

**9th International Society of
Construction Law Conference 2021**
BUILDING FOR CHANGE
3–5 November 2021



Programme – As at 01/11/2021

Thursday 4 November			
Opening Ceremony / Main Plenary			
8.30am – 8.40am	Mihi – Miriama Kamo (Ngāi Tahu/Ngāti Mutunga) Welcome – Stuart Robertson, Conference Chair and President SCL (New Zealand)		
8.40am – 9.10am	Opening address Penalty clauses and the New Zealand Supreme Court decision in I27 Hobson Street Ltd v Honey Bees Preschool Ltd – Have the foundations shifted? Justice Susan Thomas, Chief High Court Judge (New Zealand) <i>Kindly sponsored by Badcock Law</i>		
9.10am – 9.55am	Keynote speaker Case Managing Building Litigation During COVID 19: Will We Go Back To The Way We Were The Honourable Justice David Hammerschlag (Australia) <i>Kindly sponsored by Dentons Kensington Swan</i>		
10.00am – 10.30am	Morning tea		
Session 1: Moderator: John Green (Building Disputes Tribunal)		Session 1A: Moderator: John Bierre (Morgan Coakle)	
10.30am – 11.20am	Transparency in dispute resolution Primary Panelist: John Tackaberry (United Kingdom) Panelists: Niraj Modha (United Kingdom) Arran Dowling (United Kingdom) Joseph McManus Jnr (USA)	10.30am – 11.20am	A global perspective on construction regulatory reform: Where to from here? Primary Panelist: Matthew Bell (Australia) Panelists: Jeanette Barbarao (Australia) Justin Bates (United Kingdom) Deirdre Ni Fhlonin (Ireland)
11.20am – 12.10pm	Construction arbitration: Is it still relevant Primary Panelist: Mark Colthart (New Zealand) Panelists: Royden Hindle (New Zealand) Kim Lovegrove (Australia)	11.20am – 12.10pm	Negligence Divergence: When is a Duty of Care Owed in Construction? Primary Panelist: Julian Bailey (United Kingdom) Panelists: Wayne Jovic (Australia) Andrew Hazelton (New Zealand)
12.10pm – 1.10pm	Lunch		
	Lunchtime speaker Moderator: Nick Gillies (Hesketh Henry)		
12.30pm – 1.00pm	Risk Through a Seismic Engineering Lens Jared Keen (New Zealand) <i>Kindly sponsored by Hesketh Henry</i>		
Session 2: Moderator: Matt Maling (Lane Neave)		Session 2A: Moderator: Shanti Frater (Simpson Grierson)	
1.10pm – 2.00pm	Is New Zealand punching above its weight and leading the way in	1.10pm – 2.00pm	Issues with extra-territorial fabrication: delays and quality

	<p>which resolution of construction disputes is changing?</p> <p>Primary Panelist: Graeme Christie (New Zealand)</p> <p>Panelists: John Sharkey (Australia) Sarah Adams (Australia)</p>		<p>Primary Panelist: Rebecca Saunders (New Zealand)</p> <p>Panelists: Andrew Hales (Australia) Jeremy Glover (United Kingdom)</p>
2.00pm – 2.50pm	<p>The Best Defense is a Good Offense: Keys to Effective Claims Management and Resolution-A Global Perspective</p> <p>Primary Panelist: Anamaria Popescu (USA)</p> <p>Panelists: Thomas Crist (USA) Laina Chan (Australia) Aleisa Crepin (Australia)</p>	2.00pm – 2.50pm	<p>Implicit Assumptions</p> <p>Sean Brady (Australia)</p> <p><i>Kindly sponsored by Simpson Grierson</i></p>
3.00pm – 3.30pm	Afternoon tea		
<p>Session 3: Moderator: Julia Flattery (Duncan Cotterill)</p>		<p>Session 3A: Moderator: Helen Macfarlane (Hesketh Henry)</p>	
3.30pm – 4.20pm	<p>Adjudication, Past Present and Future</p> <p>Primary Panelist: Sean Gibbs (United Kingdom)</p> <p>Panelists: Joanna Seetoh (Singapore) Johan Beyers (South Africa) John Cock (Hong Kong)</p>	3.30pm – 4.20pm	<p><i>Setting up for success: a consultant's perspective on risk and liability</i></p> <p>Helen Davidson (New Zealand) Andrew Read (New Zealand) Hannah Bryce (New Zealand)</p>
4.20pm – 5.10pm	<p>Conflicting objectives: How contractor insolvency is challenging established legal protections for principals and subcontractors</p> <p>Primary Panelist: William Potter (New Zealand)</p> <p>Panelists: Michael Chan (Hong Kong) Lisa Curran (New Zealand)</p>	4.20pm – 5.10pm	<p>Buildability Risk - Allocation and Mitigation</p> <p>Primary Panelist: Thomas Richards (United Kingdom)</p> <p>Panelists: Hamish Bolland (New Zealand) Ben Bradstreet (Australia)</p>
5.10pm – 5.30pm	<p>Day 1 closing remarks</p> <p>Routledge Paper Prize presentation</p> <p>SCL International Medal presentation</p>		

