

# The Home of Dispute Resolution



**CI Arb**  
evolving to resolve  
Ireland Branch

## The Construction Contracts Act 2013 ...six years on

### Programme

Time	Event	Speaker
1.00pm	Light lunch	
1.50pm	Conference start – opening remarks	Peter O'Malley
2.00pm	Introduction by CCAS Chairperson	Mr. Bernard Gogarty
2.10pm	“Changes to legislation: A CIF Perspective”	Alison Irving
2.30pm	“Improvements on Law & Procedure”	Eamonn Conlon
2.50pm	“Commercial Risk aspect and need for certainty”	John Curtin
3.10pm	“Practical Steps: A representative's perspective”	Karen Killoran
3.30pm	“From the Coal Face”	Greg Donaghey
3.50pm	“Respondent: Defending oneself in an adjudication”	Siobhan Kenny
4.10pm	“How the Act is being circumvented”	Fergus Cooney
4.30pm	Panel discussion, moderated by Peter O'Malley	
5.15pm	Q+A and Conference close	



Bernard Gogarty, chair of the Ministerial Panel of Adjudicators under the Construction Contracts Act 2013, qualified as a solicitor in 1979. He has been appointed by the International Court of Arbitration in Paris to several arbitrations and has been a member of the Engineers Ireland Conciliators panel. Bernard has extensive experience in dispute resolution, he has acted as consultant to several Local Authorities and has advised many of the major Civil Engineering and Building Companies operating in Ireland and abroad. He has extensive experience of all forms of alternative dispute resolution including mediation, conciliation, adjudication, and expert determination.



A Chartered Architect with over thirty years international experience, with an MSc in Construction Law, and other postgraduate Construction Law qualifications, Peter now directs his efforts to dispute resolution in the construction industry in Ireland and the UK through mediation, conciliation, adjudication and arbitration. Peter has had academic papers and articles published on the development of adjudication through the Construction Contracts Act 2013 (CCA 2013). Peter is Vice-Chair of the Irish Branch of CI Arb where he is part of the committee responsible for the development of adjudication courses through 2022 and 2023. In addition, Peter is a member of the Construction Contracts Adjudication Panel established by the Department of Enterprise, Trade and Employment under the CCA 2013.

In-person tickets are limited and registration online a [www.ciarb.ie](http://www.ciarb.ie) is essential. Online tickets are also available and you can register here. Further details will be issued closer to the event date. Limited carparking will be available but you are encouraged to use public transport where possible.

For any queries please contact Jennifer on [info@ciarb.ie](mailto:info@ciarb.ie).

**Date** Wednesday 13th July 2022

**Time** 1.00pm (lunch & registration)  
(Conference 1.50pm sharp)

**Venue** CIF  
Construction House  
D06 C6T2  
and online via  
Zoom



**Cost** Free

**CI Arb Ireland Branch**  
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The Distillery Building  
145 - 151 Church Street  
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Alison Irving is a graduate of National University of Ireland, Galway, Queen's University Belfast, and the Kings' Inns having been called to the Bar in 2014. She is the Executive for Main Contracting in the Construction Industry Federation, providing assistance and guidance to members on issues relating to prequalification, tendering, and contractual matters, and is responsible for dispute resolution services. Alison is also an Accredited Mediator and member of the Chartered Institute of Arbitrators.



Éamonn Conlon SC is a solicitor, arbitrator, and ADR practitioner. He has specialised in dispute resolution and construction and infrastructure law for 39 years, practising in Ireland, the US and the UK. He has been in sole practice since 2020. Éamonn is a member of the Engineers Ireland Dispute Resolution Board and vice-chair of the Law Society ADR committee, and serves on the International Court of Arbitration of the International Chamber of Commerce. Chambers Directory described him as 'calm, pragmatic and scarily intelligent', 'recognised as an outstanding lawyer and commands mountains of respect', 'top class'. Legal 500 wrote: 'Éamonn Conlon is outstanding and the go-to lawyer for construction law. His knowledge is unrivalled, combined with a pragmatic results-driven approach, makes him a formidable operator.'



John joined PJ Hegarty in 1990 as a graduate Quantity Surveyor. In 1997 he became the commercial manager. In 2003 he was appointed to the position of Regional Director and in 2020 he was appointed to the Board in the role of Commercial Director. John has been involved in many prestigious projects including landmark industrial projects, design and build projects and PPP projects. John has a particular focus on training and development of surveying staff to chartered status and is heavily committed to industry activity. In 2011 John was involved in the merging of the IAVI and the SCS to form the Society of Chartered Surveyors Ireland (SCSI) and was its first President.



