

**MINUTES OF THE
CLLS ARBITRATION COMMITTEE MEETING
ON 8 DECEMBER 2022, 10:00-12:30**

Attendees: Michael Davison (Chair, Hogan Lovells), Kevin Hart (CLLS), Matthew Saunders (Vice-Chair, Ashurst), Karen Birch (for James Freeman, A&O), Stuart Dutson (Simmons & Simmons), Maria Scott (for Phillip Chong, DLA Piper), Alejandro Garcia (Stewarts Law), Marie Berard (Clifford Chance), Hannah Ambrose (HSF), Robert Price (Latham Watkins)

Matthew Skinner (via Teams, Shearman Sterling)

1. WELCOME

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

2. PURPOSE OF THE COMMITTEE

Kevin Hart provided the Committee with an overview of the CLLS as well as the purpose of the Arbitration Committee.

CLLS has a number of activities over a range of specialist areas. One area that is not sufficiently covered at present is Arbitration.

The plan is to have four meetings of this committee each year. These will be in person to the extent possible. In exceptional circumstances, hybrid options will be available.

These meetings, in addition to the work on the consultation paper, will set their own agenda. Members are encouraged to suggest items for the agenda. Committees are encouraged to bring in guest speakers, have panel discussions and to invite arbitration team members from their member law firms to attend.

All CLLS committee members are partners.

Committee members are also asked to support CLLS with their social media activities (e.g. LinkedIn posts etc.).

With regards to housekeeping, members are asked that, if they cannot attend, they should send a substitute who is able to take part fully in the discussions. Generally, only one member per law firm should attend meetings.

Committee members are reminded that meetings will be minuted and, after consultation with each member, the minutes will be published on the Society website. Committee correspondence will also go on the website.

There is a plan to arrange a dinner with the current Chair, Ed Sparrow, who will be retiring at the end of the year as well as the incoming Chair of CLLS, Colin Passmore. The new Chair will also attend one of the Committee meetings in the New Year to get a better understanding of the Committee's work.

ACTIONS:

- [Patricia Irigei to gather availability from Committee members for dinner with Ed Sparrow in January](#)
- [Michael Davison / Patricia Irigei to get 2023 Committee meetings in diaries](#)

3. LAW COMMISSION PAPER

Michael Davison made the Committee members aware of the deadline for submission of answers to the questionnaire: 15 December 2022.

This meeting will go through the questionnaire to see where there is agreement with the Law Commission's proposal. If there is a particular topic that needs more analysis, a volunteer within the Committee will take this forward.

We should use our work on the questionnaire to position the City of London to ensure that it has an advantage over other arbitration locations.

The committee agreed that there were areas on which the Law Commission had not focussed enough.

Main objectives with regards to answering the Law Commission questionnaire:

1. Promote London as an arbitration seat of choice.
2. Simplification of the Statutory Provisions: we should avoid making it more complicated; a simpler approach helps to sell London more to users.

The Committee agreed that the English Arbitration Act is currently seen by users as too complicated. Simplification would be desirable to promote London as a leading arbitration friendly jurisdiction.

It was agreed that responses will be finalised by COB on Monday 12 December. We will send them on to the Law Society early w/c 19 December with their feedback expected towards the end of that week with a view to sending the final response to the Law Commission before the Christmas break.

It was noted that it was necessary to specify in the Committee's response what the CLLS is and who the members of this committee are and that the answers provided represent the views of the individual members of the CLLS committee and are not the views of the law firms of the individual members.