMENT WITH GOVERNMENT RE PROMOTION OF ARBITRATION ACT 2025

Matthew Saunders raised whether to engage with interest groups to promote the Arbitration Act 2025. It was noted that there was not too much public engagement.

It was raised whether London Arbitration Week (LAW) is going to feature events focussing on the Act. It was noted that there appear to be some such events planned.

There might be scope for this Committee to interact with institutions in order to promote the Act, and also in the context of reform of their rules (it was noted that both the LCIA and the ICC are considering revising their rules). It was discussed that it would be good to invite Kevin Nash of the LCIA along to the next meeting of the Committee.

In the context of discussing what angle an event hosted by the Committee on the Act could take, it was noted by Sarah Morreau that there have not been any cases directly on the Act yet.

Annabel Maltby suggested that perhaps the Committee could be involved in a London International Disputes Week (LIDW) event which could look at cases that have been through the courts on the Act by around the first-year anniversary of the Act (assuming there will have been some cases by then). Lisa Dubot offered to keep track of cases on the new Act coming through the courts and her offer was gratefully accepted.

Matthew Saunders raised that the Committee itself has not had engagement with London Arbitration Week and whether there is merit in having a closer relationship. The Committee agreed that there is still scope to engage with LAW even in relation to the Act.

5. COMMENT RE LIKELY PROPOSALS AFFECTING LAW FIRM PARTNERSHIP TAXATION

The Committee raised the potential change for taxation of LLPs and the amount of tax that partners might need to pay going forward.

Kevin Hart clarified that the CLLS has sent a letter to the government on this topic. Kevin also asked the Committee to send a letter to the government to raise the danger of this new taxation from an arbitration point of view. It was suggested that the letter could note that arbitration can be practised from anywhere in the world. Alejandro Garcia noted that law firm fees could increase if the cost of increased taxation is passed on to clients.

ACTION:

- Kevin Hart to draft a short letter to raise concerns about the potential suggested taxation changes to LLPs endorsing Colin Passmore's letter and adding a couple of paragraphs on arbitration specific issues.

6. PREPARATION OF A COMMENTARY ON ECHR REFORM SUGGESTIONS (JOINTLY WITH CLLS ESG COMMITTEE)

Matthew Saunders suggested that the Committee could work with the ESG Committee to prepare a commentary on suggestions that have been made to reform the ECHR. He noted that the only "law led" analysis of which he is aware is Wolfson's report (distributed in advance of the meeting). Richard Bamforth noted that the Wolfson report is not independent and asked if anyone was aware of any commentary putting forward a contrary view.

Stuart Dutson noted that the ECHR is heavily embedded in international agreements, and it we step out of the ECHR that will lead to treaty breaches, for example the EU Brexit deal specifies that the UK must remain a party to the ECHR.

Matthew Saunders noted that there would clearly be ramifications for London as a seat if the UK's position in respect of the ECHR changed. He also noted that there would be significant consequences other than just in respect of immigration, which is what the domestic debate is focused on. The Committee raised that it would be good to establish what counter-opinions are out and to look at different areas as this does not just impact the law in relation to immigration. Awareness that there are legal consequences of political decisions, needs to be promoted.

Anyone who is happy to be part of that topic, should raise it with Michael, Kevin and Matthew.

ACTION:

- Committee members to raise their interest in involvement of this topic within the next week or so.

7. FUTURE COMMITTEE PRIORITIES

Matthew Saunders raised what future priorities the Committee should focus on.

Marie Berard suggested that the Committee could get involved in the implementation of the Singapore Convention on Mediation. She also noted that the intersection of trust law with arbitration may merit attention: offshore jurisdictions and Switzerland are ahead of England and Wales on this topic. Sarah Morreau noted that trust arbitration has been included in the latest Law Commission consultation. It was agreed that it would be very helpful to invite someone who is knowledgeable regarding the intersection of arbitration and trust law to speak to the Committee for 15 minutes or so at the next meeting on the key points of which the Committee should be aware.

It was also raised to focus on litigation funding.

It was agreed that the Committee should take an active interest in consultations on upcoming LCIA and ICC Rules revisions. Hannah Ambrose suggested that further topics could also include AI and greener arbitration / DEI. On AI, the Arbitration Committee could work with the AI Committee to see the impact of AI on Arbitration. The Committee also discussed thought leadership around this topic.

Annabel Maltby raised that the Shadow Committee had discussed whether the Committee could to reach out into nascent Arbitration markets to liaise with similar committees in those markets (or other relevant organisations) with a view to promoting London as an Arbitration seat. Kevin Hart asked whether a paper could be put together that can be shared with attaches and consular employees as well as with the Chancellor.

Matthew Saunders also noted that there may be more opportunities for the Committee to engage proactively with journalists.

Annabel Maltby also raised the status of the Committee's LinkedIn page and Kevin Hart will look into it.

ACTION:

- Committee members to share knowledge with the rest of the Committee to look into the trust / arbitration issues and to find an external guest to discuss this topic further.
- The Committee will also look into events in relation to AI and greener arbitration.
- The Shadow Committee to prepare a paper on different Arbitration markets.
- Kevin Hart to look into the LinkedIn page for the Committee.

***** THE NEXT MEETING WILL BE ON [15/22 JANUARY] 2026 *****