



# The Worshipful Company of Arbitrators

[www.arbitratorscompany.org](http://www.arbitratorscompany.org)

## 2010 Newsletter

### THE MASTER

There have been quite a few events since the last Newsletter. Thanks go to the Events Committee, the Education Committee and the Learned Clerk Gaye Duffy for organising the following:

The annual Carol Service on 14<sup>th</sup> December 2009 at the Company's church, St Mary-le-Bow in Cheapside. The carols chosen by Matthew Power who is the Parish Secretary and Pastoral Assistant which included *O Little Town of Bethlehem* and *O come All Ye Faithful* were perfect for the occasion. An innovation was the inclusion of a reading of *Christmas* by John Betjeman which was read with great gusto by Karl Davies. The other readers were Court Assistant Tony Ensom, Freeman Lindy Patterson and Robert Sliwinski and The Master. The Rector conducted the service in his usual admirable fashion with his customary apposite address and all enjoyed wine and mince pies after the service finished.

The Annual Banquet in the Egyptian Hall at Mansion House on 27<sup>th</sup> January 2010.

The Egyptian Hall is really a splendid place to hold a Banquet. The Militaire Orchestra entertained the guests as they gathered for their pre-dinner drinks and again during the course of the meal. The Post Horn Gallop played from the balcony by two trumpeters was, as always, a highlight. The principal speaker was Lord Hoffmann who responded to the Senior Warden's toast to the Guests and himself proposed the toast to the Worshipful Company. The Master proposed the Civic Toast which was responded to by a previous Lord Mayor Alderman Sir Michael Savory who attended in place of the Lord Mayor who was on his travels, this time in the United States of America, extolling the virtues of the City of London.

The January Court Meeting and Luncheon on 5<sup>th</sup> February 2010 at Guildhall. The customary Court Luncheon was held after the first Court Meeting of 2010. The Master welcomed His Honour Peter Bowsher QC, Dr David Gill and Sir Gary Hickinbottom as Freeman and Freeman Gordon Cain was admitted to the Livery. The speaker was Peter Rees, the City Planning Officer, who heads the Planning and Transportation Department, who gave a fascinating view of the development of the City.

The Master's Lecture on 23<sup>rd</sup> March 2010 in the Great Hall, King's College, London. Sir Vivian Ramsey gave the annual Master's Lecture which was entitled "Open Secrets - the concept of confidentiality in dispute resolution". The audience was treated to a paper which ranged widely over aspects of confidentiality in arbitration. Sir Vivian made a brief comment on the fact that the Court has not as yet had to consider confidentiality in the context of enforcement of adjudicator's' decisions and moved on to mediation making reference to the recent case of *Farm Assist Limited (in liquidation) v The Secretary of State for the Environment Food and Rural Affairs* (No 2) [2009] EWHC 1102 (TCC) in which he decided that a witness summons against a mediator should not be set aside. The Master also presented Company prizes to David Lomax and to Dr Jamie Muir Wood who are the joint winners of the prize for the Best Second Year Coursework on the MSc Course at Kings College London. With thanks to Keating Chambers for sponsoring the event and to Kings College for hosting it.

The April Court Meeting and Spring Livery Luncheon on 23<sup>rd</sup> April 2010 at Innholders' Hall. At the second Court Meeting of 2010 Charles Brown, Nigel Dight, Eamonn Malone, Anthony Nixon and David Roberts, were admitted to the Freedom of the Company and Freeman Keith Blizzard, Chris Linnett and David Wilson were admitted to the Livery. At the luncheon afterwards a grace by the Chaplain George Bush (stuck in Spain due to the travel disruption) was said and after a toast to St George, those present heard John Pearse, a specialist in interrogation and body language speak on the art of questioning.



## AN EVENING IN CHINA TOWN

Dàjiā hǎo

大家好

Hello everyone

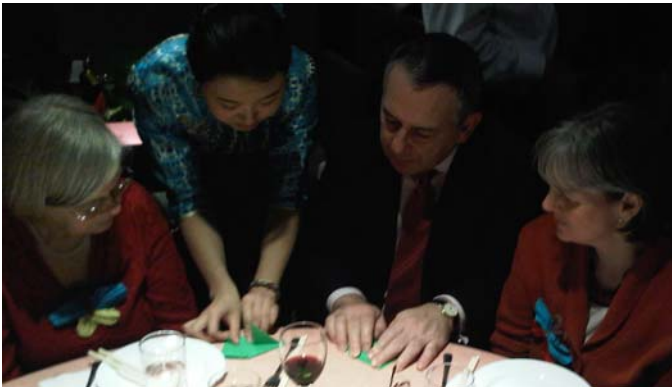
China can seem a distant place with an undecipherable language, deeply different culture and confronting food. Our evening in a restaurant in Gerrard Street upset one or two of these notions through excellent food, friendly service, traditional Chinese paper folding and some additional magic.

