

30th Anniversary Conference 2005

Celebrating ADR

27-29 May 2005

**Hyatt Hotel
Commonwealth Avenue
Canberra
Australia**

Informing

Inspiring

Innovating

THE
INSTITUTE *of*
ARBITRATORS & MEDIATORS

AUSTRALIA

Australia's leading ADR organisation



30TH ANNIVERSARY CONFERENCE 2005

CELEBRATING ADR

INFORMING INSPIRING INNOVATING

WELCOME



TIM SULLIVAN
President

It is my pleasure as national President of the Institute of Arbitrators & Mediators Australia, and on behalf of the Conference Committee, to welcome delegates to the Institute's 30th Anniversary Conference: Celebrating ADR.

The Institute has been at the forefront of the development, training, promotion and practice of alternative dispute resolution and maintains its status as Australia's largest and most progressive ADR organisation. This conference provides an excellent opportunity to discuss and consider recent and future developments across a broad range of ADR processes.

The Conference will be opened by the Australian Attorney General, the Honourable Philip Ruddock MP, and provides an opportunity for the Institute to record its participation and associations internationally with the signing of the Memorandum of Co-operation with the Singapore Institute of Arbitrators by its President, Raymond Chan and I along with Councillors from both Institutes.

The keynote address and presentations are being delivered by William K Slate II, President and CEO of the American Arbitration Association, whose involvement is proudly sponsored by leading Australian law firm, Allens Arthur Robinson. I am pleased to introduce Mr Slate as our guest and welcome him to the Conference.



WILLIAM K SLATE II
President & CEO AAA

William K Slate II is the President and CEO of the American Arbitration Association, the largest conflict management organisation in the world. He is the former President of the Justice Research Institute, an inter-disciplinary research and management consulting firm for courts and legal institutions, and the former Director of the Federal Courts Study Committee, a Congressionally mandated seminal study of the federal courts in America.

He has practiced and taught law, and lectured widely on law, administration and management as a visiting professor at colleges and universities, and before numerous state and federal bar organisations. He was the first-ever consultant to the senior staff of the Supreme Court of the United States on strategic planning. He has also been an executive in both the Third and Fourth Federal Circuits, overseeing judicial operations in eight states and the territory of the Virgin Islands. He was a founder and board member of the Council for Court Excellence in Washington, DC; a member of the National Task Force to review the Federal Rulemaking Process, appointed by the Chief Justice of the United States; a member of the Carnegie Commission Task Force on Complex Issues of Science and Technology in Judicial and Regulatory Decisionmaking; he conceived and founded the Commercial Arbitration and Mediation Center for the Americas (CAMCA) for the resolution of private party commercial disputes under the North American Free Trade Agreement (NAFTA) accords – the first such tri-national entity in the world involving institutions from Canada, Mexico and the United States. Most recently he conceived and founded the Global Center for Dispute Resolution Research. The Global Center is the only research entity in the world focussed on conflict management in international commercial transactions. He also led the acquisition of ADRWorld.com (the only online dispute resolution news service in existence), and he founded a new e-commerce entity to provide online conflict management.

He holds an MBA degree from the Wharton School of the University of Pennsylvania, a Juris Doctor degree from the University of Richmond Law School and a BA degree from Wake Forest University where he was a Poterat Scholar.

Conference Details

Cancellation Policy – Your registration will be confirmed in writing when full payment is received. We will refund your registration in full if you notify us before 1 May 2005. Any cancellation after this date attracts an administration fee of \$100. No refunds will be payable for cancellations made after 6 May 2005.

CPD/CLE Points – IAMA members may claim 16 CPD points for attendance at the whole Conference. Partial claims are calculated at the rate of 1 point per hour of attendance (excluding refreshment and meal breaks). Where other mandatory CLE points apply, registrants should contact their professional association.

Privacy Notice – The information you provide on this registration form is being collected by IAMA for the purpose of processing your registration for the Conference. The information will not be used for any other purpose and will not be provided to any other organisation.

Team Discounts – Groups of five or more registrants booking from the same organisation/company will be entitled to entry at the IAMA member's rate for all members of that group.

Part Attendance – A daily fee is available for people who wish to attend for one day only rather than the whole Conference. In these cases, registrants will be entitled to a discount of 30% on the standard applicable fee.

New Members – Members are financial members at the date of registration. New applicants for membership will be eligible for the member's rate, provided they have previously forwarded the prescribed entrance fee and annual subscription to the Institute.

Accommodation – A special conference rate of \$225 per night (room only) has been arranged with the **Hyatt Hotel** by booking on **131234** quoting the conference date, venue and conference code G-3001.

