

Disputes Resolution Authority

An Córas Eadrána

DRA 02 of 2021: In the matter of an arbitration under the Disputes Resolution Code and the Arbitration Act 2010

Between:

**GLORIA OIFOH ON BEHALF OF AND LEGAL GUARDIAN/MOTHER OF
EMMANUEL
OIFOH AND JEREMIAH OIFOH**

Claimant

v.

GALWAY HEARINGS COMMITTEE - (GALWAY HC)

First Named Respondent

And

GALWAY COMPETITIONS CONTROL COMMITTEE - (GALWAY CCC)

Second Named Respondent

PAT MONAGHAN - GALWAY CHILDREN'S OFFICER

Interested Party

CONCEPTA MCHUGH - OIFOH FAMILY SUPPORT

Interested Party

CAHERLISTRANE GAA CLUB

Interested Party

GAA CENTRAL COUNCIL

Interested Party

Decision as to Costs

Tribunal: Gerard Meehan BL, Eamonn Denieffe, Jarlath Burns
Secretary to the DRA, Rory Hanniffy BL

1. We note that section 11.2 of the Code sets out that a Party shall on application be entitled to its reasonable costs. It further sets out that "if requested by either party, The Tribunal shall measure costs".
2. At the hearing, on 8 September 2021, the Solicitor for the Claimant applied successfully to the Tribunal for a costs order.
3. On 1 December 2021, Solicitors for the County Board wrote to the Secretary to the DRA requesting the Tribunal to measure those costs. The letter was sent to the wrong email address and the Secretary received it together with the Claimant's bill of costs on 13 January 2022.
4. The word "shall" in Section 11.2 obliges the Tribunal to measure costs. We do not believe the fact that Circuit Court proceedings have issued absolves the Tribunal of that obligation.
5. Accordingly, having reviewed the bill of costs, we have measured the Claimant's reasonable costs below. As a comparator we have considered the General Guidelines on Legal Costs and Other Expenses to Persons who become involved with the Commission of Investigation into Irish Bank Resolution Corporation, September 2016. We have not slavishly applied the guidelines; rather we have used them to inform us as to what are reasonable costs for work necessary in the appeal.

3 August 2021 - Consultation - 300 euros

5/6 August 2021 - Completion of Form 1 - 200 euros

Unknown Date - Submissions - 400 euros

8 September 2021 - Fee for Hearing - 624 euros

Total: €1,524.00 plus VAT

Dated 26th January 2022

By email agreement.

Gerard Meehan BL

Eamonn Denieffe

Jarlath Burns