I did not come equipped to write up the evening, so the picture of the restaurant is reproduced by kind permission of Ollie Toogood of The Local Data Company – thanks! I must also squirm about my own poor photos, which were all courtesy of a Blackberry.

Arriving in Gerrard Street itself is an experience on a damp winter evening. Suddenly the street signs are in Mandarin. The smells are of tasty oriental cooking. Some restaurant windows display cooked duck hanging in rows.



We sat at three round tables. I had the pleasure of getting to know Pastmaster Michael Wilkey and reminisced happily with him about Highgate and its environs; where he has lived and I have not lived for thirty years. (As you may or may not all know by now I'm a *lad from down the Archway*.)

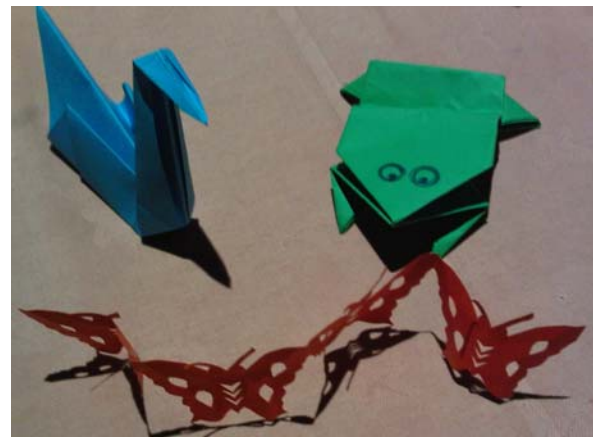


The food was a good quality version of what we all expect from a Chinese restaurant these days. No nasty hint of Nouvelle Cuisine here. Starters explored the full range from battered prawns to fried “seaweed”.

I found the shredded duck in thin pancakes, with plum sauce, cucumber and Spring onions to be excellent. But I'm always a sucker for that dish as long as the duck has consented to be shredded enough. The main courses were varied and I particularly appreciated the green vegetables which seemed very fresh. I also liked the rice which did not bow to Western tastes as much as is usual.

Ancient Chinese skills of paper folding were demonstrated to us before the meal and some of the handmade folded paper objects created before our eyes.

During the meal a magician, Hui Ling Zhu (Ling), did amazing things with string and “washing”. An instant before the following picture there were items on the line and it snaked through interesting parts of the participants' anatomies. None of us seemed to understand how the string became free of washing and bodies!



All in all, a great evening – thank you, Liveryman Karl Davies, for working so hard to make it possible.

Xiè xie, Zài jiàn,

谢谢，在见。

Thanks, thanks. Bye-bye.

**Liveryman Michael Gifkins**

## IT IS HARD WORK BEING A MASTER!

I have had the privilege and pleasure of representing the Company at the following events since my Installation as Master on 28<sup>th</sup> October 2009.

### 2009

2<sup>nd</sup> November AM Opening of the Garden of Remembrance at St Paul's Cathedral. Attended by the Lord Mayor, the Sheriffs, Mark Field MP, Heads of the Police, Fire and Ambulance Services, Officers of the Royal British Legion, representatives of the City Schools and the Bank of England, Masters of the City Livery Companies and office holders from other City Institutions and representatives from HM Forces and other Services Organisations.

Followed by Coffee with the Chaplain, the Rev. George Bush. Also attended by the Masters of other Livery Companies that have St Mary le Bow as their Church.

2<sup>nd</sup> November PM City of London School Prize Day – Prizes were presented by the Lord Mayor who was accompanied by the Sheriffs and the Corporation, Swordbearer, City marshal et al. Our prizes to the two Deputy Head Boys for Services to the School were presented. I had a long chat with Alderman and Sheriff David Wootton who encouraged thinking about widening our overseas membership to help in the creation of groups of members of the Livery at various centres who could get involved in the Lord Mayor's overseas visits.

13<sup>th</sup> November Attended the Silent Ceremony – report in last Newsletter

14<sup>th</sup> November Walked in Lord Mayor's Show – report in last Newsletter

16<sup>th</sup> November Attended the Painter Stainers' Company Lynn Art Prize Exhibition and Presentation in the company of many other Masters and our wives. Total prize money was £22,500 with a first prize of £15,000 and a Gold Medal, a Young Artist's Prize of £2,500 and five runners up who each receive £1,000.

