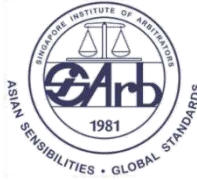


Jointly Organised



[In-person] Debate: This House Believes that Everything the Light Touches is Mediation's Kingdom



31 August 2022, Wednesday
3.00pm – 5.30pm



Ma well Chambers



No. of Public
CPD Points:
**To be
confirmed**

Practice Area:
**Alternative
Dispute
Resolution**

Training Level:
General

About the Programme

In conjunction with Singapore Convention Week, The Law Society of Singapore, Singapore Institute of Arbitrators and Society of Mediation Professionals (Singapore) are delighted to be hosting a live debate to deliberate the question of whether "Everything The Light Touches is Mediation's Kingdom". Join our panel of experts and judges in exploring this topical issue of whether every dispute could and should be mediated.

Mediation is now an ADR method commonly employed across all sectors – from family disputes, to commercial relationships and construction projects. Proponents of mediation often say that everything under the sun can be mediated. However, it may be hard to convince staunch arbitrators and litigators that a non-compulsory, non-binding, consensual process is indeed the best way to resolve certain disputes.

The debate will include three expert teams arguing for and against the proposition, with each team focussing on the benefits of a specific dispute resolution method – mediation, arbitration or litigation.

In the course of the debate, each team will be given time to present their case, as well as to respond to challenges and questions from the other teams as well as you, the audience. The expert judges will also share their views on which team made the most convincing argument.

Programme Outline

| Time | Programme |
|-----------------|--|
| 2.30pm – 3.00pm | Registration |
| 3.00pm – 4.15pm | Everything The Light Touches is Mediation's Kingdom <u>Moderators</u> Chelva Rajah, SC – Partner, Tan Rajah & Cheah Eunice Chua – Chief Executive Officer, Financial Industry Disputes Resolution Centre Ltd (FIDReC) <u>Debaters</u> Mediation: Joel Lee – Professor (Faculty of Law), National University of Singapore Lim Lei Theng – Partner, Allen & Gledhill LLP Arbitration: Toby Landau QC – Barrister, Duxton Hill Chambers Meera Rajah – Associate, Sidley Austin LLP Litigation: Thio Shen Yi, SC – Joint Managing Partner, TSMP Law Corporation Margaret Joan Ling – Partner, Allen & Gledhill LLP |
| 4.15pm – 4.30pm | Summary and Declaration of a Winner! |
| 4.30pm | End |

Speakers' Profile



Chelva Rajah, SC – Partner, Tan Rajah & Cheah

Chelva has practised at Tan Rajah & Cheah since being called to the Singapore Bar in 1972, save for the 2-year period - July 1995 to June 1997 when he served as a Judicial Commissioner of the High Court of Singapore.

Chelva helms the litigation and dispute resolution team at Tan Rajah & Cheah and practises litigation and arbitration, particularly in substantial commercial disputes, property-related matters and insolvency.

He is a well-respected arbitrator and has worked on more than 100 domestic and/or international arbitrations.

Appointed Senior Counsel on 10th January 1998. Appointed as Judge of the Qatar Financial Centre Civil and Commercial Court on 7th May 2012.



Eunice Chua – Chief Executive Officer, Financial Industry Disputes Resolution Centre Ltd (FIDReC)

Eunice is Chief Executive Officer of the Financial Industry Disputes Resolution Centre and a Research Fellow at the Singapore International Dispute Resolution Academy. She is a Principal Mediator of the Singapore Mediation Centre and regularly mediates civil and commercial disputes. She was formerly an Assistant Registrar in the Supreme Court of Singapore and Assistant Professor of Law at the Singapore Management University School of Law. She has published actively in the field of alternative dispute resolution and civil procedure. Eunice has also previously taken on the role of Assistant Director of the Singapore Mediation Centre and was the first Deputy Chief Executive Officer of the Singapore international Mediation Centre.



Joel Lee – Professor (Faculty of Law), National University of Singapore

Joel Lee is a Professor at the Faculty of Law, the National University of Singapore. Joel co-pioneered the teaching of Negotiation and Mediation in the Singapore Universities and has played a significant role in furthering the development of mediation in Singapore, not just in education but in practice. A graduate of Victoria University of Wellington and Harvard Law Schools, Joel is a partner with CMP-Cambridge (USA) and a principal mediator with the Singapore Mediation Centre.

Joel was a member of the International Mediation Institute's Independent Standards Commission and Intercultural Taskforce and was also a key member of the Ministry of Law's Working Group on International Commercial Mediation. Joel is presently the founding Chair of the Board of the Singapore International Mediation Institute. He is also a Certified Trainer of Neuro-Linguistic Programming (NLP).

