

**YOUNG ICCA / ACICA 45**  
**INTERNATIONAL ARBITRATION SKILLS WORKSHOP:**  
*Building your Case in International Arbitration:*  
*Lay and Expert Witness Evidence*

Wednesday 20 November 2019 Herbert Smith Freehills  
Level 31, 480 Queen Street, Brisbane

PROGRAM		
TIME	TOPIC	FACULTY
9.45 – 10.00	<b>ARRIVAL AND REGISTRATION</b>	
10.00 – 10.05	<b>OPENING REMARKS</b>	Deborah Tomkinson (Co-MC) Caroline Swartz-Zern (Co-MC)
10.05 – 11.15	Lay Witness Evidence (a) Witness statements (i) IBA Guidelines on the Taking of Evidence (b) Preparing for cross-examination (c) Preparing witnesses for cross-examination	Erika Williams Lee Carroll Lucy Martinez
11.15 – 11.45	<b>REFRESHMENTS / NETWORKING</b>	
11.45 – 13.00	Expert Witness Evidence (a) How to brief an expert (i) Preliminary brief (ii) Letter of Instructions (iii) IBA Guidelines on the Taking of Evidence (iv) CIArb Protocol for the Use of Party-Appointed Expert Witnesses in International Arbitration (b) Expert conclaves (i) CIArb Guidelines for Witness Conferencing in International Arbitration (c) Preparing an expert to give evidence	Grant Axman-Friend Guillermo Garcia-Perrote Lucinda McPhee
13.00 – 14.00	<b>LUNCH / NETWORKING</b>	

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### INTERNATIONAL ARBITRATION SKILLS WORKSHOP:

#### Faculty



**Deborah Tomkinson** is the Secretary General of the Australian Centre for International Commercial Arbitration (ACICA). Deborah joined ACICA from private practice in 2012, having previously specialised in commercial dispute resolution in the energy, projects and construction and infrastructure industries in a number of top tier law firms in Australia and the United Arab Emirates. Deborah is responsible for the overall management and operations of ACICA and oversees the ACICA Secretariat in the provision of case management services. Deborah is a Fellow of the Chartered Institute of Arbitrators.

**Caroline Swartz-Zern** is a senior associate in the Disputes & Investigations team at Allens, where she focuses on international arbitration, cross-border disputes and regulatory investigations. She has a particular focus on the mining and energy industries. A dual US/Australian lawyer, she worked in the US, Paris, and Hong Kong before moving to Melbourne in 2015.



**Erika Williams** is a leading international arbitration practitioner having acted in some of Australia's largest disputes resolved through arbitration. She also regularly advises in private international law assisting clients with issues in cross-jurisdictional disputes. Erika's specialist knowledge of international arbitration allows her to advise clients in relation to arbitration agreements when negotiating contracts, act as counsel for clients in arbitration proceedings, determine disputes as arbitrator and assist clients to enforce arbitration agreements and awards in the court system.

**Lee Carroll** is a Special Counsel in the Arbitration and Projects groups of Corrs Chambers Westgarth in Melbourne. She has experience in arbitrations conducted under many of the leading arbitral rules, advising clients and assisting tribunals. She also advises on the potential enforcement of BITs and corporate structuring with a view to optimising investment protection. Lee has practised at leading international law firms in London and Paris, and is a former Associate to Justice Hayne of the High Court of Australia. She holds a BCL from Oxford University and Bachelors of Laws (First Class Honours) and Arts from the University of Western Australia.



**Lucy Martinez** is an independent counsel and arbitrator, based in the UK and Australia. She has extensive experience advising and representing private and sovereign clients in disputes relating to investment treaties, contracts, and/or national investment legislation, including in various institutional and ad hoc arbitrations. She has sat as arbitrator (sole, co- and presiding) in ACICA, HKIAC, ICC, LCIA, and SIAC disputes, seated in Australia, Hong Kong, London and Singapore. Her industry experience includes energy (oil, gas, electricity, mining), telecommunications, satellite technology, banking and finance, insurance and reinsurance, trademarks, shipping, and gambling.



**Grant Axman-Friend** is a director of specialist project management and advisory consultancy Core Project Advisory. Grant has over 20 years industry experience in the planning and delivery of major infrastructure and building projects throughout Australia. His experience is often called upon to provide expert advice with regard to the planning of major and complex infrastructure projects, disputes associated with project delays and to undertake project audits and project gateway reviews. Grant is a lecturer in project management and has an interest in ecological sustainable development.

**Guillermo Garcia-Perrote** is an international arbitration lawyer, admitted in England and Wales and Spain, specialising in construction/infrastructure and energy disputes. Guillermo advises clients on complex cross-border disputes across many sectors and industries concerning a wide range of trade, commercial and financial activities, with a particular focus on construction/infrastructure and energy disputes. Guillermo has represented clients in arbitrations in major international centres and ad-hoc arbitrations. Guillermo also has expertise in other forms of dispute resolution, including litigation, expert determination and mediation.



**Lucinda McPhee** is a Senior Associate in the Construction and Major Projects group at Clayton Utz. Lucinda has practiced as lawyer for 10 years, and as a specialist construction disputes lawyer for the past 8 years. Lucinda has extensive litigation and arbitration experience. Over the past 10 years Lucinda has engaged and worked with numerous expert witnesses on a broad range of matters in a variety of jurisdictions.