



Australia

**You are invited to a**

**SoCLA - Webinar**

## **Conflicts of Interest in International Arbitration**

presented by Adam Constable QC, Lucy Garrett QC, Samuel Townend QC,  
Robert Fenwick Elliott and Jennie Wild of Keating Chambers

**Thursday 20 May 2021 - 4:00 pm AEST, 7:00 am BST**

In this session, Keating Chambers will cover:

- An overview of the law in respect of fiduciary duties, duties of confidentiality and expert duties.
- Discussion of the UK court decision in *A Company v Secretariat Consulting* [2021] EWCA Civ 6.
- The Australian position on conflicts of interest.
- Other Australian law considerations (comparative law re dirty/clean experts and expert shopping).
- Practical considerations (scope of expert retainers, how to contract out of fiduciary duties, injunctions etc).

**Chaired by Sean Brady, Chair of the** SoCLA Events Subcommittee.

### **Adam Constable QC**



Adam Constable QC specialises in onshore and offshore construction, engineering, energy, shipbuilding and technology disputes along with professional negligence and insurance claims related to these sectors. He has extensive experience of representing multi-national clients in front of international Tribunals and has recently led large teams on cases involving projects or parties in Qatar, Singapore, Hong Kong, Dubai and Australia. He also frequently acts as arbitrator. Adam is regularly shortlisted for construction or international arbitration awards and was recently described as *'one of the best construction lawyers and silks of his generation'*.

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## Lucy Garrett QC



Lucy Garrett QC has an impressive specialist practice in construction, engineering, energy and shipbuilding, with a particular focus on projects involving complex factual, technical and contractual disputes. She is regularly instructed in high profile, high value international arbitrations and her recent cases include acting for an oil & gas major in relation to the expansion of a supergiant oil field.

Lucy was one of The Lawyer's "Hot 100" in 2021 and is described as a "a true star for her generation".

## Samuel Townend QC



Samuel Townend is a silk with a heavy practice in construction, energy and professional negligence work. His particular specialities are offshore construction and marine engineering including dredging, together with infrastructure and utilities. He has a thriving practice in international and domestic arbitration (recently acting in arbitrations to final hearing in Australia, Singapore, Paris, London and, most recently, a fully remote ICC arbitration). Sam was nominated for Construction and Energy Junior of the Year at the 2019 Legal 500 awards and is recommended for his "first-class mind" and being "excellent on his feet".

## Robert Fenwick Elliott



Robert Fenwick Elliott was admitted as a lawyer in New South Wales in 2006, as a legal practitioner in South Australia in 2007, and as a solicitor and barrister of the Australian Federal Court in 2008. He joined Keating Chambers in 2014 as an International Member.

Robert is a specialist in construction, engineering and energy law. He also has a particular interest and expertise in retrospective delay analysis. He has a wealth of experience in the resolution of many disputes involving in aggregate some billions of dollars.

## Jennie Wild



Jennie's practice covers a broad spectrum of commercial disputes including energy, construction, engineering, professional negligence and associated insurance disputes. She has experience of complex and high-value claims in international arbitration and the courts of England & Wales. Her recent cases include four Middle-Eastern airport arbitrations, two South African power station disputes (DAB and arbitration), and a \$127m ICC arbitration concerning an Australian offshore LNG development project. Jennie featured in a text of "40 under 40" rising arbitral practitioners from around the world and is described in The Legal 500 as "Senior beyond her years". Before coming to the Bar Jennie worked for the VGSO and as associate to a Judge of the Supreme Court of Victoria.

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