

(Ms) Lee Carroll

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OVERVIEW

- **Over 20 years' experience as an arbitration practitioner** advising companies and governments on complex disputes in a variety of industry sectors. Presently a **partner and Head of Arbitration** at independent Australian law firm Johnson Winter Slattery, previously a **partner** at leading international law firm White & Case in the Global International Arbitration group (July 2021 — October 2025). Prior to White & Case, Lee worked at leading firms in Paris, London and Australia. Former Clerk to the Justice Kenneth Hayne AC KC of the High Court of Australia.
- Since 2019, recognised as an Australian-based future leader in Who's Who Legal: Arbitration and Construction, by the Legal 500, as a Recommended Arbitration Lawyer by DoYLES Guide, and in Best Lawyers in Australia in International Arbitration, Litigation and Construction/Infrastructure.
- Experience as counsel under ICC, ACICA, UNCITRAL, Resolution Institute, DIAC and BCDR-AAA.
- Member of the ACICA Rules Committee and the ACICA Professional Advisory Counsel, ICC Australia, and the Australian & New Zealand Sports Law Association.
- Co-author of *Decoding International Arbitration: Ninety-Nine Propositions* (2022). Member of the teaching faculty at the University of Western Australia Law School on International Arbitration.

LEGAL QUALIFICATIONS

Solicitor, High Court of Australia and Victoria

BA LLB (Hons 1) University of Western Australia

BCL (University of Oxford)

LLM (Distinction) (Queen Mary University of London, School of Arbitration)

NATIONALITY

Australian

ARBITRATION EXPERIENCE ACTING AS COUNSEL

Recent arbitration experience listed below.

Commercial arbitrations:

- ICC arbitration, dispute between Japanese oil company and its South Korean contractor regarding offshore facilities for an LNG project off the coast of Western Australia (Singapore seat, Australian law)
- Represented a global oil and gas contractor in two A\$2 billion international arbitrations (ICC in Singapore and UNCITRAL in Perth) arising out of the construction of an LNG loading jetty in Western Australia.
- UNCITRAL arbitration, non-administered, advised French renewable energy company on disputes arising under two EPC contracts for the construction of a wind farm.
- Resolution Institute Rules, advising Project Co on a range of disputes arising out of the redevelopment of a hospital undertaken by way of a PPP, including consolidated linked-claims arbitration.
- DIAC Rules of Arbitration, advised a Spanish company defending an arbitration concerning the performance of a contract for security systems for an oil field in Iraq.
- ICC arbitration, arising out of the Queensland Curtis LNG Project, one of Australia's largest capital infrastructure projects.
- ACICA arbitration, represented an Australian energy provider in an arbitration with a German-owned engineering contractor concerning a gas fired power station.
- Represented a life sciences company based in Quebec in respect of arbitrations in Australia and Canada including advice in respect of the applicable law governing the arbitration in Canada.
- Represented an international waste management company in an arbitration against a MENA State arising out of a concession contract.
- Advised the State of Victoria in relation to disputes arising out of both the Metro Tunnel and Suburban Rail Loop projects.

Investor-state and public international law:

- Advises the Kingdom of Spain defending proceedings in Australia brought by three separate award creditors seeking recognition and enforcement of investor state arbitral awards rendered against Spain.
- Advised the State of Papua New Guinea in respect of its dealings with a West Australian investor regarding a gas field and implications under the Australia-Papua New Guinea Bilateral Investment Treaty.
- Advised a Japanese client on the enforcement of an ICSID award in Australia against a sovereign State.

- Advised a Japanese client on a potential CPTPP claim for increased coal royalties.
- SunCable Project (development of the world's largest solar energy infrastructure network from Darwin to Singapore), advised SunCable on host government agreement frameworks with Indonesia to support the Project, on public international law issues, and then in the highly public shareholder dispute.
- Advised Chinese-owned investor regarding a contemplated acquisition structure of an investment in the Philippines to ensure adequate investment treaty protection.
- Provided investment treaty advice including structuring advice to Chinese-owned investor regarding investment into Brazil.
- Advised major Japanese energy company on investor-state arbitration practice in relation to claims arising out of the imposition of certain taxes.
- Advised an Australian investor regarding transfer of fund claim against AANZFTA Member State.
- Gave training to Japanese foreign state officials on the topic of third-party submissions in investor state dispute settlement.

Selection of Publications

- *Decoding International Arbitration: Ninety-nine Propositions* (Second edition) (Optima Press, 2025) (co-author with Kanaga Dharmananda SC and Leon Firios)
- "What place does an umbrella clause have in the new generation of bilateral investment treaties?" (2023) Volume 40 Issue 2 Journal of International Arbitration
- *Decoding International Arbitration: Ninety-nine Propositions* (Australian Scholarly Publishing, 2022) (co-author with Kanaga Dharmananda SC and Leon Firios)
- "Enforcement of Arbitral Awards in South Korea" (2022) 18(2) Asian International Arbitration Journal 89 (co-author with Richard Garnett and Nolan Lee)
- Halsbury's Laws of Australia, Arbitration Chapter (co-author with Kanaga Dharmananda SC and Leon Firios)
- "Investor-State Disputes arising from the Pandemic" (2020) 15(4) Construction Law International 18 (with Joshua Paffey)
- The Australian Chapter of Global Legal Group's International Comparative Legal Guide to: Investor State Arbitration (2019-2021)
- The Australian Chapter on Construction Arbitration in the Global Arbitration Review (2016-2020)

- *The UK Supreme Court to Hear Deepwater Horizon Appeal Seeking Removal of an Arbitrator*, Kluwer Arbitration Blog (June 2019) (co-author with Joshua Paffey)
- *Does the CPTPP achieve the necessary balance between investment protection and regulatory discretion?* TDM 5 (2010) (Transnational Dispute Management Special Edition on the CPTPP)
- "The Trans-Pacific Partnership", Chapter 30 in *The Investment Treaty Arbitration Review* published by The Law Review (editor: Barton Legum) (Third Edition, 2018)
- "Anti-suit injunctions in Australia in aid of an Arbitration Agreement" (2018) 46 Australian Bar Review 275
- "Parallel Proceedings in Investment Arbitration: Moving Forward after *Orascom TMT Investments v Algeria*" 23 Australian International Law Journal 147
- "The Trans-Pacific Partnership: Lessons Learned for ISDS", Chapter 22 in *The Investment Treaty Arbitration Review* published by The Law Review (editor: Barton Legum) (Second Edition, 2017)
- "The Trans-Pacific Partnership", Chapter 15 in *The Investment Treaty Arbitration Review* published by The Law Review (editor: Barton Legum) (2016)
- "Freezing orders can preserve enforcement of international and domestic arbitral awards", May 2016 ReSolution, published by the New Zealand Dispute Resolution Centre
- "Interference by a Local Court and a Failure to Enforce: Actionable under a Bilateral Investment Treaty?" in *Evolution in Investment Treaty Law and Arbitration* (Cambridge University Press, 2011) (co-author with Andrew Stephenson and Jonathon DeBoos)
- "Protecting *Foreign Investments by using Bilateral Investment Treaties*" (2011) 30 Australian Resources and Energy Law Journal 40 (co-author with Andrew Stephenson)
- "Ignored No More: Renvoi and International Torts Litigated in Australia" (2005) 1 Journal of Private International Law 35 (co-author with Andrew Lu)