

Huw Watkins

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Overview

Huw has a broad practice incorporating general corporate and commercial law, insolvency, building and construction and public law matters. Many of his matters involve complex contractual disputes relating to international joint ventures or construction projects. He appears in all jurisdictions in Australia and in domestic and international arbitrations.

He has recently appeared unled in VCAT, the Magistrates' Court and County Court and is appearing led in both the Supreme Court of Victoria and New South Wales. He also has a number of led and unled international arbitrations underway under the ICC and ACICA Rules.

Before coming to the Bar, Huw worked at Ashurst as a senior associate in Tokyo and Melbourne. While in Tokyo, his main practice area was cross-border disputes. He has significant experience with international commercial arbitration under the SIAC, ACICA and ICC Rules.

Huw is a fellow of the Chartered Institute of Arbitrators and is listed as an arbitrator across the Asia Pacific region. He teaches International Dispute Resolution internationally and was a member of the Vicbar International Arbitration Committee between 2019 and 2021.

Huw speaks fluent Japanese.

Employment History

Victorian Bar, Barrister (May 2019-current)
Ashurst Tokyo, Senior Associate (May 2018 - December 2018)
Ashurst Tokyo, Associate (October 2014 - April 2018)
Ashurst Australia (Melbourne), Lawyer (February 2011 – October 2014)
Keith E. Hoban, Barrister & Solicitor (August 2010 – February 2011)

Appointments/ Memberships

Arbitrator, Asian International Arbitration Centre (Malaysia)
Arbitrator, SIAC Reserve List
Panel Member, Victorian Commercial Arbitration Scheme
Fellow/Arbitrator, ACICA
Victorian Bar International Commercial Arbitration Committee member (2019-2021)
Lecturer, Keio University (2018-2020)

Qualifications and admissions

Victorian Bar Roll (May 2019)
CIArb Fellowship (2018)
Victorian Supreme Court and High Court of Australia (2010)
Australian National University (Dip. Legal Practice with merit) (2010)
Monash University (LLB (Hons)) (2009)
Monash University (BA (Hons) majors in Chinese & Japanese) (2009)

Detailed experience *International Arbitration / International Dispute Resolution*
(matters pre-2019
are as a solicitor)

- **ACICA Arbitration:** Respondent counsel in circa €800,000 licensing dispute relating to the COVID-19 pandemic, frustration and force majeure (2021).
- **CAA (Taiwan) Arbitration:** Advice and preparation of claims under the CAA Arbitration Rules in relation to a franchise dispute and claims of force majeure resulting from COVID-19 (2020).
- **ICC Arbitration (Construction, Subcontract Dispute):** Acting as respondent counsel for the contractor in a major international arbitration relating to an EPC sub-contract dispute (2019, ongoing).
- **SIAC Arbitration (Commercial, JV Contract, SE Asian Project):** Claimant counsel for a major Japanese trading house in respect of a dispute with its JV Partner in a SE Asian project. Appeared as the junior advocate in successful defence of preliminary challenge to arbitrability and jurisdiction in November 2018 (2016-2019).
- **SIAC Arbitration:** Claimant counsel for a major Japanese contractor in respect of a SIAC arbitration relating to a project dispute in Indonesia (2016-2018).
- **Construction arbitration (ICC, Singapore):** Acted as respondent counsel for a Japanese engineering company in a dispute relating to the scope of its obligations under an EPC contract, delay and liquidated damages claims. Responsible for Japanese witnesses and junior counsel for the cross-examination of the technical experts (2016-2019).
- **Construction arbitration (ICC, Singapore):** Successful challenge to jurisdiction of Tribunal in an ICC arbitration seated in Singapore (2015 - 2016).
- **Gorgon LNG Project:** Detailed pre dispute advice and liability analysis in respect of allegedly defective goods (2015).
- **Contaminated product dispute:** Advise Japanese trading house in respect of claims against manufacturer of food products supplied to client and on-sold in Japan (2015).

