

ANDREWS ON CIVIL PROCESSES



# ANDREWS ON CIVIL PROCESSES

Court Proceedings,  
Arbitration & Mediation

2nd Edition

Neil ANDREWS



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2nd Edition

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*For*

*Liz*

*Sam*

*Hannah*

*Ruby*



## PREFACE

The aim of this second edition remains that of the first: to state the law, from an English perspective, concerning the main forms of dispute resolution in the civil sphere. The subject matter, accordingly, is civil litigation, mediation and arbitration. These are not insulated from each other hermetically. Many doctrines or features of practice are shared, such as rules of evidence, impartiality and due notice requirements, and finality rules. The courts support mediation and arbitration. In turn, mediation and arbitration are nearly always selected as an alternative to court proceedings.

Although English law is predominant in this book, discussion is not insular. Non-English practice and variations are prominent in both the fields of mediation and arbitration (for example, in chapters 29 and 30). Discussion of ‘The Principles of Civil Justice’ in chapters 23–27 is necessarily rooted in the European and indeed global jurisprudence of fundamental rights.

Universities and the legal profession and judiciary must continue to work together in the common cause of supplying a rich education and achieving a critical perspective on legal practice. Numerous distinguished lawyers have visited Cambridge to assist in the teaching of these topics, amongst whom are: Tony Allen, Nicholas Fletcher, Lord Grabiner, Peter Hurst, Sir Rupert Jackson, Richard Jacobs, Adam Johnson, David Joseph, Roman Khodykin, John Leslie, Marius Nasta, Lord Neuberger, Sir Bernard Rix, John Sorabji, Alejandro Garro, and Robert Turner (*primus inter pares*, a constant source of support and encouragement over many years).

The huge literature on these subjects is expensive to buy or access. The author is lucky and grateful to have access to the excellent Squire Law Library, Faculty of Law, Cambridge (where Peter Zawada and Kathy Wholley have been kind), and to be supported by the William Senior Fund in Clare College.

Since the first edition (2012), the procedural world has lost some great figures, including Lord Goff (2016), Pierre Lalive (2014), Lord Mustill (2015), Ada Pellegrini-Grinover (2017), Geoff Hazard (2018) and Marcel Storme (2018).

I am grateful to Ann-Christin Maak-Scherpe and her colleagues at Intersentia for their assistance in producing this new edition.

Liz has kindly encouraged her husband to stick at the sometimes tough task of re-reading one's text and footnotes.

On 7 May the author sent to the publisher a manuscript which is based on WLR case law reported no later than 4 May 2018. But it has been possible to make further changes to reflect developments which have emerged before March 2019.

NHA  
Clare College, Cambridge  
8 February 2019



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<i>Birmingham CC v Shafi</i> [2008] EWCA Civ 1186; [2009] 1 WLR 1961	14.23, 14.33, 22.08
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<i>Bourns Inc v Raychem Corpn</i> [1999] 3 All ER 154, CA	12.34, 23.64, 25.01
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<i>Breeze v John Stacey &amp; Sons Ltd, The Times</i> 8 July 1999, CA	23.63
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<i>Brunsdon v Humphrey</i> (1884) 14 QBD 141, CA	8.06, 16.02, 16.25, 42.12
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<i>C (A Minor) v Hackney LBC</i> [1996] 1 WLR 789, CA	16.81
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<i>Cachia v Faluyi</i> [2001] 1 WLR 1966, CA	6.37, 16.02, 42.13
<i>Cain v Francis</i> [2008] EWCA Civ 1451; [2009] QB 754	8.71
<i>Calden v Nunn</i> [2003] EWCA Civ 200	23.98
<i>Callery v Gray</i> [2001] EWCA Civ 1117; [2001] 1 WLR 2112, CA	20.27
<i>Callery v Gray (Nos 1 and 2)</i> [2002] UKHL 28; [2002] 1 WLR 2000	2.13, 15.122, 20.27
<i>Cameron v Hussain</i> [2017] EWCA Civ 366; [2018] 1 WLR 657	6.55–6.56, 6.64
<i>Campbell v MGN (No 2)</i> [2005] UKHL 61; [2005] 1 WLR 3394	2.15, 15.122
<i>Campbell v Tameside MBC</i> [1982] QB 1065, CA	12.137, 12.139, 12.176

<i>Candler v Crane, Christmas &amp; Co</i> [1951] 2 KB 164, CA	27.42
<i>Candy v Holyoake</i> [2017] EWCA Civ 92; [2017] 3 WLR 1131	21.05
<i>Capewell v Customs &amp; Excise Commrs</i> [2007] UKHL 2; [2007] 1 WLR 386	17.28
<i>Capita (Banstead 2011) Ltd v RFIB Group Ltd</i> [2015] EWCA Civ 1310; [2016] QB 835	8.07
<i>Capital Cameras Ltd v Harold Lines Ltd</i> [1991] 1 WLR 54	21.22
<i>Caresse Navigation Ltd v Office National de l'Electricité</i> [2014] EWCA Civ 1366; [2015] QB 366	30.45
<i>Carl Zeiss Stiftung v Rayner &amp; Keeler Ltd (No 2)</i> [1967] 1 AC 853, HL	16.42, 43.59
<i>Carl Zeiss Stiftung v Rayner &amp; Keeler Ltd (No 3)</i> [1970] Ch 506	16.42, 43.59
<i>Carleton v Strutt &amp; Parker</i> [2008] EWHC 424	12.122, 28.59
<i>Carlson v Townsend</i> [2001] 1 WLR 2415, CA	13.60
<i>Carlton Film Distributors Ltd v VCI plc</i> [2003] EWHC 616; [2003] FSR 47	11.19
<i>Carnduff v Rock</i> [2001] 1 WLR 1786, CA	12.132, 12.168–12.169
<i>Carnegie v Giessen</i> [2005] EWCA Civ 191; [2005] 1 WLR 2510, CA	17.22
<i>Cartier International AG v British Sky Broadcasting Ltd</i> [2016] EWCA Civ 658; [2017] 1 All ER 700	10.16
<i>Cartwright v Venduct Engineering Ltd</i> [2018] EWCA Civ 1654; [2018] 1 WLR 6137	10.132, 14.106, 18.13
<i>Caterpillar Logistics Services (UK) Ltd v Huesca de Crean</i> [2012] EWCA Civ 156; [2012] 3 All ER 129; [2012] CP Rep 22; [2012] ICR 981	5.03
<i>Cattley v Pollard</i> [2006] EWHC 3130 (Ch); [2007] Ch 353	8.30, 8.109–8.110, 8.125
<i>Cave v Robinson Jarvis &amp; Rolf</i> [2003] 1 AC 368, HL	8.34
<i>Cayne v Global Natural Resources Ltd</i> [1984] 1 All ER 225, CA	10.34, 10.40
<i>CBS UK Ltd v Lambert</i> [1983] Ch 37, CA	21.31
<i>Cecil v Bayat</i> [2011] EWCA Civ 135; [2001] 1 WLR 3086	5.08, 5.18, 5.20, 5.22–5.23, 5.37
<i>CFC 26 Ltd v Brown Shipley &amp; Co Ltd</i> [2017] EWHC 1594 (Ch); [2017] 1 WLR 4589	23.27, 23.39
<i>Chandra v Mayor</i> [2017] EWHC 2636 (Ch); [2017] 1 WLR 929	18.26, 22.41, 22.48
<i>Chanel Ltd v FW Woolworth &amp; Co Ltd</i> [1981] 1 WLR 485, CA	16.28
<i>Chantrey Vellacott v Convergence Group plc</i> [2005] EWCA Civ 290; <i>The Times</i> 25 April 2005	6.42
<i>Charles Church Developments Ltd v Stent Foundations Ltd</i> [2006] EWHC 3158 (TCC); [2007] 1 WLR 1203; <i>The Times</i> 4 January 2007	6.42
<i>Charles Osenton v Johnston</i> [1942] AC 130, HL	15.77
<i>Charlesworth v Relay Roads Ltd</i> [2000] 1 WLR 230	2.08, 6.29, 6.50
<i>Cheddar Valley Engineering Ltd v Chaddlewood Homes Ltd</i> [1992] 1 WLR 820	12.90
<i>Cheldale, The</i> . See <i>Monarch SS Co Ltd v Greystoke Castle (Cargo Owners)</i>	
<i>Cheltenham &amp; Gloucester Building Society v Ricketts</i> [1993] 1 WLR 1545, CA	10.29, 21.30, 21.36
<i>Chilton v Surrey CC</i> (CA, unreported, 24 June 1999)	1.33
<i>Chocoladefabriken Lindt &amp; Sprüngli AG v Nestle &amp; Co Ltd</i> [1978] RPC 287	12.79, 12.86
<i>Chohan v Times Newspapers Ltd</i> [2001] 1 WLR 184 (Ch)	8.115
<i>Choraria v Sethia</i> [1998] CLC 625, CA	23.96
<i>Christie v Wilson</i> [1998] 1 WLR 1694, CA	24.50
<i>Christou v London Borough of Haringey</i> [2013] EWCA Civ 178; [2014] QB 131	16.28
<i>Chuku v Chuku</i> [2017] EWHC 541 (Ch); [2017] 1 WLR 3137	19.13
<i>Church v MGN Ltd</i> [2012] EWHC 693 (QB); [2013] 1 WLR 284	23.48
<i>Cia Barca de Panama SA v George Wimpey &amp; Co Ltd</i> [1980] 1 Lloyd's Rep 598, CA	12.38