17<sup>th</sup> November AM Attended the Marketors' Company Lecture given by Kevin Roberts, the Worldwide CEO of Saatchi & Saatchi on Tuesday, 17 November in the Great Hall, Barts. A fascinating insight into the world of marketing.

17<sup>th</sup> November PM Attended CI Arb London Branch dinner at Cutler's Hall. Speaker Sir Bernard Rix

18<sup>th</sup> November AM Attended the Musicians Benevolent Foundation St Cecelia's Service at St Paul's Cathedral in the company of the Masters of many other Livery Companies. We processed in strict pecking order!

19<sup>th</sup> November Attended the Lord Mayor's Address to the Livery. (Masters and Clerks) His principal message related to his Charity Pitch Perfect.

Attended the Society of Construction Arbitrators' Annual Dinner as guest (even though I am a Past President of that organisation)

23<sup>rd</sup> November Attended the Annual Dinner of the Worshipful Company of Solicitors of the City of London. Master; Alderman Sir David Lewis (ex- Lord Mayor) spoke, Senior Warden; Alderman and Sheriff, David Wootton, Junior Warden; Alderman John White. The Dean of St Paul's Cathedral gave a splendid speech.

### 2010

12<sup>th</sup> January Attended Masters and Clerks Dinner held by the Plaisterers' Company. We were entertained by their GSM student on the piano as an interlude between speeches. (Their Clerk gave the toast to the Company!!!)

## IT IS HARD WORK BEING A MASTER!

- 19<sup>th</sup> January Attended the January meeting of the Modern Livery Companies Financial Services Group at Guildhall and chaired the luncheon afterwards.
- 26<sup>th</sup> January Attended The Worshipful Company of Chartered Architects' Court Dinner at Cutler's Hall. Responded on behalf of the guests.
- 29<sup>th</sup> January Attended luncheon hosted by The Vintners' Company and Searceys Caterers at Vintners Hall
- 2<sup>nd</sup> February The Actuaries' Company Lecture at Staple Inn Hall was a presentation of Hanging Hooke which is a One Man Show performed by Chris Barnes in which he portrays episodes from the life of Robert Hooke (1635 to 1703) who was Curator of Experiments at the Royal Society for 20 years and was an accomplished artist, architect and engineer. He has been compared with Leonardo Da Vinci and was one of the fathers of modern science who strangely after his death written out of history.
- 10<sup>th</sup> February The Worshipful Company of Engineers' Lecture was given by Douglas Oakervee, Former Executive Chairman, Crossrail. He gave a fascinating account of the history and current progress of the Crossrail project.
- 16<sup>th</sup> February Attended the 2010 Boyle Lecture – The Legacy of Robert Boyle: Then and Now - given by Professor John Hedley Brooke. Andreas Ireos Professor Emeritus of Science and Religion in the Faculty of Theology, University of Oxford. This is organised annually by the Trustees of the Boyle Lecture and organised by St Mary-le-Bow. This year because of the organ works it was held at the church of St Mary Aldermary. Afterwards to a Reception at Grocers' Hall. Splendid canapés.
- 22<sup>nd</sup> February Attended The Worshipful Company of Chartered Secretaries and Administrators' 2010 Rivers Lecture. Given by Alderman The Lord Levene of Portsoken. The City and International Business.
- 25<sup>th</sup> February Attended The Worshipful Company of World Traders Tacitus Lecture at Guildhall. 700+ present with the City great and good including the Lord Mayor. Given by Donald Bryden Chairman of Royal Mail Group, The London Metal Exchange and Smiths Group plc. Subject Threats from a Breakdown in Trust.
- Afterwards attended the Guildhall School of Music & Drama Supporters' Evening where I met Miss Berrak Dyer, a piano student who is being helped in funding her studies by the Company's Charitable Trust. The visit included a fascinating backstage tour which included the workshops where all the sets for the School's productions are made.
- 8<sup>th</sup> March Attended the Modern Livery Companies' dinner at Tallow Chandlers' Hall. Addressed by Alderman Fiona Woolf who is the Aldermanic Sheriff candidate this year.
- 9<sup>th</sup> March Attended the King Edward's School Witley Bridewell Service at St Bride's Church. In the presence of the Lord Mayor and the Sheriffs. Afterwards attended a Buffet Luncheon at Guildhall.
- 9<sup>th</sup> March Attended the Worshipful Company of Tax Advisers Dinner at Plaisterers' Hall. The Response to the Guests was given by Mr Mike Bowron, the Commissioner of the City of London Police who spoke very entertainingly.
- 11<sup>th</sup> March Attended Reception and Tour of the 750<sup>th</sup> Anniversary Exhibition at the Guildhall Art Gallery. In the presence of H.R.H The Princess Royal, Honorary Assistant and Past Master. I found out what Loriners do! (They make all the metal bits that are a part of horses' tack – stirrups, bits, etc) Lots of very expensive stuff on display.



