

**STEPHEN BATE**  
**Chartered Arbitrator FCI Arb., Barrister**  
**ARBITRATION CV**  
**[www.mediate-and-arbitrate.com](http://www.mediate-and-arbitrate.com)**

**Qualifications and experience**

Practising barrister from Chambers of Desmond Browne QC and Adrienne Page QC at 5RB, 5 Raymond Buildings, Gray's Inn, with over 25 years experience in a wide range of civil and commercial disputes in Common Law and Chancery matters; specialising in media, entertainment (inc. telecommunications and broadcasting) and sports law.

Stephen has been conducting hearings since 2002, initially as Legal Assessor to the Disciplinary Panel of the Jockey Club, in corruption and other disciplinary cases. He became a Chartered Arbitrator, FCI. Arb in 2007 and has since been appointed in some very high value arbitrations and sits on regulatory panels.

In 2010 Stephen was appointed to the panel of arbitrators of Phonographic Performance Ltd, the UK collecting society for record companies and performers; see further at <http://www.ppluk.com/en/Record-Companies/UK-revenue-payments/Distribution-of-monies/The-Dispute-Resolution-Procedures/>,

He is also a Legal Assessor appointed by the General Medical Council in 2010, advising Fitness to Practice Panels in disciplinary hearings concerning doctors under the Medical Act 1983 (as amended).

Stephen was accredited as a mediator by CEDR in 2002 and has since mediated approximately 50 cases with values up to £30M in the specialist fields referred to above and in other civil law fields, particularly property and contract. He is a member of the Chartered Institute of Arbitrators (CIArb) panel of Civil and Commercial Mediators and of CEDR's Select and Direct panels.

## **Arbitration and other tribunal matters**

### **2009-11**

2 appointments as one of three arbitrators in very high value contractual disputes under UNCITRAL Rules concerning a telecommunications company.

Appointment by CEDR a sole arbitrator in contract claim for £1.7M concerning the provision of education services.

Appointment by CIArb/IDRS to hear £500,000 contract dispute over the provision of medical services.

Appointed by CIArb/IDRS as Chairman of Football League's Disciplinary Commission in dispute between football clubs over manager's services, Colchester Utd v Norwich City FC.

Legal Assessor in 5 fitness to practice cases for the General Medical Council.

Member of the Licensing Committee of the British Horseracing Authority (BHA) and also the BHA's Medical Appeals Panel. Sat on 5 applications under 'fit and proper person' jurisdiction of the regulator: see e.g. Re: Darren Williams December 2009 at [www.britishhorseracing.com](http://www.britishhorseracing.com). Refusal of licence upheld on appeal; Re Fitzpatrick 2010.

Four medical appeals including appeal of well-known female jockey Hayley Turner. Co-opted to BHA's Regulatory Committee, participating in decision not to renew racecourse licence on solvency grounds.

NOMINET appointed expert on disputes over ownership of .uk domain name registrations, CISAS panel member for disputes relating to telecommunication services under Communications Act 2003.

## 2002-2008

Heard 7 licence applications by trainers and jockeys under 'fit and proper person' jurisdiction of the BHA, dealing with integrity and financial issues. Heard 6 medical appeals under the regulator's appeals procedure for jockeys declared unfit to ride. 75 CISAS documents-only decisions in disputes between consumers and communication service providers. NOMINET DRS expert 10 decisions. Legal Assessor in 7 disciplinary racing cases in corruption and other disciplinary enquiries including *Be My Royal* (a doping enquiry) and see appeal; *Mullins v The Jockey Club & Anr* [2006] EWHC 986.

## **Practice as a barrister**

Recommended in the top tier of junior counsel in the 'Media and Entertainment' sections in both the Legal 500 and Chambers directories for 2010/11. Similar ratings consistently achieved in the last 10 years.

### Work in Entertainment/Media/Sport

Acted for many well-known organisations and individuals in music, film, television, Internet, print publishing and sport for contract, intellectual property and competition disputes; including Universal, Fox, Disney, ITV companies, MTV, the British Horseracing Authority, Celador, Random House, Mirror Group Newspapers, News Group, EMI, BMG and the BPI; Michael Jackson, Robbie Williams, Paul McCartney, Lord Puttnam, footballers and athletes.

### Work in Telecommunications

Acted for satellite operators, satellite broadcasters, cable companies, content providers. The following are examples of work undertaken. Contract disputes concerning transponder agreements, uplink/downlink agreements. Advice on regulatory requirements, licensing arrangements, Telecommunications Code and Outer Space Act matters. Acted in s 297/8 CDPA dispute concerning encrypted

broadcasts and unauthorised decoders. Advised on digital transmission arrangements under Communications Act 2003. Acted for SIS, BSkyB, BBC, S4C and Kinnevik, among others.

### Other Work

Other work includes the following: sale of goods, supply of services, building contracts, computer contracts, franchise agreements, employment agreements, insurance claims, guarantee claims, contract disputes in many other different fields, e.g. supply of gas, sale of companies, advertising, restaurants, printing; landlord and tenant disputes (residential and commercial), boundary, right of way and other real property disputes, professional negligence (solicitors), partnerships, Inheritance Act claims, competition claims, sponsorship and other sports-related agreements, defamation and privacy.

### **Publications**

Co-author, *The Law of Privacy and the Media* (OUP, 2002, 2006).

Joint editor, *The Yearbook of Media and Entertainment Law, Copyright Law 1996-2002* (OUP).

Co-author, *The Law and Regulation of Satellite Communications in Europe* (FT Law & Tax 1997)

Editor, *Television by Satellite* (ESC Publishing, 1987)

### **Previous history**

1981 Passed Bar Finals exams and called to the Bar.

1979-1980 Diploma in Law, City University.

1976-1979 Magdalene College, Cambridge; M.A Foreign Languages 2.1.

1972.1976 Westminster School, A Levels (French, German and History).

### **Age and personal details**

52, married with 3 children. Interests include a wide variety of sporting activities, reading history and membership of the Royal Geographical Society.