<i>Cia de Seguros Imperio v Heath (REBX) Ltd</i> [2001] 1 WLR 112, CA	8.130
<i>CIBC Mellon Trust Co v Stolzenberg (Sanctions: Non-compliance)</i> [2003] EWHC 13 (Ch), <i>The Times</i> 3 March 2003	9.32, 17.56, 21.47
<i>CIMC Raffles Offshore (Singapore) PTE Ltd v Yantai CIMC Raffles Offshore Ltd</i> [2014] EWCA 1742 (Comm)	17.07
<i>Cinpres Gas Injection Ltd v Melea Ltd</i> [2008] EWCA Civ 9; [2008] Bus LR 1157; [2008] RPC 17	16.23–16.24, 16.31
<i>City &amp; Country Properties Ltd v Kamali</i> [2006] EWCA Civ 1879; [2007] 1 WLR 1219	10.64
<i>City &amp; General (Holborn) Ltd v Structure Tone Ltd</i> [2010] EWCA Civ 911; [2010] BLR 639	5.23
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<i>Clancy v Caird (No 2) 2000 SC 441</i> ; [2000] UKHR 509 (Court of Session, Inner House)	24.08
<i>Clapp v Enron</i> [2005] EWCA Civ 1511	10.63
<i>Clarapede &amp; Co v Commercial Union Association</i> (1883) 32 WR 262, CA	6.27
<i>Clark v Chief Land Registrar</i> [1994] Ch 370, CA	17.26
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<i>Clarke v Edinburgh &amp; District Tramways Co</i> (1919) SC 35, HL	15.41, 15.45
<i>Clarke v In Focus Asset Management and Tax Solutions Ltd</i> [2014] EWCA Civ 118; [2014] 1 WLR 2502	1.01, 16.15, 23.64, 25.01, 32.56
<i>Clarke v Marlborough Fine Art (London) Ltd</i> [2002] 1 WLR 1731	6.23, 6.30
<i>Clearswift Ltd v Glass Wall Ltd</i> [2018] EWHC 1949 (Pat)	9.54
<i>Clearway Drainage Systems Ltd v Miles Smith Ltd</i> [2016] EWCA Civ 1258	9.47
<i>Clef Aquitaine SARL v Laporte Materials (Barrow) Ltd</i> [2000] 3 All ER 493, CA	8.31
<i>Clibbery v Allan</i> [2002] EWCA Civ 45; [2002] Fam 261, CA	23.48, 26.01
<i>Clyde &amp; Co v Bates van Winkelhof</i> [2011] EWHC 668 (QB)	28.26
<i>Cobbold v Greenwich LBC</i> (unreported, 9 August 1999); [1999] CA Transcript No 1835, CA	2.07, 6.29–6.30
<i>Cobham v Frett</i> [2001] 1 WLR 1775, PC	23.84
<i>Cobra Golf Inc v Rata</i> [1998] Ch 109	17.37
<i>Coca-Cola Financial Corp v Finsat International Ltd</i> [1998] QB 43, CA	7.33
<i>Cody v Murray</i> [2013] EWHC 3448 (Ch)	32.20
<i>Cofely Ltd v Bingham</i> [2016] EWHC 240 (Comm); [2016] 2 All ER (Comm) 129	36.09
<i>Cohen v Jonesco</i> [1926] 1 KB 119	14.108, 14.111, 16.35
<i>Colley v Council for Licensed Conveyancers</i> [2001] EWCA Civ 1137; [2002] 1 WLR 160; [2001] 4 All ER 998, CA	3.20, 3.22, 15.05–15.06, 23.17
<i>Collier v Williams</i> [2006] EWCA Civ 20; [2006] 1 WLR 1945	5.23
<i>Columbia Picture Industries Inc v Robinson</i> [1987] Ch 38	25.28
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<i>Compagnie Financière v Peruvian Guano Co</i> (1882) 11 QBD 55, CA . . . .	1.24, 11.28, 38.20
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<i>Copeland v Smith</i> [2000] 1 WLR 1371, CA . . . . .	1.34, 3.20, 15.06, 27.08, 27.23, 27.63
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<i>Henriksen v Pires</i> [2011] EWCA Civ 1720 . . . . .	10.58, 10.64
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<i>JA Pye (Oxford) Ltd v Graham</i> [2002] UKHL 30; [2003] 1 AC 419	8.92
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<i>Jackson v Attorney-General</i> [2005] UKHL 56; [2006] 1 AC 262, HL	15.120
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<i>Jaggard v Sawyer</i> [1995] 1 WLR 269, CA	8.137, 8.139, 8.140, 16.02, 42.12
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<i>Kensington International Limited v Republic of Congo</i> [2007] EWCA Civ 1128; [2008] 1 WLR 1144	12.68, 12.70, 21.117, 21.126
<i>Ketchum International plc v Group Public Relations Holdings Ltd</i> [1997] 1 WLR 4, CA	21.31
<i>Ketteman v Hansel Properties Ltd</i> [1987] AC 189, HL	6.28, 8.22
<i>Khader v Aziz</i> [2010] EWCA 716; [2010] 1 WLR 2673	14.16, 15.31
<i>Khans Solicitor (A Firm) v Chifuntwe</i> [2013] EWCA Civ 481; [2014] 1 WLR 1185	18.06
<i>Khuja v Times Newspapers Ltd</i> [2017] UKSC 49; [2018] 1 Cr App R 1	10.46
<i>Kimathi v Foreign and Commonwealth Office</i> [2016] EWHC 3004 (QB); [2017] WLR 1067	9.10, 22.18, 22.21, 22.29
<i>Kinch v Walcott</i> [1929] AC 482, PC	14.108
<i>King v Telegraph Group Ltd</i> [2004] EWCA Civ 613; [2005] 1 WLR 2282	18.53
<i>King v Thomas McKenna Ltd</i> [1991] 2 QB 480, CA	23.106
<i>Kingscroft Insurance Co Ltd v Nissan Fire &amp; Marine Insurance Co Ltd (No 2)</i> [1999] Lloyd's Insurance and Reinsurance Reports, 603	13.14, 13.42
<i>Kitcat v Sharp</i> (1882) 48 LT 64	12.105
<i>Kleinwort Benson Ltd v Lincoln CC</i> [1999] 2 AC 349, HL	8.30, 8.38–8.39, 8.41, 8.85, 8.87, 8.91
<i>Kleinwort Benson Ltd v Sandwell BC</i> [1994] 4 All ER 890	8.85–8.86
<i>Knauer v Ministry of Justice</i> [2016] UKSC 9; [2016] AC 908	15.119
<i>Knauf UK GmbH v British Gypsum Ltd</i> [2002] 1 WLR 907, CA	5.08, 5.37, 21.33
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<i>Knox v Gye</i> (1872) LR 5 HL 656, HL	8.130
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<i>Konamaneni v Rolls Royce Industrial Power (India) Ltd</i> [2002] 1 WLR 1269	5.34
<i>Kookmin Bank v Rainy Sky SA</i> [2010] EWCA Civ 582	27.44
<i>Kotonou v National Westminster Bank plc</i> [2015] EWCA Civ 1106	15.51, 16.75
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<i>Kuwait Airways Corp v Iraqi Airways Corp</i> [2005] EWCA Civ 286; [2005] 1 WLR 2734	13.61
<i>Kuwait Airways Corp v Iraqi Airways Co</i> [2010] EWCA Civ 741	21.131, 21.133
<i>Kuwait Oil Tanker Company SAK v UBS AG</i> [2003] UKHL 31; [2004] 1 AC 300	17.14
<i>L (A Child) v Reading BC</i> [2001] EWCA Civ 346; [2001] 1 WLR 1575, CA	14.47
<i>L v L (Ancillary Relief Proceedings: Anonymity)</i> [2015] EWHC 2621 (Fam); [2016] 1 WLR 1259	15.108, 23.48, 26.08, 26.24
<i>L v Y Regional Government of X</i> [2015] EWHC 68 (Comm); [2015] 1 WLR 3948	30.01, 30.79
<i>La Roche v Armstrong</i> [1922] 1 KB 485	12.92
<i>Labrousche v Frey</i> [2012] EWCA Civ 881; [2012] 1 WLR 3160	25.01
<i>Ladd v Marshall</i> [1954] 1 WLR 1489, CA	6.50, 14.83, 15.38
<i>Lade v Trill</i> (1842) 11 LJ Ch 102	8.24