## IT IS HARD WORK BEING A MASTER!

- 12<sup>th</sup> March Attended The Worshipful Company of Security Professionals presentation of Royal Charter at Mansion House. Achieved within 12 months of their becoming a Livery Company! The Master read out a list of the 50 or so Masters present and got a round of applause afterwards!
- 16<sup>th</sup> March Attended the Sheriffs' Luncheon at the Old Bailey. Other guests included the German Ambassador and the President of the CBI. All the Judges sit down to lunch in their wigs and gowns with one of the Sheriffs presiding, in this case Alderman and Sheriff David Wootton. Also present is the Duty Alderman in this case Alderman Benjamin Hall who, in addition to attending the luncheon has the duty of escorting the senior Judge back to his Court. Guests are also offered the opportunity to sit in and watch proceedings in one of the Courts afterwards.
- 17<sup>th</sup> March Attended the London Maritime Arbitrators' Association 50<sup>th</sup> Anniversary Reception at Mansion House.
- 18<sup>th</sup> March Attended Dinner given by The Lord Mayor at Mansion House for The Masters, Prime Wardens and Upper Bailiff of the Livery Companies of the City of London. This Dinner is held annually on the evening preceding the United Guilds Service. With 340 people present the Egyptian Hall was a splendid sight.
- 19<sup>th</sup> March Attended the United Guilds Service in St Paul's Cathedral. The Masters, Prime Wardens and Upper Bailiff together with their Wardens and many members of each Company filled the Cathedral to overflowing. A must for any member of a Livery Company!  
Followed by luncheon at Farmers and Fletchers' Hall.
- 13<sup>th</sup> April Attended Marketors' Company luncheon. It was good to return to Salters' Hall where I was installed (and to see it in daylight)
- 19<sup>th</sup> April Attended Chartered Surveyors Company Dinner at Stationers' Hall
- 20<sup>th</sup> April Attended Livery Luncheon hosted by Chester Boyd with a small group of other Masters. Chester Boyd does the catering at Mansion House and at Livery Halls and at other venues and also at Buckingham Palace Garden Parties.
- Attended the Mercers' Company concert performed by *Musical Rendezvous* at Mercers' Hall. *Musical Rendezvous* was formed by David Owen who at 83 years of age still has a splendid tenor voice and is devoted to helping and encouraging young musicians by arranging performing opportunities for them. The other performers were Melissa Alder, a fine soprano, Analiza Ching who gave a spectacular performance on the violin and the Tom Green Jazz Quartet, a young group of musicians.
- 22<sup>nd</sup> April Attended the Gold & Silver Wyre Drawers Company concert at Freemasons' Hall. We were treated to a performance by the City of London Choir and the London Mozart Players including Mozart's Requiem in D Minor. Richard Fenwick who has been Master's Chaplain of the Gold and Silver Wyre Drawers since 1981 performed Volckmar's Sonata for Organ in G Minor.

I am pleased to say that Ursula has been able to attend many of these functions with me.

### **As far as my Company duties are concerned I have also attended the following**

- 2009
- 3<sup>rd</sup> November Membership Committee
- 18<sup>th</sup> November Dinner with Wardens, Junior Warden in Waiting and Clerk
- 24<sup>th</sup> November Chinese evening

## IT IS HARD WORK BEING A MASTER!

1 <sup>st</sup> December	Met Webmaster Edward Peters to take forward Court's decision to update the Company web site
18 <sup>th</sup> December	Visited Mansion House with Clerk and Ursula to taste alternative menus for the MH Banquet (The Master has a really hard life fulfilling his duties to the Company)
2010	
13 <sup>th</sup> January	Trustees meeting Finance Committee meeting Events Committee meeting
27 <sup>th</sup> January	Mansion House Banquet
5 <sup>th</sup> February	Court Meeting and Lunch. The speaker was Peter Rees the City Planning Officer who has overall responsibility for Planning and Transportation in the City of London.
10 <sup>th</sup> March	Company visit to Temple Church.
17 <sup>th</sup> March	Met with the Clerk and Shelley Jenner the prospective administrative assistant.
23 <sup>rd</sup> March	The Master's Lecture given by The Honourable Mr Justice Ramsey. Every seat in The Great Hall at Kings College London was filled.
7 <sup>th</sup> April	Meeting of the Trustees of the Company's Charitable Trust Finance Committee meeting Reception for those who have recently been admitted to the Freedom of the Company
23 <sup>rd</sup> April	Court meeting Followed by Spring Livery Luncheon