Joel has taught overseas at the University of Copenhagen (Denmark), University of Law, Economics and Science of Aix-Marseille (Aix-en-Provence France) and Anglia Law School (UK) and is the co-editor and co-author of the book "An Asian Perspective on Mediation" and the "Singapore Mediation Handbook", and the General Editor for the Asian Journal on Mediation. In 2011, Joel was awarded the Outstanding Educator Award which is the National University of Singapore's highest teaching award.



Lim Lei Theng – Partner, Allen & Gledhill LLP

Lei Theng was among the first group of Principal Mediators appointed by the SMC at its establishment in 1996. She has since been appointed as a Mediator with to the Singapore International Mediation Centre, and various other organisations, including the Energy Market Authority, and the Tribunal for the Maintenance of Parents. Lei Theng is an active and sought-after mediator in a wide variety of areas, including commercial matters, medical negligence, estate and family disputes, relational disputes, and multi-party disputes. During her almost 30 years as an academic at the Faculty of Law, National University of Singapore, she was part of a duo that inaugurated the teaching of negotiation and mediation in Singapore. She has trained mediators in Singapore, Malaysia, Taiwan, Indonesia, and Thailand. Lei Theng also mediates in Mandarin.



Toby Landau QC – Barrister, Duxton Hill Chambers

Toby Landau QC is a member of the Bars of Singapore, England & Wales, New York, the BVI and Northern Ireland, and registered in the DIFC. He practices from Duxton Hill Chambers in Singapore, and as a Sole Practitioner in London. As Counsel he has argued hundreds of major international commercial, investor-State and inter-state arbitrations, as well as numerous ground-breaking cases in the highest courts of England, Singapore, Hong Kong, Pakistan and the Caribbean including, e.g., *Halliburton v Chubb*; *Enka v Chubb*; *Dallah v Pakistan*; *Jivraj v Hashwani*; *Ust-Kamenogorsk v AES*; *IPCO v NNPC* before the UK Supreme Court; *Minister of Finance / 1MDB v IPIC* and *Janah v Benkharbouche* before the English Court of Appeal; *First Media v Astro* in the Courts of Singapore and Hong Kong; and *Hubco v Wapda* in the Pakistan Supreme Court. As Arbitrator, he has extensive experience sitting as Chairman, Co-arbitrator and sole arbitrator in commercial and investor-State disputes under most of the world's leading ad hoc and institutional rules. He is Visiting Professor at Kings College London; Vice President of the SIAC Court of Arbitration; Fellow of the CI Arb. He holds a first-class law degree and a first class BCL from Oxford University (Eldon Scholar), and an LL.M. from Harvard Law School (Kennedy Scholar).



Meera Rajah – Associate, Sidley Austin LLP

Meera Rajah is a triple-qualified lawyer (New York, England & Wales, and Singapore), focusing her practice on international arbitration and cross-border disputes. She currently represents clients in various investor-state and commercial arbitrations, including proceedings conducted under the ICSID, ICC, and SIAC Rules. She has previous experience appearing in the Singapore courts and advising on issues of Singapore law. While practising, she has published in various peer-reviewed journals, including the *American Review of International Arbitration*, the *International Journal of Human Rights*, the *International Journal of Evidence & Proof*, and the *Asian Journal on Mediation*.

She graduated with an LL.M. from Columbia Law School as a James Kent Scholar and recipient of Dean's Honors and a Parker School Recognition of Achievement in International and Comparative Law. Prior to this, she received her LL.B. from University College London, where she received the Blackstone Chambers Commercial Law Prize, the John Frederic Whitehouse Essay Award, and the Bentham Prize for High Achievement. She is currently a Member of the Chartered Institute of Arbitrators (MCIArb) and the Singapore Institute of Arbitrators (MSI Arb), amongst other organisations, as well as accredited as a mediator by the Centre for Effective Dispute Resolution (CEDR) and the Singapore Mediation Centre (SMC).



Thio Shen Yi, SC – Joint Managing Partner, TSMP Law Corporation

Shen Yi read law at St John's College, Cambridge University, graduating in 1991. He topped the English Bar Examinations, and was called to the Singapore bar in 1993. Since then, he has practiced exclusively in dispute resolution, primarily as counsel, and occasionally as arbitrator. He was appointed Senior Counsel in 2008 at 40 and elected a Master Bencher of The Middle Temple in 2016. He served as the President of the Law Society, and as Vice-President of the Senate of the Singapore Academy of Law from 2015-2016.

