



## **Capacity Market Dispute Resolution Panel**

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# 1. Capacity Market Dispute Resolution Panel

## 1.1 Background and Purpose

For the purposes of disputes, and in line with the requirements of the Single Electricity Market [Capacity Market Code](#) (CMC), the System Operators shall establish and maintain a panel (the “Panel”) consisting of members whom have been approved by the Regulatory Authorities.

The Panel shall include suitably qualified experts from relevant disciplines who:

- (a) are experienced in and familiar with alternative dispute resolution procedures which do not involve litigation; and/or
- (b) have an understanding of the electricity industry or have the technical competence to acquire such an understanding.

From the Panel, the Capacity Market Dispute Resolution Board (CMDRB) is established, pursuant to Section B.14.5 or B.14.6 of the CMC.

This guide is intended to assist persons who may need to seek resolution of a dispute. The rules relating to dispute resolution are those set out in the CMC. For the avoidance of doubt, in the event of any conflict or inconsistency between the information following, and the CMC, the CMC shall prevail. Whilst this guide is intended to assist persons using it, it is not intended to be a substitute for the rules set out in the Capacity Market Code.

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## 1.2 Definition of Dispute

According to paragraph B.14.1.1 and B.14.1.2 of the Code, a ‘Dispute’ means any claim, dispute or difference of whatever nature between any of the Parties howsoever arising under, out of, or in relation to the CMC or the Framework Agreement (including the existence or validity of the same).

The legality, validity or enforceability of a decision or determination of the Regulatory Authorities (including a decision to approve or reject any matter or thing, including Final Qualification Decisions or Capacity Auction Results) made under the CMC, deemed to have been made under the CMC or contemplated by the CMC cannot be the subject of a Dispute under section B.14. There are the following categories of Dispute under the Code:

- (a) A “Qualification Dispute”: being a Dispute relating to or arising out of the Qualification Process;  
and
- (b) A “General Dispute”: being a Dispute which is not a Qualification Dispute.

Disputes in relation to settlement of Capacity Payments and Capacity Charges, and Difference Payments and Difference Charges, other amounts payable under the Trading and Settlement Code in respect of the Capacity Market and related matters shall be dealt with in accordance with the Trading and Settlement Code, and not in accordance with the provisions of this section B.14 or any other provision of this Code (except for paragraph B.14.1.4 of the CMC).

### 1.3 Objectives of the Dispute Resolution Process

It is intended that the Dispute Resolution Process that is set out in, or implemented in compliance with, the CMC, to the extent possible:

- (a) Be simple, quick and inexpensive;
- (b) Preserve the relationship between the Disputing Parties;
- (c) Preserve and allow for the continuing and proper operation of the CMC and the Capacity Market Objectives;
- (d) Resolve Disputes on an equitable basis in accordance with the provisions of this Code having regard to the Capacity Market Code Objectives;
- (e) Take account of the skills and knowledge that are required for the relevant Dispute; and
- (f) Encourage resolution of Disputes without formal legal representation or reliance on legal procedures (other than as set out in section B.14 of the CMC)

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### 1.4 Stages of Dispute Resolution Process

The Dispute Resolution Process is set out in Section B.14 of the Code. Further information along with required forms may be found in Section B.14 and the Appendices of the Code.

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### 1.5 Appointment of the Dispute Resolution Board

The Disputing Parties enter into a contract with the Panel Members directly rather than with the Market Operator.

There are the following categories of Dispute under the CMC:

- (a) a “Qualification Dispute”: a Dispute relating to or arising out of the Qualification Process; and
- (b) a “General Dispute”: a Dispute which is not a Qualification Dispute.

The Form of Dispute Resolution Agreement is contained in Appendix B of the Capacity Market Code. Details of each category of Dispute can be found in Section B.14.

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### 1.6 Fees Payable

Fees are covered by clause 8 of the Dispute Resolution Agreement (as set out in Appendix B to the Code) and it is a matter for the member(s) to propose and the Disputing Parties to agree. There are no fixed fees or published rates. This recognizes the range of disciplines and experience that may need to be called upon depending on the nature of the dispute.

Subject to paragraph B.14.7.7, each Disputing Party shall be responsible for paying an equal share of the costs of the CMDRB in respect of the Dispute involving them and shall bear its own costs of the CMDRB procedure.

The CMDRB may make a decision as to the award of costs in any Dispute which decision shall be binding on the Disputing Parties.

