

Construction Dispute Mediation Faculty Booklet

**GAVAN CARTY, PARTNER, KENT
CARTY SOLICITORS**



Gavan specialises in Professional Negligence, Construction Law, Commercial Litigation and Insurance Law. Gavan is a specialist in the area of Professional Indemnity Insurance with particular expertise in Construction Law cases to include Architects, Engineers and Quantity Surveyor's. Gavan regularly acts in complex financial loss cases, including cases in the Commercial Court. Gavan also regularly advises on issues of Professional Indemnity Insurance to include Coverage issues. Gavan is CEDR accredited Mediator. He is a firm advocate of mediation as an alternative and cost effective method of dispute resolution. Gavan regularly advocates the use of mediation conferences in Contentious Litigation. This is particularly effective in highly contentious and complex Commercial and/or Construction Law disputes with multiple parties. He finds Mediation particularly useful in Construction and Insurance Law disputes. In Insurance Law disputes the use of Arbitration is a regular feature as an alternative form of dispute resolution.

**JAMES O'DONOGHUE, PARTNER,
BLUETT & O'DONOGHUE ARCHITECTS**



James O'Donoghue is a graduate of DIT and Trinity College Dublin. He holds a Diploma in Project Management from TCD, a Diploma in Arbitration from the School of Law, UCD and a Diploma in International Commercial Arbitration (CI Arb – Keble College, Oxford). James' special interest is Project Management / Legal Affairs relating to Built Environment Plans & Projects. James served two terms as Vice President of the R.I.A.I. and one term as Honorary Treasurer. He is a former Hon. Secretary of the Chartered Institute of Arbitrators – Irish Branch. He has served as Chairman of the Liaison Committee - RIAI / CIF / SES / EI / ACEI and is a current RIAI Delegate on that Committee. He is an Executive Committee Member of Arbitration Ireland, a Committee Member of C.I.Arb. - Irish Branch and active in RIAI Practice and Legal Affairs activities. He is active as Arbitrator and Mediator in International Commercial Dispute Resolution on Built Environment matters.

**HELEN KILROY, PARTNER,
MCCANN FITZGERALD**



Current Head of Litigation and Dispute Resolution Department. Experience in a broad range of commercial disputes including corporate disputes, director and shareholders rows, oppression actions, breach of warranty claims and specific performance claims. Experience of property disputes including CPOs, judicial review.

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FIONA FORDE BL



Called to the Bar in 2002, Fiona is dual qualified as both a barrister and a mechanical engineer. Fiona trained in London with the legal team of a global firm of consulting engineers before acting as legal adviser to their Irish offices and has experience in both contentious and non-contentious legal construction work. She holds a masters degree in construction law and dispute resolution, a postgraduate diploma in Irish construction law and contract administration and an LLM in public procurement law and policy. As a barrister, Fiona has been instructed across the full spectrum of engineering and construction disputes from professional indemnity insurance, loss, expense and prolongation claims, defects claims, public procurement and adjudication. Fiona is familiar with all the major forms of construction contracts from the traditional Irish RIAI and IEI forms to NEC, FIDIC and the Irish Public Works forms and is an accredited mediator.

**TIMOTHY BOUCHIER-HAYS,
CONSULTANT, MCCANN FITZGERALD**



Tim has over 40 years' experience dealing with public authorities, developers, architects, engineers, surveyors and builders on all aspects of construction projects. He has been consulted by private developers and public authorities in relation to most of the major construction projects undertaken in Ireland over the past three decades. Tim received a Special Award from Engineers Ireland in recognition of outstanding contribution and commitment to the activities of the Institution. Tim project managed the development and delivery of the McCann FitzGerald HQ building at Sir John Rogerson's Quay, which was completed in October 2006. Tim is currently Vice Chairman of the National Paediatric Hospital Development Board. The Board has secured Planning Permission for the New Children's Hospital for which the budget is c. €850 million. Tim is also:

- a member for the International Court of Arbitration, Paris
- a member of the Panel of Adjudicators appointed pursuant to the Construction Contracts Act 2013
- a member of Engineers Ireland's Panels of Conciliators and Mediators

**KRYSTYNA RAWICZ, MANAGING
DIRECTOR, KRA**



Krystyna has nearly 30 years' experience in Project Management and Building Surveying. In that time she has worked in private practice and local government, and has been involved in a wide variety of project types for many different clients. She came to Ireland in 1994 to head up the Building Surveying Department for Hamilton Osborne King (now Savills) in Dublin and established her own practice, KRA Visionary Project Partners, in 2000. She is a former government appointed member of the Building Regulations Advisory Body (BRAB), current chairperson of the Project Management Group and past chairperson of the Building Surveying Division of the Society of Chartered Surveyors, past Chairperson of the Conservation Group, and sits on several other professional committees including Disputes Resolution. She is on the SCSi President's Expert Panel for Construction Disputes.