

Welcome to the sixth edition of “Digital Coffee Break – International Arbitration”. Throughout this series, Svenja Wachtel talks to various people working in international arbitration to discuss the latest trends in the field, covering topics such as the use of technology, digital transformation, and digitalization. Published quarterly, our Digital Coffee Break invites you to grab a drink, sit back and enjoy first-hand insights from General Counsel, arbitrators, legal scholars and other practitioners from all over the world of international arbitration.

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Svenja is counsel in the Litigation/Arbitration Department of the Munich office. Her practice concentrates on arbitration and complex commercial litigation with a particular focus on multi-jurisdictional legal actions. She is especially passionate about the changes and challenges digitalization and digital transformation mean for the legal industry and she regularly speaks about arbitration matters, in particular with respect to digitalization and digital transformation.



**Owen Lawrence**  
Founder, IAC



The International Arbitration Centre (“IAC”), an exclusive hearing space not only for arbitration but also for any dispute, was founded in 2018 by Owen Lawrence a former senior practice manager at a leading barristers’ chambers. The IAC opened its doors in February 2019 and the response from the market have been thoroughly positive.

The hearing venue, located in the heart of London, guarantees privacy, confidentiality and excellent service. Whilst the IAC offers physical spaces, breakout suits, conference rooms – equipped with newest technology – it can also offer its services entirely online.

Today, Owen talks to us about how his experience as a barristers’ clerk shaped his idea to create a surrounding of absolute discretion, how their technology adapts to the customers’ needs and how the global pandemic shifted the need to an even higher degree to online hearings.

**Owen, thanks for joining me today and talking to us about the IAC, which you founded two years ago. The IAC has been a huge success and the feedback from your customers is more than positive. How did you know that there was a need for the hearing center?**

Arbitration grows exponentially each year, in numbers, size, complexity, value, reach and sophistication. Arbitration was once seen as a form of alternative dispute resolution, but as we see it, for many disputes, particularly high-end commercial disputes, it’s the only form of dispute resolution.

London is often named as the seat and being geographically central to many cross border disputes, the number of cases were there but what was missing was a venue that matched the surroundings high standards lawyers and clients are often accustomed to in their offices.

What was missing for me was a venue where the focus is on making the client as comfortable as

possible. We appreciate that if a case ends up at the IAC, it is through a genuine disagreement or point of principle. For the client this could be part and parcel of their business, however, for many it is a unique and highly stressful occasion. Therefore, we built the IAC centered on and around them.

Having spent 20 years in and out of arbitration centers and courtrooms around the globe, we paid attention to every detail to create a bespoke centre that offers our users a seamless experience from arrival to award.

**How do you ensure sufficient privacy of the different parties?**

The clients, for example can watch the hearing from their breakout suites. Lawyers can move in for their dispute and don’t have to lug bundles back and forth. Instead of having one war room, our clients each have three rooms to spread out and use as their base.

We also developed a venue with two entrances, so both sides do not have to share communal areas or even WCs – This has proven very popular – There is often little love lost between the respective clients.

**Could you explain the services offered by the IAC and what your customers can expect from the IAC?**

Essentially a bespoke experience. To date, those booking a venue for a dispute hearing look for a hearing room and a few breakout rooms. At the IAC we appreciate each dispute is unique. We wanted to create a facility focused solely on them. As such, we assign each dispute its own floor. You do not share copiers, or communal spaces with others in separate disputes. When you arrive, the focus is on your case.

We also spent a lot of time looking for the most ‘user friendly’ tech available. All of our facilities offer plug and play functionality and you will not see wires strung across the room.

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 With our fully virtual service, we wanted a system ready at the press of a button and so created a dashboard to replicate the in person movements of a hearing at the IAC  
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**No matter whether you attend hearings as counsel, client, witness etc. – it can be nerve-racking. How do you address this issue, which is outside of the law?**

As mentioned, we provide a calming experience. Client service is at our core. Instead of hiring admin support, or front of house teams who are a familiar sight in law firms, we recruited our hosts from 5-star hotels, such as the Corinthia, Savoy and Mandarin Oriental. All of our hosts are multilingual and offer the highest level of service. They get to know our clients and often, by the time a client has buzzed the front door, their preferred coffee is waiting for them in their breakout suite.

We also appreciate the effect legal proceedings have on our clients' stomachs, so wanted to get our catering options right. Every other venue I have visited offered beige food. At the IAC we work with our Private Chef, Albi Ison to provide light, healthy and energizing food to keep you focused well into the afternoon.

