

## **PATRICK LEONARD SC**

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Ireland

Patrick has advised and acted as counsel in arbitrations in a wide variety of sectors, including construction, energy, infrastructure, property and financial matters. His experience as counsel includes advising parties to disputes governed by Institutional Rules, such as the ICC. He has also acted as counsel before CAS.

Patrick is a Vice Chair and member of the Steering Committee of the ICC Commission on Arbitration, a member of the ICC Taskforce on Addressing Issues of Corruption in International Arbitration, the ICSID Panel of Arbitrators, and the EU Panel of arbitrators for bilateral disputes under trade agreements with third countries. He is a former elected member of the Bar Council of Ireland and was Chair of the Arbitration and ADR Committee of the Bar of Ireland. Previously, Patrick was a member of the Executive Committee of Arbitration Ireland and was on the ICC National Committee for Ireland for four years. He is a member of Arbitration Ireland, the Chartered Institute of Arbitrators, ICCA, the LCIA and EFILA.

### **ARBITRATION EXPERIENCE**

Patrick has recently acted as arbitrator in an ICC (EPP) sale of goods dispute, and is acting as arbitrator in several insurance coverage disputes arising from the COVID-19 pandemic, each with a value of approximately €1 million. He is acting as counsel in arbitrations concerning the liability of a public body to construct a museum with a value >€45 million, a claim for an indemnity against an insurance company in respect of 40+ claims for historic sexual abuse, building defect insurance coverage disputes with values >€40 million, and a consolidated arbitration concerning an employer's liability under a Public Works Contract.

His previous experience as party counsel in arbitrations includes:

- Advising a life sciences company in a dispute with its principal client concerning alleged quality concerns in relation to its product
- Representing an international beverages company in a multi-million-euro dispute with a local distributor
- Representing a property fund in a property dispute with a major tenant
- Representing the landlord of a business park in a dispute with tenants concerning dilapidations

- Representing the owner of a business park in a dispute with tenants concerning the calculation of service charges
- Advising a wind farm operator in a multi-million-euro dispute with the turbine manufacturer governed by ICC Rules
- Representing a commercial property owner in a multi-million-euro construction dispute with the developer
- Representing a public body in an infrastructure dispute with an international company where the value of the disputed contract was >€100 million
- Representing a property fund in a multi-million-euro dispute with a major international financial services company in relation to the interpretation of a rent review clause in a lease
- Representing the National Governing Body of a sport in a dispute concerning the composition of the Executive Committee and registration of athletes for Olympic qualifications
- Advising a windfarm company in a multi-million-euro dispute with financiers governed by ICC Arbitration Rules
- Representing both claimants and respondents in domestic construction arbitrations under standard form contracts
- Representing both claimants and respondents in domestic arbitrations under the Law Society General Conditions of Sale

## **EDUCATION AND QUALIFICATIONS**

- Senior Counsel 2013
- Junior Counsel 1997 (England and Wales 2000)
- Certificat de Francais Juridique/Diploma in Legal French, Law Society/Alliance Francaise, 2001
- Graduate Diploma in International Arbitration, University College Dublin, 1999
- Degree of Barrister at Law (1997) and Diploma in Legal Studies (1995), Kings Inns, Dublin
- Graduate Diploma in Business Studies, Smurfit Graduate School of Business, University College Dublin, 1994.
- B.A. (Hons.) in English and Philosophy, University College Dublin, 1993.

## **LANGUAGES**

- English and French

## **ARTICLES, CONFERENCES AND PAPERS ON ARBITRATION**

### **Articles**

*Patrick Costello v the Government of Ireland, Ireland and the Attorney General: Obstacles to the Ratification of CETA in the Irish Constitutional Context*, ICSID Review – Foreign Investment Law Journal, Volume 38, Issue 2, Spring 2023, Pages 286–293.

“*Ratification of the ISDS Provisions in CETA – Current Court and Legislative Challenges – An Overview*”, European Investment Law and Arbitration Review, Vol 7 (2022), Chapter 6.

“*Arbitration in Derivatives Contracts*”, (with Hayley O'Donnell BL) (2022), 39, Journal of International Arbitration, Issue 1, pp. 61-78

“*Ecoswiss: Weakening the UNCITRAL Model Law?*” (with Sarah Daly BL), (2006) Irish Journal of European Law 259.

### **Conferences and Papers**

Speaker at Arbitration Ireland / Perez Llorca Seminar “*Bridging the gap between common law and civil law in international arbitration*” Madrid, 25 April, 2024

Speaker at EUBA & Arbitration Ireland seminar on ‘*Costello v Ireland: CETA and International Arbitration.*’, 24 March, 2023

Moderator, Panel Discussion, Young Practitioners Forum, Dublin International Arbitration Day, Arbitration Ireland, 17 November, 2022

Co-Arbitrator, LSE-LCIA London Vis Pre-Moot, 7 March, 2021.

Co-Arbitrator, Dublin FDI Pre-Moot, 30 October, 2020.

Chair of Webinar on Conduct of an International Arbitration, organised by Arbitration Ireland and the Arbitration Committee of the Bar of Ireland, 30 June, 2020

Chair of the Young Practitioners Seminar at Dublin International Arbitration Day, 15 November, 2019.

Speaker at the Joint Conference of the EU Bar Association and the Barreau de Paris, Commercial Dispute Resolution in Europe after Brexit, Maison du Barreau, Paris, 9 November, 2019.

Panel Moderator, Choice of law in commercial contracts: the perspective of corporate counsel, Dublin International Arbitration Day, 16 November, 2018.

*Vues comparées sur la composition des tribunaux arbitraux*, Société de Législation Comparée/FBLS, Paris, 28 May, 2018.

*Arbitration – Which seat to choose?* Franco-British Lawyers Association/ CIArb (London Branch), London, 13 March, 2017.