



The Bar Council

Barristers in the international legal market 2023



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Introduction

Barristers in England and Wales provide specialist advocacy and legal advisory services of the highest quality to clients around the world as follows:

- They primarily act as advocates in court proceedings (both in the courts of England and Wales and in many other jurisdictions), arbitrations, adjudications, and mediations
- They also act as arbitrators, adjudicators, and mediators where qualified to do so
- They provide expert advice on matters governed by the law of England and Wales and (where permitted) other jurisdictions
- They can be instructed to provide expert evidence on common law for foreign court proceedings
- They provide specialist legal opinions and other legal advisory services.

As lawyers in independent practice, barristers can offer their services at competitive rates and be instructed on a flexible basis as and when their services are required. The Bar of England and Wales is an outward looking profession with an international reputation for excellence. Its services are increasingly in demand throughout the globalised legal market.

Lawyers from jurisdictions outside of England and Wales may instruct barristers directly, without needing to instruct a law firm, in a range of international transactions and disputes. This guide focuses on how barristers can help to provide solutions to a wide range of disputes and non-contentious legal problems, and how they are well placed to assist with many types of legal issues. The guide also explains how you can instruct a barrister and features a list of barristers' chambers that offer international legal services.

The Bar Council

The Bar Council represents 17,265 self-employed and employed barristers in England and Wales.

The Bar Council promotes:

- The Bar's high-quality specialist advocacy and advisory services
- Fair access to justice for all
- The highest standards of ethics, equality and diversity across the profession
- The development of business opportunities for barristers at home and abroad.



About barristers

A barrister is an expert advocate who represents clients and argues their cases before courts, arbitrators, adjudicators and tribunals of all kinds. Barristers draft written statements of case and other pleadings, advise on evidence, and present arguments in writing and orally. They provide expert legal advice both in connection with legal proceedings and for transactional or other non-contentious work. Barristers are specialists in one or more areas of law and offer a high degree of knowledge, skill and expertise in their fields of practice. The main focus of most barristers' work is advocacy and advising on disputes, whether in court or arbitration. Because barristers are recognised for their expertise in advocacy their

services are in high demand in the international legal market. Like consultants, barristers in independent practice can be instructed on a case-by-case basis. They are professionally obliged to promote fearlessly the best interests of their client without regard to their own interests or any consequences to themselves. Barristers are obliged to protect the confidentiality of their client's affairs and will carry out any instructions they receive personally, unless they are working as part of a team or their client expressly permits them to delegate work to others. Most barristers are sole practitioners who are self-employed and typically work alongside other independent barristers in shared premises known as sets of chambers. Each set of chambers tends to specialise in one or more

areas of law and will employ staff to provide administrative support. Generally, each set of chambers will have its own website through which you can find out more information about its barristers and their specialist areas of practice (see page 24 onwards). Importantly, barrister members within any given chambers do not share their profits and are not in partnership with one another. Their main source of work is from other lawyers rather than from clients directly. Working in this way means that barristers generally do not compete with solicitors, law firms or other legal professionals and are

therefore ideal partners for international firms seeking to enhance their existing offering with specialist legal expertise from English and Welsh practitioners. Barristers practise under a Code of Conduct which is enforced by the independent regulator called the Bar Standards Board. The Bar Council is proud of the very high professional standards at the Bar of England and Wales, which is evidenced by the fact that both client complaints and disciplinary sanctions remain at consistently low levels. Practising barristers are also required to maintain adequate professional indemnity insurance.





“Many barristers are qualified in other jurisdictions, such as Hong Kong, Singapore, Dubai, and parts of the Caribbean”

How barristers can help

Barristers frequently advise or appear as advocates in international disputes. They also act in a quasi-judicial capacity: as arbitrators, adjudicators or as mediators. They can advise clients on both contentious and non-contentious matters. They can assist with the recognition and enforcement of foreign judgments and arbitration awards in England and Wales, and of relevant judgments and arbitration awards both nationally and internationally.

