



Called 1992; BA (Oxon), LLM (Cantab)

CLARE AMBROSE

Clare Ambrose has been in practice since 1993 at 20 Essex Street specialising in international and domestic commercial matters, including shipping, admiralty, conflict of laws, arbitration, international trade and carriage of goods, oil and gas, commodities, banking, insurance, reinsurance and professional negligence. She has appeared before the High Court, Court of Appeal and a variety of arbitral tribunals including LMAA, LCIA, ICC and UNCITRAL tribunals. She has frequently been appointed as an arbitrator, including recent appointments by the LCIA, ICC and on LMAA Terms, acting as sole arbitrator, umpire and also as co-arbitrator. In 2007 she was appointed a Deputy District Judge and became a Fellow of the Chartered Institute of Arbitrators.

Much recent work has concerned commodities disputes, typically referred to arbitration where she has presented submissions during arbitrations and also appeared in court challenges to arbitration awards, including *Louis Dreyfus v Reliance* which resolved important questions on damages for breach of contract. She has recently acted in several insurance and reinsurance disputes that have been heard in the High Court. Recent banking experience includes *First Gulf Bank v Wachovia Bank (2005)* involving international letter of credit fraud. She was instructed in a claim for restitution of several Old Master drawings looted by the Nazis in 1939, recently decided by the Spoliation Advisory Panel. This dispute also went to the Vice-Chancellor in *Attorney General v Trustees of the British Museum (2005)*.

Her broad experience of arbitration has led to several recent appointments as an arbitrator in wide-ranging

commercial disputes pursued to final awards.

Clare was educated at Woldingham School before spending a year at the Université François Rabelais in Tours. She went on to obtain a first class degree in Jurisprudence at Oxford (Somerville College, scholar) and also a first class LLM at Cambridge (Queens' College, Foundation scholar) before being called to the Bar in 1992. She was senior tutor in law at Somerville College in Oxford between 1999 - 2002 and lectured in International Trade for the Law Faculty of Oxford University. In 2002 she was a visiting fellow at the European University Institute in Florence, when she concentrated on anti-suit injunctions and problems arising in the application of European Community jurisdictional rules to disputes concerning arbitration agreements. The second edition of her book, *London Maritime Arbitration*, was published in 2002 and she continues to publish articles on arbitration.

AREAS OF SPECIALISATION

General Commercial - Commodities - Sale of Goods - Shipping - International Trade - Private International Law - Insurance and Re-insurance - Arbitration - Admiralty

PRINCIPAL REPORTED CASES**Arbitration**

Koch Shipping Co v Richards Butler [2002] 2 All ER (Comm) 957 (solicitors' duties of confidentiality, conflict of interest)

Fletamentos Maritimos v Effjohn [1997] 2 Lloyd's Rep 302 (arbitrators and bias).

The Voltaz [1997] 1 Lloyd's Rep 35 (arbitration clauses and time bars).

Banking

Czarnikow-Rionda Sugar Trading Inc v Standard Bank London [1999] 2 Lloyd's Rep 187 (letters of Credit, pre-trial injunction).

Charities

Attorney General v Trustees of the British Museum [2005] Ch 397 (power of British Museum to make restitution on moral grounds)

Commodities

Louis Dreyfus Trading v Reliance Trading [2004] 2 Lloyd's Rep 243 (Sale of Goods, damages).

Bem Dis a Turk Ticaret v International Agri Trade Co Ltd [1998] 1 Lloyd's Rep 416 (sale of goods, GAFTA default clause).

Conflict of Laws

Bouygues Offshore SA v Caspian Shipping Co (No.2) and (No.3) [1997] 2 Lloyd's Rep 485 and [1997] 2 Lloyd's Rep 493, [1998] 2 Lloyd's Rep.461 (anti-suit injunctions, jurisdiction clauses and himalaya clauses, service of third party notices out of the jurisdiction).

Ultisol Transport Co v Bouygues Offshore SA (No.1) and (No.5) [1996] 2 Lloyd's Rep 140 and [1997] 2 Lloyd's Rep 533, (anti-suit injunctions, jurisdiction clauses).

Shipping and Admiralty

Glencore Grain Ltd v Flacker Shipping Inc, The Mass Glory [2002] 2 Lloyd's Rep 144 (voyage charter, commencement of laytime).

Whistler v Kawasaki Kisen Kaisha Ltd, The Hill Harmony [1998] 2 Lloyd's Rep.367 (employment and navigation of a ship under time charterparties).

The Yuta Bondarovskaya [1998] 2 Lloyd's Rep. 357 (time charterers' authority to contract on behalf of owners).

Publications**Book:**

London Maritime Arbitration (2nd Edition, LLP, 2002, co-written with Karen Maxwell)

Articles include

"*Arbitration Review 2005*" LMCLQ Maritime and Commercial Law Yearbook 2005

"*Force Majeure in International Contracts*" [2003] Business Law International 234

"*Can Anti-suit Injunctions Survive European Community Law*" [2003] 52 ICLQ 401

"*Arbitration and the Free Movement of Judgments*" [2003] vol 19 Arbitration International 3

"*When can a third party enforce an arbitration clause?*" [2001] JBL 415.

"*English Arbitration Law 2000*" [2001] LMCLQ 476

"*Arbitration and the Human Rights Act*" [2000] LMCLQ 468

Languages

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