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## SCL (SINGAPORE) - ISAF JOINT CONFERENCE 2023

# ADJUDICATION IN THE AGE OF COLLABORATIVE CONTRACTING

**THURSDAY, 21 SEPTEMBER 2023 (8.45AM - 5.00PM) • HYBRID CONFERENCE**  
**GRAND COPTHORNE WATERFRONT, 392 HAVELOCK ROAD, SINGAPORE 169663**  
OPTION OF ATTENDING IN-PERSON OR VIA ZOOM WEBINAR

### About this Conference

The international construction industry has been plagued by the issue of long-drawn-out and costly construction disputes which drain parties' resources while also tying up cashflow.

It can be said that for this reason alone many jurisdictions across the world have turned towards statutory and/or contractual adjudication processes aimed at providing an expeditious resolution to cashflow-related disputes which arise during the project life cycle.

In countries which have enacted legislation for statutory adjudication, the statutory process has become the primary means of resolution of disputes for domestic construction projects, especially in the realm of payment disputes. Per Coulson LJ in *John Doyle Construction Ltd (In Liquidation) v Erith Contractors Ltd (2021)* - "It is not an alternative to anything; for most construction disputes, it is the only game in town."

Alongside statutory adjudication, there has been an increasing shift towards the use of contractual dispute avoidance regimes alongside collaborative contracting forms designed to avoid or minimise the occurrence of disputes altogether.

In this Conference, the International Statutory Adjudication Forum (ISAF) will unveil its proposed Model Law On Statutory Adjudication, which draws upon the experiences of international practitioners from across the globe. The intention of the Model

Law on Statutory Adjudication is to provide states who are considering the enactment of a statutory adjudication regime with a draft law which embodies best current practice which may be either adopted or adjusted to suit local conditions. The speakers will also share their experiences on collaborative contracting forms and processes, and their reflections on their efficacy in the avoidance and resolution of disputes in the construction industry.

The Conference will be officially opened by **Mr. Chow Kok Fong, Chairman of the ISAF**. We are privileged to have **Justice Philip Jeyaretnam - President of the Singapore International Commercial Court and Judge of the High Court** grace our Conference as our Guest of Honour and deliver the Keynote Address.

The Conference will also host some of the foremost construction law practitioners and industry experts to provide delegates a series of four sessions which focus on:

<b>Session 1</b>	Model Law on Statutory Adjudication
<b>Session 2</b>	Statutory Adjudication: Lessons for the Future
<b>Session 3</b>	Effective Use of the Collaborative Contracting Model Alongside Dispute Adjudication Boards
<b>Session 4</b>	Enforceability of Adjudication Awards and Dispute Adjudication Board Decisions

### About Our Guest of Honour

**Justice Philip Jeyaretnam**  
President of the Singapore International Commercial Court and Judge of the High Court of Singapore

Justice Philip Jeyaretnam is the President of the Singapore International Commercial Court and a Judge of the High Court. He principally hears commercial and corporate disputes, including building and construction matters. He is also a member of the Judicial Service Commission, and the Presidential Council for Minority Rights.

Prior to joining the Bench, he specialised in commercial litigation and arbitration as a senior counsel. In 2020, the Law Society conferred on him the CC Tan Award.

He was the founding chairperson of the Society of Construction Law (Singapore).



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## Who Should Attend?

- Architects, developers, contractors, engineers, project managers, consultants, managing agents, management corporations and other professionals involved in the construction industry who deal with legal, regulatory and contractual issues
- Construction consultants
- Lawyers
- In-house counsel & legal officers working in the construction industry
- Law, building & construction academics and students



Practice Area:  
Building & Construction  
Training Level: Update  
CPD Points: 6.5

BOA-SIA	(TBC)	PEB	(TBC)
SISV	(TBC)	SPM	(TBC)
RICS	6.5 Formal CPD Hours		
RICS members can obtain and submit CPD hours for attendance of SCL Singapore CPD activities. More details <a href="#">HERE</a> .			