Barristers specialise in one or more sectors and offer a high degree of knowledge in their fields of practice.

Apart from international litigation in the courts of England and Wales, they regularly appear in international arbitrations and international tribunals, such as the International Criminal Court or the European Court of Human Rights. All barristers have full rights of audience, which means they are permitted to appear before all courts and tribunals in England and Wales. Several international commercial courts also permit English and Welsh barristers to appear before them without needing to be admitted locally. Many barristers are qualified in other jurisdictions, such as Hong Kong, Singapore, Dubai, and parts of the Caribbean, where they have rights of audience in court and can advise on the law of that jurisdiction.

Specialist advocates

Barristers are specifically trained in the skills of case presentation and cross-examination. They hone those skills over many years of advocacy training and practice. In comparison to other lawyers, they are likely to have spent a greater proportion of their time working as advocates and therefore have a wealth of experience to draw upon when guiding their clients through the many challenges of international litigation and arbitration.

Some of the services which barristers can provide include:

- Presenting oral and written arguments to a court or tribunal on their client's behalf
- Expertly cross-examining witnesses where oral evidence is given
- Drafting pleadings and other documents setting out their client's case
- Assisting with the preparation of witness statements and other evidence

- Suggesting appropriate expert witnesses and providing advice as to their suitability
- Giving expert evidence on matters of English and Welsh law, and international law, in the courts and tribunals of other jurisdictions.

At all stages a barrister will give objective and independent advice as to the prospects of success, identify any weaknesses in the case, and advise on the evidence that is necessary to prove their client's case. International clients frequently find that coming straight to a barrister when there is the prospect of a dispute saves considerable time and expenditure. This is because barristers can efficiently and effectively advise on the strategic options, the chances of success, and the relevant evidentiary requirements. They are also well placed to give independent advice on which law firms to instruct, should additional litigation or arbitration support be required.

Advisory work

Barristers frequently advise on contentious and non-contentious legal matters across all areas of commercial and non-commercial life. Their extensive experience as trial lawyers makes their expertise particularly valuable in areas where a client needs advice about the approach that a court or arbitral panel is likely to take to a proposed decision, but they are equally comfortable advising in purely non-contentious areas such as company or trust structures, or tax planning. Barristers are able to ground their advice not only in their specialist legal knowledge and expertise but also in the experience gained from dealing with a wide variety of clients and from running their own practices, so that their advice is always rooted in a sense of commercial reality. Some barristers develop highly specialised practices in which they become leading experts on some of the most difficult legal issues. English and Welsh solicitors and firms of foreign lawyers frequently instruct specialist barristers to advise upon points of law that arise in complex cases.

Specialist arbitrators and mediators

The Bar is a leading profession in the field of international arbitration. Barristers are frequently instructed not only as legal representatives but also as arbitrators, in the UK and other major arbitration centres around the world. This includes working with co-arbitrators from other jurisdictions in disputes that are not governed by common law. Their expertise in Alternative Dispute Resolution has also led to barristers being appointed as mediators, adjudicators and on dispute boards.

Expert witnesses

Barristers can provide expert evidence on the law and court procedure of England and Wales for overseas courts and arbitration proceedings. This expertise may be in written or oral form and may include attendance at court or in proceedings overseas. It can be on any aspect of the law, ranging from jurisdiction issues to specific points of law.

Working as part of a team

Barristers are flexible in their working methods, they can communicate effectively with legal and lay clients and facilitate positive working relationships. Whilst barristers often act as the lead on a client's case, they are also frequently instructed to work together as part of a larger team, providing specific advice and assistance alongside other legal professionals. Of approximately 13,800 barristers in independent practice in England and Wales, nearly 1,975 hold the rank of King's Counsel (KC). To become a KC, a barrister must go through a rigorous and transparent selection process. The mark of KC is internationally recognised as demonstrating that a barrister has achieved the highest standards as an advocate.



