

Bernadette Barker BA (Hons) Dip Arch RIBA MSc (Construction Law & Arbitration) FCI Arb C. Arb
DipICarb ACIEH MIFireE MAE

Chartered Architect Chartered Arbitrator Accredited Adjudicator Accredited Mediator.



Contact Details.

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Bernadette is a Practising Member of The Academy of Experts and is listed with the RIBA (Royal Institute of British Architects) Panel of Experts.

Bernadette has over 25 years of experience as a Chartered Arbitrator and has undertaken various appointments as an arbitrator, adjudicator and expert witness. She also holds memberships on the CI Arb Presidential Panel of Construction Adjudicators and the CI Arb Presidential Panel of Arbitrators, the SCMA Panel of Arbitrators and is also on the HKIAC List of Arbitrators.

Bernadette has completed extensive training in arbitration and alternative dispute resolution, including the MSc Construction Law and Arbitration programme at King's College London, the CI Arb Diploma in International Commercial Arbitration, ICC Arbitration training, and the CI Arb Diploma in International Maritime Arbitration.

Bernadette holds the Cardiff University Bond Solon Expert Witness Certificate (Civil) 2021 and the Cardiff University Bond Solon Expert Witness Certificate (Criminal) 2022 and has undertaken the Bond Solon-Discussions between Experts training course in 2022 as well as the Bond Solon-Scottish Law & Procedure training course in 2023. Bernadette has also appeared in the First Tier Tribunal as an Expert in the UK and as a witness of fact in Sri Lanka before an employment tribunal.

Bernadette qualified as an architect in 1986 and gained broad experience working in private architectural practices for Laing Design, Marks and Spencer, and a specialist construction claims consultant, James R Knowles, before establishing her own business, Barker Consultants, in 1993.

Bernadette's scope of work encompasses appointments as expert witness, mediator, adjudicator, and arbitrator, as well as appointments under the CDM Regulations as Principal Designer.

Bernadette's expertise is not only broad but also highly specialised. She has successfully handled numerous expert witness appointments, including for building defects, cladding

defects, drainage matters, professional negligence, construction contracts, project coordination, health and safety, fire matters, regulatory compliance and the Construction (Design and Management) Regulations. This diverse range of experience ensures she is well-equipped to handle any challenge in these areas.

Summary Profile.

Chartered Architect RIBA (1986) (5146626);
Member of ARB (Architects Registration Board) (051810G);
Chartered Arbitrator (1999) (CI Arb 11886);
Accredited Adjudicator 1998;
Fellow of Chartered Institute of Arbitrators (1994);
Member of the Institution of Fire Engineers (00054342) 2020;
Practising Member of The Academy of Expert Witnesses 2021;
Member of Presidential Panel of Construction Adjudicators - Chartered Institute of Arbitrators ;
Member of Presidential Panel of Arbitrators - Chartered Institute of Arbitrators;
Member of Commercial Rent Panel - Chartered Institute of Arbitrators;
Member of Pub Code Adjudicator's Panel of Arbitrators; Chartered Institute of Arbitrators;
Panel Member of Singapore Chamber of Maritime Arbitration;
Member CIC Register of Adjudicators;
Member CIC Low-Value Disputes Register of Adjudicators;
Member Hunt ADR Panel of Low-Value Disputes of Adjudicators;
CCODR Panel Member for the Commercial Rent (Coronavirus) Arbitration Scheme;
<https://www.ccodr.com/expert-arbitrators/bernadette-barker>;
Member UKAdjudicators;
Hunt ADR Accredited Civil and Commercial Mediator;
Associate Member Chartered Institute of Environmental Health;
Registered with the UK Register of Expert Witnesses;
Registered with Expert Witness <https://www.expertwitness.co.uk>
Registered with ICC United Kingdom Arbitrator and ADR Database [ICC UK Arbitrator Database \(iccarbitratorsdatabase.uk\)](https://www.iccarbitratorsdatabase.uk);
RIBA Register of Experts;
Member of BEWA (Baltic Expert Witness Association).