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<i>Lakatamia Shipping Co Ltd v Su</i> [2014] EWCA Civ 636; [2015] 1 WLR 291	21.51, 21.53
<i>Laker Airways Inc v FLS Aerospace Ltd</i> [2000] 1 WLR 113	24.30, 36.02
<i>Lakhani v Mahmud</i> [2017] EWHC 1713 (Ch); [2017] 1 WLR 3482	9.47, 18.46
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<i>Lane v Cullens Solicitors</i> [2011] EWCA Civ 547; [2012] 2 WLR 821	8.11
<i>Lask v Gloucester Health Authority</i> (CA, unreported, 6 December 1985)	11.50
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<i>Legal Services Commission v Henthorn</i> [2011] EWCA Civ 1415; [2012] 1 WLR 1173	8.56
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<i>Letang v Cooper</i> [1965] 1 QB 232, CA	8.06, 16.25
<i>Levermore v Levermore</i> [1979] 1 WLR 1277	17.28
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<i>Lillicrap v Nalder &amp; Son</i> [1993] 1 WLR 94, CA	12.34, 14.72, 23.63
<i>Lilly Icos Ltd v Pfizer Ltd</i> [2002] 1 WLR 2253, CA	11.69
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<i>Lindsay Petroleum Co v Hurd</i> (1874) LR 5 PC 221, PC	8.123–8.124, 8.135
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<i>Lisle-Mainwaring v Associated Newspapers Ltd</i> [2018] EWCA Civ 1470; [2018] 1 WLR 4766	15.14
<i>Liverpool RC Archdiocese Trustees Inc v Goldberg (No 3) (Practice Note)</i> [2001] 1 WLR 2357	24.51
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<i>Locabail (UK) Ltd v Bayfield Properties Ltd</i> [2000] QB 451, CA	24.25, 24.30–24.31, 24.33, 24.35, 24.40, 24.44–24.45, 36.09
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<i>Local Authority, A v S</i> [2012] EWHC 1442 (Fam); [2012] 1 WLR 3098	13.07
<i>Lock International plc v Beswick</i> [1989] 1 WLR 1268	21.114, 25.28
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<i>Lombard North Central plc v Automobile World (UK) Ltd</i> [2010] EWCA Civ 20	6.05
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<i>Lowsley v Forbes</i> [1999] 1 AC 329, HL . . . . .	8.94–8.95, 8.115, 17.26
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<i>MacLennan v Morgan Sindall (Infrastructure) plc</i> [2013] EWHC 4044 (QB); [2014] 1 WLR 2462 . . . . .	4.22, 9.23, 14.52
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<i>Marcan Shipping (London) Ltd v Kefalas</i> [2007] EWCA Civ 463; [2007] 1 WLR 1864 . . . . .	9.28, 9.32, 17.56, 21.47
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<i>Martin Walsh v Paul Staines</i> [2007] EWHC 1814 (Ch)	14.45
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<i>R (on the application of UNISON) v Lord Chancellor</i> [2017] UKSC 51; [2017] 3 WLR 409 . . . . .	23.20, 23.24
<i>R (on the application of Van Hoogstraten) v Governor of Belmarsh Prison</i> [2003] 1 WLR 263 . . . . .	23.36
<i>R (Prudential plc) v Special Commissioner of Income Tax; Prudential v Pandolfo</i> [2013] UKSC 1; [2013] 2 AC 185 . . . . .	12.26
<i>R (Prudential plc) v Special Commissioner of Income Tax</i> [2010] EWCA Civ 1094; [2011] QB 669 . . . . .	12.26
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<i>R (R and others) v Children and Family Courts Advisory and Support Service</i> [2012] EWCA Civ 753 . . . . .	23.22
<i>R (RL) v Croydon LBC</i> [2018] EWCA Civ 726; [2019] 1 WLR 224 . . . . .	18.08
<i>R (S) v Director of Legal Aid Casebook</i> [2016] EWCA Civ 464; [2017] 1 WLR 4733 . . . . .	23.06