Independence

As sole practitioners, self-employed barristers are independent legal professionals with sole responsibility for their own practices and entitled to their own income. Most barristers share staff and office facilities by joining sets of chambers with other barristers practising in similar fields, but they do not form legal or financial partnerships with each other. They remain free to act (and regularly do act) against other barristers in the same chambers without any conflict arising. Barristers may also accept instructions as arbitrators or mediators in cases where other members of the same chambers are acting as advocates, subject always to any institutional rules. When barristers in the same set of chambers do act for opposing clients, their clerks set up information walls and systems to ensure all parties' confidentiality. This is very common and most chambers are set up (with separate rooms and clerks) so as to be able to accept instructions in this way in every case, even if three or more barristers are instructed in the same dispute.



Why choose England and Wales as a centre of dispute resolution?

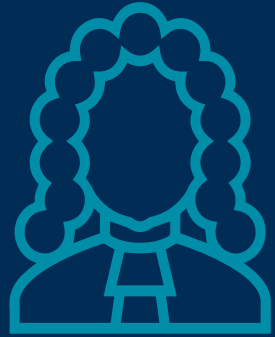
Parties frequently choose England and Wales as the legal jurisdiction where they want to resolve disputes arising from international contracts, even when the subject matter and the parties may have no other connection with the location. English and Welsh law is by far the most popular choice of law in the commercial field worldwide. It is a highly developed, precedent-based system, where the courts rely on previously decided cases to guide them in their decision-making. It is usually possible to find the answers to international legal questions under English and Welsh law by reference to the reasoning applied in earlier cases. This means that the legal system offers greater legal certainty than many other jurisdictions, both before and after a dispute arises. English and Welsh law has a strong international reputation not only for its transparency and predictability but also for its ability to adapt to modern commercial needs. The legal system of England and Wales is divided into six regions (or “circuits”), all of which are home to expert barristers and in any of which legal proceedings can be issued before an exceptional collection of judges. There are specialist business court

centres in Birmingham, Bristol, Cardiff, Leeds, Liverpool, Manchester and Newcastle. London is one of the leading financial and commercial centres in the world, where many high-value transactions are concluded in fields such as banking and financial services, insurance, energy, aviation, shipping and international trade. It has long enjoyed a pre-eminent reputation in all types of dispute resolution and is particularly renowned for its expertise in commercial and business cases. In addition to a number of international arbitral institutions such as the London Court of International Arbitration, London is home to the Rolls Building, a first-class modern facility which houses the specialist commercial, business and property courts of the High Court.

The judges of the courts in England and Wales have a worldwide reputation for quality and independence, and their judgments can be widely enforced in many other jurisdictions. The popularity of our legal system is demonstrated by the fact that 77% of cases in the commercial court have at least one party from abroad, with a further 43% of the cases having no connection to England and Wales whatsoever, other than the jurisdiction in which resolution is sought.

England and Wales has always been a global legal centre, renowned for the high calibre of its judicial system and for the commercial compatibility of its law. These qualities are unchanged by the UK’s departure from the EU, and the legal system in England and Wales continues to offer a highly attractive forum for international dispute resolution, known and respected across the world.

Facts and figures



17,265

practising barristers in
England and Wales



27%

of the world's 320
legal jurisdictions
use English common
law and English
law remains the
most popular choice
governing law in
contracts



of cases in the
Commercial Courts were
international in nature in
the first half of 2022

75

countries used the
Commercial Courts
in England and
Wales in 2021/22



£41.4bn

total revenue derived from UK
legal activities, the UK is the largest
legal services market in Europe and
globally is second only to the US

2,358

members of the Bar now
receive instructions from abroad
(a number that has more than
doubled over 10 years)

337

chambers across
England and Wales



28,639

disputes were resolved
by alternative dispute
resolution in the UK in 2022

Specialist judges and court facilities


One of the main advantages of the legal system in England and Wales is the judiciary. Judges are drawn from the most experienced practitioners, and have an established and worldwide reputation for efficiency, speed, consistency and incorruptibility.

