

# Injunctive and Emergency Relief in and for International Arbitration Proceedings



**CI Arb**  
evolving to resolve  
Singapore Branch

Pinsent Masons MPillay LLP  
24 October 2019, Singapore

THE CHARTERED INSTITUTE OF ARBITRATORS (SINGAPORE)  
is pleased to present

## "Injunctive and Emergency Relief in and for International Arbitration Proceedings"

*Date: Thursday, 24 October 2019*

*Time: 6.30pm – 7.30pm (Registration starts at 6.00pm)*

*Venue: Pinsent Masons MPillay LLP, 182 Cecil Street  
#32-01 Frasers Tower, Singapore 069547*

### ABOUT THE EVENT

Whereas the jurisdiction to grant anti-suit injunctions is an ancient one with roots in equity and the English Court of Chancery, the jurisdiction to grant urgent relief is of quite recent, statutory origins. Both procedural innovations were the handiwork of commercially minded lawyers, and, amid the current era of globalisation in the context of furthering international arbitral solutions, those remedies have gone global. Commercially minded courts, supporting the arbitral tribunals in the discharge of their entrusted missions, and the tribunals themselves, are devising, recognising or refining some very interesting further innovations. The CI Arb is pleased to bring together five leaders in the field, to present from their own distinctive insightful perspectives on the current principles and practices of injunctive and emergency relief, and some of the emergent strategies.

### EVENT OUTLINE

WELCOME ADDRESS - Chair: Nicholas Brown, Pinsent Masons MPillay LLP		
Speaker	Topic	Brief Description
Philip Riches, Twenty Essex	Who to Ask for Urgent Relief	Practical ways through the barriers to injunctive relief: invoking the emergency relief jurisdiction; considerations in complex arbitrations
Paul Lowenstein QC, Twenty Essex	What to Ask for In Court	Using the English court to secure assets for the enforcement of international arbitral awards
Sir Mark Havelock-Allan QC, Twenty Essex	The Arbitrator's Perspective	Practical considerations arising on applications for emergency relief
Prof Julian Lew QC, Twenty Essex	Issues for International Arbitral Tribunals	Supporting national court injunctions, security for costs and anti-suit injunctions
Chen Han Toh, Pinsent Masons MPillay LLP	Q&A	Questions & Answers - Moderation

### REFRESHMENTS & CLOSING



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**Nicholas Brown, Pinsent Masons MPillay LLP**

Nicholas is a multi-jurisdictional lawyer (qualified in England & Wales, Australia and Hong Kong), and Fellow of the CI Arb, with over twenty-three years of dedicated experience in advising and representing project participants in the resolution of disputes arising on infrastructure and energy projects across the Asia Pacific, the Middle East, Africa and Australia. He has served clients (as counsel) and parties seeking the fair and efficient resolution of commercial disputes (as arbitrator) in a diversity of projects and transactions in the oil and gas, energy, transportation and mining infrastructure sectors.

Who's Who Legal Construction guide 2019 writes: "Nicholas Brown performs strongly in this year's rankings, with interviewees praising him for his 'wealth of experience' assisting international contractors on infrastructure projects in developing countries."

**Philip Riches, Twenty Essex**

Philip has a wide-ranging commercial practice in international litigation and arbitration. His work covers all aspects of commercial litigation in the English courts and in well-recognised international arbitration forums, including LCIA, HKIAC, SIAC, SCC, ICC and ad hoc arbitrations. Philip has extensive experience of advising clients and acting as an advocate in complex, high-value commercial disputes, including in the energy, mining, banking and finance, telecoms, pharmaceuticals, and trade and shipping industries. He is regularly instructed in shareholder, joint venture and fraud disputes. Many of his cases involve jurisdiction and conflicts of law disputes. His expertise covers applications, trials, appeals, arbitration appeals and enforcement proceedings for both judgments and arbitral awards.

In recent years, Philip has particularly focused on work from emerging markets, in particular the CIS (especially Ukraine and Russia), China, West Africa, Brazil and Venezuela. He has lived and worked in China (mainland and Hong Kong) and South America (Argentina). Philip is regularly instructed as an expert in foreign proceedings, particularly on issues of English arbitration law. He also accepts appointments as an arbitrator, with experience as an ICC and as an SCC arbitrator.

**Paul Lowenstein QC, Twenty Essex**

Paul is a leading commercial silk in domestic and international litigation and arbitration. A pre-eminent courtroom advocate, he has expertise in high-profile, heavy and sensitive commercial, financial and international disputes of all kinds. He is regularly instructed in complex and ground-breaking international and domestic fraud and asset-tracing cases, often involving pre-emptive injunctions, disclosure, and jurisdictional and choice of law issues. Paul also has strong and overlapping practices in the fields of banking and finance, information technology and telecommunications, professional negligence, and media.

Paul is regularly instructed in international and domestic arbitration and in English court proceedings in aid of arbitral proceedings and in connection with the enforcement of arbitration awards and foreign judgments. He also advises overseas lawyers on issues arising in domestic and international litigation and arbitration and gives expert evidence on issues of English law and procedure arising in foreign proceedings.

