

**Singapore International Arbitration Centre  
Curriculum Vitae**



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<b><u>Nationality / Date of Birth</u></b>	<b>Australian and British / 23 December 1966</b>

**Educational/Professional Memberships**

**Qualifications:**

Barrister, Supreme Court of Western Australia (2004)

Legal Practitioner, Supreme Courts of Western Australia and Victoria, High Court of Australia (2001)

Solicitor, Supreme Court of England and Wales (1993)

Fellow, Chartered Institute of Arbitrators (2008)

Honorary Fellow, University of Western Australia (2009)

Certificate in Adjudication, Resolution Institute of Australia (2016)

Fellow and Member of Panel of Arbitrators, ACICA (2021)

Member of List of Arbitrators, HKIAC (2021)

**Education:**

Law Society Finals (First Class Honours), College of Law, UK (1990)

LLB (European) (Honours), University of Exeter, UK (1989)

Diploma in French Private Law Studies (First Class Honours), University of Aix-Marseille III, France (1988)

**Professional Memberships:**

Chartered Institute of Arbitrators (Fellow; Councillor on Australian Branch 2010-2020)

Western Australian Bar Association

Law Society of Western Australia

Professional Memberships (contd):

ICC Australia, and since 2022, member of ICC Australia Nominations Commission

Asia-Pacific Forum for International Arbitration (Co-Founder and former Co-Chair)

Resolution Institute of Australia

Society of Construction Law Australia

**Current Position**

**Barrister and Arbitrator, Francis Burt Chambers, Perth, Western Australia**

**Professional Experience**

**2004-date: Independent barrister and arbitrator** at Francis Burt Chambers, Perth, with a general commercial, construction and civil law practice, including appearing as counsel in numerous arbitrations and mediations, and acting as mediator in several mediations

**2000-2004: Allens, Perth:** Senior Associate in Litigation and Dispute Resolution Department

**1993-2000: Freshfields, London and Paris:** Solicitor in Litigation Department, including acting as counsel in numerous international arbitrations (mainly under ICC Rules)

**1991-1993: Freshfields, London and Paris:** Articled Clerk, including experience in international arbitrations

2009-date: University of Western Australia, Co-teaching International Commercial Arbitration unit to undergraduate and postgraduate students

2016-2019: Perth, Melbourne: Director of Introduction to International Arbitration Course, CI Arb

2012-2019: Sydney, Perth, Hong Kong, Kuala Lumpur: Tutor on International Arbitration Diploma Course, CI Arb

2007-date: Member of ICC Commission taskforce on national rules of procedure for recognition and enforcement of arbitral awards under New York Convention

Throughout career: presented papers and addressed seminars and conferences on numerous legal issues for lawyers and clients

## Arbitration Experience

Appointed sole arbitrator in several commercial arbitrations, international and domestic, and expert in an expert determination, as follows:

2022: Arbitrator in HKIAC arbitration of maritime dispute

2017-2020: Arbitrator in ICC arbitration of complex \$5 million construction dispute between government and engineer.

- Seated in Melbourne, Australia; Australian law.
- Multiple interlocutory hearings and determinations.
- Two-week merits hearing, including concurrent expert evidence.
- Partial award on liability and quantum
- Final award on interest and costs

2017: Arbitrator in ad hoc arbitration of trust dispute.

2017: Expert in a dispute between commercial lessor and lessee. Fully reasoned determination issued after merits hearing.

2016: Arbitrator in ICC arbitration of US\$1.5 million dispute between global hotel brand and hotel owner. Seat Singapore; Indian law.

2015: Arbitrator in ad hoc arbitration of construction dispute between contractor and subcontractor. UNCITRAL Arbitration Rules.

