

Stephen Bate C. Arb, arbitrator, mediator and barrister



Introduction

Stephen Bate is a British citizen, Chartered Arbitrator, barrister and accredited mediator, with a UK domestic and international commercial arbitration practice carried on through ARBDB, international arbitration chambers in London. His practice background is as a barrister at the English Bar, with over 25 years' experience in a range of civil and commercial matters, specialising in media & entertainment law, latterly at 5RB barristers' chambers until 2017.

Stephen is a member of the Presidential Panel of arbitrators at the Chartered Institute of Arbitrators and is listed with the Dubai International Arbitration Centre as a qualified arbitrator. He is also a member of the panel of arbitrators maintained by Sport Resolutions and an arbitrator on the panel of the London Chamber of Arbitration and Mediation. He is also an expert appointed by Nominet to decide .co.uk and .uk domain name ownership disputes.

Stephen was accredited as a mediator in the UK by the Centre for Effective Dispute Resolution (CEDR) in 2002 and has since mediated approximately 200 cases with values up to £250M in a very wide range of commercial disputes. His mediation practice is carried out through CEDR: www.cedr.com.

Arbitral and Other Appointments¹

These include the following -

- Dispute over performance of a shareholders' agreement of a telecommunications company, arbitration under UNCITRAL Rules. Award of US\$130M (co-arbitrator).
- Dispute over exercise of pre-emption rights over further shares in the same company; arbitration under UNCITRAL Rules. Claim value c. US\$80M (co-arbitrator).
- Sole arbitrator in contract dispute concerning the supply of education services to the Middle East, claim value c. £2M.
- Sole arbitrator in LLP partnership dispute concerning accountancy business; claims brought by partnership against one partner and cross-claims.

¹ The arbitration appointments were by the Chartered Institute of Arbitrators, by courts (English High Court, the Federal High Court of Nigeria), the Centre for Effective Dispute Resolution (CEDR) and by appointing bodies in sports matters, such as Sport Resolutions for the English Football Association and English Football League.

- Sole arbitrator in disputes concerning partnership retirement and enforceability of restrictive covenants against a leaving partner.
- Sole arbitrator in dispute between medical partnership and ex-partner over restrictive covenant.
- Sole arbitrator in dispute concerning contracts for the provision of facilities for the UK National Health Service.
- Sole arbitrator in dispute involving claims relating to the sale and re-purchase of fleet motor vehicles.
- Sole arbitrator in patent licence dispute.
- Sole arbitrator in dispute concerning the supply of advertising services.
- Sole arbitrator in contractual loss of profits dispute in the fashion industry.
- Sole arbitrator in sale of goods dispute.
- Sole arbitrator in contract dispute in the soft drinks industry.
- Appointed Chairman, English Football League Arbitration Panel, in reference of a dispute between two clubs concerning the unauthorised disclosure of a transfer fee.
- Chairman of arbitrators appointed by Sport Resolutions for the English Football Association in disputes between player and player's agent under Rule K procedures.
- Chairman of Football League's Disciplinary Commission (FDC) in arbitration under EFL's Rules and Regulations concerning financial disclosures by former Chairman of Watford FC on behalf of the club, *EFL v Raffaele Riva*.
- FDC Chairman in arbitration between football clubs under EFL's Rules and Regulations over the poaching of a management team, *Colchester FC v Norwich FC*.
- FDC Chairman in dispute between player and club arising from termination of player's contract.
- FDC Chairman in dispute between (i) club and youth player over player's registration and (ii) clubs and player over liability to pay 'signing on' fee.
- 15 ABTA documents-only arbitrations in holiday and travel cases.
- 2007-2016, legal member of the Licensing Committee of UK horse racing's regulator (the British Horseracing Authority), chairing numerous hearings under 'fit and proper person' jurisdiction of the regulator.
- Legal Assessor, sitting with and advising Fitness to Practise Panels for the General Dental Council and Health and Care Professions Tribunal Service in misconduct, performance and health cases; previous experience (2010-2018) sitting as Legal Assessor in GMC/MPTS (doctors' fitness to practise) and racing corruption cases.
- Approximately 70 documents-only adjudications for CISAS under UK Communications Act 2003.
- 75 expert determinations for Nominet in registration disputes over .co.uk internet domain name registrations.

Areas of Arbitration Work

Fields of work covered include commercial contracts, defamation, ICT (information, communications and technology), intellectual property, leisure and travel, manufacturing, media & entertainment, partnership/shareholder, property, pharmaceutical, NHS, healthcare and other regulatory matters, sport and telecommunications.

The above include/further areas are: sale of goods, supply of services, distribution agreements, licensing agreements in various fields, such as telecommunications, media and entertainment and intellectual property (e.g. patent and trade mark) disputes, copyright infringement; franchise agreements, gas supply contracts, computer contracts, employment contracts, restrictive covenant disputes, insurance claims, guarantee claims, contract disputes in many other different fields, e.g. sale of companies, warranty claims under sale and purchase agreements, joint venture contracts, agency agreements, contracts for advertising services; landlord & tenant, professional negligence (solicitors), competition claims, claims for breach of statutory duty, sponsorship and other sports-related agreements; breach of confidence, privacy and data protection.

Publications

Resolving Business Disputes: How to get better outcomes from commercial conflicts (Spiramus Press, 2020). This book explains in brief the various pathways to a binding decision under English law and the routes for a negotiated dispute outcome. It also deals with negotiation techniques and explains how businesses can make better-informed decisions on whether to litigate/arbitrate and/or settle disputes.

Previous History

1980 – 1981 Passed Bar Finals exams and called to the English Bar.

1979 – 1980 Diploma in Law, City University.

1976 – 1979 Magdalene College, Cambridge; M.A Foreign Languages (French and German).

Interests include a wide variety of sporting activities, reading history and membership of the Royal Geographical Society.

Contact

For more information or to discuss Stephen's availability or fees please contact Martin Poulter, Clerk to Chambers on +44 (0)20 3514 9020 or by email martin.poulter@arbdb.com