Domestic arbitration / Litigation / Strategic Advisory

- **JV Dispute:** Advice to a Japanese Joint Venture partner regarding threatened litigation in respect of oppressive conduct and other matters (2021-ongoing)
- **Brighton Automotive Holdings Pty Ltd v Honda Australia Pty Ltd [2021] VSC 757 (Supreme Court of Victoria – International Jurisdiction dispute)** – Acting for Honda Motors in an application to contest jurisdiction and service outside of jurisdiction of an application for preliminary discovery. Led by Tom Clarke (2021 – ongoing).
- **Satchell v 70 Esplanade Pty Ltd [2021] VCC 1946:** Appeared unled for the Second Defendant in 8 day hearing relating to a property development joint venture dispute.
- **Aquasure Pty Ltd v Thiess Pty Ltd & Ors (2021) VSC:** Junior counsel responsible for privilege review and preparation of evidence and submissions relating to a privilege dispute involving the Wonthaggi Desalination Plant.
- **Domestic Arbitration - Incorporated association:** Counsel to the claimant in a domestic construction arbitration (2021).

- **Indonesian Agent:** Advice relating to arbitration prospects and termination of an Agency Agreement in Indonesia (2021).
- **HK based Lender:** Advice regarding long-arm jurisdiction and service of process issues relating to Supreme and County Court proceedings (2020).
- **Marubeni:** Strategic advice on exit mechanisms, Australian insolvency law and potential oppression remedies in relation to distressed joint venture (2017-2018).
- **Sharp Corporation:** Providing strategic advice to Sharp Corporation in relation to product liability related proceedings in the Victorian Supreme Court (2017).
- **Mitchell Water Australia Pty Ltd v Grampians Wimmera Mallee Water Corporation SCI 2013 3496:** Assisted GWM with its conduct of litigation in the Supreme Court of Victoria in relation to a construction dispute arising out of a major water infrastructure project (2013-2014).
- **Wheelahan & Ors. v City of Casey:** Assisted Casey City Council with its long-standing litigation against Frankston City Council and others arising out of the management of a local landfill by two municipal councils and related class action (2014).
- **Maxir Nominees v VCM Construction (2013) VSC:** Acted for Hitachi in relation to claims in respect of air-conditioning works for a car dealership.
- **Glen Eira City Council v Hansen Yuncken Pty Ltd (2013) VSC:** Acted for Glen Eira City Council in relation to construction dispute relating to the development of a sports and recreation centre.
- **EF Office No.1 Pty Ltd v Murray Goulburn Co-operative Ltd (2013) VSC:** Acted for Essendon Fields in relation to a commercial dispute relating to business park development.
- **Motta Property Investments Pty Ltd v BlueScope Steel Limited (2013) NSWSC:** Acted for BlueScope in property dispute.
- **Gas Heater Claims:** Advised Japanese gas water heater manufacturer in respect of claims made in respect of allegedly defective gas water heaters in Australia.

Transactional Advice

- **JBIC:** Advising JBIC on its equity financing of a business park development in India (2016-2017).
- **BREXIT advice to Kirin:** Provide Kirin with legal advice in respect of its distribution arrangements in Europe and the effect of BREXIT (2016).
- **Distributor arrangements for Kirin Technology Services:** Provide Kirin with advice in respect of the establishment of a distributorship arrangement in India (2016).
- **Kito Corporation's acquisition of SCAW Metals Pty Ltd:** Advise Kito corporation in respect of its acquisition of SCAW Metals Pty Ltd from the Industrial Development Corporation (2016).
- **Nikken Sekkei acquisition of minority stake in The Buchan Group:** Advise Nikken Sekkei on its acquisition of approximately 38% of The Buchan Group

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(Aust) Pty Ltd (an Australian global retail architecture firm) and related business alliance with The Buchan Group (2015).

- **Melbourne Star Observation Wheel:** Advised Sanoyas on the acquisition of the Melbourne Star Observation Wheel in Melbourne by Sanoyas Rides Australia and the subsequent management company acquisition (2013).

Appellate

- **Anees v Minister for Immigration** [2020] FCAFC 28

Languages English (Native), Japanese (Fluent, JLPT N1), Chinese - Mandarin (Limited)

Nationality Australian / British