

**The Worshipful Company of Arbitrators
The Master's Speech
Installation Dinner - 25th October 2011**

[NOTE: the actual speech was delivered without a script; this is a reconstruction, expanded]

Wardens, My Lord, Alderman, Honoured Guests, Liverymen, Ladies and Gentlemen

Despite having held, and still holding, high office in other organisations I am greatly humbled by standing before you as the newly-installed Master this evening, successor as I am to a rank, a tradition and an ethos stretching back over 1,000 years.

Welcome to these very splendid surroundings of the Fishmongers' Hall; it is a very great privilege to be dining here and we gratefully thank the Master Fishmonger for allowing us the use of the hall and we regret that he is unable to be our guest this evening.

The Fishmongers' Company is ranked No.4 of the Great Twelve Livery Companies; it was granted its first Royal Charter by King Edward 1 (perhaps embarrassingly for me, known as the Hammer of the Scots !) in 1272, but it had already existed for a long time before then. The land on which the hall sits was extended from the original river bank and the present hall and its predecessors have a long history, dating back to 1433.

It appears to be customary for the new Master both to explain how he (or she) reached this position and to say who to thank (or blame) along the way. Further, in response to one obvious question, I understand that I am not the first, but the third, Master of the Company to be installed wearing the kilt.

Where and when did it all start ?

I am often asked - how did I become an arbitrator ?

In 1998 I left employment as General Counsel at what is now a FTSE100-listed oil company to set up my own legal and commercial advisory practice. Three weeks later, the telephone rang – it was Aberdeen Sheriff Court looking to appoint an arbiter in an oil & gas dispute; "I'll try anything once", I thought – much of the rest of the story you may know and I will not repeat – I pause here for sighs of relief – but there is one part of the story you will not know and which is directly relevant to this evening. I attended the CI Arb Millennium Conference in Edinburgh in 2000 and felt rather lost and lonely as the "new boy" but three people went out of their way to be friendly and welcoming: the late Ronnie Bernstein, Tony Canham (again !) and last, and very much not least, the then Honorary President of the CI Arb, none other than Sir Anthony Evans. My grateful thanks go to all three and it is a great pleasure that two of the three, Tony and Sir Anthony, can be here this evening.

At the instigation of Tony Canham I applied for the Freedom, and took it on 24th October 2000, then the Livery on 15th February 2001; thank you, Tony. (I should add that, ten years later, Sir Anthony sponsored my application to the Shipwrights – thank you Sir Anthony.)

A number of senior colleagues in the Company effectively "adopted" me, including the late Clifford Clark, effectively founder of this Company, and also Charles Ellis, a Liveryman since the Company's inaugural year in 1981. While all the Past Masters have been supportive, James Mackie, Michael Wilkey and Donald Valentine have been particularly so, as were (and are) other Past Masters I will come to in a moment. It fell to Michael Wilkey to invite me to join the Court, a telephone conversation badly disrupted by the several tunnels on the train into Kings Cross. I arrived there thinking that I had probably agreed to something but I wasn't entirely sure what.

Progression through the ranks of the Company is a mysterious process, apparently owing as much to mediæval alchemy as anything. My first "job" was given to me by the then Master, Andrew Drysdale to whom I offer my thanks for his support; regrettably he and Merida cannot be with us this evening but he has sent me and the Company the very warmest of greetings for the year to come.

The respective transitions from Junior Warden in Waiting to Junior Warden to Senior Warden to Master are very different and, all through, I have been greatly assisted by Past Masters Dancaster and Rushton as well as by the Immediate Past Master who has always been most generous in giving her advice; my thanks go to all.

The Master cannot achieve more than a small fraction of what he (or she) needs to achieve without the dedicated support of what is unquestionably the best back-up team in the Livery, my Senior and Junior Wardens, the Junior Warden in Waiting, the chairmen of the several committees and, by far the most important of all, the Learned Clerk. My grateful thanks go to all of them for their support in recent months and their support in the year to come.