## **1.7 Disputes Resolution Panel**

Paragraph B.14.4.2 of the CMC states that the Panel shall include suitably qualified experts from the relevant disciplines who:

- (a) Are experienced in and familiar with alternative dispute resolution procedures which do not involve litigation; and/or
- (b) Have an understanding of the electricity industry or have the technical competence to acquire such an understanding

Pursuant to paragraph B.14.4.2, members have been invited to sit on the Panel for their relevant experience and expertise in the electricity industry, construction, engineering and legal fields and alternative dispute resolution by the Regulatory Authorities and the MO. The Panel shall consist of no less than 10 members subject to any vacancies which may arise from time to time which shall be filled as soon as reasonably practicable. Any vacancies arising from time to time shall not invalidate the Panel.

### **1.7.1 Nomination of the Panel Chairperson**

Pursuant to paragraph B.14.4.6 of the Code, the Regulatory Authorities have nominated Joe Behan as Chairperson of the Dispute Resolution Panel.

### **1.7.2 Short Biographies of the Panel Members**

Short biographies of all members of the panel are included overleaf.

## Dispute Resolution Chairperson

**Name:**

Joe Behan

**Occupation:**

Mediator, Adjudicator, Arbitrator, Conciliator and Consulting Engineer

**Qualifications followed by short synopsis:**
**Qualifications:**

Bachelor of Engineering UCD, Honours  
 Chartered Engineer and Fellow of Institution of Engineers of Ireland  
 Diploma in Legal Studies  
 Accredited Mediator with CI Arb  
 Advanced Commercial Mediators M.A.T.A.  
 Practitioner Member, Mediators Institute Ireland  
 Accredited Adjudicator with CI Arb  
 Arbitration and Mediation Fellow of Chartered Inst. Of Arbitrators

**Business Background:** Managing Director- Behan Dispute Resolution and J.P. Behan Associates Consulting Engineers.

In the field of Alternative Dispute Resolution (ADR) Joe has, in the past 20 years, acted as Mediator, Conciliator, Arbitrator, Adjudicator and Dispute Resolver on a variety of disputes in Ireland, the UK, the Middle East and the Caribbean. These disputes included cases in the Electricity Industry.

Internationally he is a Member of CCPIT / CCOIC (China) International Mediator Panel, the Mediator panel of the Chartered Institute of Arbitrators (CI Arb) in London, the Shenzhen Court of International Arbitration - Arbitrator Panel, the Dubai International Arbitration Centre panel of Arbitrators, and the Kigali International Arbitration Centre panel of Arbitrators. He is a Member of the Consultation Institute in the UK. Joe is the co-President of the World Forum of Mediation Centres with the Union Internationale des Avocats (UIA)

In Ireland, he sits on many professional ADR Panels of mediators, conciliators, and arbitrators for bodies such as the Engineers Ireland, Construction Industry Federation, Law Society, Chartered Institute of Arbitrators, Centre for Effective Dispute Resolution (CEDR), Mediators Institute Ireland, SEM (where he sits as Chairperson of the Dispute Resolution Panel) and formerly the Private Residential Tenancies Board. He is a Member of the Environmental Facilitation and Mediator Panel for CI Arb.

Joe, who is a Chartered Engineer, has been engaged as Consulting Engineer, Property advisor and Project Manager on a wide variety of infrastructural and building projects for over 35 years.

**Credentials:**

## International Institutions

- International President of the Chartered Institute of Arbitrators 2010
- Certified Mediator with the International Mediation Institute (I.M.I.)
- Member of the Association of Mediation Assessors Trainers & Instructors
- Member of the Union Internationale des Avocats (UIA)
- Member of the Consultation Institute

**International Panels**

- Member of Presidents Panel of Mediators with CI Arb
- CCPIT / CCOIC (China) - International Mediator Panel
- Dubai Mediation Centre -- Panel of Mediators

- Shenzhen Court of International Arbitration - Arbitrator Panel Member
- Dubai International Arbitration Centre - Arbitrator Panel Member
- Kigali International Arbitration Centre – Panel of International Arbitrators

