

Jointly Organised



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

PART OF



SINGAPORE
CONVENTION
WEEK 2022



31 August 2022, Wednesday
3.00pm – 4.30pm



Maxwell Chambers
Jubilee I and Jubilee II
32 Maxwell Road
#03-01
Singapore 069115



No. of Public
CPD Points:
1.5

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: Lim Lei Theng – Partner, Allen & Gledhill LLP Lim Tat – Partner, Aequitas Law 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.



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.



Lim Tat – Partner, Aequitas Law LLP

Tat is a partner of Aequitas Law LLP and Maxwell Mediators. He is a certified mediator and mediation advocate and accredited with many distinguished mediation and arbitration institutions. In the last decade, he has mediated over 200 cases involving a wide range of disputes. He has been recognised by *Who'sWhoLegal* for his mediation practice since 2016. He is a 2022 *Who'sWhoLegal* Global Elite Thought Leader and a Weinstein International Fellow. He serves as Chair of the Society of Mediation Professionals (Singapore) and as a board member / governor of the IBA Mediation Committee Advisory Board, International Mediation Institute, Singapore Mediation Centre, and International Academy of Mediators. His contribution to publications relating to mediation includes *Mediation Practice (ICC)*, *Stories Mediators Tell (ABA)*, *Mediation Moves (WMV)*, *Mediation in Singapore (Sweet & Maxwell)*, and *Singapore Civil Practice (Sweet & Maxwell)*.



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 (MCI Arb) 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 Benchler 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”.

Registration Fees

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

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No of Public CPD Points: 1.5

Practice Area: Alternative Dispute Resolution

Training Level: General

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