## MEMBERSHIP

I am pleased to be able to report that at the two meetings of the Court in 2010 we have admitted eight new Freemen. Four Freemen have also progressed to the Livery.

The recruitment of new members is not restricted to Members of the Court of Assistants. Every member is encouraged to keep on the lookout for those established in the dispute resolution community who might find enjoyment in and benefit from belonging to the Worshipful Company.

It would be discourteous of me to disclose the ages of our Members but I think that it is probably clear to all that we do have a bit of a demographic timebomb on our hands and it is anticipated that the number of members may start to reduce dramatically in the years to come unless we see an equally dramatic increase in new membership. It is essential therefore that we make every effort to encourage additional members. As an experiment for this calendar year only with the needs of younger members in particular in mind the Court of Assistants has decided that the entry fine for new Freemen should be waived.

I do hope that Members will make every effort to assist in maintaining a good flow of candidates for admission to the Freedom of the Company. The Company web site at <http://www.arbitratorscompany.org/> has recently been updated and provides a great source of information on the Company and its activities and there is a readily downloadable application form there as well.

**Chris Dancaster**  
**Master**

## CITY OF LONDON “CITY MANAGEMENT COURSE” 21<sup>ST</sup> SEPTEMBER 2009

I would like to commend to you the City of London Livery Committee Course entitled “City Management”, which I was fortunate enough to attend on 21 September 2009.

The whole day and course is devoted to providing a clear understanding of the “nuts and bolts” of the day to day dealings of the City of London Corporation by arranging for presentations from the people at the “sharp end” of operations. The variety of activities undertaken within the City of London itself and internationally meant that each presenter gave a fascinating insight of what goes on behind the “closed doors” of the Corporation. For the participants the day flew by interrupted only by coffee, tea and an excellent lunch with good networking opportunities to meet other Masters, Wardens and representatives of other Companies, which is a rarity in modern day City life.

The day was seamlessly chaired by Nigel Pullman, the chairman of the City communications working group, and started with Peter Nelson, the Assistant Town Clerk, who gave an overview of the City Corporation and his duties. The Lord Mayor, Alderman Ian Luder, put in an appearance and very quickly gave a stimulating contribution about the role of the Lord Mayor and the relationship with the City Corporation, the statistics were staggering.

The next presentation was by Common Councilman Catherine McGuinness explaining her experiences and how the Common Council fits into the work of the City Corporation and how the City Corporation has grown over the centuries to become the complex and multifaceted structure we see in 2009. The morning presentations finished with the Assistant Police Commissioner describing threats to the City and measures taken to keep it secure for its citizens.

After lunch Geoffrey Bond, the chairman of the Livery Committee explained how it and the Livery fit into the City and Stuart Fraser, the chairman of the City Policies and Resources Committee tried to answer his own question, is the City of London still the leading financial force after the current banking crisis?

The day ended with two more sessions. Alderman Alison Gowman explained the role and significance of the Court of Aldermen in City life and Peter Rees, the City Planning Officer, looked at the shape of the future City of London.

At the end of the day every participant left with a much better understanding that the City Corporation is extremely active at many levels and in numerous projects to promote the life and wellbeing of those working and living in the City of London and in creating a bright future. If you have the opportunity or inclination to try and understand the structure and affairs of the City Corporation and can spare a day for this course, don't hesitate and contact the Clerk for information on how to book. As Dr Johnson said “...those who are tired of London are tired of life.”

**Kay Linnell**  
**Senior Warden**

## LUNCH ON HQS WELLINGTON

On 22<sup>nd</sup> March I joined a party of fifty Mistresses and a Consort for a lunch on HQS Wellington hosted by the Mistress Master Mariner Mrs Joanna Parrott.

After the introductions we were split into groups for a tour of the ship. During this tour we were told the history of the ship from her service in the Pacific, to her role as a convoy escort ship during the war and then the conversion to the Livery Hall of the Honourable Company of Master Mariners. We were also told the story of the Ohio Bell and how Malta annually asks for it to be given to the island. The history of shipping was told through the wonderful models on display. I now know the difference between a barque and a schooner.

