



HH Nicholas Chambers QC

Year of Call 1966 Silk 1985

Clerk: Kate Trott kate.trott@brickcourt.co.uk

EXPERTISE

- Arbitration & Mediation

OVERVIEW

Since retiring from the Bench in 2012, His Honour Nicholas Chambers QC has developed his practice as an Arbitrator and Mediator. He has sat regularly as a single arbitrator, third arbitrator or panel member in a wide variety of disputes including claims in respect of joint enterprises, shipping and television broadcasting rights. He has also acted as a mediator in commercial disputes of all kinds including banking, shipping, aviation and IP.

He is a former Mercantile Judge for Wales and sat in the Commercial Court, Chancery Division, Technology and Construction Court and Queen's Bench Division. He was authorised to sit in the Admiralty Court.

CEDR accredited as a mediator in 1999 and a Civil Mediation Council registered mediator.

A Fellow of the Chartered Institute of Arbitrators.

A member of the CI Arb Presidential Property Dispute Service Panel.

A member of the LCIA, the Baltic Exchange, the ICC, the IBA, the Civil Mediation Council and a supporting member of the LMAA.

PRACTICE AREAS

ARBITRATION & MEDIATION

His Honour Nicholas Chambers QC accepts appointments as an Arbitrator and as a Mediator.

Experience at the Bar

Commercial Law:

Was involved in a wide variety of important commercial cases including as leading counsel in the Kuwait Airways Corporation litigation. Acted for most of the clearing banks as well as other major banks and was leading counsel for BZW in the Hammersmith swaps litigation. Acted for the International Tin Council in the litigation following its collapse.

Shipping

Acted in numerous shipping cases both in arbitrations and the Commercial Court including construction, ship sale, charterparties and

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carriage of goods.

Commodities

Was involved with many types of commodities including acting as leading counsel in the International Tin Council litigation and in the *Derby v Weldon* litigation.

Regulatory:

Acted in respect of a significant number of regulatory authorities including FIMBRA, IMRO, PIA, Lloyd's, London Stock Exchange and the ICA.

Media:

Acted for a number of television companies

Construction and similar work:

Cases included ICC arbitrations, work for British Coal and major international arbitration concerning the Italian power generating industry.

Personal Injury:

Acted for British Coal in Chronic Obstructive Airways Disease litigation and in respect of claims for noise induced hearing loss.

Some Cases:

Sarrio v Kuwait Investment Authority [1999] 1 AC 32 (Brussels Convention); *Kuwait Airways Corp v Iraqi Airways Co* [1995] 1 WLR 1147 HL (State immunity, non-justiciability, service on foreign corporation, service on foreign State); *Little v Courage Ltd* [1995] CLC 164 (implied terms in unilateral contracts); *Seaconsar Far East Ltd v Bank Markazi* [1994] 1 AC 438 (principles governing common law service out of the jurisdiction); *The Vistafjord* [1988] 2 Ll. Rep. 343 (estoppel by convention); *Société Nationale Industrielle Aerospatiale v Lee Kui Jak* [1987] AC 871 (principles governing restraint of foreign proceedings); *Dallal v Bank Mellat* [1986] QB 441 (estoppel *per rem judicatum*, issue estoppel); *Dow Banking Corp v Mahnak Spinning & Weaving Corp* [1983] 2 Ll. Rep 561 (waiver); *The Selene G* [1981] 2 Ll. Rep 180 (construction of Norwegian Saleform)

Experience on the Bench

HH Nicholas Chambers QC sat in a great variety of cases of all kinds of complexity and value including banking, insurance, reinsurance, shipping, sale of goods, breach of warranty, professional negligence, construction, property disputes, intellectual property, equitable relief, inheritance, insolvency and challenges to jurisdiction.

QUALIFICATIONS & FURTHER INFORMATION

Hertford College, Oxford; B.A. (Hons) Jurisprudence: 1962 – 1965; M.A.

Meeke Scholar

Lee Essay prize

Holker Senior Exhibition

Called to Bar, Gray's Inn: 1966

CEDR Accredited Mediator: 1999

Fellow Chartered Institute of Arbitrators: 2012

Civil Mediation Council registered mediator: 2015

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Member of the CI Arb Presidential Property Dispute Service Panel.

Career

Common law then commercial practice in London (Brick Court Chambers) until appointment as a judge in 1999. Counsel and arbitrator in International Chamber of Commerce and other arbitrations.

Silk: 1985

Recorder: 1987 - 1999

Bencher: 1994

Deputy High Court Judge: 1994 - 1999

Appointed as specialist judge in 1999

First Mercantile Judge* for Wales and Chester then Mercantile Judge for Wales: 1999 - 2012 (*Business Judge)

Sat regularly in Commercial Court, Chancery Division, Technology and Construction Court and Queen's Bench Division and was authorised to sit in the Admiralty Court

Door tenant Brick Court Chambers - arbitrator and mediator: 2012 -

Member of:

LCIA

Baltic Exchange

Civil Mediation Council

ICC

IBA

Supporting Member of the LMAA

Appointments

Member of Civil Procedure Rule Committee: 1997-1999 (period when Woolf reforms were drafted and enacted)

Judicial Studies Board Course Director for Senior Judiciary Seminars on Competition Law: 2004 and 2006

First Judicial Studies Board Course Director for Specialist Civil Continuation Seminars: 2002 - 2008

Chairman of the Incorporated Council of Law Reporting (the ICLR) which publishes The Law Reports, The Weekly Law Reports and other series

During this period had overall responsibility for all aspects of the ICLR's business including the negotiation of licence agreements with major publishers, the transition to direct online selling, employment matters, marketing and the appointment of senior personnel.

Vice – President GEMME – UK (“Groupement Européen des Magistrats pour la Médiation”): 2015 -

Vice – President GEMME Europe: 2016 -

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(GEMME is a forum for judges and retired judges in Europe who wish to contribute to the development of mediation, conciliation and methods of resolving disputes by all reasonable means consistent with the nature of the membership. There are about 500 members and associate members and 18 national sections.)

Other Activities

Panel Member – Financial Institution Litigation conference; C5 London, 2012

Speaker London International Commercial Arbitration for West Africa, 2013 and 2014

Judge at the 9th ICC International Mediation Competition in Paris, 2014

Delivered University College London seminar “Trade and the State”, 2014

Guest speaker at the 10th anniversary Paris seminar of GEMME, 2014

Panel Member – CIArb/SMCA seminar, 2015

Chair GEMME – UK seminar “ADR in the Courts and Tribunals”, 2016

Guest speaker at the CIArb London Branch mediation seminar, 2016

Guest speaker at the GEMME – Ireland mediation seminar, 2016

Chair of the GEMME – UK seminar “Conciliation:Mediation – Lessons from the Family Side”, 2017

Talks on case handling to COMBAR and firms of solicitors

Language

French (working knowledge)

PUBLICATIONS

Editorial Board *Handbook of International Trade* - Macmillan Publishers Ltd 1988

Contributing Editor (jurisdiction) to the White Book on civil procedure: 1998 - 2009; also Advisory Editor.

Missed Moments in Legal History Oblong Creative 2012 - texts and illustrations from the book are on permanent display in the Rolls Building.

Case Handling – An Illustrated View from the Bench Wildy, Simmonds & Hill Publishing 2014.