Judges in England and Wales are well versed in dealing with other systems of law. Where the law governing all or part of a dispute is not common law, they will receive and evaluate evidence of that law and decide the dispute accordingly.

The High Court's centre of international dispute resolution is the purpose-built Rolls Building, in the heart of London. It brings together specialist judges from the Commercial, Technology and Construction, and Patents Courts, and the Chancery Division. It provides 31 courtrooms (including three extremely large 'super courts'), 11 hearing rooms (for related work such as bankruptcy hearings), 55 public consultation rooms, and improved IT infrastructure for parties involved in proceedings. It contains the largest concentration of specialist commercial judicial expertise anywhere in the world, covering all areas of commercial and business law.



The Rolls Building is also home to the Financial List, a specialist list set up in 2015 to handle complex, cross-jurisdictional and high-value claims related to the financial markets. A key feature of the List is the financial expertise and experience of its judges, who are responsible for cases allocated to them from inception through to enforcement. The Financial List helps to ensure that the courts of England and Wales adapt to the needs of the international financial community.



How to instruct the right barrister

There are no restrictions on barristers receiving instructions from international lawyers. Overseas law firms and in-house lawyers can instruct barristers easily and directly, without the use of a domestic law firm. This enables direct access to a legal specialist without having to lose time or incur expense through an intermediary.

The first step is to identify a barrister or a set of chambers which specialises in the field of law relevant to the dispute or non-contentious legal problem. The list of chambers starting on page 24 of this brochure will provide a starting point, and searching legal directories such as *Legal 500* and *Chambers and Partners* will give you a wider range of barrister options based on your requirements.

In addition to the commercially available directories, many of the Specialist Bar Associations publish useful directories of their members on their websites, which are listed at the end of this brochure.

Once you have identified a barrister or set of chambers, the chambers' clerks or practice managers are usually the first point of contact and will be able to check both the availability and the cost of the desired barrister. Where necessary they can also advise on which individual barrister or team of barristers would be most suitable for your case.

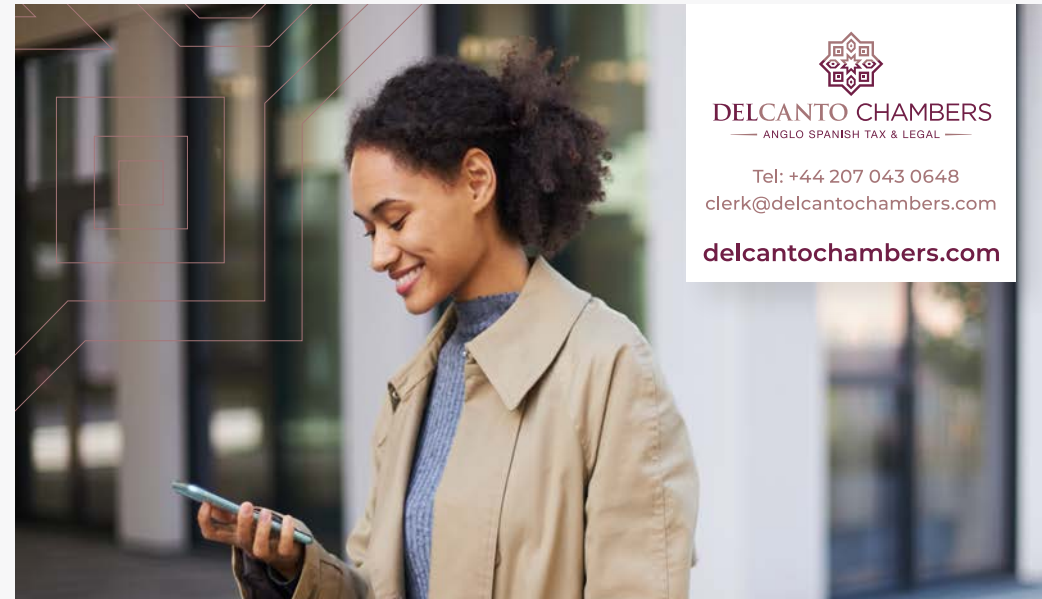
Some barristers can now receive instructions directly from lay clients. For more information, please visit:

www.directaccessportal.co.uk

The next section features advertisements from sets of chambers that specialise in international work. You can go to the chambers' websites to get more information and ascertain an individual barristers' availability through the chamber's clerks or practice managers.

Chambers

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Contact us

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Chief Executive

+44 (0)20 7691 0014
amanda.illing@gatehouselaw.co.uk



James Duncan-Hartill
Practise Director

+44 (0)20 7691 0049
james.duncan-hartill@gatehouselaw.co.uk



Upper Ground Floor
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Henderson Chambers is a leading set of chambers in London. Our members are frequently instructed by global organisations to act in leading cases in the areas of:

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- Insurance
- Product liability
- Arbitration and mediation
- Group/class actions, collective redress and multi-party claims
- Health & Safety
- Environment
- Financial services
- Procurement
- EU

"A great set for class actions – none to beat it. Superb barristers who cover a vast range of work and incredibly user friendly barristers and clerks alike."

LEGAL 500

"Members are regularly called upon to represent their clients in complex and high-profile litigation, and have considerable experience of handling multiparty claims."

CHAMBERS UK

"The entire team of clerks is outstanding, combining great client care skills and genuine area/sector knowledge which is often lacking. Quick to respond and very clear with their communications. They really do offer a great service."

LEGAL 500

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T +44 (0)20 7583 9020 • E clerks@hendersonchambers.co.uk

Contact: Chambers Director, Jason Housden

www.hendersonchambers.co.uk





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We are a leading set of commercial chancery barristers based in Lincoln's Inn, London. Our 42 members, including five King's Counsel, offer expertise and experience in a broad range of commercial and chancery work in domestic and international jurisdictions.

“New Square Chambers is sought after for its work in a variety of off-shore matters. Members are regularly seen in the Channel Islands and the Caribbean.”

Chambers UK Bar & Global 2023

“New Square Chambers have excellent strength and depth in chancery matters, with a good spread of expertise in traditional chancery trusts, company, insolvency, property and increasingly offshore capabilities.”

Legal 500 UK Bar & Caribbean 2023

 www.newsquarechambers.co.uk




ONE ESSEX COURT



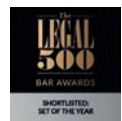
The very best

the Commercial Bar has to offer

Chambers UK Bar

One Essex Court is a leading commercial litigation and international arbitration set of barristers' Chambers, specialising in high-value, complex and multi-jurisdictional disputes work.

Our expertise extends across all areas of business and commerce, with a particular focus on arbitration; banking and finance; civil fraud and investigations; company law; competition; energy and climate; construction and infrastructure; investment treaty disputes; intellectual property; and tax.



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Banking and Finance Set of the Year

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www.oeclaw.co.uk

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Chambers UK Bar

We are Selborne Chambers



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- Commercial
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- Offshore Litigation
- Professional Negligence
- Property
- Trusts, Probate & Estates

Senior Clerks

Paul Bunting: paul.bunting@selbornechambers.co.uk Phone: +44 (0)20 7420 9500
Darren Madle: darren.madle@selbornechambers.co.uk Website: www.selbornechambers.co.uk



“3 Verulam Buildings’ market-leading reputation arises out of its involvement in headline-grabbing commercial cases.”

Chambers & Partners 2023

3VB is a leading barristers’ chambers providing specialist advocacy and advisory services worldwide in all areas of commercial and financial litigation, dispute resolution, international arbitration and public international law. Chambers’ legal excellence and the quality of service provided to our clients are praised in the leading law directories.