Karen is a partner in the Infrastructure, Construction and Utilities Group and is a highly experienced construction lawyer. She is recognised as having a wide practice with expertise across both complex transactional matters as well as providing advice on contentious matters. Karen brings significant expertise advising on contracts for expansion and refurbishment projects across a wide range of sectors including residential and commercial property development, with a particular focus on PRS, commercial and mixed-use developments; energy; pharmaceutical; manufacturing; and IT. Karen is also a fellow of the Chartered Institute of Arbitrators and a practising arbitrator and a member of the ministerial panel of adjudicators.



Commercial Director with Gunn Lennon Fabrications Ltd. with over 25 years' experience in the construction industry. Including numerous roles involving cost, contract and project management of schemes across Ireland, UK, Europe and the Middle East. Experienced in budgeting and forecasting, financial management and reporting. With a track record of addressing and negotiating problematic contractual situations to achieve satisfactory outcomes for all parties. Other areas of expertise include tendering, contract negotiations, tender analysis, reporting and contract management

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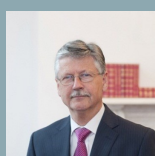
Siobhan Kenny is senior member of the Construction & Engineering team at Addleshaw Goddard Ireland. She acts on behalf of a broad spectrum of clients involved in building projects, providing advice on a full range of issues both contentious and non-contentious. Siobhan's non-contentious practice involves the drafting, review and analysis of complex contracts and all associated and ancillary documents, and the provision of advice to clients involved in intricate contractual arrangements on projects of every scale. On the contentious side, Siobhan is an experienced seasoned litigator in the construction field and is practiced in all of the commonly used dispute resolution processes. She advises clients on negotiation strategy and dispute avoidance measures at all stages of the construction process and acts as advisor and sometimes as advocate in all dispute resolution for both informal and formal. With over 20 years of experience dealing with the legal issues arising in construction projects, Siobhan brings a wealth of experience to her advice to clients on strategy, on procedure and on engagement with all counterparties.



Fergus Cooney qualified as a Civil Engineer in UCD in 1972, became a Chartered Engineer in 1988 and a Fellow of CI Arb in 2015. He worked initially as a main contractor for the family firm, Cooney Jennings Ltd, and since 1985 has been self-employed representing main and specialist contractors in Ireland and UK, in all aspects of construction from tender to Final Account. He trained as Mediator, Arbitrator and Construction Adjudicator with CI Arb and works as a party representative and expert witness. Very interested in sport, played water polo for Ireland and senior club rugby for Wanderers. An all year-round sea swimmer and Leinster Rugby supporter.



Niamh is a leading Irish construction lawyer with over 25 years' experience. She heads up the Construction & Engineering team at Arthur Cox where she advises parties involved in both private and public sector construction and engineering projects across a range of sectors. Her clients include state and semi-state bodies, as well as private sector developers, contractors, consultants, investors and funders. Niamh also has extensive expertise in advising on the issues that can arise on construction projects and on effective dispute resolution, providing solution-driven advice. Niamh is experienced in advising across the range of ADR procedures, including adjudication, conciliation, mediation, expert determination and arbitration and is on the Ministerial Panel of Adjudicators. Niamh also advises on matters of health and safety, particularly as it affects construction.



Anthony Hussey practiced until recently as a solicitor. He has been involved in hundreds of construction adjudications, conciliations, mediations and arbitrations. He is a chartered arbitrator and accredited mediator. He is the author of Construction Adjudication in Ireland.



John was called to the Bar in 1980 and took silk in 1996. He is a Senior Counsel and Member of the Inner Bar of Ireland and specialises in commercial and construction law. John is a former Chairman of the Construction Bar Association; he is also a Fellow of the Chartered Institute of Arbitrators and a qualified adjudicator.



Keith is a Chartered Quantity Surveyor and is a past Chair of the CI Arb Ireland. He also sat on the executive council of the MII until 2019 and is the current vice chair of the ADR committee in the SCSI. Keith has advocated for parties in over 120 adjudication cases in Ireland. Keith has sat as adjudicator on a handful of occasions and is appointed to the Ministers panel of Adjudicators under the Construction Contracts Act 2013. Keith was the first to apply and receive an appointment from the Ministers Panel of Adjudicators under the Act, he was involved in the first enforcement of an adjudicator's decision (*Gravity V THM*) and was also involved in the *O'Donovan V Bunni* and others Judicial Review proceedings.

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