



Asia Pacific
Institute of Experts

APIEx Symposium 2023

Exploring the Dispute Resolution Process: A View from the Bench and a Cross-examination Workshop

NTUC Centre, Room 903, Level 9, One Marina Boulevard, Singapore 018989
21 November 2023, 9am - 6.30pm (Singapore time, GMT+8)

Supporting Organisations:



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About this Symposium

The Symposium will be split into two sessions, the morning conference portion will focus on the Judiciary's approach to Expert Evidence in Singapore. We have the privilege of welcoming Justice Kannan Ramesh of the Singapore Supreme Court as the keynote speaker. Justice Ramesh offers a unique perspective, having been a leading advocate and now a Judge in both the Supreme Court and the Singapore International Commercial Court. The address will touch on the recently introduced 2021 Rules of Court, including how these rules impact the practice and utility of expert evidence, and the ethical aspects of expert evidence. Following the keynote address there will be two panel sessions discussing alternative dispute resolution in general and a deeper dive into the ethical considerations of expert evidence.

In the afternoon, APIEx will partner with the Advocacy Committee of the Law Society of Singapore on a workshop that focuses on the dark art of cross examining financial expert witnesses. This session will provide the opportunity for participants to hone their cross-examination skills, based on a fictitious financial/accounting problem in a mock international arbitration scenario. Both counsel and expert participants will work together to prepare for the cross examination, undertake a short cross-examination and receive feedback from leading arbitrators.

The training exercise will provide participants with an exclusive hands-on opportunity to learn about their role as counsel and expert witnesses in cross-examination, experience the interaction between experts and lawyers first-hand, as well as receive valuable practical and personalised guidance from senior practitioners.

Workshop places are limited to 15 counsel and 15 experts only. Young lawyers and experts with up to 5 years post-qualification experience enjoy discounted rates!

The workshop will be followed by networking drinks, to allow further discussion of the conference topics and the learning points from the workshop.

About our Guest-of-Honour & Keynote Speaker



Justice Kannan Ramesh
Judge of the Appellate Division,
Supreme Court of Singapore

Justice Kannan Ramesh was appointed Judge of the Appellate Division on 1 November 2022. He was appointed Judicial Commissioner in May 2015, and Judge of the High Court in April 2017. He was also appointed as a Judicial Commissioner of the Supreme Court of Brunei Darussalam ("SCBD") on a part-time basis on 7 October 2019 where he hears both commercial and civil cases in SCBD. He received his Bachelor of Laws (Honours) from the National University of Singapore in 1990. He was then admitted as an Advocate and Solicitor in Singapore in 1991, and appointed Senior Counsel in 2012. Before his appointment as Judicial Commissioner, Justice Ramesh was Managing Partner of Messrs Tan Kok Quan Partnership from 2008, where he specialised in dispute resolution, insolvency and restructuring, and international arbitration. He was also appointed as Board Member of the Singapore Aerospace Manufacturing Pte Ltd and M1 Limited. In the former, he had an added role as Executive Committee Member, while in the latter, he was Chairman of M1's Risk Committee, as well as Member of their Nominating and Audit Committees. He is a member of Singapore Academy of Law's Law Reform Committee, and President of New York's International Insolvency Institute (III) Executive Committee and part of III's Arbitration and Conciliation working group. He was instrumental in establishing the Judicial Insolvency Network (JIN) which issued in October 2016, guidelines for court-to-court communications and cooperation in cross-border insolvencies. Justice Ramesh wrote *Getting the Deal Through - Restructuring and Insolvency in 51 Jurisdictions Worldwide* in 2010. He also authored the Singapore Chapter of the World Bank publication, *Doing Business - Closing a Business Survey*, published in 2009, 2010 and 2011.



ACCREDITED
CPD
ACTIVITY

Practice Area: Civil Procedure
Training Level: General

6.5 Public CPD Points
(3 Public CPD Points for AM session,
3.5 Public CPD Points for PM session)

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Participants who wish to obtain CPD Points must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, participants are reminded to sign in on arrival and sign out at the conclusion of each session of the event in the manner required by the organiser. Participants must not be absent from each session of the event for more than 15 minutes. Participants who attend AM Session and comply strictly with the Attendance Policy on that session may obtain 3 Public CPD Points.