Memberships.

SME Member of Fire Protection Association;
Centre for Windows and Cladding Technology;
ArbitralWomen;
Society Construction Law;
Adjudication Society;
Kings College Construction Law Association;
Liveryman of the Worshipful Company of Arbitrators;
LCIA London Court International Arbitration;
Supporting Member London Maritime Arbitrators Association; 2024;
Member of London Shipping Law Centre.
WISTA (Women's International Shipping & Trading Association);
Associate member of the CMC.

Training

MSc (Construction Law & Arbitration (Half Scholarship at King College, London);
CI Arb Construction Industry Adjudication training 1998;
BRE BTEC Professional Diploma in Fire Risk Assessment (Life Safety) 2013;

Chartered Institute of Arbitrators Diploma in International Commercial Arbitration 2014;
ICC Arbitration online training October 2014;
Dispute Board Federation FIDIC Contracts Total Immersion Program 2015;
HUNT ADR Mediation Skills Training June 2020;
Various training courses, including for CWCT: Introduction to Curtain Walling
Design and Construction 2021;
Level 5 Diploma in Retrofit Coordination and Risk Assessment June 2021;
Cardiff University Bond Solon Expert Witness Certificate (Civil) 2021;
Cardiff University Bond Solon Expert Witness Certificate (Criminal) 2022;
Bond Solon-Discussions between Experts 2022;
Bond Solon-Scottish Law & Procedure 2023;
Bond Solon- Bespoke Expert Witness Training for Court Appearance in the First Tier Tribunals
2024;
CI Arb Diploma in International Maritime Arbitration 2024.

Committees

Senior-Vice Chair of the Adjudication Society.
Coordinator for the Adjudication Society newsletter.
Court Member of The Worshipful Company of Arbitrators.
Council Member of The Academy of Experts.

In February 1993, Bernadette established Barker Consultants.

My scope of work is varied and has included for:

- Appointments as expert witness, Adjudicator and arbitrator;
- External wall fire reviews and EWS1 forms, building defects in relation to external walls.
- Appointments as Principal Designer, CDM Coordinator and Client Advisor under the Construction (Design and Management) Regulations. Numerous projects include retail, offices, hotel and apartment blocks; private houses, and HMO's.
- Contract Management Support;
- Development of health and safety documentation to include health and policies, risk assessments, method statements, fire plans for building sites, and health and Safety construction site audits;
- Risk assessment of buildings in occupation; Risk assessments for construction & maintenance work;
- Site waste management plans;
- Sustainability audits for hotels;
- Fire safety risk assessments under the Fire Safety Order 2005 include those for blocks of flats, offices, hotels, retail units, scout huts, synagogues, building sites, and shell buildings for dry hire.

Expert Witness

2019 Expert witness report in relation to the appointment of the Principal Contractor under the CDM Regulations in Scotland;

2020 Single Joint Expert Report in relation to fire escape matters between two commercial buildings;

2021 Expert Report in relation to Alphonon terracotta rain-screen cladding, cavity barriers and compartmentation, and potential remedial works to requirements for cavity barriers for an office block/car park;

