

# GROWING THREAT OF LEGAL ACTION AGAINST ARBITRATORS IN SPOTLIGHT

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Legal Briefings

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Our 2020 Singapore lecture examined the threat to the finality and efficiency of arbitration.

Renowned international arbitrator Ms Loretta Malintoppi delivered the 2020 Herbert Smith Freehills-SMU Asian Arbitration Lecture in Singapore on Thursday 22 October. Ms Malintoppi spoke on the growing trend of arbitrators and arbitral institutions being sued by parties dissatisfied with arbitral awards.

These attacks in courts around the world allege violations of due process or unequal treatment of the parties. Arbitrators may also be accused of lack of independence and impartiality.

The online lecture was followed by a panel discussion moderated by [Alastair Henderson](#), Herbert Smith Freehills' Managing Partner, Southeast Asia, with Kevin Nash, Deputy Registrar & Centre Director, Singapore International Arbitration Centre, and Foo Yuet Min, Director of the Dispute Resolution Department at Drew & Napier LLC.

"We were delighted to welcome Loretta to talk about this threat," said Alastair. "These attacks undermine the finality and efficiency of arbitration."

"However, an effective international response has been complicated by a patchwork of laws and arbitral rules across the world, and inconsistent treatment from the judges who rule on these challenges."

"Various solutions have been discussed, from liability insurance to new laws. But we have not yet found a coordinated and effective way forward. This was an important and timely opportunity to renew the discussion."

Visit the [SMU Lecture page](#) to watch the lecture and panel discussion, and download speaker slides.

**The Herbert Smith Freehills-SMU Asian Arbitration Lecture Series** was established in 2010. The objective of the Lecture Series is to promote collaborative forms of dispute resolution and access to justice and in so doing promote Singapore as the centre for dispute resolution in Asia, particularly in arbitration and mediation.

## KEY CONTACTS

If you have any questions, or would like to know how this might affect your business, phone, or email these key contacts.



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