

## Course Information

### Applied Arbitration for Fellows – 1&2 September 2023

#### What is the aim of the programme?

The course is for Fellows of the Ciarb who have not yet had practical experience of being an arbitrator and who wish to develop their skills and knowledge in a realistic simulation of an arbitration proceeding, under the guidance of highly experienced and respected arbitration practitioners.

#### What are the learning outcomes?

Candidates will practise the role of arbitrator using realistic documentation and interacting with counsel and witnesses. Through active engagement with the course, participants will develop their knowledge, skills and confidence to:

- Plan and manage arbitration proceedings effectively.
- Interpret and give effect to procedural orders, applicable arbitral rules and guidelines.
- Identify and address common procedural and ad hoc problems.
- Engage effectively with participants in an arbitration to enable effective and compliant contributions to the process.

#### How is the programme delivered?

The course will be delivered in person at the office of Allen & Gledhill, Singapore, with the course material shared ahead of and during the simulated proceedings.

The course will be delivered by the following tutors:

Course Directors	Arbitrators	Counsel
Sapna Jhangiani KC Marion Smith KC <sup>1</sup>	Chou Sean Yu Brenda Horrigan Anthony Houghton SC Amanda Lees Victor Leginsky Paul Teo Francis Xavier SC	Christopher Boog Kang Yanyi SeungMin Lee Kent Phillips

<sup>1</sup> Ciarb Chair of Board of Trustees

## **What are the entry requirements?**

Candidates must:

- Be a Fellow of the Ciarb.
- Preference will be given to Fellows who have not already been appointed as an arbitrator.
- Be willing to assist with the evaluation of the course by providing open feedback during a session on the final day of the programme.

## **What is the programme fee and what does it include?**

The programme fee is SGD2,999 if paid by 21 July 2023 or SGD3,499 if paid after 21 July 2023. The programme fee includes all course material, a completion certificate, tea / coffee at the breaks, lunches, and dinner on first day of the course.

## **What happens when I apply for the programme?**

All applications should be submitted no later than 18 August 2023 and the Ciarb will provide confirmation of receipt of the application. Once your place is confirmed (which will be within 7 days thereafter) you will be requested to make payment of the full course fee within 7 days. Following payment, the course material will be issued circa 22 August 2023 along with contact details for all Fellows who will be attending the programme. The course is limited to a maximum of 12 Fellows.

## **How to apply for this course?**

Please submit your application for the course via the Google Registration Form below:

<https://forms.gle/DxawVQyUc5b9EMBW7>

Your application should confirm that you comply with the entry requirements set out above and should also provide a statement of no more than 250 words as to why you would like to attend this course.

## **What is Ciarb's policy on cancellation of courses?**

Cancellation of the Applied Arbitrators for Fellows course must be made in writing to [secretariat@ciarb.org.sg](mailto:secretariat@ciarb.org.sg).

The below cancellation charges will apply to any cancellation:

- If a registration is cancelled within 21 days of the course commencing, 100% of the course fee will be payable.
- If a registration is cancelled before 21 days of the course commencing, 50% of the course or assessment fee will be payable.

Where the Ciarb cancels the course, candidates will be provided with a full refund.

Ciarb reserves the right to amend the programme at any stage.

