



Draft as at 12/02/2020

The Standing International Forum of Commercial Courts
Third Meeting

Supreme Court, Singapore

Thursday 12 and Friday 13 March 2020

AGENDA

Thursday 12 March	
0930	Registration and refreshments in the Auditorium of the Supreme Court, 1 Supreme Court Lane, Singapore 178879
1000	Inside the Singapore Courts, to include Singapore's eLitigation system and Heritage Gallery
1045	Presentations on the Singapore Courts, with Q&A in the Auditorium
[1130]	Note: Registration reopens for later arrivals – location].
1200	Group photograph taken in the Main Hall of the Supreme Court of Singapore
1220	Lunch – area near Auditorium
1330	Full meeting commences – Auditorium Welcome remarks: Chief Justice Sundaresh Menon
1335	Opening remarks: Lord John Thomas
1340	SIFoCC Progress Report: Mr Justice Robin Knowles
1400	Judicial Roundtable
1400	<p>(1) Case management SIFoCC International Working Group - Working Presumptions on international best practice in Case Management</p> <p>Chief Justice James Allsop (Australia) and Sir Peter Gross (England and Wales), with questions and discussion to follow, supported by the members of the International Working Group and the Expert Advisory Group</p>

1430	<p>(2) Enforcement The SIFoCC Multilateral Memorandum on Enforcement of Commercial Judgments for Money, and next steps</p> <p>Justice Sir William Blair, with questions and discussion to follow</p>
1450	<p>(3) The SIFoCC Judicial Programme of Observation and Study</p> <p>Chief Justice Hassan Jallow (The Gambia), with alumni from the Programme, and questions to follow</p>
1510	<p>Short Break: Informal judicial discussion and refreshments</p>
1530	<p>Arbitration and the Courts: getting the best from both</p> <p>Objectives:</p> <ol style="list-style-type: none"> 1. Achieving transparency for users in what courts have to offer and what arbitration has to offer as forms of dispute resolution 2. Developing the best models for court involvement where the parties have chosen arbitration 3. Exploring the potential for the courts to contribute to the development of ethical rules in international arbitration 4. Achieving greater consistency internationally in the enforcement of arbitration awards under the New York Convention <p>Chair: Chief Justice Geoffrey Ma (Hong Kong SAR)</p> <p>Guests: Mr Cavinder Bull, S.C. and Ms Loretta Malintoppi, members of the Governing Board of the International Council for Commercial Arbitration (ICCA)</p> <p>Followed by questions to the guests, and further roundtable discussion</p> <p>Closing remarks: Justice Sir Richard Field (Dubai - DIFC Courts)</p>
1630	<p>Meeting the needs of court users</p> <p>Objectives:</p> <ol style="list-style-type: none"> 1. Undertaking, from the users perspective, a SWOT (Strengths Weaknesses Opportunities Threats) analysis for commercial courts 2. Identifying appropriate ways of courts keeping in touch with user needs 3. Hearing the users perspective on the importance of the rule of law <p>Co-chairs: Chief Justice Bart Katureebe (Uganda) and Justice Geoffrey Venning, Chief High Court Judge (New Zealand)</p> <p>Panel of guests: Mr David Ho, Legal Director, Alibaba Mr Wong Taur Jium, General Counsel, Rabobank Mr Shuva Mandal, General Counsel, Tata International</p> <p>Followed by questions to the guests, and further roundtable discussion</p> <p>Closing remarks: Judge Francois Ancel, President (France)</p>
1730	<p>Depart for tour, reception and dinner – coaches provided</p>