He is a qualified Centre for Dispute Resolution (CEDR) mediator and an experienced mediation advocate. He is a member of the Investment Committee of Harbour Litigation Funding. Paul is a nominee for the 'Barrister of the Year' award at The Lawyer Awards (London, 2019).



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### **Sir Mark Havelock-Allan QC, Twenty Essex**

Mark is a former Mercantile Judge on the Western Circuit, and judge in charge of the Bristol Technology and Construction Court (TCC), having retired in May 2017. As a Mercantile and TCC judge his work covered a wide commercial field, including mergers and acquisitions, joint ventures, banking, financial services, insurance, professional negligence, and a wide variety of disputes arising out of construction contracts and procurement.



Since his retirement from the Bench, Mark has accepted appointments as chair and sole arbitrator under LCIA and LMAA rules. In 2019, Mark joined the Market Supervision and Review Committee at Lloyd's of London. Before becoming a judge in 2001, Mark practised as a barrister in Chambers for 25 years specialising in all aspects of international trade, in particular in cases involving carriage by sea and by road, shipbuilding, the international sale of goods, commodity trading, the Lloyd's of London insurance market, and arbitration law and practice.

Mark appeared frequently in maritime arbitrations and in arbitrations before the London commodity trade associations, such as GAFTA, FOSFA and the Refined Sugar Association. Mark also sat as an arbitrator in LMAA arbitrations and at Lloyd's of London, and he chaired the LMAA Supporting Members' Liaison Committee at the time of the passing of the Arbitration Act 1996. As counsel, Mark appeared in the Commercial Court, Admiralty Court, TCC, Court of Appeal and House of Lords. Mark sat as a Recorder in the Crown Court between 1994 and 2001. He has been a Bencher of Inner Temple since 1995.

### **Prof Julian Lew QC, Twenty Essex**

Julian is a full-time arbitrator in international commercial and investment disputes. He accepts appointments as arbitrator in international commercial and investment disputes. He has been involved with international arbitration for more than 40 years as an academic, counsel and arbitrator. Before 2005, Julian was a partner and, for some years, the head of the international arbitration practice group of Herbert Smith.



Professional expertise includes international transactions affecting investments, purchase and sale of corporate entities and assets, joint ventures, oil and gas exploration, development and production agreements, research and development and promotions of pharmaceutical and chemical products, mining and concession arrangements, distribution, agency, licensing contracts, infrastructure and construction projects, international trade finance, trading arrangements with developing countries, EC law and arbitration arising out of all such transactions. Julian has been appointed as a sole, presiding and co-arbitrator in arbitrations under the rules of all the major arbitral institutions and under UNCITRAL and Swiss Chambers' Arbitration Institution rules.

He is Professor of International Arbitration and Head of the School of International Arbitration, Centre for Commercial Law Studies, Queen Mary University of London.

### **Chen Han Toh, Pinsent Masons MPillay LLP**

Chen Han focuses on the resolution of construction, engineering and commercial disputes. He is the Chair of the Society of Construction Law (Singapore), a Fellow of the Singapore Institute of Arbitrators, and has been described by Legal 500 as 'very methodical', 'forceful and relentless in his cross-examination' and 'a go-to individual for complex delay claims', who is 'unafraid to dive into details'. He is one of the two Contributing Editors of Singapore's leading construction law textbook, Law and Practice of Construction Contracts (Chow Kok Fong, 2018), co-authored the SICC Handbook – A Guide to the Rules and Procedures of the Singapore International Commercial Court (Sweet & Maxwell, 2016) and is a Contributing Editor for the Singapore Journal of Construction Law.



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## REGISTRATION FORM

### THE CHARTERED INSTITUTE OF ARBITRATORS (SINGAPORE) " Injunctive and Emergency Relief in and for International Arbitration Proceedings"

Date: Thursday, 24 October 2019  
Time: 6.30pm – 7.30pm (Registration starts at 6.00pm)  
Venue: Pinsent Masons MPillay LLP  
182 Cecil Street  
#32-01 Frasers Tower  
Singapore 069547

#### **PARTICIPANT INFORMATION**

Title (Mr/Dr/Mrs/etc): \_\_\_\_\_  
Family name: \_\_\_\_\_ First/given name: \_\_\_\_\_  
Tel/HP: \_\_\_\_\_ Email: \_\_\_\_\_  
Company: \_\_\_\_\_ Designation: \_\_\_\_\_

#### **REGISTRATION FEES**

Complimentary for all attendees.

#### **SUBMISSION OF REGISTRATION FORM**

Kindly attach your completed registration form or send the above information in the email text body, in email to [secretariat@ciarb.org.sg](mailto:secretariat@ciarb.org.sg).

The closing date for registration is **20 October 2019**. (Spaces are limited, and registrations are on a first-come-first-served basis). The organisers reserve the right not to accept registrations and to cancel or alter the date and details of the event.

For registration or enquiries, please email [secretariat@ciarb.org.sg](mailto:secretariat@ciarb.org.sg)

The Chartered Institute of Arbitrators (CI Arb) is the world's leading professional membership body for arbitration and alternative dispute resolution (ADR). CI Arb promotes the use of ADR internationally through 16,000 professionally qualified members in over 133 countries.

**The Chartered Institute of Arbitrators (Singapore)**

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