## Programme<sup>2</sup>

Date / Time	Preliminary and procedural meetings
<b>Friday 1 Sept</b>	
8.45 am	Introduction <b>plenary</b>
9.00 am	Preliminary Meeting before a panel of three Chartered Arbitrators <b>demonstration</b>
9.45 am	Chartered Arbitrators' deliberations <b>demonstration</b>
10.00 am	<b>COFFEE</b>
10.20 am	FCiarbs' pre-meeting
10.35 am	Preliminary Meeting FCiarbs <b>role play</b>
11.35 am	FCiarb's deliberations and Directions of the Tribunal in public <b>role play</b>
11.50 pm	FCiarbs' pre-meeting
12.05 pm	Procedural Meeting - Challenge to the Jurisdiction of the Tribunal FCiarbs' <b>role play</b>
12.50 pm	FCiarbs' deliberations and Ruling of the Tribunal in public <b>role play</b>
1.00 pm	<b>LUNCH</b>
2.00 pm	Debrief <b>plenary</b>
2.30 pm	FCiarbs' pre-meeting
2.45 pm	FCiarbs' Procedural Meeting on factual/expert witness timetabling/hearing programme to include deliberations and Rulings in Public <b>role play</b>
3.30 pm	FCiarbs' deliberations and Ruling of the Tribunal <b>role play</b>
3.45 pm	FCiarbs' pre-meeting
4.00 pm	Pre-Hearing Application - disclosure/hearing bundles/postponement of Hearing FCiarbs' <b>role play</b>
4.45 pm	FCiarbs' deliberations and Ruling of the Tribunal <b>role play</b>
4.45 pm	<b>COFFEE</b>
5.15pm	Debrief, how was it for you? Setting the agenda for the first in depth review on Sunday morning <b>plenary</b>
5.45 pm	<b>FCiarb's Prepare Procedural Order 1</b>
6.45 pm	<b>FCiarb's Submit Procedural Order 1</b>
7.30 pm	<b>DINNER</b>
<b>Saturday 2 Sept</b>	
9.00 am	Reflection / Q&A on day 1 <b>plenary</b>
9.30 am	Discussion on Procedural Orders <b>plenary</b>
10.00 am	<b>COFFEE</b>
10.30 am	FCiarbs' pre-meeting
10.45 am	Opening speeches at the Evidentiary Hearing, to the FCiarbs <b>role play</b>
11.30 am	FCiarbs' pre-meeting
11.45 am	Witness evidence – at the Evidentiary Hearing, to the FCiarbs Tribunal – <b>role play</b>
1.00 pm	<b>LUNCH</b>
2.30 pm	Discussion on assessing and awarding costs based on the experiences of the two days of training <b>plenary</b>
3.30 pm	Reflection/Q&A <b>plenary</b>
4.30 pm	Feedback and evaluation (mandatory)
6.00 pm or earlier	<b>CLOSE</b>

<sup>2</sup> Programme is subject to change

## **What previous participants had to say**

*"Always delivered with flair and good humour, I found the Applied Arbitration Course for Fellows to be both rigorous and immersive, giving me an authentic arbitration experience that far exceeded my expectations. I was particularly impressed by the careful efforts made by the training team to tailor the tuition and feedback that suited each student's individual experience and needs. Also most helpful was the access I had to experienced practising arbitrators, enabling me to develop an arbitration network. I thoroughly recommend this exceptional course to anyone seeking to advance themselves in the world of international arbitration."*

*"The Applied Arbitration course provides a rare opportunity to deal with practical issues in arbitration as a sitting arbitrator. This type of experience is invaluable and an excellent next step and complement to the theoretical training that Fellows would have already received."*

## **For future FCiarb participants**

*"One thing I wish I had known before the course is the importance of collaboration with your tribunal team members. I would have found time to get to know my fellow tribunal team members before the first session as then collective decision making would have been more effective throughout."*

*"One thing I wish I had known [was to] Focus on the practical training, this is the real value of the course. The theoretical points that come up are interesting and useful but can always be researched and learned separately, there is no way to replicate the practical experience of sitting as an arbitrator."*

## Course Directors



**Sapna Jhangiani KC** is recognised as a leader in international disputes and Asia Legal Business included her in their list of the Top 15 Female Lawyers in Asia. She was also named as one of Singapore's Top 100 lawyers in the A List (Asia's Top Lawyers) published by the Asia Business Law Journal, and has been included in "Best Lawyers" for several years for her arbitration and mediation expertise. She is a barrister in England & Wales, as well as a solicitor and advocate of the Supreme Court of Singapore. She practised in London, New York and Dubai, before relocating to Singapore in 2011, and has substantial multi-jurisdictional and cross-border experience in litigation, arbitration and mediation, including many cases governed by civil law. The consistent theme that has run throughout her career is advocacy. She has represented clients in trials and applications before arbitral tribunals, the Supreme Court of Singapore, the UK Civil Courts (including the Supreme Court), and the Courts of the DIFC. Alongside her Counsel work, she sits as an arbitrator and mediator. She is also the Chair of Ciarb Singapore; Vice Chair of the ICC Commission on Arbitration & ADR; and an editor of Investor State Law Guide.



**Marion Smith KC** has more than 30 years' experience as an arbitrator, adjudicator and advocate in complex international disputes. She has particular expertise in construction, technology and energy matters but has handled disputes across a wide range of industry sectors, legal issues and geographical regions. She is regularly appointed as arbitrator by commercial parties, as well as sole arbitrator and chair of tribunals by the major institutions. She has been named in various distinguished practitioners' lists throughout her professional career. She serves on the Bar Council of England & Wales, the Inter-Pacific Bar Association and the Chartered Institute of Arbitrators where she is currently Chair of the Board of Trustees.

