



Asia Pacific
Institute of Experts

Reimagining Expert Evidence in Construction Disputes: Protocols, Practice and Perspectives

Asian International Arbitration Centre (Malaysia),
Bangunan Sulaiman, Jalan Sultan Hishamuddin, 50000 Kuala Lumpur
27 February 2026, 2.30–5.30pm

Seminar Synopsis

The role of expert evidence in construction disputes is undergoing significant evolution. As tribunals, practitioners and experts increasingly seek greater efficiency, clarity and fairness in arbitral proceedings, the way expert evidence is prepared, tested and presented has come under renewed scrutiny. In particular, the growing use of expert joint statements has raised important questions around governance, collaboration, independence and practical implementation.

Hosted by the **Asia Pacific Institute of Experts (“APIEx”)** and its Founding President **Prof Leslie Chew SC**, this seminar brings together leading arbitrators, practitioners and experts from Singapore and Malaysia to examine how expert evidence can be reimagined to better serve the needs of modern construction dispute resolution. Anchored by the introduction of the **Society of Construction Law (Singapore) Expert Joint Statement Protocol**, the programme explores the rationale behind the Protocol, its key features, and its intended impact on arbitral practice in the region.

Through a series of focused panel discussions, speakers will share first-hand insights into how the Protocol may be implemented in practice, the **practical challenges that arise when drafting expert joint statements**, and the expectations of tribunals when such statements are deployed. Particular attention will be given to the perspectives of experts, counsel and tribunals, highlighting where interests align, where tensions arise, and how best practices can be developed.

The seminar will also offer a comparative analysis of **Party-Appointed Experts and Single Joint Experts**, examining the advantages and limitations of each model through the lens of real dispute experience. Panellists will discuss strategic considerations, procedural fairness, cost implications and tribunal preferences, providing attendees with a nuanced understanding of how different expert appointment models operate in practice.

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Seminar Objectives

APIEx is proud to present its first complimentary seminar in Malaysia which aims to fulfill 2 key objectives:

1. Introduce Malaysian-based experts and lawyers to the role and work of APIEx in spearheading the development of professional expertise in the field of expert evidence in the Asia Pacific region, including providing an accreditation framework for experts to meet international standards.
2. Delve in-depth into key developments / issues in expert evidence in construction disputes, in particular: the new SCL(S) Expert Joint Statement Protocol, practical challenges in drafting joint statements, and comparative approaches to Party-Appointed and Single Joint Experts.

Who Should Attend

Designed for expert witnesses, construction lawyers, arbitrators, in-house counsel and dispute resolution professionals, this seminar offers practical guidance, judicial insight and regional perspectives on the future direction of expert evidence in construction disputes.

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Seminar Programme

Time	Programme
2:00pm	Registrations
2:30pm	Welcome Address: "Introduction to APIEx – Genesis, Objectives, Membership and Accreditation Training" Prof. Leslie Chew SC – President, Asia Pacific Institute of Experts; Dean, School of Law at the Singapore University of Social Sciences; Consultant, Peter Low Chambers LLC
2:45pm	Session 1: "Collaboration and Clarity: The new SCL(S) Protocol for Expert Joint Statements in Arbitration" In this session, we will introduce the SCL(S) Expert Joint Statement Protocol, discuss its raison d'être, objectives and key features/guidance/forms. This will be followed by a panel discussion with panel members comprising Singapore & Malaysian experts and lawyers on the implementation of the Protocol in practice. Moderator: The Honorable Justice Dato' Lee Swee Seng – Judge of the Federal Court of Malaysia Speaker: Mr. Kelvin Teo – Director, Drew & Napier LLC; Council Member & Chair of Thought Leadership Committee, Society of Construction Law (Singapore) Panellists: <ul style="list-style-type: none">• Ar. Darren Benger – Committee Member, APIEx; Managing Director, VivATA Singapore• Ms. Serene Hiew – Partner, Harold & Lam Partnership; President, Society of Construction Law (Malaysia)• Mr. Kelvin Ng – Managing Partner, Vin Cheng & Co, Malaysia
3:45pm	Session 2: "Drafting Expert Joint Statements: What Works, What Doesn't" This panel discussion will highlight practical issues that arise when drafting expert joint statements, from the perspectives of expert, lawyer and tribunal. Moderator: Mr. Deepak Mahadevan – Partner, Azmi Fadzly Maha & Sim; Member, Malaysian Bar Council Arbitration and Construction Law Committee Panellists: <ul style="list-style-type: none">• Ar. David Cheah – Principal, DCDA Architect; Chartered Arbitrator, Board of Directors, CIArb Malaysia Branch• Sr. Ong Hock Teck – Director, BKAsiaPacific (Malaysia) Sdn Bhd, Malaysia• Mr. Adrian See – Managing Partner, Belden Advocates & Solicitors, Malaysia
4:30pm	Session 3: "Comparative Practices in Expert Evidence: Lessons from Party-Appointed and Single Joint Experts" This panel discussion will compare the practice of Party-Appointed Experts against the Single Joint Expert, discuss the pros and cons, and share the experiences of veteran practising experts and lawyers. Moderator: Mr. Gregory Vijayendran SC – Vice President, APIEx; Former President, Law Society of Singapore; Partner, Dispute Resolution, Rajah & Tann LLP, Singapore Panellists: <ul style="list-style-type: none">• Mr. Andrew Heng – Senior Partner, Messrs. Zain Megat & Murad, Malaysia• Mr. Soh Lieh Sieng – Founding Partner, Contract Solutions-i Group, Malaysia• Ar. David Yek – Principal, David Yek Architect; Board of Directors, CIArb Malaysia Branch
5:15pm	Closing Remarks: Mr. Gregory Vijayendran SC
5.30pm	Networking Reception