**Irish Institutions**

- Chairperson of the Single Electricity Market Dispute Resolution Panel
- Practitioner Member with Mediators Institute Ireland ([www.themii.ie](http://www.themii.ie))
- Irish Courts Service and Chambers Ireland Panel of Mediators
- Irish Government Panel of Construction Adjudicators
- Member of the Environmental Facilitation and Mediator Panel for CI Arb
- Mediator, Conciliator and Arbitrator’s panels for Engineers Ireland, Construction Industry Federation, Law Society, Chartered Institute of Arbitrators, Centre for Effective Dispute Resolution (CEDR)

**Educational Positions held**

- Delivers Mediation Training Programmes at N.U.I. Maynooth in Ireland for the Commercial Mediation element of the Masters and Diploma in Mediation and Conflict Intervention courses
- Lectured in International Dispute Resolution on Masters in Dispute Resolution Course with Independent Colleges, Dublin, Ireland
- Chartered Institute of Arbitrators Tutor and Course Director for Mediation and Arbitration Courses, respectively
- Assessor for Mediation Accreditation Programme with the Chartered Institute of Arbitrators in Ireland, the U.K. and Mainland Europe
- Approved Trainer for M.A.T.A. and the Construction Industry Federation’s Conflict and Dispute Management Programme
- Course designer and co-coordinator of Post Graduate Certificate in Adjudication at N.U.I. Maynooth

**Further Information:**

- Joe is a National Council Member and Director of ISME
- In the Charity Sector he has recently been appointed as Chair of the Board of St. Michael’s House Housing Association
- He served as Chairman of the Board of Trustees of Open Door
- He is a member of the Kildare and Wicklow Education and Training Board, of Boards of Management of two Secondary Schools and Music Generation Wicklow
- Joe served as Chair of the Business Owners Network with Dublin Chamber of Commerce
- Over the past 10 years he has delivered lectures and workshops around the world, written many articles and appeared on television and radio programmes
- Through Behan Dispute Resolution he designs Conflict Management and Dispute Avoidance Systems for companies and organisations and delivers workshops on these topics throughout Ireland and the UK
- Develops and delivers workshops on Effective Stakeholder Engagement through Consultation Ireland

<b>Professional Experience:</b>	<b>Yes</b>	<b>No</b>
<b>Alternative Disputes Resolution</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Electricity Industry</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Construction Industry</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Legal Experience</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Legal Qualification</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Engineering Qualification</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Dispute Resolution Vice-Chair

<b>Name:</b>	Gordon Barry ( <a href="http://adjudication.eu">adjudication.eu</a> )
<b>Occupation:</b>	Arbitrator, Adjudicator & Mediator

### Qualifications followed by short synopsis:

**BE DipArb Eurlng CEng CEnv CSci CWEM FCI Arb FCIWEM FIEI FIChemE RPEQ FIDIC Accredited Dispute Adjudicator / CI Arb Accredited Mediator**

Gordon Barry graduated with a degree in engineering in 1989, and initially worked with Contracting Organisations, before becoming a Consultant Engineer in 1998. In 2000 he started training in dispute avoidance and dispute resolution and has been providing dispute resolution services professionally since 2006, when he took charge of his first arbitration.

#### ADR Expertise

Gordon is experienced in the roles of Arbitrator, Dispute Board Member, Adjudicator and Conciliator, and is known internationally for his ability to combine a broad expertise in a range of dispute resolution procedures with a strong technical skill set. His ADR experience includes the management of jurisdictional challenges and other preliminary issues, the management of hearings with both Parties represented by counsel, and the subsequent preparation of reasoned decisions and awards

Gordon’s experience in dispute resolution has been recognised by his inclusion in a number of national and international panels, including the European Commission list of Arbitrators and Trade and Sustainable Development Experts for use in disputes arising under trade agreements with third countries, and the FIDIC President’s list of Adjudicators and Mediators.

#### Technical Expertise

Gordon is recognised as having a broad technical expertise across the engineering, environmental and scientific disciplines and he is Chartered in all three disciplines. This expertise is initially founded in the process engineering and mechanical and electrical sectors with particular reference to the Water Services Sector.

Gordon’s technical experience also includes the delivery of infrastructure projects from initial feasibility studies, through to the supervision of the Operation and Maintenance of Facilities. He has been responsible for the management and supervision of a broad range of design and construction tasks, including those beyond his own personal area of expertise.