Friday 5 November			
Main Plenary/Keynote			
Moderator: Anamaria Popescu			
8.30am – 9.15am	Keynote speaker Chinese outbound investment in the Pacific region and international dispute resolution Sarah Grimmer - Hong Kong, Secretary General, Hong Kong International Arbitration Centre <i>Kindly sponsored by Berkeley Research Group (BRG)</i>		
Session 4: Moderator: Barbara Saegers		Session 4A: Moderator: Michael Taylor (Russell McVeagh)	
9.15am – 10.05am	There's Always Time to Get it Right Primary Panelist: Simon Hughes QC (United Kingdom) Panelists: Peter Brogden (United Kingdom) Carla Mills (Australia) Chris Horsfall (Australia) John McMillan (United Kingdom) Wendy MacLaughlin (Australia)	9.15am – 10.05am	Is there a case for mandatory independence of contract administrators? Primary Panelist: Stuart Robertson (New Zealand) Panelists: Karen Groulx (Canada) Kirsti Olson (Scotland and England) Helen Macfarlane (New Zealand)
10.05am – 10.30am	Morning tea		
Session 5:		Session 5A: Moderator: Amy Rutherford (Greenwood Roche)	
10.30am – 12.30pm	Academic forum Facilitators: Dr Matthew Bell (Melbourne Law School) and Associate Professor Dr Naseem Ameer Ali (Massey University)	10.30am – 11.20am	Time is money: making delay and disruption evidence relevant, reliable and persuasive Primary Panelist: Tim Breakspear (Australia) Panelists: Emily Simnor (New Zealand) Scott Steigler (United Kingdom) Keith Kirkwood (United Kingdom)
		11.20am – 12.10pm	How BIM and Dispute Boards will prevent disputes in construction projects in Brazil, Chile and Peru Primary Panelist: Marlon Ieiri (Brazil) Panelists: Alex Wagemann (Germany) Gustavo Paredes (Peru)
12.30pm – 1.30pm	Lunch		
	Lunchtime speaker Moderator: Jo-Anne Knight (Simpson Grierson)		
12.50pm – 1.20pm	The interplay between International Commercial Courts and International Arbitration in the resolution of Infrastructure Disputes Professor Doug Jones AO & Professor Janet Walker <i>Kindly sponsored by Simpson Grierson</i>		
Session 6: Moderator: James Lewis (Hesketh Henry)		Session 6A: Moderator: Gavin Shaw (Beca)	
1.30pm – 2.20pm	Quantum meruit as a remedy in construction law	1.30pm – 2.20pm	Collaborative (Mahi Ngatahi) Contracting - are standard form contracts being crafted (built) for change

	Primary Panelist: Andrew Skelton (New Zealand) Panelists: David Robertson (United Kingdom) Zoe Bashford (New Zealand)		Primary Panelist: Anil Changaroth (Singapore) Panelists: Anand Juddoo (Mauritius) Sue Kim (London) Laina Chan (London)
2.20pm – 3.10pm	I'm a Contractor, Get Me Out of Here! Primary Panelist: Anne Connolly (Singapore) Panelists: Jon Prudhoe (Singapore) Ben Bury (Hong Kong) David Ulbrick (Australia)	2.20pm – 3.10pm	How are novations and assignments likely to dovetail with increasingly sophisticated procurement models? Primary Panelist: Mark Holland (New Zealand) Panelists: Ian Becke (New Zealand) Tristan Mao (New Zealand)
3.30pm – 4.00pm	Afternoon tea		
Session 7: Moderator: Janine Stewart (MinterEllisonRuddWatts)		Session 7A: Moderator: Marcus Hogan (NZ Institute of Architects)	
4.00pm – 4.50pm	Construction Arbitrations in India - Recent Trends & Changes Primary Panelist: Rohit Singhal (India) Panelists: Ratan Singh (India) Shourav Lahiri (Singapore)	4.00pm – 4.50pm	Perfect Procurement Primary Panelist: Jonathan Forsey (New Zealand) Panelists: Michael Weatherall (New Zealand) John Kehoe (Australia)
5.00pm – 5.15pm	Announcement of 2023 conference Closing remarks		