

The City of London Law Society: Litigation Sub Committee

Minutes of the meeting held at 9:00am on 6 March 2024 virtually and at Macfarlanes LLP, 20 Cursitor Street, EC4A 1LT.

ATTENDANCE

Present

Lois Horne (Macfarlanes LLP), Chair;
Julian Copeman (Herbert Smith Freehills LLP);
Andrew Denny (Allen & Overy LLP);
Richard Dickman (Pinsent Masons LLP);
Geraldine Elliott (RPC LLP);
Richard Jeens (Slaughter and May);
Jeremy Kosky (Clifford Chance LLP);
Daniel Spendlove (Signature Litigation);
Patrick Swain (Debevoise & Plimpton LLP);
Angela Dinsdale-Gill (Hogan Lovells LLP);
Patrick Boylan (Simmons & Simmons LLP);
Ed Crosse (Simmons & Simmons LLP).

Apologies

Jan-Jaap Baer (Travers Smith LLP);
James Levy (Ashurst LLP);
Kevin Hart (CLLS).

MATTERS ARISING

- 1 *COMBAR / CLLS terms*
- 1.1 Members discussed the outstanding cyber-security and data-protection related issues with the current draft. Mark Lim (absent) had offered to take it forwards, and further updates would follow.
- 2 *CLF pro bono event*
- 2.1 Members discussed the CLF pro bono event which is to be held at the Royal Courts of Justice on 24 April 2024.
- 2.2 Members agreed that the Committee would endorse the event and that Members will encourage others to attend and support.
- 3 *Digital assets and ETDs: two new Law Commission publications*

- 3.1 Members considered two new consultations commenced by the Law Commission.
- 3.2 In light of implications for jurisdiction and enforcement which such proposed areas for reform may have, it was agreed by the Members that the Committee would prepare some wording for a longer CLLS response, but that the Committee was not best placed to take the lead in coordinating that longer response.
- 4 *AI sub-committee and liaison*
- 4.1 Members acknowledged that James Levy (absent) had volunteered to act as a liaison to the CLLS AI sub-committee.
- 4.2 Members discussed the possibility of having additional liaisons to the AI committee (including liaisons who were not themselves members of the litigation sub-committee – for example, PSLs). The Chair said the point would be checked.
- 4.3 Members noted that how commercial court judges use AI was a topic up for discussion at the forthcoming meeting of SIFoCC (Standing International Forum of Commercial Courts).
- 5 *CPRC's consultation on changes to non-party access to court docs under CPR 5.4C*
- 5.1 Members discussed the CPRC's consultation on its proposed changes to CPR 5.4c (non-party access to documents on the court file).
- 5.2 In particular, Members discussed a number of initial concerns with the proposed changes. It was proposed that PSLs from each of the Members' firms were put in touch to discuss.
- 5.3 Members noted the deadline for input is 8 April.
- 6 *Working groups*
- 6.1 Members discussed membership of various of the litigation sub-committee's working groups.
- 6.2 In relation to the costs working group, Members discussed possible statutory reforms to litigation funding in light of the *PACCAR* judgment. Members agreed that the sub-committee would want to be proactive in putting forward its views.

AOB

None.