Professional Experience:	Yes	No
<b>Alternative Disputes Resolution</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Electricity Industry</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Construction Industry</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Legal Experience</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Legal Qualification</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Engineering Qualification</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



## Dispute Resolution Panel Member

**Name:** Emily Gibson

**Occupation:** Barrister

**Qualifications followed by short synopsis:**

**Summary**

Practising barrister specialising in EU law, domestic and international arbitration law. Counsel to ESB and EirGrid plc with extensive experience in electricity-related arbitrations and litigation. Previously Lecturer in EC Competition Policy and Regulation, Trinity College Dublin and Associate with international law firm Lovells in Brussels.

**Education**

King's College London, Diploma in European Competition Law, 2004  
 New York State Bar, Attorney at Law, 2001  
 The Honorable Society of King's Inns, Barrister at Law Degree, 2001  
 University College Cork, Bachelor of Civil Law, 1999

**Professional Appointments**

2012 to date Member of the Single Electricity Market, Dispute Resolution Panel  
 2014-2017 Chair Standing Committee on Regulation, SCSl  
 2010-2013 Chair Statutory Admissions Board for the Registration of Chartered Surveyors  
 2010-2013 Chair Statutory Admissions Board for the Registration of Building Surveyors  
 2009-2011 Chair Irish Society for European Law  
 2010-2011 Member of Steering Committee Arbitration Ireland  
 2008-2010 Member of Bar Council Arbitration and ADR Committee

Professional Experience:	Yes	No
<b>Alternative Disputes Resolution</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Electricity Industry</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Construction Industry</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Legal Experience</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Legal Qualification</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Engineering Qualification</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Dispute Resolution Panel Member

**Name:**

Richard Solomon

**Occupation:**

Barrister and Certified Mediator

**Qualifications followed by short synopsis:**

I am a dual qualified Solicitor and Barrister at Law. I am called to the Bar of Northern Ireland and Bar of Ireland. I practice in Northern Ireland and Southern Ireland.

I am a certified Mediator and practice in Northern Ireland and Southern Ireland.

I have a Law Degree from Queens University Belfast, a Business Degree and Masters in Business Administration.

I have an understanding of Electricity Market having worked previously for an organisation in the Procurement Industry specialising in procurement of Electricity in two of the major airports in London.

I am willing and able to further my knowledge in the Electricity Sector.

I have written opinions on numerous regulatory matters and construction matters.

I have mediated in Northern Ireland and Southern Ireland in a considerable amount of disputes relating to the Construction sector and I am a panel member of Juris Resolutions one of the most prestigious Alternative Dispute Resolution providers as well at the Bar of Northern Ireland, Bar Mediation Service.

**Professional Experience:**

**Yes**

**No**

**Alternative Disputes Resolution**



**Electricity Industry**



**Construction Industry**



**Legal Experience**



**Legal Qualification**



**Engineering Qualification**

## Dispute Resolution Panel Member

<b>Name:</b>	Professor Janusz Bialek	
<b>Occupation:</b>	Director of Center for Energy Systems, Skolkovo Institute of Science and Technology, Moscow	
<b>Qualifications followed by short synopsis:</b> MEng, PhD, Fellow IEEE		
<p>Professor Janusz Bialek is the Director of Center for Energy Systems at Skolkovo Institute of Science and Technology (Skoltech) in Moscow since 2014, having previously held Chair positions at the University of Edinburgh (2003-2009) and Durham University (2009-2014).</p> <p>He has published widely on power system economics, power system dynamics, smart grids, preventing electricity blackouts, and technical and economic integration of renewable generation in power systems.</p> <p>He has been the Principal Investigator of a number of major EPSRC- funded research grants and a consultant to the UK government, International Energy Agency, European Commission, Scottish Government, and a number of power companies.</p>		
<b>Professional Experience:</b>	<b>Yes</b>	<b>No</b>
<b>Alternative Disputes Resolution</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Electricity Industry</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Construction Industry</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Legal Experience</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Legal Qualification</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Engineering Qualification</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Dispute Resolution Panel Member

**Name:** Emma McIlveen

**Occupation:** Barrister at Law

### Qualifications followed by short synopsis:

#### Academic qualifications

2009-2012: Law with Politics LL.B. Queen's University Belfast 1st Class Honours Degree (Ranked 1st in Class).

2013-2014: Kennedy Scholar, Harvard University.

2015-2016: Postgraduate Diploma in Professional Legal Studies with Distinction, (Bar Course) Institute of Professional Legal Studies (Ranked 1st in Class).