1800	Tour of the National Museum of Singapore
1830	Drinks reception at the National Museum of Singapore
1900	<p>Dinner at the National Museum of Singapore –</p> <ul style="list-style-type: none"> • Welcome remarks: Chief Justice Sundaresh Menon (Singapore) • Guest remarks: Ms Indranee Rajah SC, Minister in the Prime Minister’s Office and Second Minister for Finance and Education, Singapore, to include reference to the Singapore Mediation Convention <p>Over coffee:</p> <ul style="list-style-type: none"> • Short address: Lord Chief Justice Ian Burnett (England and Wales)
2130	End of Day 1
Friday 13 March	
0845	Arrive and informal judicial discussion with refreshments
0915	<p>Judicial Roundtable: Commercial (third party) litigation funding (Part 1)</p> <p>Objectives:</p> <ol style="list-style-type: none"> 1. Assessing the present and prospective scale of use of commercial litigation funding, and its forms 2. Reflecting on the current models for regulation that are in use internationally 3. Identifying the issues that arise for the courts and the role of the courts <p>Chair: Chief Justice Tom Bathurst (New South Wales, Australia)</p> <p>Short introductory addresses: Hon Loretta Preska (United States) Justice John Middleton (Australia), Part-time Commissioner, Australian Law Reform Commission (Final Report “Integrity, Fairness and Efficiency – An Inquiry into Class Action Proceedings and Third-Party Litigation Funders”, 2018)</p> <p>Initial roundtable discussion</p>
1000	<p>Judicial Roundtable: Commercial (third party) litigation funding (Part 2, with guests)</p> <p>Guests join roundtable for short contributions and further roundtable discussion.</p> <p>Guests: Mr Edwin Tong SC, Senior Minister of State for Law, Singapore Ms Susan Dunn, Chair, the Association of Litigation Funders</p> <p>Closing remarks: Lord David Hope, Chief Justice (Abu Dhabi Global Markets Courts)</p>
1045	Short Break: Informal judicial discussion and refreshments
1100	<p>Combatting corruption and money laundering, including in the age of technology</p> <p>Objectives:</p> <ol style="list-style-type: none"> 1. Recognising the impact of corruption on the rule of law

	<p>2. Ensuring judges are aware of scale and newer forms of corruption and money laundering in commerce</p> <p>3. Considering where and how commercial courts, individually and collectively, might better respond to corruption and money laundering</p> <p>4. Identifying how technology can further corruption and can reduce corruption</p> <p>Chair: Dr Jan Tolkmitt (Germany)</p> <p>Guest: Mr David Rivkin, Past-President of the International Bar Association</p> <p>Followed by roundtable discussion</p>
1200	<p>The use of technology in courts – An update</p> <p>Chair: Lord Raymond Doherty (Scotland)</p> <p>Short updates, including from: Justice Aedit Abdullah, Singapore International Commercial Court Chris Campbell-Holt, Registrar, Astana International Financial Centre Court</p> <p>with further examples and questions to follow</p>
1230	<p>Lunch – area near Auditorium</p>
1330	<p>Judicial Roundtable (Technology – Part 1): Resolving disputes involving technology in commerce</p> <p>Objectives:</p> <p>Preparing for the procedural, evidential and substantive questions that will face commercial courts in the age of technology in commerce e.g.:</p> <ul style="list-style-type: none"> - how a court can gain the knowledge/ prepare to deal with a case where the contract is a smart contract - how a court can receive evidence of what is on a blockchain - how a court might respond to an application to intervene in a contract that is self-executing <p>Short introductory address: Sir Geoffrey Vos, Chancellor of the High Court (England & Wales)</p> <p>Following by roundtable discussion</p> <p>Closing remarks: Mr Justice Mark Horner (Northern Ireland)</p>
1430	<p>Judicial Roundtable (Technology – Part 2): The ethical and regulatory issues arising from the rise of technology and Artificial Intelligence (AI)</p> <p>Objectives:</p> <ol style="list-style-type: none"> 1. Understanding the implications of technology and AI for access to justice 2. Reflecting on the nature of AI and how to provide an ethical framework for its role in a justice system 3. Exploring the consequences of technology and AI for the legal profession and its regulation <p>Chair: Justice Sir William Blair</p> <p>Remarks from: Chief Justice Dias Toffoli (Brazil)</p>

	<p>Professor Maxine Shearer, Queen Mary University, London Mr David Ho, Legal Director, Alibaba</p> <p>Followed by roundtable discussion</p>
	Short Break: Informal judicial discussion and refreshments
1600	<p>Radar topic: Cross border insolvency</p> <p>Objective:</p> <ol style="list-style-type: none"> 1. Summarising current developments internationally 2. Evaluating the current priority of the subject <p>Chair: Justice Kannan Ramesh (Singapore)</p> <p>Followed by roundtable comments and questions</p>
1630	<p>SIFoCC and raising awareness</p> <p>Mr Justice Robin Knowles and Grace Karrass</p>
1645	<p>Some short final reflections on the present and future role for the world's commercial courts, and for SIFoCC</p> <p>Madiyar Balken, Supreme Court Justice (Kazakhstan) Christopher Grout, Registrar (Qatar) S.K. Yoon, Presiding Judge of Seoul High Court (South Korea) Lord Justice Julian Flaux (England and Wales)</p>
1710	<p>Agreed actions, forward look and details of next meeting</p> <p>Lord John Thomas</p>
1720	Closing remarks: Lord John Thomas and Chief Justice Sundaresh Menon
1730	Close