Shen Yi has been consistently recognised in leading law journals, such as Chambers Global, Asialaw Profiles, Legal500 Asia Pacific and most recently identified as a Leading Individual (Dispute Resolution) in the Legal500 Asia Pacific 2020 as well as Elite Practitioner (Dispute Resolution) in the Asialaw Leading Lawyers 2020. He was also named Lawyer of the Year in the Benchmark Litigation Asia-Pacific Awards 2020.



Margaret Joan Ling – Partner, Allen & Gledhill LLP

Margaret regularly advises and acts for multinational corporations in domestic and international arbitrations. She has experience as arbitrator under the ICC and SIAC Rules. Margaret was a Council Member of the Singapore Institute of Arbitrators and is the subject editor (arbitration) for the SAL (Singapore Academy of Law) Practitioner. Margaret is also a member of the Core Committee of the ICC Arbitration Group in Singapore.

In addition to arbitration matters, Margaret has appeared in cases before the Singapore International Commercial Court, Singapore High Court and Court of Appeal. She has also been appointed amicus curiae under the Supreme Court's inaugural Young Amicus Curiae Scheme.

Margaret is recognized for her expertise in Benchmark Litigation Asia-Pacific, where she is described as being "able to quickly understand the contractual points that were at issue", presenting the claims "in a way that made the points hard to argue against", and being "very effective at putting forward the [client's] case".

Admin Note to Singapore Practitioners and s36B Foreign Lawyers in relation to the Mandatory CPD Scheme:

No of Public CPD Points: To be confirmed
Practice Area: Alternative Dispute Resolution
Training Level: General

Participants who wish to obtain CPD Points are reminded that they 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 the event in the manner required by the organiser. Participants must not be absent from the event for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to <http://www.sileCPDcentre.sg> for more information.

Note: In the course of the event, photographs/videos/interviews of participants could be taken/conducted by the Law Society or parties appointed by the Law Society for the purpose of post event publicity, either in the Law Society's official publication/website, social media platforms or any third party's publication/website/social media platforms approved by the Law Society.

Registration Fees

| Membership Category | Fees (Inclusive of 7% GST and course materials) |
|---|--|
| Law Society / Slarb / SMP Member | \$53.50 |
| APIEx / RAIF / SCCA / SCL (S) / SCMA / SIA Member | \$96.30 |
| Non-Member | \$107.00 |

To register, please visit our website at: <https://www.lawsociety.org.sg/CPD-Portal/Law-Society-Events>. For enquiries, please contact us at cpd@lawsoc.org.sg or 6530-0230.

1. Terms and Conditions

- 1.1 Registration closes on the date as stipulated on the registration page or when all seats are filled.
- 1.2 The registration fee is due and payable upon registration and must be received prior to the programme.
- 1.3 Payment must be made by the closing date stated. Registration will only be confirmed upon receipt of full payment. An email confirming your registration will be sent to the email address provided in your registration, and/or a message confirming your registration will be displayed on the Website. If you do not receive confirmation of your registration within twenty-four (24) hours of your registration, please contact the Law Society CPD team at cpd@lawsoc.org.sg.
- 1.4 The Law Society reserves the right to refuse to register or admit any participant, and to cancel or postpone the programme.
- 1.5 If you are unable to attend, a substitute delegate is welcomed, provided that the Law Society is notified in writing of the name and particulars of the substitute delegate at least 3 working days before the programme.

2. Cancellation and Refund of Fees

- 2.1 Allocation of seats is on a first-come-first-served basis and limited seats for each programme.
- 2.2 Participant who cancels their registration before the commencement date shall be liable to pay the percentage of the registration fee set out as follows:
 - i. 20 calendar days before commencement date: 25% of registration fee.
 - ii. 8 to 19 calendar days before commencement date: 50% of registration fee.
 - iii. 7 calendar days or less before commencement date: 100% of registration fee.
- 2.3 Participants who cancel their registration without prior payment made shall also be liable to the cancellation fee set out in 2.2. In the event that the payment for cancellation fee is not received despite multiple chasers, a tax invoice will be issued and mailed to your law practice/organisation.
- 2.4 Participant who is unable to attend the programme due to medical exigencies will be subject to a cancellation fee of 50% of registration fee.

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 - 3.3.7. share your password or logon details with anyone.

. Data Protection

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- 4.2 By submitting this registration form, you consent that the Law Society may collect, use and disclose the personal data you provide in this form to administer your registration for this event and for statistical, analysis and planning purposes, solely related to this programme. You consent that we may disclose: (i) aggregate participant data to speakers to tailor their presentations for this event; (ii) aggregate participant data for publicity purposes.
- 4.3 You agree that any personal information you submit as part of your registration for the programme is accurate and that you have all necessary permissions to submit such personal information.