- 2022 Expert witness report in relation to defects in external walls constructed with Dryvit EPS external wall insulation for a hospital in Northumbria in relation to fire matters to include for review of defects and products installed; Intrusive inspection carried out;
- 2021 Expert witness reports in relation to university accommodation in relation to fire matters and the RRFSO;
- 2021 Single Joint Expert Report in relation to alleged defects and products installed and workmanship in a timber home office garden building;
- 2021 Expert witness appointment in relation to various types of wall cladding including for rain-screen external wall systems, granite rain-screen cladding, a zinc rain-screen cladding system, Optima metal composite wall cladding, a Webertherm external wall insulation system and cavity barriers to include for review of defects and products installed to a hotel in Scotland; Intrusive inspection carried out;
- 2022 -2023 Expert witness appointment in relation to external wall matters to three blocks of apartments, 5, 7 and 14 storeys, respectively in relation to cladding, StoTherm EPS external wall insulation, Kingspan K15, sheathing boards, cavity trays, cavity closers, cavity barriers, compartmentation, Schueco curtain walling, spandrel panels and workmanship; Intrusive inspection carried out;
- 2022 Expert witness appointment in relation to cavity trays, brickwork support systems, fall arrest systems, steelwork clashes, retained façade clash, design coordination and performance of the Architect for two residential blocks of apartments in Sheffield;
- 2022-2024 Expert witness appointment in relation to the CDM Regulations 2007 and 2015 and the performance of the CDM Coordinator for a multi-storey block of flats;
- 2022-2023 Expert witness report in relation to internal fire-stopping matters for 4 blocks of flats in London to include for review of defects, products installed and professional negligence matters;
- 2023 -Expert witness appointment in relation to the *"relevant defects"* within the meaning of s120 of the Building Safety Act 2022, including for fire stopping, cavity barriers, fire doors, & compartmentation matters on a block of flats with Reynobond aluminium composite panels, & also Corium brick slip cladding; Consideration of the FRAEW issued and an intrusive inspection carried out.
- 2023 Advisory expert witness appointment in relation to Marley Eternit Equitone rain-screen cladding on 4-storey office block;
- 2023 Expert witness report in relation to Marley Eternit Equitone rain-screen cladding on 4-storey office block;
- 2023 Expert witness appointment in relation to a fire at a care home and works on a flat roof.
- 2023 Expert witness appointment in relation to a cladding to a hotel;
- 2024 Expert witness appointment in relation to breach of contract and duty of care by the architect and the obligations and performance of the Architect at RIBA Stage 4, on a 9-storey office block;
- 2024 Expert witness appointment in relation to external levels and professional negligence of the architect in relation to commercial buildings.
- 2024 Expert report in relation to the use of the Kemper System on the walkway to a block of flats at roof level and to *"relevant defects"* within the meaning of s120 of the Building Safety Act 2022;
- 2024. Expert appointments in relation to the time required to execute remedial works following the issue of a FRAEW and an Improvement Notice served under the Housing Act 2004 in relation to timber cladding, zinc cladding, fire stopping, cavity barriers, and emergency lighting;
- 2024. Expert appointment in relation to the installation of copper rain screen cladding, insulation and PAS 9980 to an apartment block;

- 2024. Expert appointment in relation to professional negligence of the architect in relation to the specification of external wall materials for a timber frame garden artist's studio and required remedial works;
- 2024. Expert appointment to provide an advisory report in relation to the professional negligence of the architect for barn conversions.

Cladding and External Wall Matters include for:

