

Qualifications

- 1980 B.Arch. (UCD)
- 1984 RIAI Part 3, 1986, MRIA
- 1986 MRIA
- 1988 LL.B. (UCG, now NUIG),
- 1990 B.L. (King's Inns)
- 1992 Dip. EIAMgmt. (UCD)
- 1999 Fellowship examination, CI Arb leading to FCI Arb
- 2010 Chartered Arbitrator, CI Arb
- 2012 FRIA
- 2014 Accredited Adjudicator (RoI); Chartered Institute of Arbitrators
- 2015 Member of the inaugural Ministers Panel of Adjudicators under the Construction Contracts Act 2013.
- 2019 Elected to the Professional Conduct Committee of RIAI
- 2021 Member of the second Ministers Panel of Adjudicators under the Construction Contracts Act 2013.
- 2022 Re-elected to the Professional Conduct Committee of RIAI



date/place of birth
1958, Galway, Ireland

professional experience

Meyer Shircore Associates,
Perth, W. Australia 1980-81
Anderson & Anderson Architects,
Darwin NT, Australia 1981
Simon J. Kelly + Partners, Architects,
Galway 1982 – 2013
KellyADR, Galway 2013 - present

construction contract training (extract of relevant subjects)

- *New Public Works Contracts* (Department of Finance) 2007
- *Surviving the System* (New Government Contracts) (RIAI) 2007
- *New Public Works Contracts* (In-house seminar by Tobin Consulting Engineers) 2008
- *Conditions of Engagement for Construction Consultants* (In-house seminar by Tobin Consulting Engineers) 2008

adjudication & expert determination (third party neutral)

- training
 - Private Residential Tenancies Board, 2005
 - *"ADR and Expertise"*, ICC, Paris, 2010
 - *"New Forms of ADR – Adjudication & Expert Determination"*, Law Society of Ireland, Dublin 2013
 - Joint CI Arb/RIAI/EI/SCS/ACEI/Bar of Ireland Adjudication Conversion Course for Experienced Arbitrators, Dublin 2013-2014
 - *"Acting for Clients in Construction Adjudication"*, Law Society of Ireland, Dublin 2016
- experience
 - 9 No adjudication appointments under the Construction Contracts Act 2013
 - 5 No. PRTB adjudications (withdrew from panel 2007)
 - 2 No. independent architect expert determination (1No Law Society, 1No RIAI)
 - Chair of the Adjudication sub-committee of the CI Arb (Irish Branch) 2016-2019
 - Arranged CI Arb reviews of the Construction Contracts Act in 2016, 2018 & 2019
- panels
 - Member of the Ministers panel of adjudicators under the Construction Contracts Act 2013
 - Chartered Institute of Arbitrators (Irish Branch), panel of Adjudicators.
 - Royal Institute of Architects of Ireland, panel of Adjudicators

arbitration (third party neutral)

- training
 - Chartered Institute of Arbitrators Fellowship Training & Assessment, Dublin 1999.
Admitted to Fellowship following preparation of reasoned award examination.
 - *"Dispute Resolution in New Government Contracts"*, Chartered Institute of Arbitrators, Dublin 2008
 - *"Award Writing & Arbitration Bill 2008"*, RIAI, Dublin, 2009
 - *"ADR and Expertise"*, ICC, Paris, 2010
 - *"ICC Masterclass for International Arbitrators"*, ICC, Paris, 2010
 - *"Arbitration Act 2010"* CI Arb, Galway, 2010
 - *"Workshop in International Commercial Arbitration"*, ICC, Dublin, 2011
 - *"Comparative Perspectives on International Arbitration in Ireland and New York"*, New York State Bar Association, NY, 2022

- experience
 - First appointment as an Arbitrator in 1991 and since then I have been appointed as Arbitrator sixty-nine (69) times, incl sixty-one construction disputes, three travel disputes, two professional fee disputes, two motor car disputes and a rent review dispute. While many of these disputes settled, I have concluded approx. thirty hearings and written approx. thirty awards, including several Costs Awards. Appointments have come from the RIAI, the Chartered Institute of Arbitrators, the Law Society of Ireland and the Parties.
 - I have arbitrated under the Arbitration Act 1954, the Arbitration Act 2010 and the Arbitration Act 1996 (UK)
 - I have concluded several international arbitrations, including a multi-party international arbitration
- Panels
 - Royal Institute of Architects of Ireland, panel of Arbitrators
 - Law Society of Ireland, panel of Arbitrators
 - Chartered Institute of Arbitrators, panel of Arbitrators

conciliation and standing conciliator (third party neutral)

- training
 - *"Conciliation Training"*, IEI (New Engineers Ireland) Dublin, 1996
 - *"Dispute Resolution in New Government Contracts"*, Chartered Institute of Arbitrators 2008
 - Delivered *"Dispute Resolution within the CWMF"* to Society of Chartered Surveyors, Western Branch, 2011.
 - Delivered *"Dispute Resolution within the CWMF"* to Office of Government Procurement Skills Academy, in RIAI 2019
 - Jointly delivered *"Project Boards and Standing Conciliator, Practice and Review"* CPD to RIAI 2020
- experience
 - Twenty-seven (27) conciliation (construction disputes) appointments since 2006
 - Three (3) appointments as Standing Conciliator under public works construction contracts
 1. €20,000,000+ secondary level school – no conciliations arose
 2. €10,000,000+ primary level school – 1No conciliation arose which was settled between the Parties after I issued a recommendation
 3. €50,000,000+ community nursing unit - 1No conciliation arose which was settled between the Parties without a recommendation being issued
 - Acted as Employers advocate and technical expert in one conciliation between Employer and Employers Architect while construction works in progress, Contractor attended as third-party observer, resolution in favour of Employer allowed construction project to be completed with minimum delay
- panels
 - Royal Institute of Architects of Ireland, panel of Conciliators
 - Chartered Institute of Arbitrators, panel of Conciliators

expert evidence (party engaged)

- training
 - *"Report writing for Experts"*, La Touche Salon, Dublin, 1999
 - *"ADR and Expertise"*, ICC, Paris, 2010
 - *"Expert Witness training"*, RIAI, Dublin 2012
 - *"The Engineer as an Expert Witness"*, Engineers Ireland, Dublin, 2012
 - *"Expert Evidence 2016 – the new RSC regime"*, La Touche Training, Dublin, 2016
- experience
 - I have been retained to provide Expert Evidence in 33No construction and/or architectural disputes since 2007

mediation (third party neutral)

- training
 - *"Commercial Mediation Training"*, Chartered Institute of Arbitrators, 2008
 - *"Dispute Resolution in New Government Contracts"*, Chartered Institute of Arbitrators 2008
 - *"Accredited online mediator"*, Hunt ADR, May 2020
- experience
 - Mediator between Employer & Consultant under COE1 public conditions of engagement.
 - Mediator between Employer & Contractor under a standard form private building contract
 - Mediator of a boundary dispute (fully online)