## Programme Outline

08.15 – 08.45 08.30 – 08.45	Onsite Conference Registrations Virtual Conference Login
08.45 – 09.00	<b>CONFERENCE OPENING REMARKS</b> <i>Mr. Chow Kok Fong - Chair, International Statutory Adjudication Forum</i>
09.00 – 09.30	<b>KEYNOTE ADDRESS BY GUEST OF HONOUR</b> <i>Justice Philip Jeyaretnam - President of the Singapore International Commercial Court and Judge of the High Court of Singapore</i>
09.30 – 10.55	<b>SESSION 1: “MODEL LAW ON STATUTORY ADJUDICATION”</b> The speakers will discuss the core policies considered by the International Statutory Adjudication Forum (ISAF) in the drafting of a Model Law On Statutory Adjudication. The vision is for the Model Law to be widely adopted. ISAF seeks to encourage countries with existing statutory adjudication regimes to more closely align their different adjudication regimes. ISAF also encourages other jurisdictions that have not yet implemented a statutory adjudication law to consider adopting a Model Law.  <b>Moderator:</b> • <i>Ms. Karen Gough - Barrister, 39 Essex Chambers, London</i> <b>Speakers:</b> • <i>Mr. Paul Starr - Partner, Practice Leader, HK DR /Infrastructure, King &amp; Wood Mallesons, Hong Kong</i> • <i>Mr. Ian de Vaz - Partner, Head, Infrastructure, Construction &amp; Engineering Practice, WongPartnership LLP, Singapore</i> • <i>Mr. Sean Gibbs - Chief Executive Officer, Hanscomb Intercontinental, United Kingdom</i> • <i>Dr. Naseem Ameer Ali - Associate Professor and Director of Internationalisation, School of Built Environment, Massey University, Auckland, New Zealand</i> • <i>Mr. Kevin Prakash - Partner, Messrs. Kevin Prakash, Malaysia</i>
10.55 – 11.15	<i>Morning Break</i>
11.15 – 12.40	<b>SESSION 2: “STATUTORY ADJUDICATION: LESSONS FOR THE FUTURE”</b> The speakers are experienced adjudication practitioners from a range of civil and common law jurisdictions. They will discuss lessons learned from years of practice in their roles as representatives of disputing parties, adjudicators or judges. The speakers will share their views on the extent to which statutory adjudication in the various jurisdictions has achieved its intended objectives; met the expectations of the participants; the importance of training and accreditation of party representatives and adjudicators; and the judiciary’s role in enforcing adjudicators’ decisions. Looking to the future, the speakers will also explore the potential for using statutory adjudication to resolve other commercial disputes.  <b>Moderator:</b> • <i>Justice Mary Lim Thiam Suan - Federal Court Judge of Malaysia</i> <b>Speakers:</b> • <i>Ms. Yvonne Foo - Partner, Harry Elias Partnership LLP, Singapore</i> • <i>Dr. Christopher To - Barrister, Gilt Chambers, Hong Kong</i> • <i>Mr. Lam Wai Loon - Partner, Harold &amp; Lam Partnership, Malaysia</i> • <i>Mr. John Green - Managing Director, The ADR Centre, New Zealand</i> • <i>Ms. Catherine Green - Director, The ADR Centre, New Zealand</i> • <i>Mr. Shintaro Uno - Partner, Attorney-at-Law, Co-Representative of Singapore Office, Nishimura &amp; Asahi</i>
12.40 – 13.40	<i>Lunch Break</i>
13.40 – 13.45	<b>INTRODUCTIONS &amp; OPENING REMARKS BY CHAIR OF AFTERNOON SESSION</b> <i>Mr. Lee Chau Ee - Chair, Conference Organising Committee; Immediate Past Chairman, Society of Construction Law (Singapore); Partner - Head of International Construction &amp; Engineering, Adleshaw Goddard LLP, Singapore</i>
13.45 – 15.10	<b>SESSION 3: “EFFECTIVE USE OF THE COLLABORATIVE CONTRACTING MODEL ALONGSIDE DISPUTE ADJUDICATION BOARDS”</b> This illuminating session looks at the use of collaborative contracting alongside dispute adjudication boards as an innovative means of managing and resolving disputes during the life cycle of complex infrastructure projects. Our speakers share their insights and reflections on how these avenues can be utilised to better avoid disputes, and where disputes cannot be avoided, to resolve them quickly as and when they arise during project delivery.

	<p><b>Moderator:</b></p> <ul style="list-style-type: none"> <li>Mr. Paul Sandosham - Partner, Clifford Chance Asia, Singapore</li> </ul> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>Mr. John Battersby - Group Managing Director, BKAsiaPacific Limited, Hong Kong</li> <li>Mr. Paul Buckingham KC - Barrister, Keating Chambers, United Kingdom</li> <li>Mr. Seah Choo Meng - Senior Advisor, GCEO's Office, Group Head, Internal Audit, Surbana Jurong Private Limited; Chairman, Threesixty Cost Management Pte Ltd &amp; Threesixty Contract Advisory Pte Ltd, Singapore</li> <li>Mr. Christopher Chuah - Partner, WongPartnership LLP, Singapore</li> </ul>
15.10 - 15.30	Afternoon Break
15.30 - 16.55	<p><b>SESSION 4: "ENFORCEABILITY OF ADJUDICATION AWARDS AND DISPUTE ADJUDICATION BOARD DECISIONS"</b></p> <p>Our panel of eminent speakers contemplate the enforcement process of adjudication awards and dispute adjudication board decisions and its potential pitfalls by providing user-oriented practical tips and vantage point perspectives from the decision makers.</p>
	<p><b>Moderator:</b></p> <ul style="list-style-type: none"> <li>Ms. Claire Packman KC - Barrister, 4 Pump Court, United Kingdom</li> </ul> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>Mr. David Bateson - International Arbitrator, 39 Essex Chambers, Singapore</li> <li>Mr. Graeme Christie - Barrister, Bankside Chambers, New Zealand</li> <li>Mr. Frederic Gillion - Partner, Pinsent Masons MPillay LLP, United Kingdom</li> <li>Ms. Krista Lee KC - Barrister, Keating Chambers, United Kingdom</li> </ul>
16.55 - 17.00	<p><b>CONFERENCE CLOSING REMARKS</b></p> <p>Ms. Moon Kua - Chair, Society of Construction Law (Singapore); Associate Director, Driver Trett</p>
17.00 - 18.30	Networking Drinks & Canapés