#### Bars

2016: Called to the New York Bar

2016: Called to the Bar of Northern Ireland

2019: Called to Bar of Ireland

#### Professional Memberships & Accreditations:

Accredited Mediator, Mediation Forum Ireland  
Mediator, Resolution Centre.

Member of the Government Legal Services D Panel

Member of the Attorney General's Junior Counsel Panel

Member of Northern Ireland Medico-Legal Society

Member of Employment Lawyer's Group

My legal profile can be accessed on the Bar of NI website- <http://www.barofni.com/directory/emma-mcilveen>

My mediation profile can be accessed here - [https://theresolutioncentre.co.uk/mediators/emma-mcilveen/?sf\\_action=get\\_data&sf\\_data=results&sf\\_s=mcilveen](https://theresolutioncentre.co.uk/mediators/emma-mcilveen/?sf_action=get_data&sf_data=results&sf_s=mcilveen)

#### Relevant experience in relation to ADR

- I am an accredited mediator with Mediation Forum Ireland and have been since 2012.
- I am a qualified barrister in both Northern Ireland and the Republic of Ireland. I have also passed the New York Bar exam and have been admitted as an Attorney at Law.
- I am a member of The Resolution Centre in Northern Ireland and regularly attend ADR focused training
- I primarily specialise in employment, immigration and judicial review. I am however keen to develop a practice in planning law. In this regard, I am due to speak at a seminar on the law of consultation in January.
- In my practice, I have been involved in a number of successful mediations
- I gained conflict resolution experience during my time at Harvard University. Indeed, while studying there, I was selected to travel to Jordan to investigate the situation with Syrian refugees and make proposals to the Jordanian government on how they met their obligations under international law alongside managing issues of border security
- I represented Northern Ireland at an International Mediation Competition in Chicago and International Negotiation Competition in Lucerne

- I have been invited back to the Institute of Professional Legal Studies to judge mediation and negotiation competitions.
- Prior to being called to the Bar, I worked as a consultant for the Centre for Democracy and Peace Building (cross community organisation). In this role, I was involved in community mediation and designed projects to help reduce attacks against ethnic minorities.
- I have served on my local village improvement community and helped to navigate a dispute regarding whether the Committee should accept funding from Elgin energy in return for their support for a solar project.

<b>Professional Experience:</b>	<b>Yes</b>	<b>No</b>
<b>Alternative Disputes Resolution</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Electricity Industry</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Construction Industry</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Legal Experience</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Legal Qualification</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Engineering Qualification</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Dispute Resolution Panel Member

<b>Name:</b>	Patrick Mullins	
<b>Occupation:</b>	Solicitor	
<b>Qualifications followed by short synopsis:</b>		
<p>Bachelor of Civil Laws Degree (BCL)  Master of Laws Degree (LLM)  Practising Solicitor  CEDR Accredited Mediator.</p> <p>Qualified as a Solicitor in 1996. Commercial Partner with BDM Boylan Solicitors.  11 years' experience as a qualified Mediator.  Member Law Society of Ireland Mediation Panel.</p>		
<b>Professional Experience:</b>	<b>Yes</b>	<b>No</b>
<b>Alternative Disputes Resolution</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Electricity Industry</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Construction Industry</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Legal Experience</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Legal Qualification</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Engineering Qualification</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Dispute Resolution Panel Member

<b>Name:</b>	Nicolas Hanna KC	
<b>Occupation:</b>	Barrister	
<b>Qualifications followed by short synopsis:</b>		
<p>BA Cambridge 1972; MA Cambridge 1973</p> <p>I have been a practising member of the Northern Ireland Bar since 1973 and a KC since 1989. I am also a CEDR accredited mediator. My mediator profile is at:  <a href="https://theresolutioncentre.co.uk/mediators/nicolas-hanna-qc/">https://theresolutioncentre.co.uk/mediators/nicolas-hanna-qc/</a></p> <p>In addition to this I have some, albeit limited, knowledge of the SEM and its context, mainly from having acted as senior counsel for AES Kilroot some years ago when it brought a judicial review challenge against the Regulator to the introduction of the original SEM. A copy of the judgment can be viewed at:  <a href="https://www.bailii.org/nie/cases/NIHC/QB/2008/62.html">https://www.bailii.org/nie/cases/NIHC/QB/2008/62.html</a></p>		
<b>Professional Experience:</b>	<b>Yes</b>	<b>No</b>
<b>Alternative Disputes Resolution</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Electricity Industry</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Construction Industry</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Legal Experience</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Legal Qualification</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Engineering Qualification</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Dispute Resolution Panel Member

**Name:**

John P Greely

**Occupation:**

Chartered Accountant, Company Director

**Qualifications followed by short synopsis:**
**FCA, AITI, ACI Arb**

John P. Greely qualified as a Chartered Accountant with Deloitte and subsequently spent some time in PWC. He then spent 8 years as financial Controller/Finance Director in the advertising/bakery/house building industries.