- 2019 Report on external timber cladding issues to multi-storey residential property in relation to fire risk in Norbury. (6/7 storeys);
- 2019 Report on three multi-storey timber-clad residential properties with timber-clad balconies relation to fire risk in Hackney. 5/7 storeys;
- 2019 Report in relation to timber cladding for a vendor on timber clad block of flats in Twickenham (4 storeys);
- 2020 EWS1 forms and supporting report for multi-storey (4 blocks) residential properties in Greenwich. (10/13 storeys);
- 2020 Preliminary advice to freeholder on two multi-storey residential properties in EC1 (4/6 storeys);
- 2019/2020 EWS1 form for a partially timber-clad apartment block in Lincoln 2019/2020;
- 2020 Review of defects in a rain-screen cladding system used on the elevations, including for a fibre cement rain-screen cladding and a metal composite façade external rain-screen wall for student accommodation in Glasgow. Review of contractor's design obligations;
- 2020 Review of external wall materials for residential block Edinburgh, including for StoTherm Classic external wall insulation system, Marley Eternit natura cladding panels, aluminium rain-screen cladding, and composite metal clad panels;
- 2020 Review of external walls with of a residential block in Worthing in relation to EWS1;
- 2021 Review of external walls with of a residential block in Swindon with StoTherm external wall insulation in relation to EWS1;
- 2021 External wall review of a residential block in Cambridge with zinc cladding and Velfac aluminium composite panels in relation to EWS1;
- 2021 Monitoring and review of external walls with Cedral composite cladding and timber frame construction of residential blocks in Rayleigh, Essex, in relation to EWS1;
- 2021 Monitoring and review of external walls of residential blocks in Northwood, Middlesex with some 'green' walls in relation to EWS1. Products included Xtratherm SR;
- 2021 Monitoring and review of external walls of a conversion of a hospital to flats in Rochester, Kent, in relation to EWS1 to include advice during construction in relation to remedial works to sheathing boards and WM Zinc rain-screen cladding. Products included Rockwool Flexi, Rockwool Rainscreen Duo and WMZinc rain-screen cladding;
- 2020/2021 Review of external walls of Phase 1 residential development in Luton during construction to include for advice during construction in relation to remedial works to insulation to external brickwork, insulation and cavity barrier installation. Products included Xratherm Safe R;
- 2020/2022 Monitoring and review of external walls of residential development under construction in High Wycombe in relation to EWS1 to include advice during construction in relation to remedial works to external insulation and cavity barriers. Products included the Wienerberger Corium Cladding system and Rockwool Duo Slab insulation.

Building Safety Act 2022

- 2024 Appointment to develop and provide the building case report under Section 85 of the Building Safety Act 2022 for a block of flats undergoing external wall remediation works following a remediation order under the Building Safety Act 2022 in relation to defective external cladding.

Construction (Design and Management) Regulations

Projects I have worked on over the years as either, Planning Supervisor, CDM-Coordinator or Principal Designer under the various CDM Regulations respectively, include for:

- The Mall Extension, Maidstone;
- The Palace Hotel Southend for the Yianis Group; www.yianis.com;
- Residential blocks for the Yianis Group, including for Tower House, Olympic House, Simpson House, Wool House, and New Loom House where issues included for AOV's.
- Retail units include for Armani, DKNY, Ermenegildo Zegna, Salvatore Ferragamo, Burberry, Selfridges, Versace, Mamas and Papas and George Jensen.
- Jewellery stores include for Boucheron, George Jensen, De Beers, Pomellato, De Beers, Harry Winston and Wempe;
- Offices including for Alinea Consulting LLP and Rokos Capital Management;
- Various residential projects for Mr Shulem Askler;
- Conversion of bar to offices and residential units for Spaces for Creatives. Issues included for acoustic partitions, plasterboard, compartmentation, cavity barriers, fire-stopping and scaffolding.
- Private house for Ms. Alannah Weston.

I provide assistance to Principal Contractors and contractors in relation to the development of their construction plans, building manuals, programs, method statements and risk assessments;

Training

Provision of training for fire safety awareness, fire marshal, and health and safety awareness and CDM regulations courses provided for contractors, clients and designers.
In-house training to architects on the CDM Regulations.

Oxford Brookes University

Guest lecturer in ADR and Adjudication for Part III Architect students. January 2025.

HS2

Bespoke webinar on Adjudication 2024.

James R Knowles Senior Consultant 1989 - February 1993

Construction contracts consultancy, advising on construction disputes, extension of time claims, building defects reports, and providing advice on construction contracts, as well as expert witness services.

Marks and Spencer Plc Management Architect 1988 - 1989

Responsibilities included briefing and managing consultant architects in relation to the design development of projects, site negotiations, liaison with developers, and the design development of the Marks and Spencer Prototype Foodstore.

Bernadette Barker Architect 1988 - 1989

John Laing Plc Project Architect 1986 - 1988

BHS Perth, Mothercare Belfast, BHS Glasgow, Enoch Square, Mothercare Belfast.

Brewer Smith and Brewer Assistant Project Architect 1985 - 1986 Generally worked on young offenders' institutes - Guys Marsh and Feltham.

John Cox Associates Project Architect-1984 - 1985