After our tour we met on the quarter deck for a drinks reception before going down for a splendid lunch in the Court Room.

**Ursula Dancaster**

## THE ROYAL CHARTER

The Court of Assistants decided at its meeting on 28<sup>th</sup> October 2010 that the time was right to proceed with one of the major Objects in the Company's Constitution and Ordinances and to apply to Her Majesty the Queen in Council for a Charter of Incorporation.

Apart from the obvious benefit of complying with what was seen by our founding fathers as being one of the objects and intentions of setting up this Worshipful Company, obtaining a Royal Charter will bring the Company into line with the majority of Livery Companies. One other benefit is that it gives us what is effectively limited liability status although as a Company without a Hall or other major commitment by way of property or staff this is not something of great import.

Under the detailed guidance of our Junior Warden, Hew Dundas, who has put tremendous efforts into converting our current Ordinances into a format suitable for a Royal Charter and has already obtained agreement in principle from the Privy Council, the only thing outstanding before our proposals can be "Gazetted" is a letter of support from Court of Mayor and Aldermen. There are a few minor matters yet to be resolved but it is hoped that this will be received before very much longer.

It is also hoped that the Royal Charter will be presented on or around the thirtieth anniversary of the Grant of Livery to this Worshipful Company which will be on 17<sup>th</sup> March 2011.

Our Senior Warden, Kay Linnell, who will be Master at that time, is already planning an appropriate celebration and some form of commemorative project to remind those to come of this achievement and it is to be hoped that Members will want to associate themselves with this.

**Chris Dancaster**  
Master

## CHARITABLE TRUST

Since the Company entered into an association with HMS Mersey, the ship has wanted to support a charity with the Company. It was decided that each Master should decide on a charity to support in his or her year, which would be known as the Master's Charity. This year the Master decided to support the St Mary-le-Bow Young Homeless Project, and this is now being supported by the Charitable Trust as well as HMS Mersey.

The Trust is also continuing to think of ideas to raise funds for our worthwhile causes. Fund raising includes our Charity Concert on 29<sup>th</sup> June 2010. Please give this concert your support. **On top of that one of our Trustees Dr Derek Ross is on a sponsored slim. The aim is to try and say goodbye to 2 stone between 13<sup>th</sup> January and 21<sup>st</sup> July 2010. If you would like to be added to the long list of sponsors, please contact me. (MichaelGoodridge@BarlowRobbins.com).**

Finally, we are keen to increase the number of standing orders in favour of the Trust (with Gift Aid if appropriate). The Trust is your charity, so please support us. I am happy to send out the necessary forms, so please contact me about this also.

**Michael Goodridge**  
Court Assistant

## SPRING LIVERY LUNCH

At the Court meeting at Innholders' Hall on 23rd April 2010 three new Liverymen and five new Freemen were admitted to the Company. The meeting was followed by the Spring Livery Luncheon.

The new Liverymen are Keith Blizzard, Chris Linnett and David Wilson. Admitted as Freemen are Charles Brown, Nigel Dight, Anthony Nixon, Eamonn Malone and David Roberts.

At the Luncheon afterwards, it being 23rd April, the Master introduced a toast to St George and John Pearse, a specialist in interrogation and body language, spoke on the art of questioning.



## SPRING LIVERY LUNCH - ADMISSION OF FREEMEN AND LIVERYMEN



Keith Blizzard - Chartered Quantity Surveyor, Chartered Arbitrator, panel adjudicator, accredited mediator and lecturer in construction law.



Chris Linnett - a Chartered Quantity Surveyor who now specialises in construction dispute resolution.



David Wilson - Chartered Engineer and Chartered Arbitrator, is an experienced professional having obtained arbitrator qualification by examinations and pupillage.



Nigel Anthony Dight - A Chartered Quantity Surveyor. A member of the RICS and CIARB, he serves on the panels of the RICS, CIARB and TeCSA.



Anthony Michael Nixon - A Barrister, Senior Corporate Counsel and Company Secretary. A fellow of the CIARB and a CEDR Accredited Mediator.



Eammon Malone - A Chartered Building Surveyor. A member of the RICS Disputes Resolution Board. A member of the Chartered Institute.



David Alan Roberts - A practicing Contracts and Claims Consultant, a Chartered Builder, Chartered Surveyor, Contracts Manager, Contract Administrator, Cost Engineer, Quantity Surveyor, Arbitrator, Adjudicator and Mediator.