The major feature of the Company's recent history has been the grant of a Royal Charter on 16th March 2011, a project which engaged a great deal of my time. As you are aware, the Charter will be presented on behalf of Her Majesty The Queen on 14th May 2012 at Plaisterer's Hall, and we are very pleased to welcome the Master Plaisterer and his Clerk among our guests this evening.

The process of applying for a Royal Charter requires, inter alia, the exhibiting to the Privy Council of Letters of Support (or No Objection) from appropriate persons or organisations: Sir Anthony Evans's Letter of Support, coming as it did from a Privy Councillor, was both influential and invaluable and I thank him for that. In addition, the Worshipful Company of Chartered Architects, energised by Past Master Wilkey, now the Master Architect, submitted a Letter of Support and we thank him and the Architects for that.

There are two features of our Charter which I must mention: first, we are an open house, welcoming any and all engaged in private dispute resolution, with no restrictions on qualifications; second, we exist both to promote private dispute resolution and, most importantly, to exercise the role of a Livery Company within the traditions of the City of London and to support the Lord Mayor, the Sheriffs and the Aldermen.

I turn now to consider the coming year: first and foremost, this afternoon the Court agreed the adoption of a Five Year Strategy and I must pay credit to my Senior Warden, Karl Davies, whose drive and initiative have been instrumental in creating the Five Year Strategy. I and my Wardens are responsible for implementing it. We three, together with the Junior Warden in Waiting and with the invaluable advice and assistance of the Learned Clerk, will function as a team, not only to deliver the Company's strategic goals but also to ensure continuity. Central to the strategy is the Company's overriding objective:

"The Company will seek to be a collegiate forum for all practitioners and proponents of arbitration and all other forms of private dispute resolution to educate and inform good practice with the objective of supporting the Lord Mayor, the Civic team and the Corporation in the promotion of the City of London and the UK as a centre for the provision of private dispute resolution and a source of international consultancy advice and guidance in respect of dispute resolution."

As always, we will have a busy programme of events with two major features being the Charter Banquet on 14th May and the Annual Banquet at the Mansion House on 20th February. I am pleased to advise that the Right Honourable the Lord Woolf of Barnes will be the Principal Guest at the Annual Banquet and will address the Company after dinner.

2012 will, of course, also see both Her Majesty's Diamond Jubilee and the Olympics, two landmark events which we intend to recognise in an appropriate way.

Education will remain a key feature of the Company's activities, in at least five ways: first, the Company's prestigious Master's Lecture on 14th March 2012 (to be given by the Right Honourable Sir Bernard Rix) will be on a core arbitration topic; second, the Education Committee will look at putting on other core-based lectures and Seminars; third, I intend that the various existing initiatives relating to supporting schools in central London be energised and expanded; fourth, I intend to build on my predecessor's initiative and establish close and fruitful links with universities offering arbitration or PDR courses; finally, I intend that the Company becomes actively involved in supporting the Willem C Vis International Commercial Arbitration Moot whose Director and co-creator, Professor Eric Bergsten, has flown from Vienna with his charming wife, Brigitta, to be present this evening.

A major objective of the year to come will be to enhance the role of the Company's Charitable Trust which is, we have discovered, relative both to our membership and to our date of founding, much smaller than is appropriate and we therefore need to raise meaningful funds to enable the Trust to realise all its very worthy ambitions. If all members gave a mere £10/head/month, that would be a good starting point. The Company now has a Fundraising Committee which will actively seek to raise funds.

A postscript covering both fundraising and the Olympics: two years ago the then Master's wife Jenny Rushton, most commendably, did a 10km run to raise monies for the Charitable Trust; however, when the 800m was proposed for inclusion as a ladies' event at the 1948 Olympics, one of the reasons it was rejected was that it was feared that some of the athletes might expire from the exertion.

It is a pleasure to welcome several new Liverymen & Freemen and I look forward to seeing all of you at many Company events over the coming years. We have with us this evening one new Honorary Freeman, two new Freemen and three new Liverymen.