<i>R (S) v Director of Legal Aid Casework</i> [2015] EWHC 1965 (Admin), [2015] 1 WLR 5283	23.06
<i>R (Sisangia) v Director of Legal Aid Casework</i> [2014] EWHC 3706 (Admin); [2015] 1 WLR 1891	14.08
<i>R v Associated Ocel Ltd</i> [1996] 1 WLR 1543	8.06, 17.39
<i>R v Bellamy</i> (1985) 82 Cr App R 222, CA	14.38
<i>R v Bow County Court, ex parte Pelling</i> [1999] 1 WLR 1807	23.36, 23.49, 26.05, 26.66
<i>R v Bow Street Metropolitan Stipendiary Magistrate, ex parte Pinochet Ugarte (No 1)</i> [2000] 1 AC 119, HL	2.17, 15.34, 16.90, 24.26, 24.30
<i>R v Bow Street Metropolitan Stipendiary Magistrate, ex parte Pinochet Ugarte (No 2)</i> [2000] 1 AC 119, HL	2.17, 16.90, 24.26, 24.30
<i>R v British Steel plc</i> [1995] 1 WLR 1356	17.39
<i>R v Central Criminal Court, ex parte Francis &amp; Francis</i> [1989] AC 346, HL	12.31
<i>R v Chief Constable of West Midlands Police, ex parte Wiley</i> [1995] 1 AC 274, HL	12.130, 12.132, 12.135, 12.137, 12.148, 12.155
<i>R v Chief Registrar of Friendly Societies, ex parte New Cross Building Society</i> [1984] QB 227, CA	26.09, 26.25
<i>R v Cox &amp; Railton</i> (1884) 14 QBD 153	12.31
<i>R v Dairy Produce Quota Tribunal, ex parte Caswell</i> [1990] 2 AC 738, HL	8.120
<i>R v Davis</i> [2008] UKHL 36 [2008] 1 AC 1128	26.29
<i>R v Derby Magistrates' Court, ex parte B</i> [1996] AC 487, HL	12.11, 12.13
<i>R v Gateway Foodmarkets Ltd</i> [1997] ICR 382	17.39
<i>R v Gough</i> [1993] AC 636, HL	24.26
<i>R v Governor of Brixton Prison, ex parte Osman</i> [1991] 1 WLR 281	16.28
<i>R v Governor of Lewes Prison, ex parte Doyle</i> [1917] 2 KB 254, Div Ct	2.17
<i>R v Hayes</i> [1977] 1 WLR 234, CA	14.37
<i>R v Inner West London Coroner, ex parte Dallaglio</i> [1994] 4 All ER 139, CA	24.30
<i>R v J</i> [2013] EWCA Crim 2287; [2014] 1 WLR 1857; [2014] 1 Cr App R 21	43.52–43.53
<i>R v K (A)</i> [2009] EWCA Crim 1640; [2010] QB 343	12.99, 12.102, 28.62
<i>R v K (A)</i> [2009] EWCA Crim 905; [2010] QB 343	12.61, 12.68, 21.117
<i>R v Khan</i> [1995] QB 27, CA	14.75
<i>R v Legal Aid Board, ex parte Duncan and Mackintosh</i> [2000] COD 159, Div Ct	23.36
<i>R v Legal Aid Board, ex parte T, The Times</i> 15 June 1998, CA	26.28
<i>R v Leicester City Justices, ex parte Barrow</i> [1991] 2 QB 260	23.36
<i>R v Lewes Justices, ex parte Home Secretary</i> [1973] AC 388, HL	12.128, 12.146, 12.177
<i>R v Lord Chancellor, ex parte Witham</i> [1998] QB 575, Div Ct	23.17
<i>R v Lord Saville, ex parte A</i> [2000] 1 WLR 1855, CA	26.32
<i>R v R</i> [2002] EWCA Civ 409	13.24
<i>R v R (Family Court; Procedural Fairness)</i> [2014] EWHC 48; [2015] 1 WLR 2743	9.50, 9.53
<i>R v S</i> [2008] EWCA Crim 2177; (2008) 158 NLJ 1459; <i>The Times</i> 15 October 2008	12.60, 12.62
<i>R v Secretary of State for Health, ex parte Imperial Tobacco Ltd</i> [2000] 1 All ER 572, CA	10.40
<i>R v Secretary of State for Health, ex parte Imperial Tobacco Ltd</i> [2001] 1 WLR 127, HL	10.40
<i>R v Secretary of State for the Home Department, ex parte Saleem</i> [2000] 4 All ER 814, CA	23.24

<i>R v Secretary of State for the Home Department, ex parte Simms</i> [2000] 2 AC 115	25.25
<i>R v Secretary of State for Transport, ex parte Factortame Ltd (No 2)</i> (Case C-213/89) [1991] 1 AC 603, ECJ	23.119
<i>R v Secretary of State for Transport, ex parte Factortame Ltd (No 6), The Times</i> 10 January 2001, QBD	8.77
<i>R v Shayler</i> [2003] 1 AC 247, HL	12.156, 23.36
<i>R v Socialist Worker Printers and Publishers Ltd, ex parte Attorney-General</i> [1975] QB 637, Div Ct	26.09, 26.11, 26.16, 26.28
<i>R v Sussex Justices, ex parte McCarthy</i> [1924] 1 KB 256	23.45, 24.26, 24.30, 26.02
<i>Rabin v Mendoza &amp; Co</i> [1954] 1 WLR 271, CA	12.79, 12.92
<i>Rahman v Sterling Credit Ltd</i> [2001] 1 WLR 496, CA	8.52, 14.108
<i>Rainy Sky SA v Kookmin Bank</i> [2011] UKSC 50; [2011] 1 WLR 2900	5.12, 27.44
<i>Raja v Van Hoogstraten</i> [2004] EWCA Civ 968; [2004] 4 All ER 793	17.37–17.38, 17.40, 17.44, 17.51
<i>Raja v Van Hoogstraten</i> [2005] EWHC 2890 (Ch)	16.94
<i>Ras al Khaimah Investment Authority v Bestfort Development llp</i> [2017] EWCA Civ 1014; [2018] 1 WLR 1099	21.06, 21.31, 21.50
<i>Rawlinson &amp; Hunter Trustees SA v Director of the Serious Fraud Office</i> [2014] EWCA Civ 1129; [2015] 1 WLR 797	12.01, 12.07
<i>Rawson v Samuel</i> (1841) Cr & Ph 161	7.19
<i>RBIL v Ryhurst</i> [2011] EWHC 2209; [2011] BLR 721; [2012] 3 Costs LO 296	19.14
<i>RC Residuals Ltd v Linton Fuel Oils Ltd</i> [2002] EWCA Civ 11; [2002] 1 WLR 2782	9.54, 23.98
<i>Re A (A Child)</i> [2014] EWCA Civ 871; [2014] 1 WLR 4453	16.97
<i>Re A (Children)</i> [2011] EWCA Civ 1205; [2012] 1 WLR 595; [2012] CP Rep 6; [2012] 1 FLR 134; [2012] 1 FCR 379; [2012] Fam Law 8	15.62–15.63
<i>Re A (Forced Marriage: Special Advocates)</i> [2010] EWHC 2438 (Fam); [2012] Fam 102; [2011] 1 FLR 1493; [2011] Fam Law 23	12.163
<i>Re A</i> [2012] UKSC 60; [2012] 3 WLR 1484; [2013] 1 All ER 761	12.132, 12.178
<i>Re Arrows Ltd (No 4)</i> [1995] 2 AC 75, HL	12.177
<i>Re B (A Child: Care Proceedings: Threshold Criteria)</i> [2013] UKSC 33; [2013] 1 WLR 1911	15.90
<i>Re B (A Minor), The Times</i> 18 January 2000, CA	16.36
<i>Re B (Children) (Sexual Abuse: Care Proceedings: Standard of Proof)</i> [2008] UKHL 35; [2009] 1 AC 11	14.23, 14.26
<i>Re B (Minors: Care Proceedings: Issue Estoppel)</i> [1997] Fam 117	16.36
<i>Re B (Wrongful Removal: Orders Against Non-parties)</i> [2014] EWCA Civ 843; [2015] Fam 209	17.56, 21.129–21.130
<i>Re Bank of Credit and Commerce International SA (No 8)</i> [1998] AC 214, HL	7.15
<i>Re Barings (No 2)</i> [1999] 1 All ER 311, CA	16.94
<i>Re Barlow Clowes Gilt Managers Ltd</i> [1992] Ch 208	12.174
<i>Re Baronetcy of Pringle of Stichill</i> [2016] UKPC 16; [2016] 1 WLR 2870	16.05
<i>Re Barrell Enterprises</i> [1973] 1 WLR 19, CA	2.06, 17.50
<i>Re BCCI (in liquidation)</i> (2001) NLJ 1852	24.44
<i>Re Colt Telecom Group plc</i> [2002] EWHC 2815 (Ch)	13.82, 18.35
<i>Re D (A Child)</i> [2011] EWCA Civ 684; [2011] 4 All ER 434	12.32
<i>Re D (Minors: Conciliation)</i> [1993] Fam 231, CA	12.113
<i>Re D</i> [2008] UKHL 33; [2008] 1 WLR 1499	14.22–14.23, 14.30