## Conference Opening & Closing Speakers, Session Chairs & Moderators (In Order of Appearance)



### Mr. Chow Kok Fong Chartered Arbitrator; Chairman, International Statutory Adjudication Forum

Chow Kok Fong is Chairman of the International Statutory Adjudication Forum. He is a Chartered Arbitrator and currently practises as a mediator, arbitrator and adjudicator. In his earlier career he was CEO of Changi Airports International and of the Construction Industry Development Board and has held many other senior appointments with several large real estate and construction companies. He is Founder President of the Society of Project Managers, past Chairman of the Society of Construction Law and currently, chairs the Construction Adjudicators Accreditation Committee. Among his 20 books are the two-volume work *Law and Practice of Construction Contracts* (now in its 5<sup>th</sup> edition 2018); *Security of Payments and Construction Adjudication* (now in its 3<sup>rd</sup> edition 2022), *Construction Contracts Dictionary* (now in its 2<sup>nd</sup> edition 2014) and the Building and Construction Law Volume in *Halsbury's Laws of Singapore* (2019 and 2023 editions). A new book, *Construction Arbitration*, is due for release in the 3<sup>rd</sup> quarter of 2023. On 1 November 2013, he was awarded the quinquennial Singapore Academy of Law Award 2013 for contributions in promoting and advancing the development of Singapore law. In 2018, he was conferred a Singapore National Day Award for services to the Singapore Academy of Law. In November 2022, he was elected Fellow of the International Academy of Construction Lawyers.



### Ms. Karen Gough Barrister, 39 Essex Chambers, London

Karen Gough is a Barrister in practice at 39 Essex Chambers, London, an Attorney-at-law (Jamaica and Trinidad and Tobago), Arbitrator and accredited Adjudicator. Karen practises internationally as counsel, attorney-at-law, arbitrator, adjudicator and ADR neutral. She has specialised, for more than 30 years, in complex construction, engineering, professional negligence and general commercial disputes whether resolved by litigation, arbitration or ADR. She has appeared before the Courts of England and Wales at all levels including the Privy Council. Karen is dual qualified as a practising attorney in the Caribbean, a Chartered Arbitrator, a Certified International ADR Practitioner (FAiADR) and is widely recognised as an expert in the resolution of disputes

under the FIDIC and NEC forms of contract. She is a past global President of the Chartered Institute of Arbitrators, an expert advisor on construction, ADR and arbitration matters to the AIAC (Malaysia), IWHAAM, and JAIAC (Jamaica), a member of the International Statutory Adjudication Forum of Experts, a Co-Chair of the ICP of the IPBA, the Vice Chairman of the SCL UK, and a teaching fellow at the College of Law in Australia.



### Justice Mary Lim Thiam Suan Federal Court Judge of Malaysia

Justice Mary Lim Thiam Suan read law at the University of Leeds, UK and graduated with LLB (Hons). She was admitted to Lincoln's Inn as a Barrister-at-law. She also obtained her Master of Laws degree from the University of Western Australia. Prior to her elevation to the High Court of Malaya where she had sat in her new Commercial Court, her Ladyship served in various capacities at the Attorney General's Chambers of Malaysia. These include as Senior Federal Counsel, Senior Assistant Parliamentary Draftsman, Legal Advisor to the State of Negeri Sembilan, Deputy Head of Civil Division and Commissioner of Law Revision and Law Reform.

Justice Lim was the first judge of the Construction Court in Kuala Lumpur until her Ladyship's elevation to the Court of Appeal. Her Ladyship is now a Judge of the Federal Court of Malaysia. Justice Lim is a qualified advocacy trainer with the Bar Council Malaysia and has conducted numerous courses on the subject including the Advanced Advocacy Course at Keble College, Oxford. She has also delivered many public lectures of various topics associated with the law both nationally and internationally.



### Mr. Lee Chau Ee Chair, Conference Organising Committee; Immediate Past Chairman, Society of Construction Law (Singapore); Partner - Head of International Construction & Engineering, Addleshaw Goddard LLP, Singapore

Lee Chau Ee has specialised as a construction and engineering lawyer since qualification. He leads UK law firm Addleshaw Goddard's Asia construction practice. He previously



lived and worked initially in Singapore, then London, Dubai and most recently, Beijing. He has a cradle to grave international construction and engineering transactional, advisory and dispute resolution practice advising clients from conception, inception to completion of a project life cycle, with a particular emphasis on international dispute management including international arbitration and alternative forms of dispute resolution (such as ad-hoc adjudication, expert determination and dispute adjudication board).

Besides a law degree, he also has an MSc in Construction Management (Project Management). As part of his MSc requirements, he submitted a dissertation which evaluated the use of FIDIC's 1999 Silver Book in major international infrastructure projects. He is the Immediate Past Chairman of the Society of Construction Law (Singapore).



**Mr. Paul Sandosham**  
Partner, **Clifford Chance Asia**, Singapore

Paul Sandosham is a partner in the Litigation and Dispute Resolution practice of Clifford Chance Asia\* and heads the Energy, Infrastructure and Resources (Disputes) practice for Southeast Asia. He is concurrently the Managing Partner of Cavenagh Law LLP. Paul acts as counsel in court and international arbitration proceedings for various parties (under ICC, SIAC, DIAC, LCIA, LMAA, ADCCAC, UNCITRAL, ICSID etc Rules) in disputes arising out of large-scale construction, infrastructure and engineering projects across the globe.

He also has extensive experience in international trade and commodities disputes. Paul is admitted in Singapore and England & Wales. He is registered in the Dubai International Financial Centre Courts' register of practitioners. He is qualified as a Chartered Arbitrator and is a Fellow of both the Chartered Institute of Arbitrators and Singapore Institute of Arbitrators.

