



Association des Juristes Franco-Britanniques
Franco-British Lawyers Society

HYBRID EVENT

Contract Law as an Instrument of Legal Predictability and Economic Attractiveness:

A Franco-British Perspective

Le droit comme outil de prévisibilité juridique et d'attractivité économique :

*Approches comparées sous le prisme du droit applicable aux contrats
d'affaires*

Thursday 24 November at 6pm

University of Westminster, 309 Regent St., Room UG 05

London W1B 2HW

At a time of healthy competition between legal systems, to what extent can contract law be used as an instrument of legal predictability and economic attractiveness for parties involved in cross-border trade? Do the choice of law and the choice of jurisdiction matter for them in their commercial endeavours, particularly as private ordering of commercial and legal affairs gains in prominence in the current market?

This conference will explore (1) the challenges and opportunities for predictability in contractual interpretation with senior judges from different legal traditions, and (2) the considerations in the choice of law through the prism of legal practitioners.

A drinks reception will follow afterwards in the same building.

Registration can be made using the Society's email address at fbls@outlook.com. There is no charge. All are welcome and it is not necessary to be a member of the Society to attend. Please indicate when registering whether you intend to join the event in person or remotely.

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Please note that we now have a virtual office and communication by email is preferred.

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Introductory remarks

Luke Mason, Professor of Jurisprudence, Head of Westminster Law School

Estelle Cros, *Magistrat de Liaison*, French Embassy to the United Kingdom

Chair: Catherine Pédamon, President, England & Wales section, FBLs, Senior Lecturer, Westminster Law School

Panel 1. Predictability in Contractual Interpretation: Challenges and Opportunities from a Franco-British Law Perspective

Lord George Leggatt, Justice of the Supreme Court of the United Kingdom

François Ancel, Justice of the *Cour de cassation*

Lord Erich, Judge of the Scottish Supreme Courts, Commercial Judge in the Court of Session

Panel 2. Considerations in the Choice of Law: Economic Attractiveness through the prism of legal practitioners

Laure Lavorel, *Présidente du Cercle Montesquieu*

Géraldine Fabre, Senior Legal Counsel, RATP Dev UK

Jean-François Le Gal, Partner, Pinsent Masons

Concluding remarks

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Estelle Cros,



Magistrat de Liaison, French Embassy to the United Kingdom

Catherine Pédamon,



President of the England & Wales section of the Franco-British Lawyers Society and Senior Lecturer at Westminster Law School, University of Westminster, admitted to the New York and Paris bars, practised corporate and commercial law in international law firms.

Lord George Leggatt,



The Right Hon Lord Leggatt is a Justice of the Supreme Court of the United Kingdom. He practised as a barrister for 28 years, specialising mainly in commercial cases, and was appointed a QC in 1997. In 2012 he was appointed a Judge of the High Court, where he sat in the Commercial Court as well as in a wide range of other civil cases and serious criminal cases. He was promoted to the Court of Appeal in 2018 and became a Justice of the Supreme Court in April 2020.

François Ancel, is a judge at the *Cour de cassation*. He was President of the International Commercial Chamber of the Paris Court of Appeal (ICCP-CA) from September 2018 to August 2022. Before September 2018, he was President of the Third Chamber of the Paris *Tribunal de Grande Instance*, which has jurisdiction in intellectual property law. Between 2005 and 2015, he was appointed to the French Ministry of Justice, where he held several positions, including for six years at the head of the civil law section. He contributed to the drafting of numerous civil laws (family law, contract law, procedural rules and nationality) and in particular to the French reform of arbitration, as well as the French reform of contract law and obligations. Previously, he was a judge in several lower instance courts (*tribunal d'instance* and *tribunal de grande instance*) between 1996 and 2005 where he handled a wide variety of civil cases.

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Lord Ericht,



(Andrew Stewart) was appointed as a judge of the Scottish Supreme Courts in May 2016 and is currently a Commercial Judge in the Court of Session. He is also a judge in the UK Competition Appeal Tribunal and the UK Upper Tribunal (Tax and Chancery Chamber) and a member of the Upper Tribunal for Scotland. After working as a solicitor in London and Edinburgh he then became an advocate (Scottish equivalent of a barrister) and was Standing Junior Counsel to the UK Department of Trade and Industry from 2000 to 2009. During his time as an advocate he was one of the elected office-bearers of the Scottish bar (Clerk of the Faculty of Advocates) and editor of *Session Cases*, the official Scottish Law reports. For over 20 years he was a part-time lecturer at the Université de Lorraine, France. He is Vice-President (Scotland) of the Franco-British Lawyers Society and represents the Scottish judiciary on the Franco-British-Irish Judicial Cooperation Committee. In 2019 he undertook a judicial *stage* working at the Cour de Cassation and Conseil d'Etat in Paris. He is an honorary fellow of the Royal College of Physicians of Edinburgh and a trustee of the LawScot Foundation (a social mobility charity) and the Clark Foundation for Legal Education.

Laure Lavorel,



Membre des Barreaux de Paris et de Nanterre durant 8 ans, puis responsable juridique chez Oracle France et CA Technologies, elle est depuis novembre 2018 la Directrice Juridique International de Broadcom, géant de la Technologie basée aux Etats Unis, dans la Silicon Valley. Elle siège aux conseils d'administration de plusieurs filiales du groupe. Elle a été juge consulaire au Tribunal de Commerce de Paris pendant 5 ans, notamment au sein de la chambre internationale puis dans les chambres de procédures collectives. Elle est depuis 2019 la Présidente du Cercle Montesquieu, l'association des Directeurs Juridiques français (450 membres). L'ensemble de ses actions est commandé par la nécessité de servir le Droit en promulguant un engagement fort et solidaire des professions, convaincue que le développement économique, la sécurisation des échanges et l'accès à la Justice vont de pair, et qu'ils constituent en France comme dans le reste du monde le ferment indispensable de la lutte contre la pauvreté et la discrimination

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Géraldine Fabre, is the general counsel and group company secretary of RATP Dev in the UK. Her remit covers all legal and governance related aspects of the business. She started her career in England some 25 years ago and specialised as an international business lawyer with a focus on M&A and corporate finance. She has expertise in an array of business matters spanning procurement contracts, asset finance, IT, construction, property, business regulations, HR, litigation, and turnaround. She is dual qualified in England and France. Before joining RATP, Geraldine was a partner and head of French desk in well-known City law firms in London.

Jean-François Le Gal,



is a Barrister (England & Wales) & Avocat au Barreau de Paris. He is an International Disputes Partner at Pinsent Masons, and Honorary Secretary of the CI Arb's London branch.

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