<i>Re Daintrey, ex parte Holt</i> [1893] 2 QB 116, CA	12.108
<i>Re Dalnyaya Step LLC</i> [2017] EWHC 756 (Ch); [2017] 1 WLR 4264	19.01
<i>Re Dellow's Will Trusts</i> [1964] 1 WLR 451	14.24
<i>Re Duncan</i> [1968] P 306	12.43
<i>Re Eurocruit Europe (in liquidation)</i> [2007] EWHC 1433 (Ch); [2008] Bus LR 146; [2007] BCC 916	8.19, 8.33
<i>Re F (A Child)</i> [2016] EWHC 1806 (Fam); [2016] 1 WLR 4720	23.06
<i>Re First Express Ltd</i> [1991] BCC 782; <i>The Times</i> 8 October 1991	21.31
<i>Re Ford</i> [1900] 2 QB 211	10.82
<i>Re G (A Minor)</i> [1999] 1 WLR 1828, CA	23.36
<i>Re Grayan Building Services Ltd</i> [1995] Ch 241, CA	15.75
<i>Re Guardian News &amp; Media Ltd</i> [2010] UKSC 1; [2010] 2 AC 697	10.48, 21.101
<i>Re H (Minors) (Sexual Abuse: Standard of Proof)</i> [1996] AC 563, HL	14.17, 14.24, 14.32
<i>Re Harrods (Buenos Aires) Ltd</i> [1992] Ch 72, CA	24.18
<i>Re Highgrade Traders Ltd</i> [1984] BCLC 151, CA	11.50
<i>Re HIV Haemophiliac Litigation</i> (1990) New LJ 1349, CA	12.162
<i>Re Joseph Hargreaves Ltd</i> [1900] 1 Ch 347, CA	12.162
<i>Re K (Children)</i> [2015] EWCA Civ 543; [2015] 1 WLR 3801	14.59, 23.06, 23.21
<i>Re Kaupthing Singer &amp; Friedlander Ltd (in administration)</i> [2009] EWHC 740 (Ch); [2009] 2 Lloyd's Rep 154; [2009] 2 BCLC 137	7.09, 7.33–7.34
<i>Re L</i> [1997] AC 16, HL	12.21, 12.43, 12.47
<i>Re L</i> [2004] EWCA Civ 963	15.53, 15.61
<i>Re L</i> [2010] EWHC 2675 (Fam); [2011] Fam 189	22.08
<i>Re L</i> [2013] UKSC 8; [2013] 1 WLR 634	16.12, 27.29
<i>Re Lands Allotment Co</i> [1894] 1 Ch 616, CA	8.19
<i>Re M (A Minor) (Contact Order; Committal)</i> [1999] Fam 263, CA	24.46
<i>Re M</i> [2011] EWHC 1197 (Fam); [2012] 1 WLR 287	26.27
<i>Re Maxwell Communications (No 2)</i> [1993] 1 WLR 1402	7.33
<i>Re Medicaments and Related Classes of Goods (No 2)</i> [2001] 1 WLR 700, CA	24.26
<i>Re Medicaments and Related Classes of Goods (No 4)</i> [2002] 1 WLR 269, CA	24.26
<i>Re Overnight Ltd (in insolvency)</i> [2009] EWHC 601 (Ch); [2009] Bus LR 1141; [2010] BCC 787	8.20
<i>Re PD Transport Ltd</i> [2009] EWHC 1693 (Ch)	6.65
<i>Re Q's Estate</i> [1999] 1 All ER (Comm) 499	21.31
<i>Re RBS Rights Issue Litigation</i> [2016] EWHC (Ch); [2017] 1 WLR 1991	12.15, 12.22–12.23
<i>Re RBS Rights Issue Litigation</i> [2017] EWHC 463; [2017] 1 WLR 3539	11.23, 18.90, 19.11, 22.22
<i>Re RBS Rights Issue Litigation</i> [2017] EWHC 1217 (Ch); [2017] 1 WLR 4635	10.20, 18.90, 19.11, 19.25, 22.22
<i>Re S (A Child) (Family Division: Without Notice Orders)</i> [2001] 1 WLR 211	21.33
<i>Re Sarah Getty Trust</i> [1985] QB 956	12.89
<i>Re Saxton</i> [1962] 1 WLR 968	12.51
<i>Re Southern Counties Fresh Foods Ltd</i> [2011] EWHC 1370 (Ch)	18.05
<i>Re Spectrum Plus Ltd</i> [2005] UKHL 41; [2005] 2 AC 680	8.39, 15.96
<i>Re Supply of Ready Mixed Concrete (No 2)</i> [1995] 1 AC 456, HL	17.39–17.40, 21.89
<i>Re W (A Child) (Care Proceedings: Non Party Appeal)</i> [2017] EWCA Civ; [2017] 1 WLR 2415	25.12
<i>Re W (Wilkinson v Anjum)</i> [2011] EWCA Civ 1196; [2012] 1 WLR 1036	17.53

<i>Re W</i> [2017] EWHC 450 (Fam); [2017] 1 WLR 3451	22.43
<i>Re West</i> [2014] EWCA Civ 1480; [2015] 1 WLR 109	25.11
<i>Re Z (A Child)</i> [2017] EWCA Civ 157; [2017] 1 WLR 4255	23.06
<i>Recovery Partners GB Ltd v Rukhadze</i> [2018] EWHC 95 (Comm); [2018] 1 WLR 1640	19.18–19.20
<i>Refco Inc v Eastern Trading Co</i> [1999] 1 Lloyd's Rep 159, CA	21.31, 21.82
<i>Reichhold Norway ASA v Goldman Sachs International</i> [2000] 1 WLR 173, CA	2.17, 23.27, 34.13
<i>Republic of Haiti v Duvalier</i> [1990] 1 QB 202, CA	21.82
<i>Republic of India v India Steamship Co Ltd ('The Indian Endurance' (No 1))</i> [1993] AC 410, HL	8.06, 16.02, 16.25, 16.40, 16.93, 42.12
<i>Republic of India v India Steamship Co Ltd ('The Indian Endurance' (No 2))</i> [1998] AC 878, HL	8.25, 16.19, 16.40–16.41, 16.93, 23.63
<i>Republic of India v India Steamship Co Ltd ('The Indian Grace') [1993] AC 410, HL</i>	8.06, 16.02, 16.25, 16.93, 42.12
<i>Republic of Liberia v Roye</i> (1876) 1 App Cas 139, HL	11.54
<i>Resolution Chemical Ltd v H Lundbeck A/S</i> [2013] EWCA Civ 1515; [2014] 1 WLR 1943	24.27, 24.29, 24.42
<i>RG Carter Building Ltd v Kier Business Services Ltd</i> [2018] EWHC 729 (TCC); [2018] 1 WLR 4598	8.97
<i>RH Tomlinssons (Trowbridge) Ltd v Secretary of State for the Environment</i> [2000] BCC 576; [1999] 2 BCLC 760; [1999] NPC 110	23.36
<i>RHM Foods v Bovril</i> [1982] 1 WLR 661, CA	11.15
<i>Rialto, The. See Yukong Line Ltd of Korea v Rendsburg Investments Corp</i>	
<i>Rice v Gordon</i> (1843) 13 Sim 580; 60 ER 225	12.66
<i>Ridgeland Properties Ltd v Bristol CC</i> [2011] EWCA Civ 649; [2011] RVR 232; [2011] JPL 1498	13.72
<i>Riniker v University College London, The Times</i> 17 April 1999, CA	5.04, 8.04
<i>Riniker v University College London</i> [2000] 1 WLR 13, CA	3.23, 5.04, 15.16
<i>Rio Tinto Zinc Corpn v Westinghouse Electric Corpn</i> [1978] AC 547, HL	12.146, 16.05, 23.121
<i>Riyad Bank v Ahli United Bank (UK) plc</i> [2005] EWCA Civ 1419	15.38
<i>Roache v News Group Newspapers Ltd</i> [1998] EMLR 161, CA	15.88
<i>Robert Hitchens Ltd v International Computers Ltd</i> [1996] EWCA Civ 1163	12.51
<i>Roberts Petroleum Ltd v Bernard Kenny</i> [1983] AC 192, HL	17.24
<i>Roberts v Fresse</i> [2018] EWHC 3867 (QB)	9.54
<i>Roberts v Gill &amp; Co</i> [2010] UKSC 22; [2011] 1 AC 240	2.11, 6.41, 6.68, 8.06, 16.25
<i>Roberts v Swangrove Estate</i> [2008] EWCA Civ 98; [2008] Ch 439	8.92
<i>Robins v UK</i> (1997) 26 EHRR 527, ECHR	23.82, 27.28
<i>Robinson v Bird</i> [2003] EWCA Civ 1820; [2004] WTLR 257	27.36
<i>Robinson v HM Customs and Excise, The Times</i> 28 April 2000	12.168
<i>Robinson v PE Jones (Contractors) Ltd</i> [2011] EWCA Civ 9; [2012] QB 44	8.50
<i>Rochdale MBC v KW (No 2)</i> [2015] EWCA Civ 1054; [2016] 1 WLR 198	15.95
<i>Rochefoucauld v Boustead</i> (1896) 65 LJ Ch 794	12.38
<i>Rogers v Home Secretary</i> [1973] AC 388, HL	12.146, 12.174, 12.177
<i>Rogers v Merthyr Tydfil County BC</i> [2006] EWCA Civ 1134; [2007] 1 WLR 808	20.27
<i>Rollison v Kimberly Clark</i> [2001] EWCA Civ 1456; [2002] CP Rep 10	13.46

