

International Construction Law Conference

Monday 24 September 2012 at the IET, 2 Savoy Place, London

**Unlocking Disputes:
Challenges in Construction Litigation & Arbitration**



A one-day conference to commemorate the opening of the new Rolls Building court complex organised by:

- **Society of Construction Law**
- **Technology and Construction Bar Association**
- **Technology and Construction Solicitor Association**
 - **American College of Construction Lawyers**
 - **Canadian College of Construction Lawyers**

in conjunction with

- **The Technology and Construction Court**



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The Rt. Hon. Sir Anthony May

President of TECBAR and the
UK Society of Construction Law



The UK Society of Construction Law is delighted to host and promote the 2012 International Construction Law Conference in London in conjunction with the Technology and Construction Bar and Solicitor Associations. It is a particular pleasure to welcome so many delegates from the increasing number of diverse associated organisations throughout the world. We are particularly pleased to have with us a delegation from the prestigious American College of Construction Lawyers.

This year's conference is timed to coincide with the first anniversary of the official opening of The Rolls Building in Fetter Lane, London, the new purpose built High Court complex which, for the first time, brings together the Commercial and Admiralty Courts, the Chancery Division and the Technology and Construction Court. You will be able to visit and see this impressive, modern court building, the largest and most comprehensive of its kind in the world, dedicated to the resolution, in court, of all varieties of commercial and business disputes. It is a particularly fine home for the TCC, having court rooms equipped to modern standards and, if necessary, of a size to accommodate the most substantial cases. The court complements the service which London arbitration is able to offer for construction and technology disputes of all kinds.

The reception towards the end of this conference is taking place in The Rolls Building. This will be followed by a fine celebration dinner in the Great Hall at The Royal Courts of Justice; with more than a century of history, this prestigious Victorian building is one of the last great wonders of Gothic revival architecture and is reminiscent of a cathedral.

The programme for this conference is designed to bring together for discussion topics of UK and international significance. There are sessions on Procurement and International Advocacy in the morning. After lunch, the discussions are on International Arbitration Tribunals and the Analysis of Delay in different jurisdictions. I am sure that all the expert speakers and panels will stimulate lively debate.

I am delighted to welcome everyone to London and to this conference and to extend our best wishes for what I am sure will be an outstanding event.

Introduction to the Conference

This unique conference, hosted by the Technology & Construction Court, TECBAR, TeCSA and the Society of Construction Law, will bring together construction lawyers and practitioners from across the world to discuss contemporary issues in construction law and dispute resolution. The conference, which commemorates the first anniversary of the opening of The Rolls Building in London, will conclude with a drinks reception at The Rolls Building, and at a dinner at The Royal Courts of Justice.

Keynote speakers from the Judiciary include Lord Dyson (Supreme Court, London), Lord Justice Jackson (Court of Appeal, London), Lord Judge, the Lord Chief Justice; Sir Anthony May; Mr Justice Akenhead; Mr Justice Coulson and Mr Justice Ramsey.

The conference will be held at the Institute of Engineering Technology
2 Savoy Place, London WC2R 0BL Tel +44 (0)844 273 3062

The IET is a unique conferencing venue set beside the Thames in London's city centre, just minutes from the Strand. The venue blends historic character, the latest built-in technology and stunning waterside views.



Social Programme

As part of the conference there is a fantastic opportunity to socialise and discuss the points of the day. The social events will be held in two prestigious court locations giving delegates the opportunity to see the new Rolls Building court complex and to visit the existing Royal Courts of Justice.

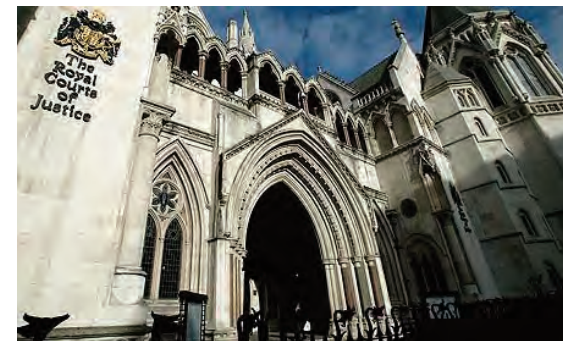
Drinks Reception at The Rolls Building (5:30pm)

Located off Fetter Lane in the City of London The Rolls Building is the largest specialist centre for the resolution of financial, business and property litigation anywhere in the world.

