

Arbitration in disputes seminar

Location & Date

Date: 26th November 2019

Time: 09:00 - 13:05

Location:

Law Society of Scotland
Atria one, 144 Morrison street
Edinburgh
EH3 8EX

CPD Hours: 3hours 30minutes

3.5 hours verifiable CPD

Arbitration (Scotland) Act 2010 has modernised arbitration in Scotland providing predictability and certainty to the Scottish regime. The mandate now rests with the legal community to take advantage of this method of alternate dispute resolution.

Join us to explore the why, when and how of arbitration in detail and identify what arbitration has to offer to your practice and clients, advantages (and disadvantages, if any) versus traditional court proceedings, to equip you to make an informed decision.

Our expert speakers will provide step by step guidance to the delegates, on how the process of arbitration unfolds and the essential advocacy skills necessary at each stage to increase your chances of success and avoid mistakes.

**Programme subject to change*

Are you a solicitor experienced in arbitration or construction law? If so you may want to think about becoming an accredited specialist in this area. To find out more see Accredited Specialisms

Learning outcomes

At this event you will:

- Gain an understanding of when is arbitration suitable in preference to other methods of dispute resolution
- Understand the key stages in the arbitration process
- Get practical top tips from experts about what to include and exclude in your arbitration agreement
- Gain insight on how to use arbitration in your respective practice area by experts in the fields
- Guidance on advocacy skills essential to increase your chances of success and avoid mistakes
- Confidence that you can properly advise clients on the best method for resolving their respective dispute.

Confirmed speakers

- **Brandon Malone**, Director, Scottish Arbitration Centre
- **Alan McMillan**, Partner, Burness Paul LLP
- **Shona Frame**, Partner, CMS Cameron McKenna Nabarro Olswang LLP
- **Rob Wilson**, Partner, CMS Cameron McKenna Nabarro Olswang LLP

Programme Details

09:00 - 09:20 Registration and refreshments

09:20 - 09:35 Welcome and introduction

Speaker

Brandon Malone, Director, Scottish Arbitration Centre

Brandon Malone is an international arbitrator and solicitor advocate based in Edinburgh and with Quadrant Chambers, London. He is a panel arbitrator for many arbitral institutions including AAA/ICDR, SIAC, DIAC, and CIETAC and has been appointed to deal with arbitrations under a variety of ad hoc and institutional rules.



Brandon is the founder and Chairman of the Scottish Arbitration Centre. He is also a member the ICC UK Arbitration and ADR Committee and a member of the ICC Commission. He is the Congress Chair of the XXVth ICCA Congress, which will be held in Edinburgh 10-13 May 2020 (see www.icca2020.scot).

He is an Honorary Lecturer at the Centre for Energy, Petroleum and Mineral Law and Policy at the University of Dundee, and is a Co-Director, along with Professor Peter Cameron, of the International Centre for Energy Arbitration.

In addition to his practice in Edinburgh and London, Brandon is a Senior Legal Consultant with the specialist energy consultancy, HFI Consulting International, which has offices in Aberdeen and Dubai, and associate offices in Lebanon, Egypt, Saudi Arabia and Singapore.

Further information about Brandon can be found at www.brandonmalone.com and www.arbitration.scot

Session one

Arbitration Clauses – the good the bad and the ugly

09:35 - 10:05

Arbitration clause: to include or exclude

- When is arbitration suitable?
- Why arbitrate if there are other options
- Institutional rules or ad hoc arbitration

Speaker

Alan McMillan, Partner, Burness Paull LLP



Alan is a partner at Burness Paull LLP, with a particular specialism in property disputes, as well as arbitration. He co-authored the textbook "Dilapidations in Scotland" (2nd Edition), and has produced numerous articles and spoken at many conferences and events on property dispute topics, including dilapidations, service charge, and lease property disputes more generally.

He has an LLM in Construction Law (awarded With Distinction), is a CEDR-accredited mediator, a Fellow of the Chartered Institute of Arbitrators, and Chaired the Property Litigation Association for more years than anyone ought to!

He is a members of the specialist Accreditation Committee for Arbitration at the Law Society of Scotland, and acts as an advocate in arbitrations and a lawyer Arbitrator, with active cases presently ongoing both as Advocate and Arbitrator. .

10:05 - 10:55

Arbitration in commercial disputes

Speaker

Rob Wilson, Partner, CMS Cameron McKenna Olswang LLP



Rob Wilson is a partner and Solicitor Advocate at CMS in the firm's ICE Disputes Group. He is dual qualified. Much of Rob's work is of an international nature and he is often asked to advise on construction/engineering issues. In particular, he has worked with the energy sector since 1998. His practice covers litigation (both in England and Scotland), international arbitration (in particular, ICC, LCIA, UNCITRAL and LMAA) and mediation (acting both as mediator and in representing clients).

With regards to arbitration, Rob is also the Scotland member of the Task Force set up by the ICC Commission on Arbitration and ADR in relation to National Rules of Procedure for Recognition and Enforcement of Foreign Awards pursuant to the New York Convention of 1958. He is also a member of the Arbitration Court Users Group in Scotland and was appointed an Ambassador of the Scottish Arbitration Centre in May 2019.

10:55 - 11:05	Panel questions and discussion
11:05 - 11:20	Refreshments and networking
Session two	Arbitration overview and advocacy

11:20 - 11:50 **Arbitration in property disputes**

Speaker

Alan McMillan, Partner, Burness Paull LLP

11:50 - 12:20 **Arbitration in construction disputes**

Speaker

Shona Frame, Partner, CMS



Shona is a Partner in the Infrastructure Construction and Energy Disputes team at CMS and has 25 years' experience in construction and infrastructure dispute resolution. She has dual accreditation by the Law Society of Scotland as a specialist in Construction Law and in Arbitration Law.

12:20 - 12:50

Advocacy in Arbitration

- Adapting your style to arbitration
- Common mistakes and how to avoid them
- Refining techniques

Speaker

Brandon Malone, Director, Scottish Arbitration Centre

12:50 - 13:00

Questions and discussion

13:00 - 13:05

Closing remarks and networking lunch

Prices

prices exclude VAT

Member:	£147.34
New member:	£134.53
Accredited Paralegal:	£134.53
Trainee:	£134.53
Unemployed member:	£123.86
Non-member:	£162.29