Participants who attend PM Session and comply strictly with the Attendance Policy on that session may obtain 3.5 Public CPD Points. Participants who do not comply with the Attendance Policy on any particular session of the event will not be able to obtain CPD Points for that session. Please refer to <http://www.sileCPDcentre.sg> for more information.

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Conference Programme

8.45 – 9.00am	Registrations for Conference
9.00 – 9.10am	Welcome Address & Opening Remarks by: Prof. Leslie Chew SC - President, Asia Pacific Institute of Experts; Dean, School of Law at the Singapore University of Social Sciences; Senior Consultant, RHT Law Asia LLP, Singapore
9.10 – 9.45am	KEYNOTE ADDRESS: Justice Kannan Ramesh Judge of the Appellate Division, Supreme Court of Singapore
9.45 – 11.00am	PANEL DISCUSSION 1: ALTERNATIVE DISPUTE RESOLUTION Expert Witnesses and Alternative Dispute Resolution Methods: Arbitration, Mediation and Expert Determination
	Moderator Prof. Leslie Chew SC - President, Asia Pacific Institute of Experts; Dean, School of Law at the Singapore University of Social Sciences; Senior Consultant, RHT Law Asia LLP, Singapore Speakers/Panellists <ul style="list-style-type: none"> • Associate Prof. Alvin Cheng - Associate Professor, School of Law, Singapore University of Social Sciences; Consultant, Chris Chong & CT Ho LLP • Mr. James Nicholson - Head of Economic and Financial Consulting – Asia, FTI Consulting • Ms. Dorcas Quek Anderson - Associate Professor of Law, School of Law, Singapore Management University
11.00 – 11.30am	Networking Break
11.30 – 11.45am	ETHICS: Code of conduct one year on! The APIEX Code of Conduct was launched on 11 August 2022. In this session we review the rationale for having the Code, how it is implemented and what we, as an expert ecosystem, need to ensure going forward to maintain the high standards we expect of experts. <ul style="list-style-type: none"> • Mr. Jonathan Ellis - Committee Member, Asia Pacific Institute of Experts; Partner, HKA, Singapore
11.45 - 12.45pm	PANEL DISCUSSION 2: ETHICS The ethics of the expert, how the ethical considerations of providing expert evidence can impact the evidence given
	Moderator: Mr. Gregory Vijayendran SC - Vice President, Asia Pacific Institute of Experts; Former President, Law Society of Singapore; Partner, Dispute Resolution, Rajah & Tann LLP, Singapore Speakers/Panellists <ul style="list-style-type: none"> • Ms. Anne Connolly - Senior Managing Director, CD&A, Ankura Consulting (APAC) Pte. Ltd. • Mr. Gregory Vijayendran SC - Vice President, Asia Pacific Institute of Experts; Former President, Law Society of Singapore; Partner, Dispute Resolution, Rajah & Tann LLP, Singapore • Mr. Yeo Chuan Tat - Senior Lecturer, School of Law, Singapore University of Social Sciences
12.45 – 12.50pm	Conference Closing Remarks by: Mr. Gregory Vijayendran SC - Vice President, Asia Pacific Institute of Experts; Former President, Law Society of Singapore; Partner, Dispute Resolution, Rajah & Tann LLP, Singapore
12.50 – 1.45pm	Lunch

Mock Cross Examination Workshop Programme

1.30 – 1.45pm	Registrations for Workshop
1:45 – 2:00pm	Introduction & Overview <ul style="list-style-type: none"> • Prof. Leslie Chew SC - President, Asia Pacific Institute of Experts; Dean, School of Law at the Singapore University of Social Sciences; Senior Consultant, RHT Law Asia LLP, Singapore • Mr. Jonathan Ellis - Committee Member, Asia Pacific Institute of Experts; Partner, HKA, Singapore • Mr. Francis Goh - Chair, Advocacy Committee of the Law Society of Singapore; Head, International Arbitration and Mediation and Head, Private Client Advisory; Harry Elias Partnership
2.00 – 3.15pm	Preparation for Cross Examination Workshop
3.15 – 3.30pm	Coffee / Tea break
3.30 – 5.15pm	Cross Examination Workshop Hands-on training in small groups including Debrief by Tribunal
5.15 – 5.30pm	End of workshop closing and thanks
5.30 – 6.30pm	Networking Drinks

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About the Chair/Moderators



Prof. Leslie Chew SC

President, Asia Pacific Institute of Experts; Dean, School of Law at the Singapore University of Social Sciences; Senior Consultant, RHT Law Asia LLP, Singapore

Prof. Leslie Chew SC is the founding and current Dean of the School of Law at the Singapore University of Social Sciences. He has practiced law in one form or another for over 4 decades. He was appointed Senior Counsel in 2000. In 2007 he was appointed a judge in the State Courts where he remained until his retirement in 2014. At the State Courts he was the Senior District Judge leading the Civil Justice Division. He retired from the judiciary in 2014.