## Arbitrators



**Chou Sean Yu** is the Deputy Managing Partner of WongPartnership and Head of the Firm's Litigation & Dispute Resolution Group. He is also the Head of the Banking & Financial Disputes Practice and a Partner in the International Arbitration, Financial Services Regulatory, and Malaysia Practices. Sean Yu's main practice areas are banking & trade finance disputes, insolvency & restructuring, corporate fraud, investigations & asset recovery, financial services regulatory, commercial & corporate disputes, shareholder litigation, tort & contractual claims and domestic & international arbitration. Sean Yu frequently sits as an arbitrator and is on the Panel of Arbitrators of the Singapore International Arbitration Centre ("SIAC"), the Asian International Arbitration Centre, the Korean Commercial Arbitration Board, the Maldives International Arbitration Centre, the Japan Commercial Arbitration Association, the Hainan International Arbitration Court and the Russian Arbitration Center at the Russian Institute of Modern Arbitration. He is a Chartered Arbitrator of the Chartered Institute of Arbitrators and a former Chairman of the Board of its Singapore Branch. He is also a Fellow of the Insolvency Practitioners Association of Singapore. Sean Yu is an Honorary Racing Steward of the Singapore Turf Club. Sean Yu graduated with First Class Honours from the University of Bristol and is admitted to the English Bar (Middle Temple) and to the Singapore Bar. He was a Justices' Law Clerk with the Singapore Supreme Court before entering into private practice.



**Brenda Horrigan** is an internationally recognised arbitration practitioner with over 30 years of extensive global experience, having worked from the US, Paris, Moscow, Shanghai, Sydney and now Singapore. Prior to establishing her own practice in 2021, Brenda was the Head of International Arbitration in Australia at Herbert Smith Freehills' Sydney office. She commenced her career as a transactional lawyer and has spent nearly 20 years focussing exclusively on complex international commercial and investment treaty arbitration matters at both the arbitration and enforcement stages. Brenda is the immediate past president of the Australian Centre for International Commercial Arbitration (ACICA) and remains a member of its executive committee. She is a Fellow of the Chartered Institute of Arbitrators and is listed on the panels of numerous arbitral institutions. Brenda has taught international arbitration as a Global Adjunct Professor of Law at New York University's Shanghai campus and as a guest lecturer at the University of New South Wales. She is regularly invited to speak at conferences and seminars on arbitration and is consistently ranked in Chambers and in Global Arbitration Review's Who's Who: Legal as a leading arbitration practitioner.



**Anthony Houghton SC** has a practice encompassing both advocacy in courts and in arbitrations, and acting as an arbitrator. These roles are undertaken in general commercial disputes, with a particular focus on construction and engineering matters that derives from his dual professional qualifications as a lawyer and as a surveyor. Mr. Houghton began his professional career as a Chartered Quantity Surveyor in the UK and he practised in that field in Asia for some years in the mid - 1980's. Mr Houghton read law and gained his LLB from London University, and was called to the Bar in 1989. He has practised as a barrister, in Des Voeux Chambers, since 1989. He has acted as counsel on a wide variety of commercial and property related disputes in arbitrations, and before the courts at all levels in Hong Kong. He has acted as arbitrator on disputes with claimed values of up to approximately US\$ 650 million, and has acted as a sole arbitrator on many cases, primarily in Hong Kong. He has also been a tribunal member or chairman of arbitral tribunals on a variety of disputes, mainly seated in Asia and Middle East, with disputes and proceedings subject to several different legal systems and rules. His advocacy practice has been recognised by leading independent directories in Asia and the UK, and he gets mention among "Leading Silks" in one such directory as "a highly civilised and fair-minded arbitrator and effective counsel". Mr. Houghton is a regular speaker at academic and professional conferences and a frequent tutor at courses organised by the Chartered Institute of Arbitrators for whom he is an approved Course Director, as well as the Hong Kong Bar Association, and the Law Society. Mr. Houghton is a Panel Member on many regional arbitration panels.