Paul is an accredited mediator with the Centre for Effective Dispute Resolution in London. Paul is on the panel of arbitrators of numerous arbitral institutions including SIAC, BANI, AIAC, DIAC, HKIAC, PIAC, BCDR and CI Arb (London). He is often appointed as sole arbitrator or tribunal chair in international arbitrations relating to various types of disputes. Paul is a member of the ICC Singapore National Committee Nominations Commission and a member of the core committee of the ICC Singapore Arbitration Group. He is the General Editor of the Practical Guide to the SIAC Rules.

\*Clifford Chance Asia is a Formal Law Alliance in Singapore between Clifford Chance Pte Ltd and Cavenagh Law LLP.



**Ms. Claire Packman KC**  
Barrister, **4 Pump Court**, United Kingdom

Claire Packman KC is an experienced commercial barrister with over 20 years of experience. She has an exceptional reputation in the fields of construction and international arbitration. Claire's practice focusses on large scale international arbitration, particularly in the Far East and Middle East.

As a fluent Spanish speaker, she has a keen interest in Spanish and Latin American arbitration. She is recommended in Legal 500 and Chambers & Partners for construction disputes and professional negligence work and in Chambers Global for international arbitration. Claire was formerly an SCL Council member. She is a contributing author of the Architect's Handbook, LexisNexis online Adjudication KnowHow and is a former editor of the Adjudication Society newsletter.



**Ms. Moon Kua**  
Chair, **Society of Construction Law (Singapore)**;  
Associate Director, **Driver Trett**

Moon Kua is a qualified quantity surveyor with over 20 years of professional experience in the construction industry. She has gained sector experience across rail, integrated resorts, commercial and residential buildings, healthcare and power generation projects. She is actively involved in both live projects and dispute resolution throughout her career. Moon has managed commercial teams on large-scale projects.

She is experienced in preparing and defending substantial claims on different issues and advises on contract and commercial issues on live projects. She provides expert support in all dispute forums and has been instructed as an expert witness on quantity surveying matters. Moon is a Fellow of both the Singapore Institute of Arbitrators and the Chartered Institute of Arbitrators.

## SPEAKERS (ALPHABETICAL BY SESSION)

### SESSION 1



**Dr. Naseem Ameer Ali**  
Associate Professor and Director of  
Internationalisation, **School of Built  
Environment, Massey University,**  
New Zealand

Dr. Naseem Ameer Ali is Past President of the Royal Institution of Surveyors Malaysia. He also served in other professional bodies in various capacities including Vice-Chair and Vice-President of the Malaysian branches of the Chartered Institute of Arbitrators and Chartered Institute of Building. He now sits on the Auckland branch committee of the New Zealand Institute of Quantity Surveyors and the New Zealand Society of Construction Law Council.

Naseem has 20 years industry experience in quantity surveying, project management, and construction dispute resolution and over 10 years academic experience. He has worked in the UK, Malaysia, and New Zealand.

He was director of the Malaysian branches of two international project management and construction contracts consultancies. As an academic now, Naseem developed and has been teaching on the Master of Construction degree with various specialisations including construction law.

His research interests include statutory adjudication (the subject of his doctoral thesis) and modern plain legal drafting. Amongst the outcomes of his research led to the publication of a couple of industry standard forms that attained the Plain Language Commission UK's Clear English Standard accreditation: (i) Standard Form of Construction Contract for Renovation and Small Projects (STCC-RSP 2015) published by the Construction Industry Development Board Malaysia (downloadable free) and (ii) QS Consultancy Contract published by the New Zealand Institute of Quantity Surveyors. Naseem's Vision 2030 is for all construction contracts to be written or re-written in modern plain language.



**Mr. Ian de Vaz**  
Partner, Head, Infrastructure, Construction &  
Engineering Practice, **WongPartnership LLP,**  
Singapore

Ian de Vaz is the Head of the Infrastructure, Construction & Engineering practice in WongPartnership LLP and Partner in the International Arbitration and Middle East practices. He has been recognised as a leading construction lawyer by all the renowned legal directories such as *Chambers Global*; *Chambers Asia-Pacific*; *The Legal 500: Asia Pacific*; *The Legal 500: Europe, Middle East & Africa*; *IFLR1000: Energy and Infrastructure*; *Asialaw Profiles* and *Best Lawyers*.

In January 2018, Ian was amongst the inaugural batch of select practitioners to be appointed Senior Accredited Specialist in Building and Construction Law by the Singapore Academy of Law. Ian has a diverse practice in construction and civil engineering work, spanning the full spectrum from front-end drafting and dispute avoidance to dispute resolution. Ian is one of a select number of Senior Adjudicators appointed under the Building and Construction Industry Security of Payment Act 2004.

Ian also sits as arbitrator in international construction arbitrations administered by the Singapore International Arbitration Centre (SIAC) and is a member of Dispute Adjudication Boards for mega construction projects in East Africa and Bangladesh.

In 2022, Ian was appointed by the Law Society of Singapore to its Building & Construction Law Committee - a new standing committee intended to facilitate knowledge-sharing in the subject area and to seek opportunities for professional growth, development and engagement, both within and outside Singapore.