Upon his retirement from the Singapore Legal Service, he returned to law practice. Currently, he is a Senior Consultant at RHT Law Asia LLP. He has an active practice as an arbitrator in International Commercial Arbitrations.



Mr. Gregory Vijayendran SC

Vice President, Asia Pacific Institute of Experts; Former President, Law Society of Singapore; Partner, Dispute Resolution, Rajah & Tann LLP, Singapore

Gregory Vijayendran's present practice encompasses a specialisation in litigation, arbitration and mediation of commercial disputes and chancery matters. He is also recognised expert in insolvency and restructuring as well as charities governance. Gregory has given expert witness testimony for overseas court proceedings.

Gregory was appointed Senior Counsel in 2019. He has also been appointed as a Fellow of the Insolvency Practitioners Association of Singapore, the Singapore Institute of Arbitrators and the Singapore Institute of Directors.

About the Speakers/Panellists



Associate Prof. Alvin Cheng

Associate Professor at the Singapore University of Social Sciences, School of Law; Consultant, Chris Chong & CT Ho LLP

Alvin Cheng is an Associate Professor at the Singapore University of Social Sciences, School of Law, and a Consultant with Chris Chong & CT Ho LLP. Alvin mediates at the Singapore Mediation Centre (SMC), the State Courts' Centre for Dispute Resolution, and the Law Society of Singapore.

He is a senior member of SMC's Adjunct Training Faculty, a Teaching Fellow of the Singapore Institute of Legal Education, as well as an Accredited Mediator with the Regent's University (School of Psychotherapy and Psychology), London. He has conducted mediation training for professionals from education, finance, legal, medical, and public sectors; including community leaders, foreign dignitaries and judiciary.

He is a member of the Law Society of Singapore, the Singapore Academy of Law, the Honourable Society of

Lincoln's Inn, and the Asia Pacific Institute of Experts. He is also a Founding Member of the Society of Mediation Professionals (Singapore).



Ms. Anne Connolly

Senior Managing Director, CD&A, Ankura Consulting (APAC) Pte. Ltd.

Anne Connolly is a chartered quantity surveyor with over 25 years' experience working in the construction industries of Asia, Australia, the Middle East and the UK. Anne's academic and professional qualifications, coupled with her extensive and detailed knowledge and understanding of the construction process, has led her to be appointed as an expert on quantum related matters on numerous occasions.

Before moving into the consulting sector in 2006, Anne worked as a quantity surveyor and commercial manager for more than nine years. Anne has been actively involved in live projects (ranging from mining, building and power projects to major infrastructure and oil and gas projects) and dispute resolution (including negotiation, mediation, adjudication, arbitration, expert determination, and litigation).

She has been appointed as a sole expert determiner and as an expert witness. Anne specialises in the detailed quantum analysis of construction claims. She has a keen eye for detail and strong forensic analysis skills supported by her formal study of construction law.



Mr. Jonathan Ellis

Committee Member, Asia Pacific Institute of Experts; Partner, HKA, Singapore

Jonathan Ellis is a partner at HKA and is based in the Singapore office. He specialises in the quantification of damages and valuations, in particular in dispute contexts. He has worked on matters before the UK and Singapore High Courts as well as in ad hoc, SIAC, LCIA, ICC, HKIAC, UNCITRAL and ICSID arbitration forums.

He has provided oral testimony on a number of occasions, in both court and arbitration, and has been engaged as a tribunal appointed expert. Since 2017, Jonathan has been recognised among the leading arbitration expert witnesses worldwide by Who's Who Legal, where he has been classified as a "Global Elite Thought Leader" and a "National Leader" in the inaugural Southeast Asia Arbitration list.