<i>Rolls Razor Ltd v Cox</i> [1967] 1 QB 552, CA	7.33
<i>Rolls-Royce plc v Unite Union</i> [2009] EWCA Civ 387, [2010] 1 WLR 318	15.92
<i>Ron Jones (Burton-on-Trent) Ltd v JS Hall</i> (unreported, 3 August 1999)	16.03, 16.28
<i>Rondel v Worsley</i> [1969] 1 AC 191, HL	13.72, 15.97, 23.62
<i>Ronex Properties Ltd v John Laing Construction Ltd</i> [1983] 1 QB 398, CA	8.22, 8.24
<i>Rookes v Barnard</i> [1964] AC 1129, HL	27.64
<i>Rossetti Marketing Ltd v Diamond Sofa Co Ltd</i> [2012] EWCA Civ 1021	10.10, 10.69
<i>Rowe and Davis v UK</i> (2000) 30 EHRR 1	12.135
<i>Rowland v Bock</i> [2002] 4 All ER 370	23.56
<i>Rowner v Allen &amp; Sons</i> (1936) 41 Com Cas 90	16.02, 42.12
<i>Royal &amp; Sun Alliance plc v T&amp;N Ltd</i> [2002] EWCA Civ 1964	15.73
<i>Royal Bank of Scotland v Etridge (No 2)</i> [2002] 2 AC 773, HL	15.96, 27.46
<i>Roylance v General Medical Council (No 2)</i> [2000] 1 AC 311, PC	24.30
<i>Rugby Football Union v Consolidated Information Services Ltd</i> [2012] UKSC 55; [2012] 1 WLR 3333	11.16, 11.19
<i>Ruiz Torija v Spain</i> (1994) 19 EHRR 553, ECHR	27.28
<i>Runa Begum v Tower Hamlets LBC</i> [2002] 1 WLR 2491, CA	23.49, 26.05
<i>Runa Begum v Tower Hamlets LBC</i> [2003] UKHL 5; [2003] 2 AC 430, HL	23.49, 24.37, 26.05
<i>Rush &amp; Tompkins Ltd v Greater London Council</i> [1989] AC 1280, HL	12.58–12.62, 12.68, 12.71, 12.78, 12.86–12.88, 12.92–12.93, 12.95, 12.115, 12.121
<i>Ruttle Plant Hire Ltd v The Secretary of State for the Environment, Food and Rural Affairs</i> [2007] EWHC 1773 (TCC)	16.63, 16.67
<i>Rybak v Langbar International Ltd</i> [2010] EWHC 2015 (Ch)	9.28, 9.32
<i>S v Beach</i> [2014] EWHC 4189 (QB); [2015] 1 WLR 4701	10.58, 10.59
<i>S v S (Arbitral Award Approval)</i> [2014] EWHC (Fam) 7; [2014] 1 WLR 2299	33.38
<i>S v S</i> [2015] EWHC 1005 (Fam); [2015] 1 WLR 4592	15.38
<i>S v B</i> [2000] Fam 76	12.51
<i>S v Gloucestershire CC</i> [2000] 3 All ER 346, CA	10.88
<i>S v Gloucestershire CC</i> [2001] Fam 313, CA	10.88
<i>S v S (Ancillary Relief: Consent Order)</i> [2002] EWHC 223 (Fam); [2003] Fam 1	16.48, 42.04
<i>Safeway Stores Ltd v Interserve Project Services</i> [2005] EWHC 3085 (TCC); 105 Con LR 60	7.22
<i>Sagheera, The. See Hellenic Mutual War Risk Association (Bermuda) Ltd v Harrison</i>	
<i>Saif Ali v Sydney Smith Mitchell &amp; Co</i> [1980] AC 198, HL	23.62
<i>Salaman v UK</i> (Application No 43505/98) 15 June 2000, ECHR	23.46, 24.45
<i>Salekipour v Parmar</i> [2017] EWCA Civ 2141; [2018] QB 833	15.34, 16.92
<i>Salford Estates (No 2) Ltd v Altomart Ltd</i> [2014] EWCA Civ 1408; [2015] 1 WLR 1825	9.41, 9.45, 9.53, 15.13
<i>Salt v Stratstone Specialist Ltd</i> [2015] EWCA Civ 745; [2015] 2 CLC 269	8.124
<i>Sanctuary Association v Baker (No 2)</i> (1998) 31 HLR 746, CA	16.88
<i>Sarped Oil International Ltd v Addax Energy SA</i> [2016] EWCA Civ 120; [2016] CP Rep 24	18.39
<i>Sarwar v Alam</i> [2001] EWCA Civ 1401; [2001] 4 All ER 541; [2002] 1 WLR 125, CA	20.27, 23.32, 23.36