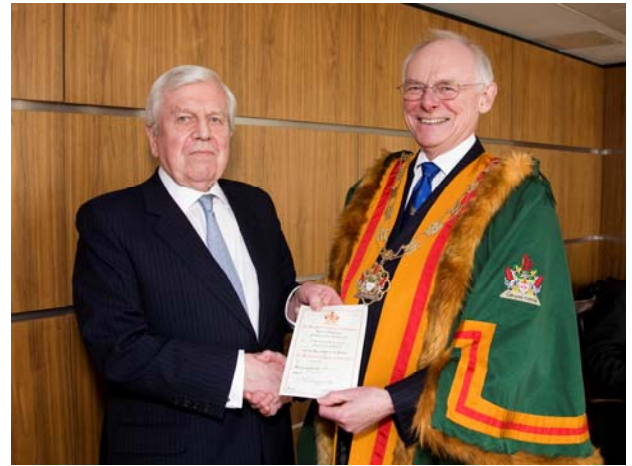
Charles Leonard Brown - A Solicitor, Chartered Arbitrator, Fellow of the CIARB, an Arbitrator of the GCC Commercial Arbitration Centre, Bahrian, a TeCSA accredited Adjudicator, member of the Society of Construction Law and member of the ICP and Disputes Resolution Committees of the IBA.



## ADMISSION OF FREEMEN AND LIVERYMEN



Gordon Harry Cain who was admitted as a Freeman on 15 July 2009 was conducted into the Court by the Beadle, assented to the Liveryman's undertaking, signed the roll of Liverymen and was gowned and welcomed into the Livery by the Master, before being greeted by the members of the Court.



His Hon Peter Bowsher, QC – a former Judge of the Technology and Construction Court, now retired and having joined Keating Chambers is practicing as Arbitrator, Adjudicator, Mediator and more rarely making Expert Determinations.



Dr David Bertram Gill – a Consultant Psychiatrist to Hertfordshire NHS Trust. His private practice includes assessment of evidence and report writing which has led to his appearing before Tribunals and the Courts. Listed as Expert Witness with the Law Society and the UK Register.



Sir Gary Robert Hickinbottom – Justice of the High Court (Queen's Bench Division) authorised to hear all QBD and Chancery Division cases. Former President, Administrative Appeals Chamber of the Upper Tribunal, Senior Circuit Judge and Partner with CMS Cameron McKenna Solicitors.

## APOLOGY AND CORRECT DETAILS

In the November 2009 newsletter, we incorrectly printed the wrong details for Gordon Harry Cain - Introduced to the court on 15<sup>th</sup> July 2009. His correct details are below.

Gordon H Cain qualified as a Chartered Quantity Surveyor in 1973, trained with Crosher & James, Chartered Quantity Surveyors of Kingsway London, admitted as a Fellow of the Chartered Institute of Arbitrators in 1979, admitted as a Fellow of the Royal Institution of Chartered Surveyors in 1982, commenced practice on his own account in 1979, latterly specialising in the repair and restoration of historic buildings, accredited by the RICS in conservation. Elected onto the panel of the Chartered Institute of Arbitrators in 1979 and has conducted over 200 construction arbitrations as well as being appointed as a technical assessor by the High Court.

## IN MEMORIAM

William [Bill] Wiseman Huss –

The few years that I knew Bill, will always be treasured, because being linked to him always seemed to initiate a need, or to evoke a desire to resolve some sort of social issue or public matter - that seemed to have become a 'road block' to the efficacy of the State - or just plain unfair and a burden on the populace.

From the initial meeting(s) at the Annual Global Conference of the Chartered Institute of Arbitrators, held in the Queen Elizabeth II Centre, London – I was struck by Bill's view that sustainable change could only come through an open and fair political process – particularly as his can do attitude on this point and what he wanted to achieve, were so similar to my own views.



Picture from the American College of Civil Trial Mediators - a www publication

At that Conference, a response was made from the podium to a particular question on litigation from the floor, along the lines of "we do not want to get to the situation that exists in California, where the Judges seem to hand down such 'flakey' decisions". Bill stood up and answered 'well as one of those flakey Judges from California I believe that ...'

His answer seemed to me to be predicated around the point of 'strict interpretation of contract' – as also operates in Ulster - and not the English Legal System's use of equity to protect certain vested interests from answering for their financial bungling and efforts of cover up - so as to avoid the Political Executive - be it on a national or pan-euro scale – properly undertaking audited restatement so as to avoid penalty by legal action. Why not take back the public money [raised as punitive taxation] from such people in the form of substantial damages? It is the only 'apology' that they understand!