The Honorary Freeman is Lieutenant Commander Mark Anderson RN, Commanding Officer of the Company's affiliated ship, HMS Mersey, a Royal Navy Fisheries Protection Vessel; we thank him for taking a break from his onerous duties in the North Sea and the English Channel defending British Fish and we welcome him and his charming wife Lucy to our Dinner tonight.

The new Freemen are Finola O'Farrell QC and Matthew O'Neill, and the new Liverymen are Peter Chapman, Craig Kersey and David Steward. May I invite the new Livermen and Freemen to stand so that the Company may know who you are.

Three additional Liverymen were admitted earlier in the evening but could not stay for dinner: Invinder Bakshi, David Lewis and Michael Kavanagh.

I am very pleased that six of the eight new Liverymen/Freemen were proposed by me and I thank them for supporting me this evening.

As a postscript, I should add that Miss O'Farrell QC may not remember but when I was doing my FCI Arb studies, I had to attend in court for a day as an observer and Miss O'Farrell won her case before His Honour Judge Anthony Thornton QC who is also present this evening. In fact the story gets better: the case was appealed and the Court of Appeal (including the present Lord Chief Justice and Lady Hale) unanimously upheld HHJ Thornton and, thereby, Miss O'Farrell QC, as she had then become.

It is good to see so many familiar faces and quite a few new ones here tonight and I welcome you all.

Let me turn now to introduce the Company's Guests but before I do so, permit me to interject two brief personal notes: first, I am not the first member of my family to become Master of a Livery Company, my Great-Great Uncle having been Master Shipwright in 1919 (I am now a Shipwright). Second, on 25th October 19 years ago I and my beloved wife, Vân, formally became engaged, in Sai Gòn; we usually invite a few friends around for dinner on our

anniversary but to have >150 friends here tonight makes this a very special anniversary for us !Thank you all very much.

As to the guests, we welcome the Company's Prize-winner, Roberto King (whom you have already seen), and his partner Kimberley.

It is always a pleasure to welcome the Company's Chaplain, the Rev. George Bush, who was earlier this evening invested with the newly-created Chaplain's Badge; the Reverend's legendary wit is exceeded only by his erudition and his love of fine wines. Rev. Bush, we thank you for your support and your ever-imaginative and witty sayings of grace.

I also have pleasure in welcoming this evening one visiting Prime Warden and three visiting Masters and their respective Clerks:

- the Master Plaisterer (№.46), Peter Baker, a Surveyor with extensive experience in dispute resolution;
- the Prime Warden of the Basketmakers (№.52) , Deputy John Barker OBE, who has the dual distinctions of having been Chief Commoner 2008-09 and having been Prime Warden for only six days;
- the Master Pavior (№.56), John Price, an Architect also with extensive experience of PDR;
- the Master Information Technologist (№.100), Jonathan Soar, another October 2011 installee and with an impressive record in the IT sphere.

Prime Warden and Masters and your Clerks – we welcome you and thank you for your support.

It is now with the very greatest of pleasure that I welcome this evening's Principal Guest, the Right Honourable Sir Anthony Evans, graciously accompanied by Lady Evans.

Sir Anthony's outstanding career at the Bar (1958-84) and on the Bench (1984-2000), including the Court of Appeal, are well-known but less so is the fact that he was the inaugural Chief Justice of the DIFC Court in Dubai. In addition, Sir Anthony served in the Royal Naval Reserve 1952–54 (Midshipman RNR) and continued his sea-going experience until 1969, retiring as Lieutenant-Commander RNR and holder of the Reserve Decoration. He retains a keen interest in sailing

In the legendary and revolutionary Stanley Kubrick film 2001, there is a black obelisk present at the pivotal moments in human history, shaping it and influencing it. Sir Anthony has been present at, or involved with, many of mine and I take this opportunity to thank him. From the moment I joined the Court in 2003 and the potential for me to become The Master arose, there was only ever one choice to be tonight's Principal Guest,

It is with very great pleasure that I welcome Sir Anthony Evans

Now would the **Members of the Company** please stand and join me in toasting all our guests.