Mr. Francis Goh

Chair, Advocacy Committee of the Law Society of Singapore; Head, International Arbitration and Mediation and Head, Private Client Advisory; Harry Elias Partnership

Francis Goh has over three decades of dispute resolution experience. Francis is the Chairman of the Advocacy Committee of the Law Society of Singapore.

Francis is a SIMI and IMI Certified Mediator. He is also an IMI Certified Mediation Advocate. Francis leads the International Arbitration and Mediation Practice group at Harry Elias Partnership. An early adopter of mediation since 2001, Francis has incorporated mediation techniques into his dispute resolution practice, both as mediation advocate and as mediator.

Francis weaves litigation, arbitration and mediation expertise to obtain outcomes enabling clients and parties to 'get back to doing business' in a time and costs-efficient way. He is a Fellow of the Chartered Institute of Arbitrators and the Singapore Institute of Arbitrators.

Francis is an Arbitrator on the panel of AAA-ICDR and the BAIAC. Francis is a Mediator on the panel of many institutions including the Singapore Mediation Centre, the Singapore International Mediation Centre, the Singapore Law Society Panel of Mediators, the BAIAC and the AAA-ICDR.



Mr. James Nicholson

Head of Economic and Financial Consulting – Asia, FTI Consulting

James Nicholson has over 25 years' experience as a consultant on matters of finance, strategy, and economics. Since 2005, his work has primarily involved acting as an expert witness on the identification

and valuation of lost profits and related issues in litigation and arbitration.

He has testified 50+ times before the Singapore High Court, the SICC, High Court of England and Wales, Grand Court of the Cayman Islands, and commercial and investment treaty arbitration tribunals.

From 2014 to 2021 James was President of the Standing Committee of the ICC's International Centre for ADR, in which role he scrutinised the output of expert processes administered by the ICC, and James has twice been appointed expert valuer jointly by parties subsequent to orders by the Singapore High Court.

Since 2015, James has been identified by Who's Who Legal as one of the five to ten 'Most Highly Regarded Individuals' and 'Global Elite Thought Leaders' in Europe and latterly Asia.



Ms. Dorcas Quek Anderson

Associate Professor of Law, School of Law, Singapore Management University

Dorcas has more than a decade of experience as a practising mediator and in dispute research. Prior to joining academia in 2016, Dorcas was a District Judge in the State Courts

for almost seven years, where she conducted mediation and early neutral evaluation for hundreds of civil and criminal cases, contributed to the courts' mediation policies as well as published extensively concerning dispute resolution.

She was earlier an Assistant Registrar in the Supreme Court and concurrently Assistant Director of the Singapore Mediation Centre (SMC). Dorcas is currently an Associate Professor of Law in the Singapore Management University's Yong Pung How School of Law.



Mr. Yeo Chuan Tat

Senior Lecturer, School of Law, Singapore University of Social Sciences

Yeo Chuan Tat is an academic and a dispute resolution lawyer.

He is a Senior Lecturer at the Singapore University of Social Sciences, School of Law, where he teaches and conducts research in

the following fields: legal ethics, trial advocacy, civil procedure, and various topics in international litigation and arbitration.

Chuan Tat is Counsel at Breakpoint LLC. He previously practised in other leading Singapore and international dispute resolution practices. He has experience handling matters across a wide range of industry sectors.

Chuan Tat is actively involved in the broader legal community, serving (or having served) on various committees in a number of legal organisations. He is a member of the Asia Pacific Institute of Experts.

Chuan Tat is admitted to practise law in Singapore, England & Wales, and the State of New York. He obtained his LL.B. from the National University of Singapore and a LL.M. from Columbia Law School.

About the Workshop Trainers

(alphabetical by surname)



Mr. Senthil Dayalan

Partner, Litigation and Dispute Resolution Practice, Dentons Rodyk

Senthil is a partner in the Litigation and Dispute Resolution Practice at Dentons Rodyk & Davidson LLP.

Senthil's main area of practice is in litigation and arbitration with a focus on shipping, international trade and construction disputes. He also regularly handles shareholder disputes, restructuring and insolvency matters and civil fraud claims. He has appeared before all levels of the Singapore courts as well as arbitral tribunals in Singapore and London under the SIAC, SCMA, and LCIA rules.



