

**JAMES CLANCHY, FCI Arb
ARBITRATOR**

3 Rossiter Road, London SW12 9RY, UK

Mob: +44 (0)7704 658508

Email: jclanchy@jamesclanchy.com
www.jamesclanchy.com

Arbitrator since April 2016, full-time since April 2022 – more than 50 appointments; more than 30 awards
Associate Member of Six Pump Court chambers, London – since November 2019
Aspiring Full Member, former Hon Secretary, of the London Maritime Arbitrators Association (LMAA)
Member of the Baltic Exchange; Fellow of the Chartered Institute of Arbitrators (FCI Arb)
Former Registrar and DDG of the London Court of International Arbitration (LCIA) (2008-2012)
Solicitor (E&W), admitted 1990 (non-practising since 2019); Avocat au Barreau de Paris, 1994 – 2008
Co-editor (arbitration), Lloyd's Maritime Law Newsletter – since July 2022
Shipping, international trade, commodities, oil and gas, cruise and travel – industry knowledge
Africa – cases involving Algeria, Tunisia, Libya, Nigeria, Senegal, Mali, Côte d'Ivoire, Malawi, South Africa

EXPERTISE

More than thirty years' experience of handling disputes arising from international commerce, including financial and insurance aspects, as solicitor, claim assessor, and arbitrator, for companies, sole traders, joint ventures, banks, insurers, funders, claim consultants, and brokers, in arbitration, mediation and court.

Shipping

As arbitrator:

- *More than 40 appointments as sole arbitrator, co-arbitrator, and Chair in LMAA ad hoc arbitrations under the LMAA Terms, Intermediate Claims Procedure, and Small Claims Procedure: time and voyage charterparties, Bills of Lading, MoAs (Norwegian Saleform 2012), offshore support, yacht management, container leases, bunker supply, cruise crew claims*
- *Institutional appointments as sole arbitrator by Danish Institute of Arbitration: 2 bunker supply disputes*

As solicitor, acted for shipowners, charterers, P&I and Defence Clubs, ship managers, cargo insurers, banks, port agents, shipbrokers, shipyards, yacht owners, crew and cruise operators in *ad hoc* arbitration (LMAA), LCIA, Commercial Court and Court of Appeal in London, Chambre Arbitrale Maritime de Paris.

Collaborated with and supervised lawyers in French courts, Belgium, Netherlands, Germany, Malta, Spain, Portugal, Gibraltar, Greece, Cyprus, Russia, Georgia, Algeria, Tunisia, Nigeria, Liberia, Bénin, Ghana, South Africa, UAE, Hong Kong, Singapore, China, South Korea, Thailand, Pakistan, India, Canada, USA.

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

Commodities, oil and gas

As arbitrator:

- *Metals: sole arbitrator in a DIFC-LCIA arbitration, Dubai seat, UAE governing law; co-arbitrator in LMAA Terms arbitration, London seat, English law*
- *Coal: presiding arbitrator in an LCIA arbitration, London seat, English law; co-arbitrator in LMAA Terms arbitration, London seat, English law*
- *Palm oil: presiding arbitrator in an SIAC arbitration seated in Singapore*

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, moisture damage, dangerous cargoes, rejection of goods, delay.

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

Financing and insurance

As arbitrator:

- *Appointed twice by CIArb as sole arbitrator under Business Arbitration Scheme: loan agreement*

As solicitor, handled debt collection and mortgage claims for banks, disputes between traders relating to letters of credit and on demand guarantees, claims against insurers for trade disruption, legal expenses coverage, cargo loss and damage, pursued subrogated claims and defended cases for liability insurers.

As Registrar of the LCIA, administered arbitrations arising from loan agreements, guarantees, ISDA Master Agreements. As case assessor for ATE insurers, reviewed claims against banks by small businesses, notably in relation to interest rate swaps; advised on ATE policies and waterfall agreements.

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), Greece (2022)

Articles:

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

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

Ad hoc Arbitration and its Enemies, Arbitration, 86, No. 4, December 2020, pp536-551

Memberships:

- London Maritime Arbitrators Association (LMAA) (Aspiring Full Member)
- London Court of International Arbitration (LCIA) (European Users' Council)
- London Chamber of Arbitration and Mediation (LCAM) (Panel, former board member)
- London Shipping Law Centre (LSLC) (Council)
- Singapore Chamber of Maritime Arbitration (SCMA) (Arbitrators Panel)
- Chartered Institute of Arbitrators (CIArb) (Fellow, former Hon. Secretary, London Branch)
- Worshipful Company of Arbitrators (Liveryman)
- Commodities Arbitration Club
- Energy Arbitration Club
- Francophone Arbitration Club of London
- International Trust Arbitration Organisation (Research Council)

CAREER SUMMARY

- Apr 2016 - :** **ARBITRATOR IN INDEPENDENT PRACTICE**, London
Associate Member (Arbitrator), Six Pump Court Chambers (since November 2019)
Honorary Secretary, LMAA (September 2021 to September 2022)
Honorary Secretary, CIArb London Branch (May 2020 to May 2021)
Full-time arbitrator from April 2022
- 2016 – 2022** **LEXISNEXIS (BUTTERWORTHS LTD)**, London
Professional Support Lawyer, Lexis®PSL Arbitration (part time)
Content provider/legal writer for online practical guidance service on arbitration
- 2015 – 2016:** **STEPHENSON HARWOOD LLP**, Solicitors, London
Senior Associate, International Arbitration Group
Interim role providing senior level assistance in major LCIA oil and gas arbitrations
- 2012 – 2014:** **THOMAS MILLER & CO LTD**, London
Senior Legal Advisor, Thomas Miller Legal (ATE Insurance and Third-Party Funding)
Assessing and managing claims, including commercial and investment arbitrations
- 2008 – 2012:** **LONDON COURT OF INTERNATIONAL ARBITRATION (LCIA)**, London
Registrar and Deputy Director General
Heading up the casework secretariat and assisting with business development
- 1994 – 2008:** **HOLMAN FENWICK WILLAN**, Solicitors, London
Senior Associate, Trade & Energy Group
Commercial dispute resolution with focus on shipping, energy, commodities, cruise and travel
- 1988 - 1994:** **WITHERS**, Solicitors, London and Paris
Trainee and Assistant Solicitor (litigation and arbitration)
After qualifying into litigation in London, moved to Paris in 1991, focussing on shipping and commercial dispute resolution, including London and Paris arbitration, and training as avocat
-

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 (non-practising since 2019)
- 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)