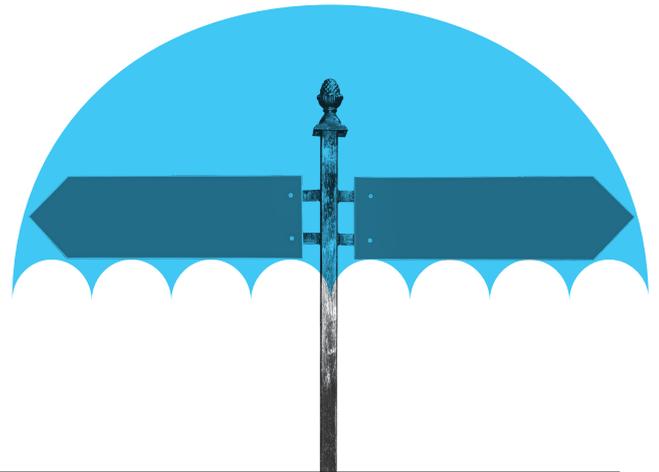


## Resolving disputes

“Commercial Mediation in Ireland today – the Good, the Bad and the Ugly”



### Speaker biographies



**Justice Nicholas Kearns**

*Former President of the High Court*

He was educated in St. Mary’s College, Rathmines, UCD and the King’s Inns and was called to the Bar in 1968 and was called to the English Bar in 1980. He took Silk in 1982 primarily practising in the area of defamation, judicial review and personal injuries.

He was appointed a Judge of the High Court in 1998 and then to the Supreme Court in November 2004. In October of 2009 he was appointed President of the High Court and a Member of the Council of State from which he retired in December 2015. He is one of the very few Irish Judges to become a Bencher of Middle Temple in London.

He was appointed as the Chairman of the Personal Injury Commission on January 10th 2017. The establishment of the Personal Injury Commission is one of the key recommendations in the Cost of Insurance Working Group. The reforms anticipate a comprehensive package of measures that tackle many of the problems in the insurance sector.



**Joanne Ross**

*Head of Legal & Regulation  
Bord Gáis Energy*

Joanne has extensive in-house legal experience having held executive legal positions for the past 12 years across the IT, FMCG and Energy sectors.

She commenced her career with McCann Fitzgerald solicitors in Dublin where she trained and then specialised in Mergers & Acquisitions for a number of years. Having relocated to Belfast in 2003 she joined Lagan Technologies as Company Secretary and Head of Legal. Subsequently she joined Coca-Cola Hellenic as Legal Director & Company Secretary.

In 2011 she relocated to Dublin and joined Bord Gais Energy Limited as Head of Legal. During the past five years she has played a central role in leading some major change initiatives including the sale by the Irish Government of Bord Gais Energy in 2014 for in excess of €1bn and residential gas price de-regulation. She now is an executive Director of Bord Gais Energy and has responsibility for the Legal, Corporate Development, Regulatory and Compliance functions. She is also a director of the Electricity Association of Ireland.



**Dermot Flanagan SC**

FCIArb

Dermot is a former Mayo county footballer and won two All Stars during his 15 year inter-county career.

Dermot specialises in planning, environmental and infrastructure law. He is a practising CIArb Mediator and a member of CIArb’s litigation mediation panel. He lectures Mediation as part of the Law Society Mediation programme.

Dermot has acted as Counsel in many national strategic infrastructure projects such as Dublin Airport Terminal 2, Port of Cork redevelopment, inter-urban motorways, harbour, water and wastewater projects and CPO Arbitrations over a period of 25 years. He presents a paper on CPO Arbitration at the annual Roundhall Planning Conference.



**Aidan O'Brien**

*Solicitor*  
EirGrid plc

Aidan O'Brien is a solicitor working in the energy sector. He has worked on linear infrastructure projects for almost ten years, working initially on motorway schemes and then moving to EirGrid in 2012. In EirGrid, he works on consenting and construction of electricity transmission assets. He spent 2016 in Brussels with ENTSO-E, the European network of transmission system operators.

He has used mediation on a number of occasions for both commercial disputes and for compensation claims and other issues involving landowners. He is an advocate of the mediation process, having achieved agreement on issues that appeared intractable prior to mediation.



**Ciaran Kelly**

*CCO*  
Threefold

Ciaran is Chief Commercial Officer at Threefold Project Management. He previously served as Head of Projects Director in Threefold and also held staff positions from 2003 to 2008. Ciaran has been involved in a number of complex commercial disputes where Mediation has provided a successful outcomes.

Ciaran is a keen advocate and promoter of Mediation and believes that Mediation, as a dispute resolution tool, is undervalued, underutilised and its benefits under promoted to potential users.

Examples of Mediations in which Ciaran has been involved include:

- Claims arising from project overrun disputes
- Final account claims
- Claims arising from Loss of profits
- Employment disputes between Manager and Employee

Ciaran has completed the CI Arb Commercial & workplace Mediation Course and is a member of the ICMA.



**Barry Robinson**

*Director | Forensic*  
Deloitte

Barry is a Director in Deloitte's Forensic team, with over 15 years' experience specialising in commercial disputes and forensic accounting assignments. He has prepared expert witness reports in commercial disputes listed in the High Court and Commercial Court and has undertaken forensic investigations for corporates and regulatory bodies. Barry has provided independent expert accounting advice for the purposes of Alternative Dispute Resolution, including Mediation. He is a Chartered Accountant and holds the Chartered Accountants Ireland Diploma in Forensic Accounting.