

**JAMES CLANCHY, FCIArb
COMMERCIAL ARBITRATOR**

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International commercial arbitration – 25 years as solicitor, arbitrator, case assessor, claim handler
Aspiring Full Member of the London Maritime Arbitrators Association (LMAA)
Registrar of the London Court of International Arbitration (LCIA) 2008 – 2012 – valuable insights
Four years in Paris in 1990s and admitted as *avocat* 1994 – 2008 - practical experience of civil law
International trade – cases involving sale and purchase, transport and insurance of commodities
Shipping – charterparties, bills of lading, MoAs, collisions and engine breakdowns, dangerous cargoes
Cruise and travel – outsourcing contracts, employment, trade disruption and liability insurance claims
Joint Ventures – ICC, LCIA and *ad hoc* arbitrations in shipping, oil and gas, and construction industries
Africa – cases for traders in Algeria, Libya, Nigeria, Senegal, Mali, Côte d'Ivoire, Malawi, South Africa

CAREER SUMMARY

Apr 2016 - : ARBITRATOR IN INDEPENDENT PRACTICE

and

LEXISNEXIS (BUTTERWORTHS LTD), London

Professional Support Lawyer, Lexis@PSL Arbitration (part time)

2015 – 2016: STEPHENSON HARWOOD LLP, Solicitors, London

Senior Associate, International Arbitration Group

2012 – 2014: THOMAS MILLER & CO LTD, London

Senior Legal Advisor, Thomas Miller Legal (ATE Insurance and Third Party Funding)

2008 – 2012: LONDON COURT OF INTERNATIONAL ARBITRATION (LCIA), London

Registrar and Deputy Director General

1994 – 2008: HOLMAN FENWICK WILLAN, Solicitors, London

Senior Associate, Trade & Energy Group

1988 - 1994: WITHERS, Solicitors, London and Paris

Trainee and Assistant Solicitor (litigation and arbitration)

EXPERTISE

Soft Commodities

Acted for traders and cargo insurers in GAFTA, FOSFA, RSA, LMAA and LCIA arbitrations, mediations and court in relation to sale and purchase, carriage and insurance of rice, corn, wheat, soya beans, palm oil, sugar.

Particular expertise in the sale and carriage of rice and corn to North and West Africa from eg India, Vietnam, Thailand, Ukraine, acting for traders, brokers, charterers, and underwriters in numerous disputes relating to quality and condition, certificates final, moisture damage, infestations, dangerous cargoes, rejection of goods, frustration of contract, performance bonds, working closely with local correspondents and experts.

Lecturer on GAFTA training courses for traders and arbitrators in Tripoli (Libya), Madrid, Cambridge, London
Agra-Infoma Rice Trade Outlook conferences in Marseille: paper on dispute resolution, 2004; co-chair, 2006

Hard Commodities

Acted for producers, traders and shipowners in LCIA and *ad hoc* arbitrations (London seat) relating to sale and purchase, production sharing, and carriage of oil, chemicals, steel, scrap metal, cement

Arbitration panel member, Minor Metals Trade Association

Shipping

Acted for shipowners, charterers, P&I and Defence Clubs, ship managers, cargo insurers, port agents, shipbrokers, and cruise operators in contractual disputes in *ad hoc* arbitration, Commercial Court in London, Chambre Arbitrale Maritime de Paris, and supervised lawyers in French courts, Belgium, Netherlands, Germany, Malta, Cyprus, Tunisia, Nigeria, Liberia, Bénin, South Africa, Singapore, South Korea, Thailand, Canada, USA

Visited vessels (containers, general cargo, reefer, cruise, super yacht), took evidence and attended court in Rotterdam, Antwerp, Paris, Le Havre, Rouen, Nantes, Marseille, Naples, Valletta, Algiers, Tunis, Istanbul

Lecturer for Lloyds Maritime Academy: *Change of Itinerary*, Passenger Claims seminar, London, May 2005

Articles: - *Cruising Towards Strict Liability for Holiday Claims*, Lloyds List November 2002

- *The Athens and Warsaw Conventions in the English Courts*, IBA Travel Section Newsletter May 2005

Arbitration Law and Procedure

In Commercial Court in London, obtained and challenged anti suit injunctions for breaches of London arbitration clauses; Arbitration Act 1996, s44 applications for preservation of evidence; ss67 and 68 challenges to arbitration awards

At LCIA, oversaw administration of more than 1000 commercial arbitrations under LCIA and UNCITRAL Rules, including appointments of tribunals, challenges to arbitrators, determination of arbitration costs

Co-author of *A Commentary on the LCIA Arbitration Rules 2014* – published by Sweet & Maxwell (2015) (“*excellent and authoritative*”, Global Arbitration Review; “*helpful and clear*”, Law Quarterly Review)

Speaker on arbitration at conferences in UK, France, Hungary (2009), Poland (2010), Ghana (2010), Russia (2011), Norway (2011), Croatia (2015), Denmark (2017), Turkey (2017), Slovenia (2018)

Insurance and Funding: Articles

Navigating the Waters of Third Party Funding in Arbitration, Arbitration, Vol 82, No.3, Aug 2016, pp222-232

Third Party Funding in Arbitration: Breaking down Barriers & Building Bridges, Croat. Arb. Yb.2016, pp53-69

EDUCATION / QUALIFICATIONS:

2015 **Chartered Institute of Arbitrators, London**
Admitted as a Fellow (FCIArb), November 2015

1991-93 **Ecole de Formation du Barreau, Paris**
Stage Conseil Juridique (French bar training course)
Admitted to the Paris Bar (*Avocat à la Cour*), Sep 1994 (withdrew from roll in 2008)

1990 **Solicitor (England and Wales)**, admitted November 1990

1986-88 **City of London Polytechnic**
Law Society Final Examination
Common Professional Examination

1982-86 **St Anne’s College, University of Oxford**
BA and MA, Classics and Modern Languages (French)

Languages: English (native), French (fluent, including commercial, legal, maritime)

Memberships: LCIA (European Users’ Council); LMAA (Aspiring Full Member); Chartered Institute of Arbitrators (London Branch); Worshipful Company of Arbitrators (Freeman)