We have our own coffee recipes and each suite has a fully stocked fridge with a constant rotation of drinks, mirroring the offerings often found in the hotels our staff use to work in.

Finally, we encourage all of our staff to add their own personal touches and be innovative with their client service. They constantly impress us with small touches such as arranging sweets associated with the clients' origin or providing treats that comply with religious dietary requirements. We have a client who the first time they sat with us brought in a particular chocolate; the next time they had a hearing with us the fridge had been stocked with that chocolate, without any request. The staff are a true credit; they complement our facility and receive exceptional feedback every time.

**How did you ensure that you offer every digital tool needed and how do you manage to be up to date on the newest technology?**

Having opened in 2019, our tech is all state of the art and we invested heavily in online security and video conferencing. Each floor is a Crestron environment, which offers all of our users a customized experience. In the hearing rooms for example, each screen can be configured at the touch of a button. Our new super suite, which can host up to 100 attendees, offers a global first with focus on semi-virtual or hybrid hearings. Each desk has a 34-inch sunken screen, which includes VC, evidence projection and transcript options. It also offers two purpose built interpretation booths and compliments our online disputes platform, IAC Online effortlessly.

In terms of keeping up... Things have moved quickly in 2020. I have been really impressed with online interpretation and now include this in some of our physical hearings.

**What was – in your experience – the biggest change in 2020?**

The major change was one which was already happening, albeit too slowly in my opinion. The move to e-bundles can be cited as one major improvement to IA – I can't imagine how many trees will be saved...

Whilst we live in a world of Wi-Fi, we still offer physical connections throughout as a concrete back up system; our new floor has over 10km of cabling for example. We also find that people are a lot more patient. Consideration as to logistics is prioritized. Testing and dry runs are essential and accepted by all as necessary to make sure we got everything right first time.

**The IAC is a state of the art hearing center. How do you ensure that the equipment used by you is compatible with the systems used by arbitrators, counsel and witnesses?**

With clients arriving from every corner of the world, this certainly keeps us on our toes. Our in-house technicians have an extensive toolkit, containing all manner of cables, adaptors and different approaches to keep everyone connected. We spend a lot of time before arrivals testing systems, making sure firewalls are configured and understanding the client's requirements.

As a matter of course, we call the IT teams of each firm pre-arrival so we have a point of call and everyone understands what is required.

The IAC also hold servers on site for the major transcription companies, so their equipment is ready to use on arrival. We try and encourage people to use our tech, so again, we run tests and ensure everything is in place and ready for kick-off at 10am on a Monday.

**What happens if someone is not tech-savvy at all? What kind of assistance do you provide?**

Having worked with lawyers from my entire professional life, this was a fundamental consideration in building the IAC. Everything from the mic system, physically separated Wi-Fi networks, interpretation channels, secure printing etc. are all available at the push of a button or scan of a QR code.

If a button is too complicated, our in-house technicians are always on site, along with our front of house staff who are all fully trained and regularly assessed using our equipment.

Making a user-friendly center fed directly into our platform, so this was at the forefront of every aspect of our online offering, IAC Online. With our fully virtual service, we wanted a system ready at the press of a button, and so created a dashboard to replicate the in person movements of a hearing at the IAC. We included all the tools a lawyer, client or tribunal could need whilst conducting a hearing from home.

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 Also use the business class airfare saving and invest in tech. Having a universal set up for your entire legal team makes it easy for all  
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### What are the biggest challenges in setting up a hearing when nobody is in the same room or even country?

The real challenge we have found is when lawyers and clients starting to regroup. During the global lockdown at the end of March, we found ourselves in everyone's homes across the globe helping individuals one on one. Those who needed a little more attention or assistance were quite obvious and could be addressed easily.

As lawyers are regrouping, many mics or speakers in close proximity can cause all sorts of technical issues. We recently hosted a premier-league football team against a major sporting body – the dispute included a physical hearing in Switzerland and groups of lawyers and witnesses in various locations around the world. Despite numerous pre-tests and checks, one lawyer unmuting their mic (when they weren't meant to) caused a screeching noise for all in attendance until we could trace who had upset the setup (they didn't do it again after that!).

### Although, nowadays everyone participating in an arbitration can be in a different place, there are barriers as to what is possible. Where do you see these barriers?

There will always be barriers when replicating the in-person interactions of a dispute. The physical movements, the chats in communal areas, the negotiations or walk around the block to bottom out differences. The direct feedback we receive from the advocates is that it's hard to build up momentum in cross. For others, they prefer the virtual element and a number of our arbitral stable favor it when watching witnesses on a screen.