**Amanda Lees** is a partner in the Singapore office of King & Wood Mallesons. She has been based in Singapore for 11 years and has more than 22 years' experience in cross border dispute resolution in the region. Amanda acts as counsel in large complex disputes across a range of industries, including energy and resources, commodities, construction, finance, insurance, telecommunications, technology, manufacturing and consumer goods. She has appeared in ad hoc arbitrations and arbitrations under the leading institutional rules (ICC, LCIA, SIAC, HKIAC, DIFC-LCIA). In addition, Amanda advises client on investor state dispute settlement and represented the Republic of Indonesia in its successful defence of a US\$580M claim under the India-Indonesia BIT, which was arbitrated under the UNCITRAL Rules and administered by the PCA. Amanda has had 22 appointments as arbitrator by SIAC, ICC and LCIA, including as emergency arbitrator, expedited arbitrator and presiding arbitrator. Her appointments have involved parties from 17 different jurisdictions represented by a wide range of counsel. Amanda is listed on multiple institutional panels (SIAC, HKIAC, ICDR (AAA), JCAA and AIAC). Amanda is a Fellow and Director of the Chartered Institute of Arbitrators in Singapore and has taught international arbitration courses to hundreds of lawyers and other professionals throughout Asia. She is a regular speaker at international conferences, has published widely on international arbitration and is ranked as a leading individual for international arbitration by Legal 500 and 'most in-demand arbitrator' in Chambers Global.



**Victor Leginsky** is a Chartered Arbitrator and a Fellow of the Chartered Institute of Arbitrators. He holds a JD (*Juris Doctor*) degree and a B.Ed. (Bachelor of Education), both from Canada. He has served as Arbitrator in well over 100 cases, a large proportion of which are high-value construction cases and conducts both institutional and *ad hoc* arbitrations. He is certified as a mediator through the Centre for Effective Dispute Resolution (London) [CEDR] and works frequently in respect of mediation with the Royal Institution of Chartered Surveyors (London) [RICS] and the Chartered Institute of Arbitrators. He conducts mediation including construction-related mediations. He confines his practice to that of a neutral (arbitrator / mediator), largely in construction and energy-related disputes. He is a past MENA Chapter Director of the Association of International Energy Negotiators (AIEN). Victor is resident of and has been working in the Middle East for about 16 years. He is Regional Pathway Leader for the Chartered Institute of Arbitrators (Ciarb) and tutors Award Writing amongst other courses. He lectures frequently on dispute resolution in construction, oil and gas and general dispute resolution matters.



**Paul Teo** is a partner in Mayer Brown's Singapore office and a member of the firm's International Arbitration practice. Paul focuses on advising and representing parties on high-stakes 'bet-the-company' disputes arising from commercial transactions and major global infrastructure, construction and energy projects. He has particular experience of China-outbound (including those under the Belt and Road Initiative), Korean-outbound and Japan-outbound disputes. Paul has acted as counsel, appearing for parties in numerous court, arbitration and mediation proceedings in Asia, the Gulf Region and the United Kingdom. Paul is consistently recognised as a leading practitioner in International Arbitration and Construction and Engineering Law, by leading legal publications such as Who's Who Legal, Chambers Asia Pacific and Legal 500 Asia Pacific. Paul is a Fellow and Chartered Arbitrator with the Chartered Institute of Arbitrators. He is also a Fellow of the Singapore Institute of Arbitrators, the Hong Kong Institute of Arbitrators, the Institute of Arbitrators & Mediators of Australia and the Arbitrators' and Mediators' Institute of New Zealand. Paul is regularly appointed by the arbitral institutions and sits as arbitrator. Paul is qualified to practice English, Hong Kong and Singapore law.



**Francis Xavier SC** is Rajah & Tann Singapore's Regional Dispute Resolution Group, and he practices international and treaty arbitration and cross-commercial litigation. A veteran in the field, Francis has 34 years of legal practice and is actively in cross-border commercial disputes in the areas of corporate, banking, financial and investment related claims. With his substantial experience resolution, Francis has a track record of being involved in novel and unprecedented cases. Francis was also the winner of a Business Excellence Award (2019) issued Corporate Insider, the Gateway to the World of Business. He has appeared as counsel and has acted as arbitrator (both party appointed presiding) in a large number of arbitrations (both ad hoc and administered by ICSID, ICC, SIAC, AIAC, ICA, HKIAC, BANI and the Permanent Court Arbitration). Francis is a Chartered Arbitrator and has acted for a number of parties disputes (including several Asian governments). He is presently assisting governments in setting up their international arbitration framework. He is the immediate past global President of the Chartered Institute of Arbitrators and also the immediate Past President of the Inter-Pacific Bar Association. He is the General Editor of two major publications - "Civil Litigation in Singapore" (Sweet & Maxwell, 2017) and "Arbitration in Singapore: A Practical Guide" Edition, Sweet & Maxwell, 2018). He is the Chairman of the Listings Appeals Committee, Singapore Stock He is also the Chairman of the Inquiry Panel of the Law Society of Singapore.