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About the Moderators (by session)



The Honorable Justice Dato' Lee Swee Seng Judge of the Federal Court of Malaysia

The Honorable Justice Dato' Lee Swee Seng - Judge of the Federal Court of Malaysia Justice Dato' Lee Swee Seng graduated with a Bachelor of Laws (Hons) degree from the University of Malaya and obtained his Master of Laws from the same university. He also holds an MBA degree from the University of Southern Cross, Australia. Justice Dato' Lee was called to the High Court of Malaya in February 1985 and was in active legal practice until May 2010 when he was appointed a Judicial Commissioner of the High Court of Malaya. He was appointed a Judge of the High Court of Malaya in 2014 and elevated to the Court of Appeal on 8 August 2019 and later elevated to the Federal Court on 20 May 2025.

Prior to his elevation to the Federal Court, Justice Dato' Lee sat in the Commercial and Civil Divisions of the High Court in Kuala Lumpur. He also presided over the specialist Construction Court in the High Court in Kuala Lumpur from 2016 to August 2019, during which he heard construction cases including those involving enforcement and the setting aside of arbitral awards and adjudication decisions. He was involved in the early exposition of the law of construction adjudication through his many decisions on cases that came before the Construction Court since the coming into force of the Construction Industry Payment and Adjudication Act 2012. He was also the Chair of the Construction Panel of the Court of Appeal before his elevation to the Federal Court.

Justice Dato' Lee was a visiting Fellow of Taylor University Law School and a part-time lecturer with the Law Faculty of his alma mater for the LLM Programme. He is also an Elite Fellow with the Law Faculty of the University of Malaya. Justice Dato' Lee is a trained advocacy trainer with the Bar Council and was a certified mediator with the Malaysian Mediation Centre before joining the Bench. He also achieved the highest award in Toastmasters International as a Distinguished Toastmaster.

Justice Dato' Lee was the General Editor of Law and Practice of Family Law in Malaysia, published by Sweet & Maxwell in 2019 (second edition, 2025). He is currently the Managing Judge for the Negeri Sembilan and Melaka Courts and a committee member of the Court-Annexed Mediation Committee of the Malaysian Judiciary.



Mr. Deepak Mahadevan Partner, Azmi Fadzly Maha & Sim; Member, Malaysian Bar Council Arbitration and Construction Law Committee

Mr. Deepak Mahadevan practices in the field of civil and commercial dispute resolution with a primary focus on construction and engineering disputes. His experience in this area includes advisory and drafting services for all stages of the project lifecycle and formal dispute resolution (whether through litigation, international and domestic arbitration, contractual adjudication or statutory adjudication under the Construction Industry Payment and Adjudication Act 2012 (CIPAA)).

Deepak has appeared as counsel in numerous domestic and international arbitrations as well as statutory adjudications under CIPAA. He also frequently appears as counsel in the High Court of Malaya and the appellate courts of Malaysia in relation to construction disputes. In addition to his experience as counsel, he is also a qualified adjudicator with the Asian International Arbitration Centre ("AIAC"). Deepak is also a member of the Bar Council Arbitration and Construction Law Committee.



