

UK chambers turn to foreign jurisdictions for steady work

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**The Caribbean gives sets a welcome boost as UK claims dwindle.
 Brendan Malkin and Joanne O'Connor report**

English counsel have enjoyed a significant increase in the volume of overseas instructions over the last 12 months, research for the Bar Top 30, part of The Lawyer 100, has revealed.

Maitland Chambers, for example, reports a staggering 1,509 per cent increase in revenues from overseas instructions since the set's launch in 1999, including a 95 per cent increase in the past year.

Faced with the steady decline in the number of claims made in UK courts in recent years, as well as the no-show, or at least delayed arrival, of an anticipated counter-cyclical rise in litigation that generally follows a downturn, the UK bar has sought to exploit alternative markets overseas. In many, not only are UK counsel held in high regard, but premium rates continue to be on offer.

The result has been a flurry of marketing expeditions by the UK's leading sets to a wide range of foreign jurisdictions, including Hong Kong, the Cayman Islands, the Caribbean, Malaysia, the US and closer to home in Spain. Inter-national relations have been further fostered by the efforts of the Bar Council and various bar associations on behalf of the profession.

Some sets have gone so far as to launch representative chambers overseas or develop associations with foreign firms.

In the last year, 5 Fountain Court in Birmingham has set up an association with Madrid and Malaga firm De Cotta McKenna & Santafé, and Geoffrey Vos QC's 3 Stone Buildings established a New York office. Sets such as insolvency supremo 3/4 South Square have long espoused the benefits of improved international credentials, bringing in tenants based in Germany and France. This year 3/4 also added the considerable clout of Ron DeKoven in the US.

Around half of Vos's own practice originates from overseas, mainly in insurance/reinsurance and insolvency, and several members of his set are seeing increases in Caribbean work. Lawyers attribute the growth in Caribbean work to the high quality of lawyers there, which makes the archipelago an attractive jurisdiction to litigants. A major provider of instructions to Vos, for example, is US firm Gibson Dunn & Crutcher on behalf of Swiss Re.

Maitland Chambers has seen international receipts grow from a meagre £92,277 in 1999 to £1,392,149 in the year ending December 2002. In the past year, international growth at the set has, as with 3 Stone Buildings, been assisted by a rise in Caribbean instructions. Tenant Anthony Trace QC was also appointed to a Hong Kong silks panel for government work.

But it is not just chan-cery/commercial sets reporting buoyancy in overseas instructions. Property and planning set Landmark Chambers, formed from the merger of Eldon Chambers and 4 Breems Buildings last November, has seen a 10 per cent growth in overseas instructions. Traditionally, Hong Kong and Malaysia have been major sources of work, particularly government-related, and the set cites Deacons and Denton Wilde Sapte as major instructing firms. Work has since spread to the West Indies, where it recently acted in a land dispute over Lyford Key.

Up to 20 per cent of Matrix Chambers' £8.8m turnover for 2002-03 came from overseas work. The set has always enjoyed a constant flow of foreign instructions, but there has been a marked rise in the last year. Antony White QC is currently acting for the Indian government, instructed by Richards Butler, in a major commercial matter in Bombay.

Mainland European firms instruct Matrix's Clare Montgomery QC, Rhodri Thompson and Julian Knowles in European Community law and extradition cases, and Philippe Sands QC, James Crawford SC and Andrew Clapham are high on overseas firms' lists of counsel to use for international and human rights work. Matrix appears to receive instructions from a broader range of jurisdictions than is common, with most sets concentrating on a more restricted international arena.

A small number of long-running cases, as well as a significant increase in valuable international arbitrations, where English counsel are often the first choice, is one reason for pursuing an international client base. In the last 12 months, 4 Pump Court reports that Australian firm Clayton Utz is the set's sixth-largest provider of income as a result of a single vast arbitration concerning the

ownership of a nickel-cobalt plant.

Chambers are also seen to be better value for money than solicitors, which accounts for the growth. Brian Lee, senior clerk at shipping and insurance set 20 Essex Street, which for the past three years has received 60 per cent of its fee income from overseas clients, said: "[Foreign firms] can come to us and get a barrister of seven years' call for £150 an hour, or go to a law firm and get an associate or three for £200 an hour each." The set is now starting to receive significant work from Norway and Gibraltar.

Among the regional sets, Birmingham's 5 Fountain Court and Manchester's Kings Chambers report rises in income drawn from overseas clients. Kings Chambers reports that Watson Farley & Williams' Singapore office is one of the set's top five income sources because of one ongoing Singapore arbitration for energy company Kvaerner.

With the competition growing increasingly intense for overseas work, it will be interesting to see which chambers emerge as preferred advisers in particular jurisdictions. It is unclear how far international opportunities extend for the bar and whether those sets that only now are broadening their horizons have already missed the boat.

INTERNATIONAL WORK AT THE BAR

Chambers	Value (£m)	Value of overseas work as a percentage of turnover
20 Essex Street	13.2	60
Landmark	1.3	10
Maitland	1.4	6.8
Matrix	1.8	15-20
3 Verulam Buildings	5.3	25-30

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