In terms of the dispute proceedings, the initial barriers were one side wanting to postpone and used the virtual aspect to that advantage. In some early proceedings I was called as an expert by the tribunal to answer the arguments posed by the applicants. These arguments focused around security, connectivity and time zones. Out of ten applications we witnessed, only one was upheld in favor of a full physical hearing.

To date, we haven't encountered any physical barriers to disputes continuing in this period of restricted travel. A few cases have involved satellite phones, 360° cameras or assisted set ups, but all have continued and kept proceedings moving along – some for a few hours, some for over two weeks at a time.

### Do you have any “war-stories” you can share with us?

Our war stories catalogue grows each week! As everyone was catapulted into this new way of working, we quickly removed some platform chat features, muted a few mics (and cameras on

occasions). We have assisted people who forget to disconnect, we have assisted people who might have been a little fatigued by this new experience. We have people turn up on a Monday, after letting someone else use their machine at the weekend for a video call appearing unsuspectingly as their partner's name, or even their kid's party name... the cheeky pirate... We quickly save as many blushes as we can.

A real eye-opener for us is how people behave when they aren't speaking... There is a whole webinar series in online body language and poker face profiling out there I am sure.

### What were the greatest obstacles you faced when setting up online hearings?

Initially it was the access our users had to equipment. Some firms simply couriered the lawyers desks home to them, some had a universal set up... however, for most it came down to what they had or what they could source online at overinflated prices.

A standout for me was an arbitrator in India who had no access to equipment and a blanket ban on couriers or deliveries.

We worked with them to discover what he had access to. In the end, we managed to connect him to their TV by unplugging their cable TV, extending their screen from their laptop, hooking them directly into the router and switching off all other devices stealing bandwidth. The case proceeded for 10 days uninterrupted and the arbitrator wrote to us personally after thanking us for our assistance.

### Let's assume the following scenario: The online hearing is in full swing, everyone listens to the key witness and all of a sudden the screen goes black. What do you do?

In the early stages of IAC Online, it happened to me. I suffered a power cut at home. I received a call from our technicians, a link to my personal email address and was back on within 2 minutes hot spotting via my phone.

In the event this happens to a client, everyone is pre-tested and deemed match fit. If there is an outage, we have everyone's cell numbers as a backup. It does happen, can usually be rectified within 5 minutes.

Reports say your heart rate rise to 174 bpm in these circumstances. Thankfully for those involved it's my technicians that deal with these scenarios.

### How do you ensure data privacy and discretion?

We process the data provided to us. This is used for the hearing, then deleted at the end of the hearing.

All of our servers are protected by the highest caliber firewalls and held onsite.

### What are the main takeaways from 2020 regarding the development of digital transformation in the IAC?

- Virtual is possible and works well.
- When testing, make sure you are using the 'kit' and setup you will be using on the day. If this means heading to the office, do so, do not leave it until the 11th hour.
- Do not over complicate procedural orders – we have seen a multitude of forms ranging from one page (we like these) through to 25 pages (we don't like these). The key to a successful and smooth online dispute is keep it simple and let those who run them do so.
- Don't cut corners or do it "on the cheap". Savings are being made on hotels, travel, client lunches etc. Use a bespoke platform and rely on professional operators. Focus on what you are there to do. For us, it's running a smooth hearing, for our lawyers it's focusing on the dispute in hand. Also use the business class airfare saving and invest in tech. Having a universal set up for your entire legal team makes it easy for all. A few firms have done this and we witness first-hand how smoothly it works particularly in relation to knowing what your colleagues are seeing and how it is being presented

### Where do you see the IAC in the future?

The plan from the outset is to expand into jurisdictions that need an IAC. These have been identified and are being developed.

You will also see a much more joined up approach from centers based around the globe.

Since March, we have been linked to the Seoul IDRC and HKIAC most days. Despite the many miles between us, our technicians know each other very well.

### Last question but nonetheless relevant: Do you have a coffee machine in the hearing centre?

Multiple! We serve over 20,000 cups of good coffee a year! Our business lounge and terrace is the perfect place for a coffee for any IA practitioner that is passing through Fleet St, who would like to pop in for a look around.

Our international arbitration and dispute resolution teams are available to discuss any of these issues with you and answer any specific questions you may have. If you would like more information about the topics raised in this briefing, please speak to your regular contact at Weil or to any of the authors listed below.

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