1993-date: counsel in numerous international and domestic arbitrations, institutional and ad hoc, seated in various seats around the world with various governing laws (Australian, English, French, Belgian, Austrian, Swiss, USA), and in several court proceedings relating to arbitrations. Examples:

- 2021: resisting enforcement of international arbitral award in WA Supreme Court under UNCITRAL Model Law
- 2020-date: successful application to WA Supreme Court to set aside interim arbitral award under *Commercial Arbitration Act 2012* (WA); appeal to WA Court of Appeal; application for special leave to appeal to High Court of Australia

- 2017 to date: Counsel for resources company against contractors in UNCITRAL Rules arbitration over a \$7 billion services contract on a multi-billion dollar resources project in Western Australia
- 2020-date: Arbitration under Resolution Institute Rules of a construction dispute over electrical works at a bauxite mine in Queensland, Australia
- 2019-2020: Ad hoc arbitration of partnership dispute over multiple farming properties and assets
- 2016-2019: Arbitration under ACICA Rules of a complex construction dispute over a prestigious infrastructure project in Perth
- 2016: application to stay WA Supreme Court proceedings to arbitration under *Commercial Arbitration Act 2012* (WA)
- 2014-2015: Ad hoc arbitration of a dispute over the construction of a retirement village
- 2009: Gas price arbitration, acting for wholesaler against producer, including contested subpoena applications
- 2007-2009: Counsel on application to stay WA Supreme Court proceeding to arbitration under *International Arbitration Act 1974*
- 2004-2005: ad hoc arbitration of a dispute over change of control relating to a multi-billion dollar iron ore resource
- 1998-1999: London arbitration of a dispute over a project to construct an oil pipeline in Pakistan
- 1995-1996: Acting for Government entities in multiple international arbitrations under ICC Rules seated in London, Paris and Brussels arising out of a fertiliser project in Kenya
- 1995-1996: Acting for an oil services company in an ICC arbitration in Switzerland, and in related proceedings in Texas Courts

2008-2010: arbitrator at Vis Moot East, Hong Kong

2010-2020: Councillor on Australian Branch of Chartered Institute of Arbitrators

2004-2011: Founding Member and Former Chairperson, Asia-Pacific Forum for International Arbitration

Throughout career: Frequent speaker at seminars and conferences on arbitration and alternative dispute resolution issues for lawyers and clients

## Publications

- Course notes for University of Western Australia International Commercial Arbitration unit (co-author)
- ICC Commission Taskforce addressing Issues of Corruption in International Arbitration: ICC Australia Response (Contributor)
- ICC Guide to National Procedures for Recognition and Enforcement of Awards under the New York Convention in Australia (Contributor)
- Papers and presentations for CIArb's Introduction and Diploma Courses
- Papers and presentations to lawyers, clients and other professionals at seminars and conferences run by numerous bodies including the ICC (in Perth, Sydney and New Delhi), ACICA, Law Society of Western Australia, WA Bar Association, Perth Centre for Energy and Resources Arbitration, Chartered Institute of Arbitrators, Australian Maritime and Transport Arbitration Commission, Legalwise and AMPLA, on numerous topics including:
  - Drafting Arbitration and other Dispute Resolution clauses
  - International Arbitration in Australia
  - Jurisdictional Challenges in International Arbitration
  - *Res judicata* and related concepts
  - Ethical issues in contract negotiations
  - Drafting Effective Pleadings
  - Economic Loss
  - Delay and Disruption in Construction Contracts
  - Security of Payment Legislation
  - Recent Developments in Commercial Contract Law
  - *Bharat Aluminium* (Supreme Court of India decision)
  - Preparing Witness Statements for Use in Civil Cases
- *The Building and Construction Industry Security of Payment Act 1999 (NSW)* (2004) 23 ARELJ 103
- *Pay Up or Else! The New Reality in Resource Projects* [2004] AMPLA Yearbook 157
- *Seeking Uniformity in the Commercial Arbitration Acts* [2003] Australian Construction Law Newsletter Issue 92 (co-author)
- *The Critical Importance of Carefully Drafting Arbitration Clauses* (2003) 22 ARELJ 161
- *International Arbitration: when arbitral rules and procedural laws collide* [2002] AMPLA Yearbook 649
- *Getting the Arbitration Clause Right* (2002) Brief (Law Society of WA) Vol 22 No 11
- *Negligent Misstatement case note* [2001] ICCLR Vol 12 Issue 9
- *The Scheme for Construction Contracts – the Government's Proposals* Construction Law (co-author)
- *Adjudication and Arbitration: a dangerous combination?* 1998 Construction Law Vol 9 / 10
- Commentary in French on two English court decisions in *Chronique de Droit de l'Arbitrage*, December 1995 (co-author)

**Languages**

English (mother tongue)  
French (fluent)

German (working knowledge)  
Italian (basic knowledge)