It has 31 court rooms, including 3 'super courts' to handle the very largest international and national high value disputes.



Dinner at The Royal Courts of Justice (7:30pm)



Situated on the Strand The Royal Courts of Justice were opened by Queen Victoria on 4th December 1882 and by day are home to the Court of Appeal and the High Court of Justice.

With over 1000 rooms and a 3½ mile labyrinth of hallways it is one of London's best kept secrets.

08.30 Registration
09.15 Introduction and Opening Address

09.30 **Session 1: Procurement**

What does the client want from the tribunal when challenging procurement outcomes and are damages a sufficient remedy? The fast track procedure in the TCC and Commercial Court in London will also be discussed.

11.00 Tea & Coffee

11.30 **Session 2: International Advocacy**

The pros and cons of the adversarial and inquisitorial systems.
The value of written advocacy in international dispute resolution.
The value of oral advocacy in international dispute resolution.
Recognising your tribunal : is a different approach required depending upon whether your tribunal is a lawyer or non lawyer or comes from a civil or common law background?
Getting the best out of witnesses and experts in cross-examination (incl. hot tubbing).
Procedural issues and hearings in international dispute resolution – experiences and views on tactics.

13.00 Lunch
14.00 Unlocking disputes in London

14.15 **Session 3: International Arbitration Tribunals**

This session will look at issues relating to the tribunal and the conduct of the arbitration. These will include what commercial users require from the arbitral process and how these requirements can best be satisfied; the importance of the choice of tribunal and the differences in approach between arbitrators from different disciplines and different cultural backgrounds; the role of chairman in a three person tribunal and how the members work together; how tribunals can best assist the parties through conciliation/mediation and the respective roles of the tribunal and the courts in relation to urgent relief.

15.30 Tea & Coffee

15.45 **Session 4: Delay Analysis – East meets West**

An exploration and debate on dealing with delay-related expertise and evidence in US, UK, across Europe and in Australasia. The session will include discussion on use of protocols, use of tribunal experts, and proof of delay without experts.

17.00 Closing Address
17.30 Drinks Reception at the new Rolls Building
19.30 Dinner at The Royal Courts of Justice

Sir Anthony May and Lord Judge, the Lord Chief Justice

Chair: Mr Justice Coulson

Speakers include Martin Bowdery QC (Atkin Chambers), Michael Bowsher QC (Monckton Chambers), Sarah Hannaford QC (Keating Chambers), Ciara Kennedy-Loest (Hogan Lovell, Brussels) and Horst Roettgen (RoeTsai Consulting, Germany)

Chair: Chantal-Aimée Doerries QC (Atkin Chambers, London and Chair, TECBAR)

Speakers include Sean Brannigan QC, (4 Pump Court), Prof Phillip Capper (White & Case) Richard Harding QC, (Keating Chambers and Chair, SCL Middle East), and Doug Oles, (JAMS, USA)

Lord Neuberger

Chair: Mr Justice Akenhead

Speakers include Thomas Birsic (K&L Gates, USA), Stephen Dale (Parsons Brinkerhoff, USA) Adrian Hughes QC (39 Essex Street Chambers) and Nikolaj Johannson, (Magnusson, Russia)

Chair: Mr Justice Ramsey

Speakers include Edward Corbett (Corbett & Co), Robert Fenwick Elliott (FEG, Adelaide) Dr Franco Mastrandrea (Hill International), and Andrew Ness (Jones Day ACCL, USA)

Lord Dyson
Lord Justice Jackson
The Lord Mayor of London

ACCL/CCCL Conference and Drinks Reception

On Sunday 23rd September, the American College of Construction Lawyers (ACCL) and the Canadian College of Construction Lawyers (CCCL) will jointly present a supplementary programme on construction-related and comparative law topics.

The ACCL/CCCL programme will be held in the Conference Suite at Hamilton House with views stretching over the Thames. It will commence at 1:00 p.m.