3VB provides litigation and advisory services across a wide range of commercial law:

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- Civil Fraud
- Cyber Fraud & Cryptocurrency
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- Financial Crime
- Financial Services
- Group Litigation
- Insolvency & Restructuring
- Insurance & Reinsurance
- International Arbitration
- IT & Telecoms
- Media & Entertainment
- Offshore
- Professional Negligence
- Public International Law

For further information contact:
Stephen Penson or Stuart Pullum, Senior Practice Managers
Phone: +44 (0)20 7831 8441
Email: chambers@3vb.com
Website: www.3vb.com



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- International Arbitration
- ISDS
- Professional Negligence
- Shipping
- Sports
- Technology
- Transport

www.4pumpcourt.com clerks@4pumpcourt.com +44(0)207 842 5555

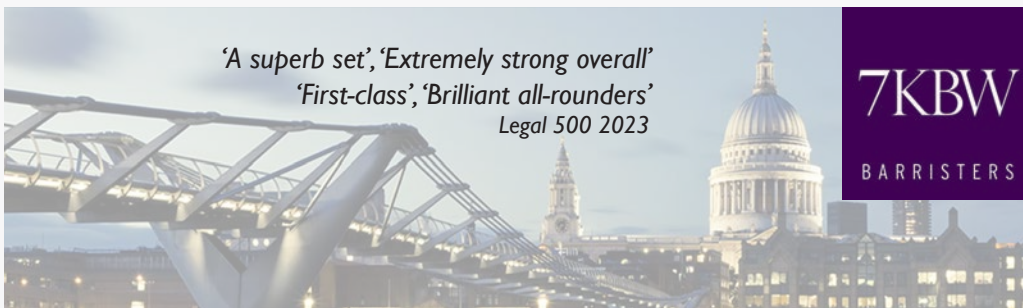
4 STONE BUILDINGS

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- Commercial Dispute Resolution
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- Fintech
- Fraud- Civil
- Insolvency & Restructuring
- Offshore Litigation

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clerks@4stonebuildings.com

"A set at the very top of the
Commercial Chancery Bar"
Chambers UK



'A superb set', 'Extremely strong overall'
'First-class', 'Brilliant all-rounders'
Legal 500 2023

7KBW
BARRISTERS

Areas of Expertise

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- Banking & finance
- Civil fraud
- Commercial litigation
- Commodities
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- Energy & natural resources
- Injunctions
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Head of Chambers
Gavin Kealey KC
Senior Clerk
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T: +44 (0)20 7910 8300

www.7kbw.co.uk

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- Mediation and Arbitration

9 STONE BUILDINGS
Barristers' Chambers

**We have a wealth of expertise and experience in
foreign jurisdictions and international law**

"9 Stone Buildings offers expertise in both corporate and personal insolvency matters, and its barristers are highly regarded for their handling of insolvency litigation involving allegations of fraud or professional negligence. The set's barristers also have experience handling directors' misfeasance claims, while cases stemming from trusts or probate matters are also a key area of strength for the team. The set is regularly instructed in both domestic and cross-border claims, and its impressive client roster includes liquidators, creditors and government bodies such as HMRC."
Chambers and Partners 2023

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International commercial litigation and arbitration

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- Shipbuilding and offshore construction
- Energy and natural resources
- IT and telecommunications
- Transport

"A commanding stature in
the market as a result of both
the depth of its expertise and
the strength of its advocacy."

Chambers and Partners

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Chambers
Barristers

Telephone: +44 (0)20 7404 0102
David Barnes, CEO: dbarnes@atkinchambers.com
Justin Wilson, Senior Clerk: jwilson@atkinchambers.com
www.atkinchambers.com

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www.brickcourt.co.uk



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 - Trust and property registers
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Patrick C Soares (Head of Chambers)

Patrick Way KC • Philip Baker KC • Inran S Afzal • Peter Vaines • Dilpreet K Dhanoa • David Southern KC
International Panel of Door Tenants – David Bloom KC (Aust.) • Porus F Kaka, Senior Advocate (India)
Philip Goeth (Austria) • Richard Collier • Rita da Cunha



“Crown Office Chambers is distinguished by the quality of its members. From its outstanding silks down to its leading juniors, excellence runs through the set.”