Mr. Chenthil Kumarasingam

Partner, WithersKhattarWong
Chenthil is a litigation and international arbitration partner at WithersKhattarWong LLP.

He undertakes a broad range of work in complex and cross-border commercial disputes, insolvency, criminal matters and urgent crisis management matters. This includes matters related to fraud, investments and joint ventures, minority oppression, contract and tort claims, defamation, employment, and professional disciplinary matters. He has a particular focus in the technology, banking and financial services industries.

Chenthil also acts in white collar criminal matters and professional conduct matters, and has conducted investigations and advised on internal disciplinary proceedings. Chenthil regularly appears before the Singapore Courts and in domestic and international arbitrations.

Apart from his commercial law practice, Chenthil is an accredited Principal Mediator of the Singapore Mediation Centre and volunteers with the Law Society of Singapore's Criminal Legal Aid Scheme (CLAS) and the Legal Assistance Scheme for Capital Offences (LASCO).

Outside practice, Chenthil chairs the Criminal Practice of the Law Society of Singapore and serves on the Criminal Legal Aid Steering Committee. He is a senior Advocacy trainer with the Law Society, and has trained advocates both locally and overseas.

**Mr. Steven Lam, JP, PBM, BBM**

Founder & Director, Templars Law LLC

Steven is one of the founders of a medium-sized full-service law firm, Templars Law LLC, specialising in contentious and non-contentious commercial, insolvency reinsurance, insurance, employment, international

trade, oil and gas and shipping related matters, and also community law.

Before this, he was a partner in an international law firm handling complex corporate matters and international commercial arbitrations (in various parts of the world, from New York, London, Middle East, China and other parts of Southeast Asia) relating to international trade and insurance disputes, and cross-borders mergers and acquisitions, and was the General Counsel for a listed multinational oil and gas and shipping company, and also the Chief Legal Officer of a medical healthcare provider.

Currently Steven teaches interrogation, evidence gathering techniques and court hearings preparation to civil servants and is also involved in the Singapore Law Society's Advocacy Training Programme for Part B students, since its inception in 2002.

**Mr. Darrell Low**

Partner, Bih Li & Lee LLP

Darrell is a Partner with the firm of Bih Li & Lee LLP. He is an experienced advocate who has appeared before the Courts and various arbitral tribunals. Darrell's practice areas include commercial litigation, criminal law, employment law, contentious

estate matters, matters under the Mental Capacity Act, intellectual property disputes and administrative law.

He currently serves as the Co Vice-Chairperson of the Advocacy Committee and is deeply involved in advocacy training both in Singapore and overseas in places that include Australia, Brunei, Hong Kong, Malaysia and South Africa. From time to time, he acts as counsel for the Law Society of Singapore in relation to disciplinary matters.

**Mr. Joseph Liow**

Managing Partner, Joseph Liow Chambers

Joseph, a 1992 alumnus of the National University of Singapore and a former PSC ASEAN Scholar, is a Fellow of the Singapore Institute of Arbitrators.

He's affiliated with various arbitration and mediation panels, including the Law Society of Singapore Arbitration Scheme and the Asian International Arbitration Centre. Notably, Joseph is a Principal Mediator with the Singapore Mediation Centre and the Law Society.

An integral member of the Law Society, he's the Vice Chairman of its Advocacy Committee and a Lead Advocacy Trainer for future lawyers. Internationally, he's trained with bar associations in South Africa and India, showcasing his global expertise.

**Mr. Lawrence Tan**

Founding Partner, Eldan Law LLP

Lawrence, a Founding Partner of Eldan Law LLP handling a wide range of matters relating to corporate commercial issues, building and construction law (contentious and non-contentious), insolvency, employment and other civil cases. He has acted as

counsel in numerous cases (courts, arbitration, adjudication) including that at the Court of Appeal level.

Lawrence also sits as Arbitrator, Mediator and Senior Adjudicator. In contentious work, Lawrence is known for this work in construction law as well in the field of ADR.

In addition to mediating as a mediator, Lawrence is also a trainer for the SMC and other mediation bodies having trained professionals in many countries, including Malaysia, China, Vietnam, Thailand, Dubai, Jordan and others.

Lawrence is also ranked in mediation by WWL - Southeast Asia 2023 and construction law, with awards from Chambers, Benchmark Litigation, and Dolyes.