Outside of practice, Ian is a Professor in the Faculty of Law, NUS, where he has been teaching construction law for the past 20 years. His various contributions to all the leading construction law texts in Singapore have been consistently recognised and acknowledged.



**Mr. Sean Gibbs**  
Chief Executive Officer, **Hanscomb Intercontinental**, United Kingdom

Sean Gibbs is CEO of global expert witness company Hanscomb Intercontinental. Sean's primary expertise is quantum and as well as acting an international expert witness also sits as arbitrator, adjudicator, expert determiner and dispute board

member. He has been a party representative and adjudicator in the UK and internationally and has 25 years' experience of statutory adjudication experience in the UK.

He has held directorships and senior commercial positions with contracting and consultancy firms in the United Kingdom and Internationally. With over 30 years' experience in the onshore and offshore construction and engineering industries across the globe Sean has worked across the continents of Europe, Asia, Middle East, Africa and the Americas.

Project experience includes major airport developments, industrial process plants, commercial developments, military and police installations, heavy engineering in respect of onshore and offshore oil & gas facilities and pipelines, highway interchanges, tunnels, leisure resorts, nuclear, water treatment and desalination plants, waste to energy, biomass, onshore and offshore windfarms, renewables, mines, ports, hospitals and rail/metro projects.

He is Junior Vice Chair of The Adjudication Society, Council Member of the Society of Construction Law (UK), ICP Member of The International Bar Association, Region 2 Director of The Dispute Resolution Board Foundation, and founder of UK Adjudicators and HK Adjudicators. Sean is a Liveryman of the Worshipful Company of Arbitrators and a FIDIC President's List Adjudicator and Mediator. And has been a consultee to national and state governments considering introducing statutory construction adjudication.



**Mr. Kevin Prakash**  
Partner, **Messrs. Kevin Prakash**, Malaysia

Kevin Prakash has an active practice in dispute resolution. His principal area of practice is in construction and building contract disputes and has represented a diverse set of clients including employers, main contractors and sub-contractors. Kevin is a Fellow of the Chartered Institute of

Arbitrators and the Malaysian Institute of Arbitrators. He is a member of the AIAC Panel of Arbitrators and Adjudicators. He is regularly appointed as arbitrator and adjudicator and engaged as counsel in arbitration and trial and appellate advocacy at the High Court and the appellate Courts in Malaysia.



**Mr. Paul Starr**  
Partner, Practice Leader, **HK DR/Infrastructure, King & Wood Mallesons**, Hong Kong

Paul Starr is a previous winner of Asialaw's Hong Kong Disputes Star of the Year. He is in the Legal 500 Hall of Fame and is joint coordinator of King & Wood Mallesons' worldwide arbitration practice.

The Legal 500 describes Paul as: "Hong Kong's pre-eminent construction lawyer, with unparalleled knowledge of construction law and a vast wealth of experience in East Asia and the Pacific, Paul Starr always delivers rock-solid legal advice and exceptional strategic insight with a canny knack of regularly identifying winning strategies". The Global Arbitration Review adds: 'Simply the best lawyer for dispute resolution in construction and industrials in the East Asia and Pacific region'.

KWM being China's first international law practice, Paul has been honoured to represent a wide range of both PRC and international clients. His Hong Kong and Macau practice commenced in 1985 and thus covers many key projects: Hong Kong Airport; major roads, tunnels, rail and bridges; theme parks; reclamations; data centres; state of the art environmental projects; hospitals; casinos; exhibition centres; the West Kowloon Cultural District Authority. Outside of those regions, his practice spans the Belt and Road, Greater China, Guatemala, with Vietnam, Singapore, Malaysia, Philippines, India in between.

He is an accredited arbitrator/mediator with HKIAC and AIAC, HIAC and arbitrator with CIETAC, SHIAC, SCIA, BIAMC. Paul serves as Advisory Board member of the Asian Academy of International Law, the Hong Kong Red Cross and the professional services committee of Hong Kong's Trade Development Council. He is honoured to be a committee member of the International Statutory Adjudication Forum.

**SESSION 2**



**Ms. Yvonne Foo**  
Partner, **Harry Elias Partnership LLP**, Singapore

Yvonne Foo is a construction lawyer based in Singapore, working alongside employers, contractors and sub-contractors on construction projects in Singapore, South-East Asia and the Middle East. She is a partner in the Construction and Engineering practice group of Singapore-

based law firm, Harry Elias Partnership LLP, and is also a Fellow of the Chartered Institute of Arbitrators and an Associate Mediator at the Singapore Mediation Centre. Yvonne is also routinely involved in statutory adjudications arising out of payment disputes in Singapore.

Having practised and spent a significant period of time in the Middle East, Yvonne developed a keen appreciation of the differences (and similarities) between civil and common law approaches, and among stakeholders coming from various cultural backgrounds. Yvonne speaks regularly on issues of construction law and the effective resolution of construction disputes, and has contributed to book publications on various topics, including on the recently published "FIDIC Contracts in Asia Pacific: A Practical Guide to Application".



**Mr. John Green**  
Managing Director, **The ADR Centre**, New Zealand

John is an arbitrator, adjudicator and mediator based in Auckland, New Zealand. He has been appointed in more than 1,300 building, construction and infrastructure disputes over the past 34 years relating to residential, commercial and industrial construction projects, power stations, gas fields, manufacturing and processing plants, stadiums, hotels, land subdivisions, roading, railways, wharves, marinas, drainage, water and wastewater treatment plants, irrigation schemes, recycling plants, mining, services, and utilities involving domestic and internationally based parties, complex technical and legal matters, and sums in dispute exceeding \$100M.

