

**JAMES CLANCHY, FCI Arb
ARBITRATOR**

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International commercial arbitration – 25 years as solicitor, arbitrator, case assessor, claim handler
In independent practice since April 2016 – institutional and ad hoc appointments; eleven awards made
Associate Member of Six Pump Court chambers, London – since November 2019
Aspiring Full Member of the London Maritime Arbitrators Association (LMAA) – since April 2018
Avocat au Barreau de Paris, 1994 – 2008 – knowledge and experience of civil law and practice
Registrar of the London Court of International Arbitration (LCIA) 2008 – 2012 – valuable insights
Shipping, international trade, commodities, oil and gas, cruise and travel – industry knowledge
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

Shipping

- *Four appointments by LMAA President as sole arbitrator in time charter disputes*
- *Party appointments in five LMAA arbitrations: Bills of Lading, MoAs, ship management*
- *Institutional appointment as sole arbitrator by Danish Institute of Arbitration: bunker supply dispute*

As solicitor, 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 (LMAA), LCIA, Commercial Court in London, Chambre Arbitrale Maritime de Paris, collaborated with and supervised lawyers in French courts, Belgium, Netherlands, Germany, Malta, Cyprus, Algeria, Tunisia, Nigeria, Liberia, Bénin, Ghana, South Africa, UAE, Hong Kong, Singapore, South Korea, Thailand, Pakistan, India, Canada, USA

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

Commodities, oil and gas

- *Appointed by LCIA Court in a DIFC-LCIA arbitration (Dubai seat): metal trading dispute*

As solicitor, acted for producers, traders, shipowners, charterers, and cargo insurers in LCIA, GAFTA, FOSFA, RSA, LMAA arbitrations, mediations and court in relation to sale and purchase, production sharing, carriage and insurance of crude oil, rice, corn, wheat, soya beans, palm oil, sugar, steel, scrap metal, cement.

Substantial experience 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 with local correspondents and experts.

Lecturer on GAFTA training courses for traders and arbitrators in Tripoli (Libya), Madrid, Cambridge, London

Arbitration Law, Procedure, and Regulation

As solicitor, 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; in France, obtained *saisies conservatoires* as security for arbitration claims

As LCIA Registrar, oversaw the administration of more than 1000 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)

Speaker on arbitration, costs, and ethics at conferences in UK, France, Hungary (2009), Poland (2010), Ghana (2010), Russia (2011), Norway (2011), Croatia (2015), Denmark (2017), Turkey (2017), Slovenia (2018), Portugal (2018), Ukraine (2018), Washington DC, USA (2019), Brazil (2020)

Articles:

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

Rigorous steps short of champerty, New Law Journal, Vol 167 7738, 17 March 2017

Conflicting Perceptions of Ethics in International Arbitration, with Cherine Foty, Arbitration, Vol 85, No. 2, May 2019, pp185 -202

EDUCATION / QUALIFICATIONS:

2015	Chartered Institute of Arbitrators, London Admitted as a Fellow (FCIArb), November 2015
1991-93	Ecole de Formation du Barreau, Paris <i>Stage Conseil Juridique</i> (French bar training course) Admitted to the Paris Bar (<i>Avocat à la Cour</i>), Sep 1994 (withdrew from roll in 2008)
1990	Solicitor (England and Wales) , admitted November 1990 (non-practising)
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); Emirates Maritime Arbitration Centre (EMAC) (Arbitrators Panel); Chartered Institute of Arbitrators (London Branch, committee member; Professional Conduct Committee); Worshipful Company of Arbitrators (Liveryman); IDR Group (Hon Treasurer); London Chamber of Arbitration (London Chamber of Commerce and Industry), board member; Commodities Arbitration Club; Francophone Arbitration Club of London (co-organiser)