<i>Sattin v National Union Bank</i> (1978) 22 Sol Jo 367	14.72
<i>Saudi Eagle, The. See Alpine Bulk Transport Co Inc v Saudi Eagle Shipping Co Inc</i>	
<i>Saunders v Adderley</i> [1999] 1 WLR 884, PC	15.55
<i>Saunders v UK</i> (1996) 23 EHRR 313, ECHR	12.58, 12.61, 21.116
<i>Savage v Chief Constable of Hampshire</i> [1997] 1 WLR 1061, CA	12.163, 12.168, 12.178
<i>Savings &amp; Investment Bank Ltd v Fincken</i> [2003] EWCA Civ 1630;	
[2004] 1 WLR 667; [2004] 1 All ER 1125	2.07, 6.29–6.30, 6.42, 6.48, 6.51, 12.105, 12.107
<i>Sayers v Merck &amp; SmithKline Beecham plc</i> [2001] EWCA Civ 2017;	
[2002] 1 WLR 2274, CA	10.132, 22.29
<i>Sayers v TNT (UK) Ltd</i> [2012] EWCA Civ; [2012] 1 WLR 1261	27.67
<i>Scarth v UK</i> (Application No 33745/96) 22 July 1999, ECHR	26.06
<i>SCF Tankers Ltd v Privalov</i> [2017] EWCA Civ 1877; [2018] 1 WLR 5623	10.22, 21.41
<i>Schenker Ltd v Negocios Europa Ltd</i> [2017] EWHC 2921; [2018] 1 WLR 718	7.38
<i>Schenkers Ltd v Overland Shoes Ltd</i> [1998] 1 Lloyd's Rep 498	7.36
<i>Schtun v Zalejska</i> [1996] 3 All ER 411, CA	23.93
<i>Schutz UK Limited, Schutz GmbH &amp; Co. KGaA v Delta Containers Limited</i>	
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<i>Science Research Council v Nassé</i> [1980] AC 1028, HL	11.44, 12.119–12.120, 12.124, 12.128, 12.133, 12.139, 12.142, 12.144, 12.149, 12.155
<i>Scott v Scott</i> [1913] AC 417, HL	2.17, 26.03
<i>Sea Assets Ltd v PT Garuda Indonesia</i> [2000] 4 All ER 371	5.09
<i>Sea Hawk, The. See Locabail v Agroexport</i>	
<i>Seagrove v Sullivan</i> [2014] EWHC 4110 (Fam); [2015] Fam Law 141	14.15
<i>Seaton v Seddon</i> [2012] EWHC 735 (Ch); [2012] 1 WLR 3637	6.17, 8.06, 8.44, 14.93
<i>Seaward v Paterson</i> [1897] 1 Ch 545	10.24, 17.42
<i>Secretary of State for Business, etc, v Feld</i> [2014] EWHC 1383 (Ch);	
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<i>Secretary of State for the Home Department v AF (No 3)</i> [2009] UKHL 28;	
[2010] 2 AC 269	25.15, 25.21
<i>Secretary of State for the Home Department v CC</i> [2014] EWCA Civ 559;	
[2014] 1 WLR 4240	21.33, 25.15
<i>Secretary of State for the Home Department v Rehman</i> [2001] UKHL 47;	
[2003] 1 AC 153	14.25
<i>Secretary of State for Trade and Industry v Baker (No 2)</i> [1998] Ch 356	12.53, 12.139
<i>Securum Finance Co v Ashton</i> [2001] Ch 291, CA	16.35, 23.95, 23.97
<i>Seifert v Pensions Ombudsman</i> [1997] 4 All ER 947, CA	27.27
<i>Senate Electrical Wholesalers Ltd v Alcatel Submarine Networks Ltd</i>	
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<i>Senior v Pearson &amp; Ward</i> [2001] EWCA Civ 229, CA	6.42, 10.17
<i>Sennar, The (No 2)</i> [1985] 1 WLR 490, HL	16.42, 16.53, 43.59
<i>Series 5 Software Ltd v Clarke</i> [1996] 1 All ER 853	10.35–10.36
<i>Serious Organised Crime Agency v Namli</i> [2011] EWCA Civ 1411;	
[2012] CP Rep 10; [2012] Lloyd's Rep FC 139	11.36
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<i>SerVaas Incorporated v Rafidian Bank</i> [2012] UKSC 40; [2012] 3 WLR 545 . . . . .	17.21
<i>Sharab v Al-Saud</i> [2009] 2 Lloyd's Rep 160 . . . . .	14.83
<i>Sharland v Sharland</i> [2015] UKSC 60; [2016] AC 871 . . . . .	15.34, 16.92
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<i>Sheldon v RHM Outhwaite (Underwriting Agencies) Ltd</i> [1996] 1 AC 102, HL . . . . .	8.37
<i>Shelfer v City of London Electric Lighting Co (No 1)</i> [1895] 1 Ch 287, CA . . . . .	8.139
<i>Shell Egypt West Manzala GmbH v Dana Gas Egypt Ltd</i> [2009] EWHC 2097 (Comm) . . . . .	3.45, 30.23, 30.104, 30.118, 30.134, 41.87, 41.115
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<i>Shlaimoun v Mining Technologies International Inc</i> [2011] EWHC 3278 (QB); [2012] 1 WLR 1276 . . . . .	11.65, 11.72
<i>Shlosberg v Avonwick Holdings Ltd</i> [2016] EWCA Civ 1138; [2017] Ch 210 . . . . .	12.29
<i>Shocked v Goldschmidt</i> [1998] 1 All ER 372, CA . . . . .	10.58
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<i>Shovelar v Lane</i> [2011] EWCA Civ 802; [2012] 1 WLR 637 . . . . .	18.10–18.11, 18.69
<i>Sibthorpe v Southwark LBC</i> [2011] EWCA Civ 25; [2011] 1 WLR 2111 . . . . .	18.84, 18.89, 20.06, 20.09, 20.27
<i>SIG Architectural Products Ltd v Castle House Windows Ltd</i> (unreported, 20 June 1996) . . . . .	10.36, 10.39
<i>Simaan General Contracting Company Ltd v Pilkington Glass Ltd</i> [1987] 1 WLR 516 . . . . .	8.74, 12.92
<i>Simcoe v Jacuzzi UK Group plc</i> [2012] EWCA Civ 137; [2012] 1 WLR 2393 . . . . .	14.91, 17.60, 18.92–18.93
<i>Simmonds v Pearce</i> [2017] EWHC 3126 (Admin) [2018] 1 WLR 1849 . . . . .	17.08
<i>Simmons v Castle</i> [2012] EWCA Civ 1288; [2013] 1 All ER . . . . .	20.22
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<i>Simpson v Norfolk and Norwich University Hospital NHS Trust</i> [2011] EWCA Civ 1149; [2012] 1 WLR 1149 . . . . .	10.99
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<i>Smart v East Cheshire NHS Trust</i> [2003] EWHC 2806 (QB); [2004] 1 Costs LR 124; (2004) 80 BMLR 175 . . . . .	18.53
<i>Smith v Brough</i> [2005] EWCA 261; [2006] CP Rep 17 . . . . .	1.26, 3.21
<i>Smith v Clay</i> (1767) 3 Bro CC 639n . . . . .	8.123
<i>Smith v Henniker-Major &amp; Co</i> [2003] Ch 182 . . . . .	6.43
<i>Smith v Inner London Education Authority</i> [1978] 1 All ER 411, CA . . . . .	10.40
<i>Smith v Johnson</i> (1812) 15 East 213; 104 ER 824 . . . . .	16.64, 42.09–42.10
<i>Smith v Linskills</i> [1996] 1 WLR 763, CA . . . . .	16.94, 16.96, 42.04
<i>SmithKline Beecham Biologicals SA v Connaught Laboratories Inc</i> [1999] 4 All ER 498, CA . . . . .	11.63, 11.68, 14.88, 26.17
<i>SmithKline Beecham plc v Generics (UK) Ltd</i> [2003] EWCA Civ 1109; [2004] 1 WLR 1479 . . . . .	11.69

