

## Report of the Committee on Arbitration 2020

### (“SCArb” or the “Arbitration Committee”)

The effects of the Covid 19 Pandemic were felt in many ways in 2020 including its prevention or restriction of physical meetings, lectures, conferences, hearings and travel, and its acceleration of the use of on-line platforms, among others.

The 2020 activities of members of the HKBA’s Arbitration Committee during the Pandemic included the following. The items under discussion are a work in progress:

- Discussing at virtual meetings of Arbitration Committee members and with the Bar Council, by correspondence, various ways in which the Bar and members of the Arbitration Committee may support barristers to develop their skills and practice in Hong Kong, cross border and international arbitration including:
  - Education and professional development (including as to advocacy, evidence, substantive developments in relevant law and practice management).
  - External events and how best to organize and present them.
  - Providing for a pupillage seat focusing on arbitration and whether, and what, amendments to the Bar Code of Conduct (the “**Bar Code**”) might be necessary.
  - Internships with arbitral and ADR institutions.
  - Exploring the possibility of an understudy programme.
  - Developing a curriculum for an arbitration programme for young barristers, with the possibility of collaboration with one or more other Bar Associations that have developed such a programme.
  - Discussing with younger members of the Bar what their relevant needs and expectations are.
- Working with the Chairman/other members of the Bar Council and with the Law Society of Hong Kong to organize and present a virtual seminar on Hong Kong’s Legal System and One Country Two Systems at the IBA Virtual Annual Conference in November 2020, at which the Bar Chairman, the Law Society President and the HKIAC Co-Chairman spoke and answered questions.
- Participating in the development of the eBRAM International Online Dispute Resolution Centre in Hong Kong.
- Attending a meeting convened by the Lands Department concerning the Pilot Scheme for Arbitration on Land Premium (the “Pilot Scheme”) and refinements to it introduced in August 2020. (The Pilot Scheme, as refined, will continue to October 2022.)

- Discussing the implementation of Chapter 13 of the Bar Code to date, the needs of barristers who are receiving direct instructions and whether Chapter 13 fully accommodates these.
- Reviewing applications to join the Bar's Arbitration List.

The 35 members of the Arbitration Committee in 2020 (13 of who were of 7 years call or less) were: Kim Rooney – Chair, Robert Whitehead SC, Winnie Tam SC, Robert Pang SC, Richard Khaw SC, Andrew Mak, Leung Hing Fung, Charles K.C. Chan, Ling Chun Wai, Colin Wright, Thomas Lee Woon Mun, Catrina Lam, Simon Ho, Calvin Cheuk, Edward Alder, Adrian Lai, Benny Lo, Ken To, Sabrina S.Y. Ho, Julian Cohen, Hugh T.T. Kam, Victor T.S. Lui, Mary Thomson, Fong Shiu Man David, Val P.Y. Chow, Wong, Athena Hiu Hung , Michael Lok, Eric Ng Kar-yan, Wanki Park (Moses), Harprabdeep Singh Brar, Mao Mao Adela, Lau Ka Kin, Keith Tam, To Christopher, Chan Chun Hei Ryan.

May I thank Committee members very much for their work during 2020, and also thank Ms. Kwok of the HKBA Secretariat for her great assistance to the Committee.

Wishing everyone a happy festive season and looking forward to a time in 2021 when we are able to freely meet, work together and travel.

Kim M Rooney  
Chair  
Standing Committee on Arbitration

1 December 2020  
(as amended on 15 December 2020)