Bill had such a sense of fun – and took no offence if the matter before him cut right across his own views. For me this makes sense of his reputation in California of being the Peoples' Judge – he stood firm against vast corporate vested interest running rough-shod over folks as they pleased!

Bill was, I learnt, a fifth generation judge in his family line and a descendant of William Wallace. He was also an anglophile, who could swear allegiance to the Queen, in the best sense of remaining an American Patriot [born 9 September 1932 in Gastonia, North Carolina] and latterly being able to trace his family links back to the Mayflower. Bill held memberships in many types of organisation, which included linkage to the Roman Emperor General Cincinnatus – participating in annual 'diplomatic status' marches, alternating between Washington and Paris. With the expression of an interest in the City and Town of London, there began a process for me to have him become one of the very first Freemen vested under the Global Application revision – and eventually to becoming a Liveryman of our Company in 2004.

It would require a tome to list his accomplishments, including training as a Commercial Lawyer at night-school whilst working at US Steel, Law Graduate, Colonel in the US Naval Reserve [Legal], State appointed Judge for civil & criminal trials, civil trial attorney, founder of a law firm, law lecturer & teacher, mediator, arbitrator, not forgetting being a successful author, playwright, poet, percussionist, scholar in antiquities, founder of St. James Episcopal School and a supporting member of The Anglican Communion, Compass Rose Society.

So it is best to remember Bill, using the published material from the time when he became vested in our Worshipful Company as a Liveryman in 2004:

### A LIVERYMAN'S PROMISE

It is traditional for the most senior of those being admitted to the Livery on any given occasion to address the Court on behalf of all newly admitted Liverymen and Freemen. On 28 January 2004 that duty fell on Liveryman Judge Bill Huss, and this is what he said:

*"Master, Wardens, Past Masters, Members of the Court of Assistance, learned Clerk and distinguished guests, as the senior of those now just admitted as Freemen and those receiving the Livery of our company, I have been given the honor of speaking for us and pledging our devotion to upholding the high standards of professionalism of our guild.*

*As a judge and a descendant of judges, I know that rarely, if ever, do litigants have the opportunity to choose their judges. Parties to arbitration and mediation nearly always may choose their tribunal together.*

*Consequently, it is of the utmost importance for arbitrators and mediators to assiduously maintain the reputation, and the reality, of fairness and impartiality. Our Company sets those highest standards for us and we promise to adhere to them.*

*That promise includes as well, our duty of mutual aid and protection of our members  
Thank you very much"*

Rest in deserved peace Bill

**Liveryman Ian Patterson Wilson**



The then Master welcomes The Hon. Judge William Huss, Late of the Los Angeles Superior Court, to the Livery.

## DEREK ROSS - SPONSORED SLIM



Dr Derek Ross is aiming to try and say goodbye to 2 stone between 13<sup>th</sup> January and 21<sup>st</sup> July 2010.

If you would like to be added to the long list of sponsors, please contact Michael Goodridge. (MichaelGoodridge@BarlowRobbins.com).

Assistant Ross the “before” photo at the February Court meeting.

## EVENTS

Wednesday 9 <sup>th</sup> June 2010	Beating Retreat and supper
Thursday 24 <sup>th</sup> June 2010 (tbc)	Election of Sheriffs at Guildhall
Tuesday 29 <sup>th</sup> June 2010	Charitable Trust Concert
Wednesday 7 <sup>th</sup> July 2010	Globe Theatre visit and supper
Saturday 17 <sup>th</sup> July 2010	Visit to HMS Mersey Portsmouth
Wednesday 21 <sup>st</sup> July 2010	Court Meeting and Annual Service
Tuesday 7 <sup>th</sup> September 2010	‘Secret City’ walking tour with Blue Guide and supper
Friday 24 <sup>th</sup> – Sunday 26 <sup>th</sup> September 2010	Master’s Weekend, Coniston Hotel, North Yorkshire
Wednesday 29 <sup>th</sup> September 2010 (tbc)	Election of Lord Mayor at Guildhall
Tuesday 26 <sup>th</sup> October 2010	Court Meeting, Common Hall and Installation Dinner at the Vinter’s Hall

Details for all events can be found at [www.arbitratorscompany.org/events](http://www.arbitratorscompany.org/events)

## CLERK’S CONTACT DETAILS

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**The Worshipful Company of Arbitrators – No. 93**