Mr. Gregory Vijayendran SC Vice President, Asia Pacific Institute of Experts; Former President, Law Society of Singapore; Partner, Dispute Resolution, Rajah & Tann LLP, Singapore

Mr. Gregory Vijayendran's present practice encompasses a specialisation in litigation, arbitration and mediation of commercial disputes and chancery matters.

He is also recognised expert in insolvency and restructuring as well as charities governance. Gregory has given expert witness testimony for overseas court proceedings. Gregory was appointed Senior Counsel in 2019. He has also been appointed as a Fellow of the Insolvency Practitioners Association of Singapore, the Singapore Institute of Arbitrators and the Singapore Institute of Directors.

About the Speakers/ Panellists (alphabetical by surname)



Ar. Darren Benger Committee Member, Asia Pacific Institute of Experts; Managing Director, VivATA Singapore

Ar. Darren Benger received his Bachelor of Architecture degree with First Class Honours from the University of Adelaide, Australia in 1995, and registered with the Board of Architects, Singapore in 2001. In respect of architectural practice, Darren is also a Registered Inspector for fire safety, a Design-for Safety Professional/trainer and a Universal Design Assessor. Since 1996 Darren has resided in Singapore, and he is currently Managing Director of the architectural practice VivATA Pte Ltd and served as an elected member of the Board Of Architects, Singapore, for the 2023/24 term.

Darren is also involved in the Singapore Institute of Architects, including election to Council from 2007 to 2021. He has actively participated in various SIA committees, including the Building Contracts Committee as well as the Architectural Practice Committee and ADR Committee (which he also chaired at various stages). Darren is listed on SIA's panels of Arbitrators and Expert Determinators. In respect of construction law and alternative dispute resolution, Darren served on the Council of the Society of Construction Law (Singapore), including as chairman for the 2014-15 term.

Darren is also a Fellow of the Singapore Institute of Arbitrators, and attained the Graduate Certificate in International Arbitration from NUS in 2011. Darren has acted as an Expert Witness in various arbitration, litigation and strata-title-board matters. He is pleased and honoured to be elected to the APIEx Committee for the 2025/26 term.



Ar. David Cheah Principal, DCDA Architect; Chartered Arbitrator, Board of Directors, CIARB Malaysia Branch

Ar. David Cheah is a practicing Architect, Urban Planner, Adjudicator, Expert Witness and Chartered Arbitrator.

He has more than 30 years' experience in dispute resolution for the construction industry. He has frequently appeared as expert witness in arbitrations. David is also appointed as Adjudicator and Arbitrator (as sole Arbitrator, Chairman of a tribunal of three, and Co-Arbitrator) in construction disputes.



Mr. Andrew Heng
Senior Partner, **Messrs. Zain Megat & Murad**, Malaysia

Mr. Andrew Heng is a Senior Partner at Zain Megat & Murad (ZMM), where he leads the Construction & Energy Practice Group. He provides litigation and advisory services to clients across the construction,

infrastructure, renewable energy, environmental and related sectors. Andrew has acted in disputes arising from complex infrastructure projects, including airports, highways, rail systems, waste-to-energy plants, large-scale solar facilities, wastewater treatment facilities and electrical transmission towers. He also advises both international and local clients on regulatory compliance.

He is empanelled as an arbitrator and adjudicator with the Asian International Arbitration Centre (AIAC), an arbitrator with the Borneo International Centre for Arbitration and Mediation (BICAM), a mediator with the Malaysian International Mediation Centre (MIMC), and a Fellow of the Chartered Institute of Arbitrators. He is also a founding member and Director of the ESG ADR Forum.



Ms. Serene Hiew
Partner, **Harold & Lam Partnership**;
President, **Society of Construction Law (Malaysia)**

Ms Serene Hiew was called to the Malaysian Bar in 2011 and is a Partner at Messrs Harold & Lam Partnership.

Serene has been practicing in the areas of construction, infrastructure and engineering since being called to the Malaysian Bar. Her involvement in the dispute resolution of construction, infrastructure and engineering is primarily focused in the alternative dispute resolution i.e. adjudication and arbitration. While dispute resolution is her primary area of practice, Serene also undertakes advisory and construction project management work.

In the past several years, Serene has increasingly been involved in both geotechnical substructure-related disputes and infrastructure construction projects.

