

**MINUTES OF THE
CLLS ARBITRATION COMMITTEE MEETING
ON 30 JANUARY 2024, 10:00-12:00**

Attendees: Michael Davison (Chair, Hogan Lovells), Kevin Hart (CLLS), Matthew Saunders (Vice-Chair, Ashurst)

Via Zoom: Chloe Edworthy (Macfarlanes), Marie Berard (Clifford Chance), Lisa Dubot (Mayer Brown), Hannah Ambrose (HSF), Oliver Browne (Latham Watkins), Stuart Dutson (Simmons & Simmons), James Freeman (A&O), Robert Price (Latham Watkins)

Apologies: Alejandro Garcia (Stewarts Law)

1. WELCOME

Michael Davison took the role as Chair and welcomed the Committee members to the meeting.

2. APPROVAL OF THE MINUTES OF THE MEETING ON 2 NOVEMBER 2023

The committee approved the minutes without any comments.

3. ARBITRATION BILL - CALL FOR EVIDENCE

Michael Davison has received an email from the House of Lords Special Public Bill Committee inviting the Committee to specifically make a written statement and provide evidence. The dates to provide evidence in person are Wednesday 14 February (10-11:30am) and Wednesday 21 February (10am-12 noon). The deadline to submit written evidence is 6 February 2024.

[Patricia Irigei will share the email from the House of Lords and reach out to see everybody's availability.](#)

Lisa Dubot described the territorial extent of the new Act and also highlighted that the new default rule in relation to the arbitration agreement will have retrospective effect and apply to all arbitration agreements whenever made. The aim is to avoid longstanding dual regimes (under the old law and new law) but the new law would not impact pending arbitration cases or arbitration related court proceedings. The committee members agreed with the proposed position.

Matthew Saunders flagged that there is an impact on the London legal market which will be different to any other international market.

The Committee agreed with Lisa proposed practical way forward.

[Lisa Dubot and Matthew Saunders to help with written part of the evidence and to prepare a first draft offline to the committee with a view that the online submission deadline is 6 February.](#)

Lisa Dubot also flagged a subsection of section 1 in relation to the governing laws of a contract and the clauses in an arbitration agreement. Lisa Dubot suggested that the wording of that sub-section could be clearer and better accessible to those for whom English is not their first language.

The Committee agreed that it is a good provision to have but should be amended as suggested.

Lisa Dubot also flagged that the proposal included the rules of court which the Committee had commented upon previously with not a large diversion from the Law Commission's drafting and asked whether the Committee would like to comment again.

The Committee agreed not to change the previous position.

[Any other changes or suggestions that Committee members have, please mention to Lisa Dubot so that this can be incorporated.](#)

The Committee also discussed other aspects in relation to London as an arbitration market which include practical points like visas for arbitration parties etc.

[Matthew Saunders to prepare a paragraph to include in the submission.](#)

[Michael Davison mentioned the CityUK's manifesto which he will share with the Committee.](#)

4. ENGAGEMENT WITH ARBITRAL INSTITUTIONS (LCIA)

Matthew Saunders explained that it would help to engage with other arbitral institutions like the LCIA as this helps lawyers within the network to work more closely together. Matthew Saunders mentioned difficulties by ICC to engage with other lawyers from international law firms and that this is something the Committee could help with.

Better engagement with LCIA would help the Committee for LCIA to engage effectively with other law firms. Both the Committee and the LCIA feel strongly about promoting London.

The Committee agreed that a better engagement with the LCIA makes sense and that Jackie van Haersolte-van Hof, the Director General of the LCIA, should be joining one of the Committee meetings.

[Marie Berard to reach out to Jackie van Haersolte-van Hof and the LCIA with a view for a group of the LCIA to join a Committee meeting \(as well as other organisations to show diversity within the arbitration space\) on the back of the LCIA survey for which the LCIA will share the results in March.](#)

5. NEW AI COMMITTEE – LINK FROM ARBITRATION COMMITTEE TO THE AI COMMITTEE

Kevin Hart explained that a new AI Committee was formed within the specialist committees of the CLLS and asked for one of the Committee members to be a link between the committees.

Oliver Browne volunteered for that role.

6. NEW PROCEDURE GUIDE FOR SPECIALIST COMMITTEES

Kevin Hart informed the Committee that the procedure guide within the CLLS will be updated and any feedback is welcome. One particular point is in relation to those who join as members but whose firms are not corporate members. There are restrictions to those who are individual members where their member firms do not want to join.

[Michael Davison and Matthew Saunders to look at the new guide to provide feedback accordingly.](#)

7. LINKEDIN SPECIALIST COMMITTEE SUB-PAGE

Kevin Hart informed the Committee that various sub-pages have been added to the CLLS LinkedIn page for the different specialist committees. The Committee was asked for a volunteer to help with the content for the specialist committees (e.g. posting of articles on specialist topics to help with online engagement).

Kevin Hart will send the link to the LinkedIn page and a Committee member to volunteer. This is expected to start after Easter following training by the CLLS PR team and an expected time effort of around one hour per month.

8. ASSOCIATES – SHADOW GROUP

Kevin explained that the CLLS is looking for more Associates engagement with a view for them to come in and shadow the Committee sessions. The plan is for five Associates from different member firms (who are at senior level / on partner track) to shadow for a year and to learn and potentially join as members once they have become partners.

Committee members to provide names from each law firm to Patricia Irigei within the next seven days with an explanation why this particular person was chosen.

9. CLLS/CLSC EVENTS FOR THE YEAR

Kevin Hart provided a list of events for the year and will share more details by email.

- 30 March – annual dinner for the specialist committees
- 17 April – annual lecture at Gray’s Inn
- 16 May – annual service at Tower of London

10. LIDW 2024 – AND RICHARD BAMFORTH AS POTENTIAL MEMBER

Kevin Hart raised whether Richard Bamforth (CMS) should join the Committee.

The Committee agreed to the addition to the Committee.