He set up in practise some 38 years ago and is a Partner in a three partner practise with some 15 staff in Naas, Co. Kildare.

He is widely experienced in the accounting profession and he's served as President of the Institute of Chartered Accountants in Ireland in 2005/2006.

He is also a member of the Chartered Institute of Arbitrators, The Institute of Taxation and the Institute of Internal Auditors.

He was a member of the Oversight Board of the Institute of Chartered Accountants in 2011/2012 and 2012/2013. He served on the Representation and Technical Committee of that Institute.

He was until recently the Irish Accountancy Profession representative on the Council of FEE, the Federation of European Accountants, which represents 700,000 Accountants in 27 countries throughout Europe.

He has been a Director and Chairman of the Audit Committee of the following Banks and organisations:

- Smurfit Finance Limited
- ACC Bank plc (a state owned bank) which was sold to Rabobank
- PNC International Bank (which was sold to BNY Mellon) and
- BNY Mellon International Bank
- Fire One plc (an aim quoted company)
- Our Lady's Children Hospital, Crumlin

He is also a member of the Chartered Institute of Arbitrators and the Institute of Taxation in Ireland and the Internal Audit Institute.

He recently joined the Board of the Children's Medical Research Foundation the fund raising arm for Our Lady's Children Hospital Crumlin and for research into children's health issues generally.

He has also been appointed to the Audit Committee of the Kildare Wicklow Education and Training Board a body with 22 schools, 2,500 staff and an annual budget of €120 million.

He has widespread experience in arbitration particularly in relation to commercial disputes and business valuations.



Professional Experience:	Yes	No
<b>Alternative Disputes Resolution</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Electricity Industry</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Construction Industry</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Legal Experience</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Legal Qualification</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Engineering Qualification</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Dispute Resolution Panel Member

**Name:** Michael J Donnelly

**Occupation:** Barrister-at-Law

**Qualifications followed by short synopsis:**

Barrister-at-law with a broad civil practice, specialising in planning & environmental, construction, administrative, and commercial disputes.

Qualified and experienced in alternative dispute resolution (ADR) processes and procedures.

Former Director of a global professional services firm delivering major infrastructure projects, including electricity transmission and generation projects for both private and State developers.

Experienced at managing commercial disputes with a sixteen-year proven record in the engineering industry.

**Barrister-at-Law** 2020 to Present

- Full time practicing barrister at the Bar of Ireland since 2020. Practicing in all areas of law with a focus on civil litigation. Specialising in planning & environmental, construction, administrative, and commercial disputes.
- Experienced in alternative dispute resolution (ADR) procedures including negotiation, mediation and arbitration. Completed specialist ADR training at King’s Inns and arbitration training at the Sutherland School of Law, UCD.

**Technical Director at RPS Group** 2005 to 2021

Sixteen years with RPS Group, eight of which as Technical Director with the Project Communications section.

Qualified and experienced project manager and consultant working across a range of large-scale infrastructure projects in Ireland and abroad. Key relevant experience includes:

- Major electricity transmission schemes for the national transmission system operator.
- Major electricity generation schemes for various State and local authorities.
- Major energy infrastructure schemes for private developers.
- Major offshore and onshore renewable schemes for various State and private developers.
- Major water and wastewater schemes in Ireland and the UK for national utility companies.
- Major transport projects including airport, rail and road schemes in Ireland and the UK.
- Major waste schemes including recovery, hazardous waste and remediation schemes.
- Steering committee member for the European Commission (DG Energy) initiative to increase trust and acceptance of trans-European energy infrastructure projects (Projects of Common Interest).