Serene also heads the adjudication practice at Harold & Lam Partnership and since the coming into effect of the Construction Industry Payment and Adjudication Act 2012 (CIPAA) in April 2014, she has been actively acting as counsel or client representative in CIPAA Adjudication cases. She also sits as an Adjudicator in the AIAC Panel of Adjudicators. Serene is currently a director of the International Group of Arbitrators (Chartered Institute of Arbitrators, Malaysia) and the President of the Malaysian Society of Construction Law.



Mr. Kelvin NG
Managing Partner, **Vin Cheng & Co**, Malaysia

Mr. Kelvin Ng (LLB (Hons) Nottingham, UK) is an advocate and solicitor of the High Court of Malaya. He has 20 years PQE in dispute resolution, mainly in areas of construction and corporate. He is a

Fellow of the Chartered Institute of Arbitrators and is empanelled as an arbitrator and adjudicator with the Asian International Arbitration Center (AIAC).

He is ranked as a Leading Lawyer under Chambers & Partners' Asia Pacific Guide 2026 in the category of Construction Law in Malaysia. His team is a recipient of numerous accolades including Asian Legal Business 2023 (West Malaysia Law Firm of the Year), (Arbitration Law Firm of the Year), Benchmark Litigation 2024 (Construction), AsiaLaw 2022/23 (Construction). Kelvin also hosts OBITER.MY, a youtube channel promoting advocacy, discussion and education on the Malaysian legal system.



Sr. Ong Hock Teck
Director, **BKAsiaPacific (Malaysia) Sdn Bhd**, Malaysia

Sr. Ong Hock Tek ("HT") is a Fellow of nine professional institutions and a highly qualified multi-disciplinary consultant with over 30 years of experience working with architects, quantity surveyors,

project managers, contractors and specialist consultants. He serves as a Panel Arbitrator, Adjudicator and Mediator of AIAC, Panel Arbitrator of PAM and SIArb, Panel Arbitrator and Mediator of BICAM and is an Accredited Mediator, Value Manager and Certified Construction Project Manager of CIDB. HT is the past Deputy President of CIOB Malaysia, Past President of Lighthouse Club, past 1st Treasurer-General and current ADR Chair of the Royal Institution of Surveyors Malaysia.

His expertise covers construction contracts and project management, quantity surveying, risk and value management, claims preparation and defence, and ADR. He regularly acts as Arbitrator, Mediator, Expert (Quantum) and Party Representative. A Master Trainer, HT has delivered numerous conferences, seminars and workshops, and has been a regular contributor to Master Builders Journal since 2002.



Mr. Adrian See Jooi Hong
Managing Partner, **Belden Advocates & Solicitors**, Malaysia

Mr. Adrian See is the Managing Partner of Belden Advocates & Solicitors, a boutique legal practice specialising in construction & engineering dispute resolution. He is an accredited AIAC, CQAC, THAC and AiADR

arbitrator, AIAC panel CIPAA adjudicator, mediator and a Fellow of CIArb, MIArb and AiADR. Adrian focuses on the construction, engineering, oil and gas, energy and utilities industries. His practice area involves contract drafting, handling claims and disputes in the construction, engineering and energy sectors as well as servicing these clients' needs when they have industrial relations disputes.

Adrian also provides on-project legal advisory and works seamlessly with claims consultants on claims management and early dispute avoidance initiatives. He has appeared at all levels of the Malaysian court system, and in domestic and international arbitrations. Adrian's expertise includes other forms of dispute resolution such as adjudication, mediation, expert determination and early neutral evaluation. Adrian's notable cases include acting for contractors in high-value projects such as the KL main sewerage pipeline project, design, fabrication and installation of specialised steel and sub-sea structures, mixed development projects, professional fee claims and installation of high-voltage distribution lines.



Mr. Soh Lieh Sieng
Founding Partner, **Contract Solutions-i Group**, Malaysia

Mr. Soh Lieh Sieng has over 30 years of experience working for contractors, consultants and employers throughout the United Kingdom, Europe, Asia Pacific and the Middle-East in engineering,

construction and dispute resolution roles.

He holds qualifications in both Civil Engineering and Law. He is a Chartered Building Engineer, Chartered Surveyor, Chartered Construction Manager, Accredited Project Manager, Certified Cost Engineer, accredited expert witness and a fellow of 10 professional institution in built environment and dispute resolutions.

Lieh Sieng is the founder of the Contract Solutions-i ("CSI") Group, and served as the Group Managing Partner from 2012 to 2022. CSI is a construction industry dispute resolution consultancy, with offices in Malaysia, Singapore and Hong Kong.



