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# The Rt. Hon. Dame Elizabeth Gloster, DBE, PC

Call 1971 QC 1989



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## Scope of Practice

• Arbitration & Expert Determination • Banking and Financial Services • Energy and Natural Resources • Company, Insolvency and Restructuring • Insurance and Reinsurance (including Bermuda form) • Shipping • Jersey and Guernsey Law • Bilateral investment Treaty Arbitrations • Construction and Engineering • Commodity Trading • Civil Fraud and Investigations • Oil and Gas Industry Issues (Upstream, Midstream and Downstream) • Joint Venture Agreements • Professional Liability • Takeovers, Mergers and Acquisitions

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## Overview

Dame Elizabeth Gloster practised as a commercial and Chancery QC at One Essex Court from 1991 until 2004, before accepting an appointment as a High Court judge, becoming the first woman to be appointed a judge of the Commercial Court. She was appointed to the Court of Appeal in 2013 and became Vice-President of the Civil Division of that Court in 2016. Since retiring from the Court of Appeal in 2018, Liz has returned to One Essex Court to practise as a full-time international commercial arbitrator.

She has been appointed both as chair and co-arbitrator in a large number and wide range of international arbitrations including insurance/reinsurance, shipping, banking, gas and oil, electricity pricing, construction, joint venture and investment disputes. Liz is one of 25 persons listed as willing and able to serve as a member of an arbitration panel under the Agreement between the European Union and the United Kingdom relating to the UK's Withdrawal from the European Union and the European Atomic Energy Community. In November 2020 she produced her independent investigation's report into the Financial Conduct Authority's regulation of London Capital & Finance plc. In July 2021 she was appointed to the ICC International Court of Arbitration as an alternate member for the UK. Most recently, with effect from 1 September 2023, Liz was appointed by the Master of the Rolls, on the advice of an independent selection panel, to serve as a Deputy Chair of the Takeover Appeal Board. She was awarded Senior Arbitrator of the Year at the Legal 500 Bar Awards 2023.

Liz had a high-profile City practice as a QC at the commercial and Chancery Bars, specialising in corporate,

insurance and reinsurance, financial markets, energy and insolvency/reconstruction cases. For example, she acted for creditors and/or office holders in cases arising out of major international insolvencies such as: Barlow Clowes, Maxwell, Canary Wharf (Olympia & York), Heron, Garuda Airways, Enron, Telewest, Parmalat, Marconi, TXU, Barings etc. and for the Secretary of State in the disqualifications of the Barings directors, the Blue Arrow directors, and Terry Venables, as director of Tottenham Hotspur. She acted as leading counsel for the Inland Revenue in a number of complex anti-tax avoidance cases. In the arbitration field she acted as counsel in major international arbitrations involving oil and gas industry disputes in Russia, the US and elsewhere, as well as in insurance and reinsurance disputes. She also sat as an arbitrator. She appeared as counsel in commercial, corporate and insurance insolvency cases in the Supreme Court of Bermuda, including: *Stena v Sea Containers*, *EMLICO*, and *Bermuda Fire and Marine*. As well as sitting (part time) as a Deputy High Court Judge of the Commercial Court and the Chancery Division, she sat (part time) as a member of the Courts of Appeal of Jersey and Guernsey. She was a non-executive director of the Civil Aviation Authority.

Liz accepted an appointment as a High Court Judge, Queen's Bench Division, in 2004, and presided over numerous important commercial and financial markets cases, including *JP Morgan Chase Bank v Springwell Navigation Corporation*, *Masri v Consolidated Contractors International* and the notable *Berezovsky v Abramovich* trial. She was Judge in Charge of the Commercial Court from 2010-2012 and oversaw the important move of the Court into the Rolls Building.

She was appointed to the Court of Appeal in 2013 and was Vice-President of the Civil Division of the Court from 2016 until her retirement in 2018. As a Lady Justice, she sat on numerous important commercial and financial cases, ranging from capital markets, arbitration, shipping, gas and oil, insurance, tax, and insolvency to LIBOR fixing. These included *LBG Capital No. 1 Plc v BNY Mellon Corporate Services Limited*, *Burlington Loan Management Ltd & Ors v Lomas & Ors* (a Lehman case), *Ukraine v The Law Debenture Trust Corporation Plc*, *British Airways Plc v Emerald Supplies Limited & Ors*, and *Gard Marine v China National Chartering Co. Ltd*.

She was Treasurer of the Honourable Society of the Inner Temple for 2018 and is an Honorary Fellow of Girton College, Cambridge and Harris Manchester, Oxford. She is Patron of the London Branch of the CI Arb and a Freeman of the Worshipful Company of Arbitrators.

Liz delivered the 32nd Annual Freshfields and Queen Mary University Arbitration Lecture "Symbiosis or Sado-Masochism? The relationship between the courts and arbitration" in November 2017. She is a Judge of the Abu Dhabi Global Market Courts and a Justice of the Court of Appeal of Bermuda (both part-time appointments).

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## Examples of Recent Cases

### Arbitration

Since returning to Chambers in 2018, Liz has been appointed both as chair and co-arbitrator in a large number and wide range of international arbitrations including insurance/reinsurance, shipping, banking, gas and oil, electricity pricing, construction, joint venture and investor-state disputes under PCA, LCIA, ICC, UNCITRAL, LCIA-DIFC, ADCCAC, SIAC and other institutional regimes, both in London and abroad.

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# Speeches and Lectures

Elizabeth has delivered numerous speeches and lectures on a variety of legal topics to law societies, students' associations, solicitors' associations, Chancery Bar Association, COMBAR, Circuit Bar associations, GC100, the European Commercial Judges Forum, and at law conferences both in the UK and internationally. She has also chaired/participated in many conferences, webinars and moots. She spoke at meetings of the European Commercial Judges Forum in Amsterdam, Hamburg and Warsaw; was one of the UK's representatives at a European judges' symposium in Riga; was invited on two occasions to lead 2 day training courses for Czech judges in Prague. For example, in 2017 she delivered the 32nd Annual Freshfields QMUL Arbitration Lecture "Symbiosis or Sado-Masochism? The relationship between the courts and arbitration" and in .keynote speaker at the Supreme Court of Victoria/Melbourne University Law School 2016 Commercial Law Conference: "From oligarchs to insider traders – does commercial litigation tick the boxes?"

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## Awards



## Contact Clerks



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