John is the founder and a Director of the Building Disputes Tribunal, the New Zealand Dispute Resolution Centre (NZDRC), the New Zealand International Arbitration Centre (NZIAC), the New Zealand Family Dispute Resolution Centre (FDR Centre), the Independent Complaint and Review Authority (ICRA), LawTech, and The ADR Centre. John writes and presents frequently on a wide range of matters relating to construction law and private dispute resolution practice. He is a former editor of BuildLaw and ReSolution. John is a Chartered Arbitrator and Fellow of the Chartered Institute of Arbitrators (UK), a Fellow Arb/Med of the Arbitrators' and Mediators' Institute of New Zealand Inc, a past President of the Auckland Master Builders Association, a past President of the Arbitrators' and Mediators' Institute of New Zealand Inc., and a founding Council Member and Honorary Life Member of the Society of Construction Law New Zealand Inc. for his contribution to the practice of construction law.



**Ms. Catherine Green**  
Director, **The ADR Centre**, New Zealand

Catherine is a Director of The ADR Centre and has oversight of the Centre's five registries: the New Zealand International Arbitration Centre (NZIAC), the New Zealand Dispute Resolution Centre (NZDRC), Building Disputes Tribunal, Family Dispute Resolution Centre (FDR Centre), and the

Independent Complaint and Review Authority (ICRA). In that role she is involved in the design, development and promotion of private dispute resolution processes, and oversees the case management and administration of these services.

Catherine continues to maintain her practice as a barrister dedicated to delivering services as an arbitrator, adjudicator, and mediator for general commercial and construction matters. Prior to specialising in the design and delivery of private dispute resolution processes, Catherine practiced as a commercial litigator both onshore and offshore in New Zealand, London, and the Cayman Islands, gaining extensive experience in a wide range of matters, involving fraud, insolvency, contractual, financial services, tax avoidance and regulatory issues. These matters have included, among others, acting for liquidators of a Madoff-affected investment fund in relation to its investment and related large-scale litigation claims arising from the



Madoff fraud, advising in relation to Royal Commission, Serious Fraud Office, and Securities Commission Inquiries, and acting for clients on a variety of commercial disputes across the globe covering the Asia-Pacific, Europe, the Middle East, the Americas, the Caribbean, and Africa.

Catherine writes and presents frequently on a wide range of matters relating to private dispute resolution practice. Catherine holds a Master of Laws (LLM) in international law and an MBA. She has also graduated with a Bachelor of Arts (BA), a Graduate Diploma in Business Studies (dispute resolution) and a Postgraduate Diploma in Business Administration (dispute resolution).



**Mr. Lam Wai Loon**  
Partner, **Harold & Lam Partnership**, Malaysia

Lam Wai Loon is a founding partner of Messrs. Harold & Lam Partnership. He sits as an arbitrator and is a qualified adjudicator to adjudication disputes under the Construction Industry Payment and Adjudication Act 2012 ("CIPAA 2012"). He is a Chartered Arbitrator, a Fellow of the Chartered

Institute of Arbitrators (U.K.), and is on the Asian International Arbitration Centre's and Kigali International Arbitration Centre's Panel of Arbitrators.

Wai Loon has spoken at conferences on arbitration, adjudication and construction law, and has contributed various articles to legal publications. His recent publications include co-authored books titled 'Construction Adjudication In Malaysia' [3rd Edition, 2022, Sweet & Maxwell Malaysia], 'Lam On Construction Claims In Malaysia' [2023, Lexis Nexis], and a co-authored Chapter on 'Arbitration In Malaysia' published in the text titled 'International Commercial Arbitration In Asia' [3rd Edition, 2013, JurisNet LLC].

Wai Loon was the immediate past President of the Malaysian Society of Adjudicators [2019-2020], Past President of the Society Construction Law, Malaysia [2017-2018] and the Past Chairman of the Chartered Institute of Arbitrators, Malaysia Branch [2016-2017]. He was also a committee member of the AIAC CIPAA Regulations Committee, and approved AIAC Tutor & Examiner of the AIAC Adjudication Training Programme. He was named as a Litigation Star by Benchmark Litigation [Years 2019, 2020 and 2021] as well as one of the Commended External Counsel of the Year, 2020 by asianmena Counsel. He was also recently ranked by Chambers & Partners in Dispute Resolution: Construction [2022/2023].



**Dr. Christopher To**  
Barrister, **Gilt Chambers**, Hong Kong

Dr. Christopher To has been a leading pioneer in developing alternative dispute resolution in Asia for over three decades. He is a barrister-at-law, independent arbitrator, adjudicator, mediator and domain name specialist with qualifications in engineering and computing, and he currently sits

on the panels of more than 40 alternative dispute resolution institutions. Over the years, Christopher has arbitrated, adjudicated, and mediated a variety of international and domestic cases.

He has consistently received recognition for his work in alternative dispute resolution, such as being awarded Young Global Leader by the World Economic Forum and recognised by the International Who's Who Legal as a Thought Leader in arbitration and mediation.