Mr. Kelvin Teo
 Director, **Drew & Napier LLC**; Council Member, **Society of Construction Law (Singapore)**

Mr. Kelvin Teo specialises in resolving complicated infrastructure, energy and resource disputes. Kelvin's practice focuses on renewable energy projects and sustainability. His sector expertise covers a variety of renewable projects such as solar, offshore wind, hydropower and geothermal projects. Kelvin's experience also covers nuclear power plants, refineries, mines, railways and expressways; civil works such as buildings, factories, soil remediation and foundation works, and even giant Ferris wheels. His practice includes advising on documentation for such projects. He has advised parties and projects in Singapore, France, Korea, Greater China, Taiwan, Middle East, Mongolia, Taiwan, Italy, Laos, Philippines, Indonesia, Malaysia, Thailand, Vietnam, US, Italy, and India, amongst others.

Kelvin is a Fellow of the Singapore Institute of Arbitrators and sits as an arbitrator, and has recently been recognised as a leading arbitration practitioner in The Legal 500 Arbitration Powerlist: Southeast Asia. He enjoys carrying out advocacy across the entire spectrum of dispute resolution - arbitration, adjudication, mediation, expert determination and evaluation,

and litigation, both within and out of Singapore. Kelvin has been recognised by a number of legal directories for his expertise in construction and arbitration. He is also a thought-leader on construction law and arbitration practice issues and sits on a number of professional bodies and panels.



Ar. David Yek
 Principal, **David Yek Architect**; Board of Directors, **CIArb Malaysia Branch**

Ar. David Yek wears many hats. Primarily, a RIBA Chartered Architect, dealt in commercial works through DYA & C Sdn Bhd, he embarked on his secondary practice in ADR as Counsel, Arbitrator, Adjudicator, Mediator and Experts. He also embarked on Green Building designs as GBIF and GREEN-RE professionals. He sits in many professional boards, disciplinary committee and councils, notably in CIArb (Malaysia) and PAM. Occasionally, he serves as examiners for Architecture Schools, one being published as an experimental prototype, while tasked by a COA Judge as taskforce for the CILC-(USM) Law Centre. He holds the position as Adjunct Professor for various institutions and has since blending practice with theories as contributors to the Law Journals, respectively.

About the APIEx Founding President



Prof. Leslie Chew SC
 President, **Asia Pacific Institute of Experts**; Dean, **School of Law at the Singapore University of Social Sciences**; Consultant, **Peter Low Chambers LLC**

Prof. Leslie Chew SC is the Founding President of APIEx.

Leslie is the founding and current Dean of the School of Law at the Singapore University of Social Sciences. He has practiced law in one form or another for over 4 decades. He was appointed Senior Counsel in 2000.

In 2007 he was appointed a judge in the State Courts where he remained until his retirement in 2014. At the State Courts he was the Senior District Judge leading the Civil Justice Division. He retired from the judiciary in 2014. Upon his retirement from the Singapore Legal Service, he returned to law practice. Currently, he is a Consultant with Peter Low Chambers LLC. He has an active practice as an arbitrator in International Commercial Arbitrations.

Introduction to the Asia Pacific Institute of Experts ("APIEx")

Registered in 2020, APIEx is a Singapore-headquartered Asia Pacific-focused professional body which aims to spearhead standards setting and the development of professional expertise in the field of expert evidence in the Asia Pacific region. A core mission of the society is to develop and provide a framework for the accreditation of Experts to meet international standards. This mission will be achieved through education, training and collaboration in local and regional conferences and workshops in the Asia Pacific region. APIEx provides an avenue for practicing Experts and those who aspire to become accredited practicing Experts, to develop their expertise and to connect with other Experts and consumers of expert evidence.

In particular, APIEx offers an **International Accreditation Course for Expert Witnesses** to acquaint participants with the law relating to opinion evidence (expert testimony), the role of experts in dispute resolution and the relevant law applicable to expert evidence.

The membership of APIEx consists of:

- Associate Members** - either lawyers or professionals who deal with and engage experts.
- Provisional Members** - qualified professionals from any discipline who are new to the profession of Expert Witness but would like to join the Society.
- Individual Members** - practising Experts who have the relevant qualifications and who can provide references by lawyers and courts that they have given evidence as experts. Provisional members who have subsequently gained experience as actual experts will be able to apply to become Individual Members.
- Fellows** - practising Experts who have at least 10 years of experience as Experts.

More information about APIEx membership available [HERE](#).

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