

DISPUTES RESOLUTION RESUME 2024

Name:	Thomas Wren BCL, LLM, Registered Quantity Surveyor, Mediator, Conciliator, Adjudicator, Arbitrator
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Qualifications, Memberships and Committees:	<p>1981: Associate, Institute of Quantity Surveyors (IQS), U.K.; and, Associate, Institute of Arbitrators.</p> <p>1994: Fellow, RICS and Society of Chartered Surveyors (resigned RICS 2014, resigned SCS 2019)</p> <p>1998: Member, Society of Construction Law</p> <p>1999: Member, The Chartered Institute of Arbitrators</p> <p>2005: B.C.L. (2H1), University College Cork</p> <p>2006: Accredited mediator, Friarylaw ADR, Dublin (with refresher course, January 2016)</p> <p>2008: LL.M. (2H1), University College Cork (by research thesis on aspects of contract law)</p> <p>2016: Fellow, Chartered Institute of Arbitrators (resigned 31st December 2023)</p> <p>2018: Committee member, Chartered Institute of Arbitrators, Irish Branch.</p> <p>2019: CI Arb. Irish Branch: Arbitration Sub-Group: Drafting of CI Arb. All-Ireland Arbitration Rules</p>
Disputes Panels:	<p>2007: Construction Industry Federation</p> <p>2016: Law Society's Panel of Arbitrators</p> <p>2022: EU Directorate for Trade F: Panel of International Trade Disputes Arbitrators (current)</p>
Career History:	<p>1976-1981: Quantity Surveyor, Shaun McDermott Murphy & Partners, Limerick. Trainee QS</p> <p>1981-1985: Hyundai Engineering & Construction Ltd., Kuwait. Motorways, power station, water.</p> <p>1985-1986: J.D. Kingsfield & Partners. Cement plants Oman & Jordan; and, RAF Strike Command.</p> <p>1986-1988: Integrated Surveys, Cyprus. Housing, GCC conference centre, motorways; Middle East.</p> <p>1988: Hyundai Corp. World Bank US\$600m. Nhava Sheva Port Project, Bombay, India.</p> <p>1989-1990: Burns Associates, Hong Kong & London. Bank of China tower; Tuen Mun hospital; HK, pharmaceutical plant, Thailand; coal facility Java; St. Thomas's Hospital, London.</p> <p>1990-1994: G.P. Zachariades Ltd., Bahrain. Um Nasan Island complex for Prime Minister.</p> <p>1994-1997: Andrew Chartwell & Co., Boston. Project management; high school and museum.</p> <p>1998-2009: Tom Wren Associates, Cork. Shopping centre; roads and bridges; pharmaceutical plant; hotel in Malacca; university buildings; midlands power plants; Bord Gais power plant; housing; the Eyre Square project; commercial developments; public amenities schemes.</p> <p>2009-2015: Legal & Contracts Dept., Qatar Petroleum. Oil & gas, ports, buildings, desalination and power. Procurement, contracts, claims incl. disputes board on c.€150m. claim re a port.</p> <p>2015- : Resumed private practice, Ireland. Briefs: claims preparation/defence under PWC and RIAI contracts; opening statements for conciliation and adjudication incl. hearing attendance and negotiations as below. Advices on bespoke ICAV contracts; drafting of various contracts and amendments - main and sub-contracts, warranties, novation.</p>
Articles and Publications:	<p>2004: CPD Paper: 'What rights do contractors have under the main contract?' (SCL/SCS, Cork).</p> <p>2005: CPD Paper: 'The new government forms of contract: a risky business?' (SCL/SCS, Cork)</p> <p>2007: CPD Paper: 'The GCCC Forms of Contract: Design by Employer: Claims', LIT, Limerick.</p> <p>2008: (2008) 74 <i>Arbitration</i> 3, 298-305: 'The Minister for Finance's New Public Works Arbitration Rules: A clash with the Bunreacht in the waiting?'</p> <p>2011: (2011) 77 <i>Arbitration</i> 3, 387-397: 'All is not well with Irish Arbitration: The grey clouds of <i>Galway City Council v Samuel Kingston Construction</i>.'</p> <p>2012: (2012) 78 <i>Arbitration</i> 4, 408-409: <i>Galway City v Kingston: A rejoinder</i>.</p> <p>2014: Publication of <i>Public Works in Ireland: Procurement and Contracting</i>, Clarus Press, Dublin.</p> <p>2016: Papers 'Aspects on 2014/24/EU'; and, 'Preliminary Comments on PWC Clause 13 v2.0'.</p> <p>2018: Articles and reviews for CI Arb. Irish Branch 'Newsletter' published at www.arbitration.ie.</p> <p>2019: CBA Paper: 'Disputes Management Procedure and Standing Conciliators: PWC Clause 13.1'.</p> <p>2021: Law Society's <i>Gazette</i>, July Ed., pps. 34-37: Article on CI Arb's All-Ireland Arbitration Rules.</p> <p>2023: (2023) 8(2) CEELJ, 28-36: What scope for Unjust Enrichment as an alternative remedy?</p>
Dispute Resolution Experience:	<p><u>Contract forms</u> - FIDIC; Law Society; RIAI/GDLA; IEI; JCT; CIF/SCSA; PWC; various bespoke.</p> <p><u>Conciliation and Arbitration Rules</u> - CI Arb., Irish Branch; IEI 2000 & 2011; CIF; GDLA; RIAI; ICC.</p> <p><u>Lay advocacy</u> – Since 2015, circa 25 appointments; disputes in conciliation, adjudication and arbitration incl. drafting opening statements before well-known Irish practitioners.</p> <p><u>As opinion witness</u> – Three in arbitration (once-off house in Cork; a commercial centre, Punches Cross, Limerick; and, the Eyre Square arbitration). Two in High Court (summer housing scheme, west Cork; and, a cinema complex, Cork; both settled before the courts issued judgment).</p> <p><u>As mediator</u>: One appointment between a housing contractor and a sub-contractor which settled.</p> <p><u>As conciliator</u>: One appointment between main contractor and sub-contractor re a hospital extension. Written recommendation issued which the parties accepted.</p> <p><u>As arbitrator</u> – Six appointments to date. Three from the Law Society, one each from the CIF, CI Arb. Irish Branch and privately. Two went to award one of which included an <i>ex parte</i> hearing.</p>