**Academic Qualifications**

- Diploma in Arbitration, The Sutherland School of Law, UCD (2022)
- Barrister-at-Law Degree, The Honorable Society of King’s Inns (2020)
- Diploma in Legal Studies, The Honorable Society of King’s Inns (2018)
- Master of Science in Management, the Michael Smurfit Graduate Business School, UCD (2008)
- Bachelor of Arts, the College of Human Sciences, UCD (2005)

**Professional Memberships/Associations**

- Member of the Law Library at the Bar of Ireland
- Registered on the Roll of Practicing Barristers with the Legal Services Regulatory Authority
- Member of the Construction Bar Association
- Member of the Planning, Environmental and Local Government Bar Association
- Member of the Climate Bar Association

Professional Experience:	Yes	No
Alternative Disputes Resolution	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Electricity Industry	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Construction Industry	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal Experience	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal Qualification	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Engineering Qualification	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Dispute Resolution Panel Member

<b>Name:</b>	Rory de Bruir	
<b>Occupation:</b>	Barrister-at-Law	
<b>Qualifications followed by short synopsis:</b>		
<p>In practice as a Barrister since 1987 with a general civil practice with considerable experience of Alternative Dispute Resolution as an Arbitrator and Mediator.</p> <p>Various Appointments under the NRA-IFA Motorway Scheme assessing compensation claims.            Chaired Mental Health Tribunals, Refugee Appeal Tribunals, Private Security Appeal Boards, Disciplinary Appeal Boards and Boards of Inquiry.</p> <p><b>Academic Qualifications</b></p> <ul style="list-style-type: none"> <li>• Army Commission – Military College</li> <li>• Diploma US Army Command &amp; General Staff College</li> <li>• Diploma Command &amp; Staff School, Military College (Now of Masters Degree Status NUI Maynooth)</li> <li>• Barrister-at-Law Degree Kings Inns</li> <li>• Called to the Bar of Ireland 1987</li> <li>• Called to the Bar of England &amp; Wales 1991</li> <li>• Called to the Bar of Northern Ireland 1991</li> <li>• Diploma in International Arbitration UCD</li> </ul> <p><b>Professional Memberships/Associations</b></p> <ul style="list-style-type: none"> <li>• Chartered Institute of Arbitrators</li> <li>• Fellowship FCI Arb. 1995</li> <li>• Chartered Arbitrator 2008</li> <li>• Accredited Mediator 2010</li> </ul>		
<b>Professional Experience:</b>	<b>Yes</b>	<b>No</b>
<b>Alternative Disputes Resolution</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Electricity Industry</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Construction Industry</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Legal Experience</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Legal Qualification</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Engineering Qualification</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Dispute Resolution Panel Member

**Name:** Sinead Drinan

**Occupation:** Barrister-at-Law

**Qualifications followed by short synopsis:**

Practising barrister specialising in commercial/chancery related matters with a special interest in international arbitration and cross-border enforcement.

I am a CEDR accredited mediator and an Associate level arbitrator with the Chartered Institute of Arbitrators. I am former Chair of the Young Practitioners of Arbitration Ireland. I was appointed by Minister McConalogue to the Greyhound Racing Controls Committee and am a tribunal member with CORU, regulating health and social care professionals.

I have an understanding of the Electricity Industry having been involved in a number of disputes related to this industry including *inter alia* disputes concerning sub-marine cables and disputes regarding transfers of shareholdings in power stations. Similarly, I have also been involved in construction disputes including *inter alia* those related to the operation of wind-turbines. I am very willing to develop my knowledge base of the electricity industry and will endeavour to do so.

**Academic Qualifications**

- Masters-in-Common-Law (UCD), 2011
- Barrister-at-Law Degree, 2012
- CEDR Accredited Mediator, 2019
- CIArb Associate Arbitrator, 2017
- Certificate in International Commercial Arbitration, 2017

**Professional Appointments**

- 2022 - present: Greyhound Racing Controls Committee, appeals committee member
- 2022 - present: CORU, tribunal member
- 2017 – 2022: Commission for Communications Regulation, panel member
- 2015 – present: Committee Member, Young Practitioners of Arbitration Ireland
- 2016 – 2019: Chair of Young Practitioners of Arbitration Ireland
- 2015 – present: Member, Arbitration Ireland
- 2022 - present: Committee Member Bar of Ireland ADR & Arbitration Committee, formerly on Committee for 2019-2020
- 2015 – 2018: Committee Member, Construction Bar Association

<b>Professional Experience:</b>	<b>Yes</b>	<b>No</b>
<b>Alternative Disputes Resolution</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Electricity Industry</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Construction Industry</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Legal Experience</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Legal Qualification</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Engineering Qualification</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>