

# Curriculum Vitae

Nicole Smith

## Arbitrator and Independent Neutral

### Profile

I have over 25 years of experience in the field of dispute resolution and international arbitration. I frequently sit as an arbitrator and adjudicator in a wide range of commercial disputes, spanning many sectors such as construction and engineering, facilities management, financial services and life sciences.

Recent appointments include disputes about:

- the management and operation of a sports facility;
- a commercial lease, operating expenses, renewal and rent remission for a casino;
- a commercial construction project for the fit-out of a hotel; and
- the termination of a financial services partnership and the ownership of client lists.

I am registered as a barrister in New Zealand, where I largely work as an arbitrator and adjudicator. I am the immediate Past President of the Arbitrators' and Mediators' Institute of New Zealand (AMINZ) and was on the Council of AMINZ for 5 years prior to my presidency. AMINZ acts as the New Zealand branch of the CI Arb. I also teach Advanced Arbitration courses for AMINZ.

I am also a partner with Keystone Law (a new model of law firm, with the head office based in London and partners working remotely from around the United Kingdom and the rest of the world) and hold a UK practising certificate.

I have conducted arbitrations before many of the leading international arbitral institutions and have represented clients in mediations, adjudications and expert determination proceedings.

I am a Fellow of the Chartered Institute of Arbitrators (United Kingdom) since 2007 and a Fellow (Arbitration) of AMINZ since 2009.

I am a member of the ICC New Zealand International Arbitration Committee and wrote the report for New Zealand on Recognition and Enforcement of New York Convention Awards (ICC Special Supplement 2008 and 2012).

I am on the Arbitration Panels of CI Arb, BIAC, LCIA, HKIAC, ACICA, the Shenzhen Court of International Arbitration and AMINZ.

<b><u>Professional Experience</u></b>	
<b>Feb 2010 to date</b>	<b><i>Barrister Sole and Independent Arbitrator, New Zealand</i></b>

	<p>In February 2010, I commenced practice as a Barrister Sole in New Zealand (I was first admitted as a Barrister and Solicitor of the High Court of New Zealand in September 1993). My practice focuses on arbitration matters (domestic and international) and other forms of alternative dispute resolution. I mainly sit as an independent neutral (as arbitrator, adjudicator and as the Chair of the Complaints Panel for the New Zealand Registered Architects Board).</p> <p>I also act for Māori (the indigenous people of New Zealand) on a climate change case before the specialist Waitangi Tribunal in New Zealand.</p>
<b>Apr 2006 to date</b>	<b>Partner – Keystone Law, United Kingdom</b>
	<p>I am a Partner with Keystone Law, advising on matters of English law and international arbitration. Keystone Law is made up of approximately 300 self-employed consultant lawyers.</p> <p>Recent matters have included acting for a Russian pharmaceutical company in an ad hoc arbitration, acting for a Russian telecommunications company in LCIA proceedings and acting for a peer to peer lending institution in multiple LCIA and CI Arb (DAS) arbitration proceedings.</p>
<b>1997 to 2006</b>	<b>Clifford Chance – Senior Associate, International Arbitration, United Kingdom</b>
	<p>I worked for 9 years as a Senior Associate in the International Arbitration Group at Clifford Chance in London. I worked with leading international arbitration practitioners such as John Beechey CBE, Audley Sheppard QC and Rob Lambert. I led teams of lawyers on large scale arbitrations before the LCIA, ICC and in <i>ad hoc</i> arbitrations. This role involved working across multiple jurisdictions under various substantive and procedural laws, managing and digesting large volumes of documentation, preparing submissions and acting as advocate in hearings before some of the world's leading arbitrators.</p>
<b>1992 to 1996</b>	<b>Simpson Grierson, Trainee Solicitor and Associate, New Zealand</b>
	<p>In this role I appeared as lead advocate in High Court, District Court and Tribunal hearings. My role involved providing legal and strategic planning advice on multi-party commercial disputes.</p>
<b>1991</b>	<b>Victoria University of Wellington, Department of Law</b>
	Tutor of Legal Systems and Law in Society.

### **Professional Memberships**

- Immediate Past President, Arbitrators' and Mediators' Institute of NZ (AMINZ)
- Fellow (Arbitration) of the Arbitrators' and Mediators' Institute of NZ
- Fellow of the Chartered Institute of Arbitrators (UK)
- ICC International Arbitration New Zealand (Committee Member and Representative)
- Arbitral Women

### **Recent Speaking Engagements, Presentations and Professional Activities**

- Article in ACICA December 2024 Review on the *Finality of Interim Awards*
- Invited Member of the IBA Working Group on a Model Statute for Climate Change Proceedings
- Article on Climate Change Claims by Indigenous Peoples and a review of the Climate Change Claim before the Waitangi Tribunal, presented at the Pacific Climate Change Conference, Wellington, February 2018
- Speaker at the AMINZ Conference in 2015 on Class Actions in Arbitration and Alternative Dispute Resolution and in 2011 on Due Process in Arbitral Proceedings
- Speaker at the joint AMINZ – AIA Conference on Enforcement of Interim Measures – August 2010
- Representative on the ICC Sub-Committee reviewing and preparing Report on the Recognition and Enforcement of New York Convention Awards – 2012 and 2008
- Teaching faculty for the ARBSI course for AMINZ and for the Advanced Arbitration Day for Fellowship candidates
- I am a member of the ICC New Zealand International Arbitration Committee and wrote the report for New Zealand on Recognition and Enforcement of New York Convention Awards (ICC Special Supplement 2008 and 2012). I am also a member of the Working Group responsible for drafting, editing and updating the ICC Special Supplement on Recognition and Enforcement of New York Convention Awards.

### **Education and Qualifications**

<b>Post</b>	Fellow (Arbitration) of the Arbitrators' and	August
<b>Graduate:</b>	Mediators' Institute of New Zealand	2009

	Fellow of the Chartered Institute of Arbitrators (UK)	October 2007	
	Qualified as a Solicitor of England and Wales	July 2000	
	Admitted as a Barrister and Solicitor of the High Court of New Zealand	September 1993	
<b>Tertiary:</b>	Honours in Law from the Victoria University of Wellington	1988 – 1992	

**Contact Details**

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