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<i>Société Générale de Réassurance v Eras (International) Ltd (note)</i>	
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<i>Solutia UK Ltd (formerly known as Monsanto Chemicals UK Ltd) v Griffiths</i>	
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<i>Somasunaram v M Julius Melchior &amp; Co</i> [1988] 1 WLR 1394, CA	16.94
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<i>Spargo v North Essex District Health Authority</i> [1997] 1 PIQR P235	8.59
<i>Spencer v Secretary of State for Work and Pensions</i> [2008] EWCA Civ 750;	
[2009] QB 358	8.11, 8.68
<i>Spicer v Tuli</i> [2012] EWCA Civ 845; [2012] 1 WLR 3088	16.28, 16.31, 16.71
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<i>Spring v Guardian Assurance plc</i> [1995] 2 AC 296, HL	12.141
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[2001] EMLR 654, CA	14.69
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<i>SSL International plc v TTK LIG Ltd</i> [2011] EWCA Civ 1170; [2012] 1 WLR 1842	5.08
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<i>Stephens v Cannon</i> [2005] EWCA Civ 222; CP Rep 31	13.20
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<i>Sun United Maritime Ltd v Kasteli Marine Inc</i> [2014] EWHC 1476 (Comm); [2015] 1 WLR 1527 . . . . .	30.84, 30.103, 41.80
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<i>Taylor v Director of the Serious Fraud Office</i> [1999] 2 AC 177, HL . . . . .	11.62, 13.82
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<i>Thanet DC v Ninedrive Ltd</i> [1978] 1 All ER 703 . . . . .	10.40
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<i>Thomson v O'Connor</i> [2005] EWCA Civ 1533 . . . . .	9.24, 15.70
<i>Thorner v Major</i> [2009] UKHL 18; [2009] 1 WLR 776 . . . . .	15.45
<i>Thorpe v Chief Constable of Greater Manchester Police</i> [1989] 1 WLR 665, CA . . . . .	11.39
<i>Three Rivers DC v Bank of England (No 4)</i> [2002] EWCA Civ 1182; [2003] 1 WLR 210, CA . . . . .	11.21
<i>Three Rivers DC v Bank of England (No 5)</i> [2003] EWCA Civ 474; [2003] QB 1556, CA . . . . .	12.15, 12.20–12.21
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<i>Times Travel Ltd v Pakistan International Airlines</i> [2018] EWHC 1559 (Ch)	9.54
<i>Timmins v Gormley</i> [2000] QB 451, CA	24.45
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<i>Tolstoy Miloslavsky v UK</i> (1995) 20 EHRR 442, ECHR	15.07, 15.100, 19.17, 19.24
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<i>Totty v Snowden</i> [2002] 1 WLR 1384, CA	5.30, 6.03
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<i>Trill v Sacher</i> [1993] 1 WLR 1379, CA	23.93
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<i>TSB Private Bank International SA v Chabra</i> [1992] 1 WLR 231	21.64, 21.69
<i>Turner v Grovit</i> [2001] UKHL 65; [2002] 1 WLR 107	2.18, 5.34, 34.21–34.22
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<i>U&amp;M Mining Zambia Ltd v Konkola Copper Mines plc</i> [2013] EWHC 260 (Comm); [2013] 1 CLC 456	32.50, 32.52
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<i>Union Discount Co Ltd v Zoller</i> [2002] 1 WLR 1517, CA	18.94–18.95
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<i>Universal Cycles plc v Grangebriar Ltd</i> (CA, unreported, 9 February 2000)	7.07, 15.87
<i>Upjohn Co v United States</i> , 449 US 383 (1981)	12.11, 12.22
<i>US Securities &amp; Exchange Commission v Manterfield</i> [2009] EWCA Civ 27; [2009] 2 All ER 1009	21.36
<i>US v Doe</i> , 465 US 605 (1984)	12.58

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## LIST OF ABBREVIATIONS AND SHORT TITLES

AA (1996)	Arbitration Act 1996 (England, Wales, Northern Ireland)
ALI/UNIDROIT (2006)	<i>American Law Institute and UNIDROIT's 'Principles of Transnational Civil Procedure'</i> (Cambridge University Press, 2006)
Andrews Arb and Contract (2016)	N Andrews, <i>Arbitration and Contract Law</i> (Springer Publishing, Dordrecht, Heidelberg, London, New York, 2016)
Andrews ECP (2003)	N Andrews, <i>English Civil Procedure</i> (Oxford University Press, 2003)
Betancourt (2016)	JC Betancourt (ed), <i>Defining Issues in International Arbitration</i> (Oxford University Press, 2016)
Brekoulakis, Lew, Mistelis (2016)	S Brekoulakis, JDM Lew and LA Mistelis (eds), <i>The Evolution and Future of International Arbitration</i> (Kluwer Publishing, The Hague, 2016)
Briggs CMR (2013)	Lord Briggs, <i>Chancery Modernisation Review: Final Report</i> (2013) < <a href="https://www.judiciary.gov.uk/announcements/chancery-modernisation-review-final-report/">https://www.judiciary.gov.uk/announcements/chancery-modernisation-review-final-report/</a> >
Briggs FR (2016)	Lord Briggs, <i>Civil Courts Structure Review: Final Report</i> (2016) < <a href="https://www.judiciary.gov.uk/wp-content/uploads/2016/07/civil-courts-structure-review-final-report-jul-16-final-1.pdf">https://www.judiciary.gov.uk/wp-content/uploads/2016/07/civil-courts-structure-review-final-report-jul-16-final-1.pdf</a> >
Briggs IR (2015)	Lord Briggs, <i>Civil Courts Structure. Review: Interim Report</i> (2015) < <a href="https://www.judiciary.gov.uk/wp-content/uploads/2016/01/ccsr-interim-report-dec-15-final1.pdf">https://www.judiciary.gov.uk/wp-content/uploads/2016/01/ccsr-interim-report-dec-15-final1.pdf</a> >
CA	Court of Appeal
CCR	County Court Rules

CLJ	<i>Cambridge Law Journal</i>
CJQ	<i>Civil Justice Quarterly</i>
Commercial Court Guide, The	<i>The Commercial Court Guide</i> (10th edn, 2017) <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/508023/admiralty-and-commercial-courts-guide.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/508023/admiralty-and-commercial-courts-guide.pdf</a>
CPR	Civil Procedure Rules (1998)
DAC Report (1996)	Departmental Advisory Committee on Arbitration Law: Report on the Arbitration Bill (February 1996) (reproduced in Mustill and Boyd, <i>Commercial Arbitration: Companion Volume</i> (Butterworths, London, 2011), appendix I)
HL	House of Lords
IBA	International Bar Association
ICC	International Chamber of Commerce
ICSID	International Centre for the Settlement of Investment Disputes
Jackson FR (2010)	Sir Rupert Jackson, <i>Review of Civil Litigation Costs: Final Report</i> (2010) < <a href="https://www.judiciary.gov.uk/wp-content/uploads/JCO/Documents/Reports/jackson-final-report-140110.pdf">https://www.judiciary.gov.uk/wp-content/uploads/JCO/Documents/Reports/jackson-final-report-140110.pdf</a> >
Jackson Fixed Costs (2017)	Sir Rupert Jackson, <i>Review of Civil Litigation Costs: Supplemental Report Fixed Recoverable Costs</i> (July 2017) < <a href="https://www.judiciary.gov.uk/wp-content/uploads/2017/07/fixed-recoverable-costs-supplemental-report-online-2-1.pdf">https://www.judiciary.gov.uk/wp-content/uploads/2017/07/fixed-recoverable-costs-supplemental-report-online-2-1.pdf</a> >
Jackson RCJ (2018)	S Clark and Sir Rupert Jackson, <i>The Reform of Civil Justice</i> (2nd edn, Sweet & Maxwell, London, 2018)
Joseph (2015)	D Joseph, <i>Jurisdiction and Arbitration Agreements and their Enforcement</i> (3rd edn, Sweet & Maxwell, London, 2015)
LCIA	London Court of International Arbitration
Lew, Bor, et al (2013)	JDM Lew, H Bor, G Fullelove and J Greenaway (eds), <i>Arbitration in England</i> (Kluwer Publishing, The Hague, 2013)
LQR	<i>Law Quarterly Review</i>

M&B (2001)	M Mustill and S Boyd, <i>Commercial Arbitration: Companion Volume</i> (Butterworths Publishing, London, 2001)
Model Law	UNCITRAL Model Law on International Commercial Arbitration 1985 (as amended in 2006)
Newman (2014)	LW Newman and RD Hill (eds), <i>The Leading Arbitrators' Guide to International Arbitration</i> (3rd edn, New York, 2014)
NYC (1958)	New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards 1958
Park (2006)	WW Park, <i>Arbitration of International Business Disputes: Studies in Law and Practice</i> (Oxford University Press, 2006)
PC	Privy Council
PD	Practice Direction
QC	Queen's Counsel
Redfern (2015)	N Blackaby and C Partasides (eds), <i>Redfern and Hunter on International Arbitration</i> (6th edn, Oxford University Press, 2015)
RSC	Rules of the Supreme Court
Russell (2015)	<i>Russell on Arbitration</i> (24th edn, Sweet & Maxwell, London, 2015)
UNCITRAL	United Nations Commission on International Trade Law
WB (2019)	<i>Civil Procedure 2019</i> (the 'White Book') (Sweet & Maxwell, London, 2019)
WLR	<i>Weekly Law Reports</i>
ZZP Int	<i>Zeitschrift für Zivilprozess International</i>