As former Secretary-General of the Hong Kong International Arbitration Centre for a decade, Christopher elevated Hong Kong's position as an international dispute resolution services centre on par with leading global arbitration centres. He also created the Asian Domain Name Dispute Resolution Centre, which is internationally recognised in the dot.com community for resolving domain name disputes. Christopher has authored or co-authored 14 books on the subject of dispute resolution. His two latest publications are Mediation in Hong Kong: Law and Practice (Wolters Kluwer Law & Business, 2022) and The Arbitration Ordinance (Cap.609) in the Annotated Ordinances of Hong Kong (LexisNexis Butterworths, 2022). In addition, Christopher was the chief architect behind the establishing and publishing of the Asian Dispute Review Journal, the leading Asian alternative dispute resolution journal.

Since 2019, Christopher has served as the Programme Director of the programme for Master of Laws in Arbitration and Dispute Resolution at the City University of Hong Kong. Christopher currently serves as Chairperson of the Hong Kong Mediation Council Limited, a wholly-owned subsidiary within the Hong Kong International Arbitration Centre, Chairperson of the Hong Kong Institute of Directors, and Chairperson of the Hong Kong Institution of Engineers, Construction Dispute Resolution Committee.



**Mr. Shintaro Uno**  
Partner, Attorney-at-Law, Co-Representative of Singapore Office, **Nishimura & Asahi**

Shintaro Uno specialises in international engineering and construction of infrastructure projects around the world, with a particular focus on Japan and other parts of Asia.

He has extensive experience advising on a wide range of projects, including semiconductor plants, data centres, high-speed railways, motor highways, coal-mining process facilities, subsea cables, Mass Rapid Transit, high-rise buildings, lithium hydroxide plants, various types of power plants, tunnels, ports, dredging, offshore wind, and water treatment and supply facilities, with primary contracts based on the standard FIDIC contract forms (including Redbook, Yellowbook, Silverbook 1999 and 2017 version), Minkanrengo Building contract, Nikkenren Design Build and ENAA.

He is one of Japan's experts on FIDIC and other construction-industry contracts. On the contentious side, Shintaro has represented both employers and contractors in proceedings before Dispute Adjudication Boards, arbitral tribunals, and in the courts of various jurisdictions. He is admitted to practice in Japan and in New York. He is a Fellow of Chartered Institute of Arbitrators and a Fellow of Singapore Institute of Arbitrators. He has served as arbitrator in ICC, and is empanelled with the list of arbitrators of BANI and AIAC including the list of construction adjudicators of AIAC.

### SESSION 3



**Mr. John Battersby**  
Group Managing Director, **BKAsiaPacific Limited**, Hong Kong

John Battersby, FCIInstCES, FGIS, FASI, FCIQB, FHKICM, MRICS, MHKIS, FCMI, FCIArb, FHKI Arb, MAE, RPS(QS) is Group Managing Director of BKAsiaPacific Limited, and a Registered Professional Quantity Surveyor (Hong Kong) and

Chartered Construction Manager having worked in the construction industry for 56 years, 40 years of which have been spent working on projects in Hong Kong, China and South East Asia.

John has acted as an expert witness several times, both in arbitration and litigation, in respect of additional cost/loss and expense/damages claims, measurement issues, adjustment of rates, valuation of variations and causes and effects of delays to construction works. He has acted both as party appointed expert and "single joint expert" (or "tribunal expert"). He is a Practising Member of the Academy of Experts and accredited by the Academy as an Expert. He has also been appointed as Arbitrator, Assessor, Adjudicator, Mediator and Dispute Resolution Advisor several times.

From his firsthand experience of what can go wrong on various building and civil engineering projects, John understands the importance of dispute avoidance through collaborative/cooperative contracting. He has also worked on target cost contracts utilising collaborative/cooperative working procedures as well as NEC lump sum and measurement contracts and has conducted numerous seminars and workshops on these subjects.



**Mr. Paul Buckingham KC**  
Barrister, **Keating Chambers**, United Kingdom

Paul Buckingham KC is described in the Chambers & Partners UK Bar guide as "a brilliant barrister with a very sharp and analytical legal brain." After spending eight years with BP as a chemical engineer, he re-qualified as a barrister and has

since specialised in major construction, engineering, infrastructure and energy disputes.

Whilst he regularly acts for clients in court, adjudication and mediations, his particular area of expertise lies in international arbitration work. His international work includes matters in Europe, Africa, the Middle East, South East Asia, the Far East and the Caribbean.

He has a wide range of experience at all levels of alternative dispute resolution including dispute review boards, project appeal panels, early neutral evaluation and expert determination. Paul is also a member of the drafting committee for the IChemE standard forms of contract and chairs its dispute resolution committee.



**Mr. Seah Choo Meng**  
Senior Advisor, GCEO's Office, Group  
Head, Internal Audit, **Surbana Jurong  
Private Limited**; Chairman, **Threesixty Cost  
Management Pte Ltd & Threesixty Contract  
Advisory Pte Ltd**, Singapore

Seah Choo Meng started his career in Davis Langdon & Seah in 1968 and gained his partnership skill through the Asia Pacific countries and his international experience via his counterparts in UK, Australasia, North America and South Africa up to 2008. He was the Past President of the Singapore Institute of Surveyors and Valuers (SISV) and Past President of the Society of Project Managers (SPM).