Chambers UK Bar

Andy Flanagan, Senior Managing Clerk
Flanagan@crownofficechambers.com

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- Personal injury
- Product liability
- Professional liability
- Property damage
- Public and private international law
- Sports law



Fountain Court

“Fountain Court is a notable force in arbitration proceedings”

Chambers & Partners



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Arbitration and Mediation	Atrocity Crime Prevention	Business and Human Rights
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International Criminal Law	Islamic Finance Law	Public International Law

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We are consistently ranked as a leading set in all our areas of expertise across the civil fraud, commercial, corporate, insolvency, real estate, financial, chancery and related fields.

For further information, please contact our Clerks using the details below:

John Wiggs - Senior Clerk
jwiggs@maitlandchambers.com

Robert Penson - Deputy Senior Clerk
rpenon@maitlandchambers.com

Luke Irons - Deputy Senior Clerk
lirons@maitlandchambers.com

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"noted for its expertise in a range of offshore work, including civil fraud, insolvency and commercial and partnership disputes"

Chambers UK

Keating Chambers is recognised by global clients as a "trusted partner for international arbitration". Our "outstanding silks and juniors" act under a wide range of arbitral rules, and have experience in ICC, DIAC, LCIA, SIAC and HKIAC arbitrations.

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- IT & Technology
- PFI/PPP
- Procurement & Competition
- Professional Negligence
- Energy & Natural Resources
- International Arbitration
- Offshore Construction & Marine Engineering
- Planning & Environment
- Property

the quintessential modern commercial chancery set

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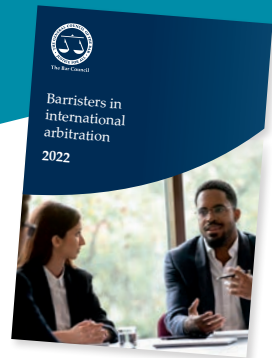
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Read 'Barristers in international arbitration'



This brochure provides a brief introduction to:

- Key features of international arbitration – the challenges and opportunities it presents to disputing parties and their legal advisers
- The advantages which barristers bring to international arbitration
- Services provided by barristers in international arbitration
- How to involve a barrister to assist in an international arbitration

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The Bar Council

Specialist Bar Associations

Listed below are the Specialist Bar Associations (SBAs) together with website details. These SBAs represent barristers practising in particular areas, usually evident from the name of the SBA, together with contact details. Most SBAs also have websites which provide useful information about barristers and chambers and the areas of work they specialise in.

Administrative Law Bar Association

www.adminlaw.org.uk

Bar Association for Commerce Finance and Industry

www.bacfi.org

Bar Association for Local Government and the Public Service

Bar European Group

<http://bareuropeangroup.org>

Chancery Bar Association

www.chba.org.uk

Commercial Bar Association

www.combar.com

Criminal Bar Association

www.criminalbar.com

Employment Law Bar Association

www.elba.org.uk

Family Law Bar Association

www.flba.co.uk

Intellectual Property Bar Association

www.ipba.co.uk

London Common Law and Commercial Bar Association

www.lclcba.com

Midland Chancery and Commercial Bar Association

www.mccba.co.uk

Northern Chancery Bar Association

www.nchba.org.uk

Parliamentary Bar Mess

www.parliamentarybarristers.org.uk

Personal Injuries Bar Association

www.piba.org.uk

Planning and Environmental Bar Association

www.peba.org.uk

Professional Negligence Bar Association

Property Bar Association

www.propertybar.org.uk

Revenue Bar Association

www.revenue-bar.org

Technology and Construction Bar Association

www.tecbar.org



The Bar Council

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