## Counsels



**Christopher Boog** is a Vice-Chair of the International Arbitration Practice Group and co-heads the Sports Practice. He is also a member of the Construction and Energy sector groups. He represents clients in complex international commercial, investment and sports arbitrations as well as in setting-aside proceedings before the Swiss Supreme Court. Chris has been ranked as one of a small number of Global Elite Thought Leaders by Who's Who Legal Arbitration recognizing lawyers "at the peak of the profession" for several years. He is the 2020 recipient of the ASA Prize for Advocacy in International Commercial Arbitration, awarded every two years to international arbitration counsel to recognize exceptional advocacy in international arbitration. Chris has been described as "one of the best in the business" and "one of the stars in international arbitration" (Who's Who Legal). According to clients and peers, he is "exceptional in all respects", "outstanding", "just brilliant" and "one of the best advocates I have ever seen" (Who's Who Legal). The same directory remarks that "Christopher has superb control during complex hearings", is "well organised and in control of his cases" and "is absolutely excellent for dispute resolution within the construction industry". Other sources report that he is "brilliant and to-the-point" and "always provides solutions, which really makes him stand out; we don't have to wait long for a solution that is based on a sound, thought-out point of view" (Chambers Global). According to another client Chris "has superb analytical and advocacy skills. He is admired for his ability to explain (orally and in writing) complex technical or factual issues in simple terms" (Legal 500).



**Kang Yanyi's** practice focuses on dispute resolution, including civil and criminal litigation, mediation and international arbitration. She has extensive experience in commercial disputes, investigations, and matters relating to environment, health and safety, employment, and professional liability. Yanyi was seconded to Allen & Gledhill (Myanmar) from 2017 to 2019, with a focus on advising on commercial disputes, instructing local advocates in Myanmar court proceedings and acting as counsel in arbitrations. She continues to advise and represent local and international clients in Myanmar related disputes across a wide range of industries, including manufacturing and distribution, real estate development, construction and engineering, telecommunications, banking and finance, and energy. She is a firm believer of working towards amicable and commercial resolutions. Yanyi regularly advises clients on strategy and risk management before the commencement of proceedings and exploring alternative dispute resolution. She is an Accredited Mediator with the Singapore Mediation Centre.



**SeungMin Lee** is a partner at Peter & Kim (Singapore office). Ms Lee has represented and provided advocacy for major Korean and international clients in arbitrations under a wide range of institutional rules. She is dual-qualified as a Korean lawyer, and a solicitor in England and Wales. She has previously served as the South Korean national representative of the IBA young lawyers' committee, and has served as regional representative for Korea to the LCIA young international arbitration group. She was part of the team representing Mirae Asset in its US\$6 billion dispute concerning the sale and purchase of 15 luxury hotels. She has also represented Lone Star Funds in its US\$4.6 billion ICSID claim against South Korea. She acted for South Korean online game developer WeMade in a series of arbitrations, securing a US\$ 69 million ICC award for her client. Ms Lee was a registered foreign lawyer in Singapore in 2016, and counsel to the LCIA in 2010. A graduate of Seoul National University and member of the Korean bar, Ms Lee completed an LLM at the National University of Singapore in 2016. Ms Lee was selected as a ranked lawyer in the jurisdiction of Korea from 2016 to 2021 by Chambers and Partners and was "recognized as a Future leader under 45-Partner in Arbitration" by Who's Who Legal from 2018 to 2021."



**Kent Phillips** is a dispute resolution lawyer concentrating on international arbitration. He has conducted arbitrations under leading institutional rules in most major seats, under both civil and common applicable laws. Kent's extensive trial experience includes high-value commercial disputes across a number of sectors and jurisdictions. He is routinely involved in disputes relating to services and infrastructure in the resources, energy, and oil & gas sectors. These include construction and commodities matters and often involve Southeast Asia or India. As an experienced advocate Kent conducts all stages of proceedings, from interim measures to trial. For many years Kent has been recognized by major directories as a leading individual for International Arbitration. As one of Singapore's senior international arbitrators Kent holds more than 30 arbitral appointments, ICC and SIAC, with Singapore and London seats. He also holds a number of Emergency Arbitrator appointments. Kent is a director of the Chartered Institute of Arbitrators – Singapore branch, and Co-Chair of the International Bar Association's Asia Pacific Arbitration Group.