His visionary views constantly serve as reference points on contract practice or new initiatives for the industry. His name is synonymous with contract practice in construction works. He was involved in the early stages of the implementation of Construction Adjudication in Singapore, and became a Founder Member of the Construction Adjudicator Accreditation Committee which regulates the appointment of Adjudicators under the SOP Act.



**Mr. Christopher Chuah**  
Partner, **WongPartnership LLP**, Singapore

Christopher Chuah is a Partner in the Infrastructure, Construction & Engineering Practice and Partner in the International Arbitration, China and Myanmar Practices of WongPartnership LLP. In January 2018, Christopher was amongst the inaugural batch of select practitioners to be appointed Senior Accredited

Specialist in Building and Construction Law by the Singapore Academy of Law for his years of experience in construction matters.

He was amongst the first batch of adjudicators to be accredited under the Building and Construction Industry Security of Payment Act (Cap 30B, 2006 Rev Ed). He is also a member of the Construction Adjudication Accreditation Committee and co-editor of the Singapore Construction Adjudication Review.

Christopher has also acted as leading counsel in many landmark construction cases. He is also an adjunct professor in Construction Law at the Law Faculty of the National University of Singapore.

#### SESSION 4



**Mr. David Bateson**  
International Arbitrator, **39 Essex Chambers**,  
Singapore

David Bateson is a leading international arbitrator who has been involved in over 200 arbitrations in Asia, Europe, and the Middle East. He has acted as Chairman, party-appointed arbitrator, or sole arbitrator in arbitrations under the rules of the

AIAC, BANI, CIETAC, DIAC, KCAB, HKIAC, LCIA, ICC, PCA, SIAC, TAI and VIAC, or in ad hoc arbitrations.

He has extensive experience in disputes in a variety of industry sectors including, construction, resources, commodities, insurance, joint ventures, shareholder agreements, shipping and telecommunications, and investor state. He has been variously described by guides as *"pre-eminent and widely experienced, one of the top arbitrators in the region"* who is *"excellent at pretty much everything he is doing"* and *"a very good arbitrator, writing a very good award, well able to control an arbitration and culturally sensitive"*

He is listed in Chambers Most In Demand Arbitrators in Asia and Singapore (Band 1). He has over 42 years of legal experience and is a specialist in all forms of dispute resolution including arbitration, litigation and alternative dispute resolution. He has been resident in Asia since 1980, and before that he lived in Africa, Fiji and New Zealand. He is now based in Singapore.



**Mr. Graeme Christie**  
Barrister, **Bankside Chambers**, New Zealand

Graeme Christie is a Construction Lawyer with over 30 years' experience in construction law advising on contracts and the many issues arising on construction projects, including 3 years with Linklaters in London.

He is well versed in the FIDIC Conditions and their rainbow suite of contracts and has acted in many large disputes involving the FIDIC conditions including as arbitrator in an international ICC arbitration.

He has been involved in many major construction infrastructure projects both on and offshore and is well known in the international construction industry. In 2019 Best Lawyer named Graeme as Best Construction Lawyer in New Zealand (an award voted for by his peers). He is regularly listed amongst the leading practitioners in this field in New Zealand, the South Pacific and Australia.

Graeme as considerable experience of acting for principals, consultants, contractors, and subcontractors so knows the issues that arise very well.

He provides advice on a wide range of construction issues, including structuring and contract documentation, joint venture agreements (including for the iconic 7-star Burj Al Arab Hotel in Dubai), alliancing, partnering, guaranteed maximum price contracts, etc.



**Mr. Frederic Gillion**  
Partner, **Pinsent Masons MPillay LLP**, United  
Kingdom

Frédéric Gillon is a partner with Pinsent Masons' Construction Advisory & Disputes team. Over his 20-year long career, he has advised on all aspects of construction projects, including in Dispute Board (DB), expertise and arbitration proceedings, and

providing legal support on live construction projects in a wide range of constructions sectors, including general infrastructure, transport, water and wastewater, energy.

Frédéric is dually qualified (Solicitor in England and Wales / Avocat Paris Bar) and has extensive experience of DB proceedings both as counsel and DB members. Frédéric is a Certified FIDIC Adjudicator, member of the FIDIC President's List and the French list of FIDIC adjudicators. He is also a member of the list of adjudicators of the Cairo Regional Centre for International Commercial Arbitration.

He is recognised by Who's Who Legal: Construction 2020 as "a leading name, widely commended for his international expertise in construction arbitration disputes and his encyclopaedic understanding of FIDIC Contracts" and is lauded as "a big name in the market" in France (Who's Who Legal: Construction 2019).



**Ms. Krista Lee KC**  
Barrister, **Keating Chambers**, United  
Kingdom

Krista Lee KC was called to the Bar in 1996 and is described as "a born advocate and an astute counsel." (Legal 500 2023).

Krista is a specialist in process engineering, construction, infrastructure and energy disputes. She acts as counsel in the UK Technology and Construction Court, as well as in international arbitration.

She is a chartered arbitrator and has acted as Chair and Sole arbitrator in relation to disputes across Africa, the Middle East, Eastern Europe and South Asia. Alongside law, she has an engineering degree, which gives her an edge in understanding a range of technical and design issues.

Krista has been involved in disputes arising out of several high-profile projects, including: the MOD nuclear submarine berth in Faslane; the Burj Khalifa in Dubai; Greater Gabbard Offshore Wind Farm; the London Olympics; the Riyadh Metro; and Coca-Cola Ireland.