Topics to be covered will include:

- Analysis of schedule/delay
- Drafting & negotiation of key contract clauses
- Collecting damages from a multinational insurance programme
- Building Information Modelling
- Dispute Review Boards: East & West
- The Canadian Two-Step Tendering Process for Private Contracts
- Allocating Geotechnical Risk on Complex Projects
- Collaborative Dispute Resolution

Speakers will include:

ACCL
Gregg Bundschuh (Atlanta, Georgia) Jennifer W. Fletcher (Atlanta, Georgia) Gordon Jaynes (London)
Larry D. Harris (Washington, D.C.) Kimberly Hurtado (Wauwatosa, Michigan) James F. Nagle (Seattle, Washington) Andrew D. Ness (Washington, D.C.) Douglas S. Oles (Seattle, Washington)

CCCL
Helmut Johannsen (Vancouver, British Columbia) Marina Pratchett (Vancouver, British Columbia)
R. Bruce Reynolds (Toronto, Ontario)

The ACCL and CCCL would be delighted to entertain delegates attending the conference at their programme. Following the conference, they will be holding a drinks reception at Hamilton House.



Conference Administration and Website

Conference Administration

Jill Ward, SCL Administrator
The Cottage, Bullfurlong Lane, Burbage,
Leicestershire, LE10 2HQ
Tel: 07730 474074
Email: admin@scl.org.uk

Frances Whitehead, SCL Administration
114 Pettits Lane, Romford, Essex,
RM1 4EJ
Tel: 01708 745038
Email: Frances.whitehead@scl.org.uk

www.scl.org.uk/conference-booking-2012



Post-conference Activities

5:30pm Drinks reception: The Rolls Building, hosted by Lord Dyson
7 Rolls Buildings, Fetter Lane, Greater London, EC4A 1NL

7:30pm Gala Dinner: The Great Hall of Royal Courts of Justice,
Strand, London, WC2A 2LL

Full details and registration can be found at www.scl.org.uk

Booking Details for Conference and Dinner

Full Conference fee includes drinks reception	£249.00 (+ VAT = £298.80)
Dinner (conference attendees)	£80.00 (+ VAT = £96.00)
Dinner only	£95.00 (+ VAT = £114.00)

The Conference price includes free admission to the drinks reception.

The drinks reception is open to guests of Conference delegates at an additional cost of £35.00 (+VAT=£42.00).

The dinner is also open to guests of Conference delegates at an additional cost of £95.00 (+VAT=£114.00).

ACCL/CCCL Conference:

The ACCL Conference planned to take place on the afternoon of Sunday 23 September is open to all SCL, TECBAR and TeCSA members at an additional cost of £60.00 (+VAT= £72.00).

In addition the ACCL drinks reception following the ACCL conference is also open to all guests of SCL, TECBAR and TeCSA members at a cost of £25.00 (+VAT= £30.00).

This conference will start at 1.00pm

Note: Listed programme and speakers subject to possible change.

REGISTRATION BOOKING FORM

Name

Name and Address of Organisation

Please indicate whether you are a member of SCL, TECBAR, TeCSA, ACCL and/or CCCL and, if applicable, state your membership number

Phone No

Email

- | | | |
|---|----------------------------|-------|
| 1. Full Attendance at Conference
(excludes ACCL/CCCL Conference and reception) | @ £249.00 (+VAT = £298.80) | _____ |
| 2. Confirmation Attendance at Drinks Reception | Yes/No* | _____ |
| 3. RCJ Dinner for Conference attendees | @ £80.00 (+VAT = £96.00) | _____ |
| 4. Additional Guests at Drinks Reception | @ £35.00 (+VAT = £42.00) | _____ |
| 5. Additional Guests at RCJ Dinner | @ £95.00 (+VAT = £114.00) | _____ |
| 6. Attendance at ACCL/CCCL Conference 23 September | @ £60.00 (+VAT = £72.00) | _____ |
| 7. Additional Guests at ACCL Reception | @ £25.00 (+VAT = £30.00) | _____ |
| Total Payment | | _____ |

Bookings and payment may be made online at www.scl.org.uk

Alternatively, please return this form together with a cheque payable to "Society of Construction Law" to Frances Whitehead, Society of Construction Law, 114 Pettits Lane, Romford, Essex, RM1 4EJ. Queries regarding registration may be addressed to Frances Whitehead on telephone number +44 1708 731476 or email frances.whitehead@scl.org.uk

This conference carries 5 CPD points.

CANCELLATION

The Organising Committee is committed to staging a successful conference; however it reserves the right to cancel or postpone the conference in which case a full refund will be offered. Should you wish to cancel your booking once made a refund of 50% will be given up to the end of August after which no refunds will be given.



ThirtyNine
ESSEX STREET



AtkinChambersBarristers