Air Travel – We are pleased to announce that **Qantas** is the official carrier for the conference. Book online with **Qantas** and save time and money. Online airfares are cheaper than booking over the phone, plus, you will have access to all the latest fares. Visit www.qantas.com.au/content/dyn/conference/adrMay05.

NB Conference registration fee does not include cost for travel and/or accommodation.



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PROGRAM

FRIDAY 27 MAY 2005

6.00 pm Blake Dawson Waldron Cocktail Party
National Museum of Australia

SATURDAY 28 MAY 2005

8.15 - 8.45 am Registration
Hyatt Hotel, Canberra

8.45 - 9.00 am Welcome
Tim Sullivan, President

9.00 - 9.30 am **Plenary Session 1**
Opening Address
The Hon Philip Ruddock MP,
Australian Attorney General
Chair: Ian Nosworthy

9.30 - 9.40 am Short Break

9.40 - 10.20 am **Plenary Session 2**
Keynote Address
William Slate II
President, American Arbitration Association
Arbitration Trends in the US: Domestic and International
Chair: John Dorter

10.20 - 10.50 am Morning Tea
*Signing of Memorandum of Agreement between
Singapore Institute of Arbitrators & Institute of
Arbitrators & Mediators Australia*
President Raymond Chan and Tim Sullivan with SI Arb
and IAMA Councillors

10.50 - 11.50 am **Session 1**
Arbitration Stream 1
Theme: *Practical Issues in Domestic Arbitration*
Chair: Laurie James
Frank Costigan QC, John Dorter, Michael Rudge SC

Mediation Stream 1
Theme: *ADR & PDR in Family Law*
Chair: Prof Angela O'Brien
The Hon Deputy Chief Justice John Faulks
Family Court of Australia

Adjudication Stream 1
Interactive Demonstration
Phil Theobald, President AIFLAM
John Hertzberg, Heather McKinnon
Theme: *Meeting the Deadline*
Chair: Eric Pratt QC
Tim Sullivan, David Campbell-Williams, Karyn Reardon,
Graham Anstee-Brook, Warren Fischer
Launch of *The Adjudicator's Guide*

12 noon - 1.00 pm **Session 2**
General Stream 1
Theme: *On-line ADR*
Chair: Prof Jennifer David
Prof Laurence Boule, Prof Tania Sourdin, Alan Limbury

Mediation Stream 2
Theme: *Legislated Mediation Programs*
Chair: Bryan Ahern
Doug Humphreys (Registrar AAT, Secretary Council
of Australasian Tribunals), Michael Peedom
(President ACT AAT), Alysoun Boyle

Adjudication Stream 2
Theme: *Adjudication in NSW: View from the Supreme
Court*
Chair: Peter Callaghan SC
The Hon Justice Robert McDougall, Supreme Court of NSW
Discussion panel: Michael Rudge SC, Karyn Reardon,
Warren Fischer, David Campbell-Williams

1.00 - 2.00 pm Lunch

2.00 - 2.45 pm **Plenary Session 3**
Introduction of *Concise Dispute Resolution Procedure:
ADR for Small Business*
Prof Ian Bailey SC, Anthony Makin

2.45 - 3.30 pm **Session 3**
General Stream 2
Theme: *Expert Witnesses and Evidence*
Chair: Ken Stout
Dr Ian Freckelton, Geoff Markham

General Stream 3

Theme: *Industry & Govt Schemes in Practice*
Chair: Peter Ward

Stephen Hibbert, Prof Jennifer David, Paul O'Shea

Adjudication Stream 3

Theme: *Adjudication in Victoria: The Court's Perspective*
Chair: Andrew Kincaid

The Hon Judge Frank Shelton, County Court of Victoria

Discussion panel: Laurie James, Graham Anstee-Brook,
David Thyer

Afternoon Tea

Session 4

Theme: *International Arbitration*

Chair: Robert Hunt

Prof Michael Pryles AM, Alan Thambiyah, Mirina Muir,
Peter Wood

Mediation Stream 3

Theme: *Commercial Mediation*

Chair: Janet Grey

Sir Laurence Street AC KCMG QC,
The Hon Trevor Morling QC, Ian Nosworthy,

The Hon Tony Fitzgerald AC QC

5.00 - 5.25 pm

Plenary Session 4

State by State Presentations by IAMA Chapter Chairs

IAMA Annual General Meeting

Allens Arthur Robinson 30th Anniversary Conference

Dinner, Hyatt Hotel

After Dinner Address

William Slate II

President, American Arbitration Association

A Few Met and Unmet Challenges in Our Shared

Endeavours

Sunday 29 May 2005

9.00 - 10.00 am

Session 5

Theme: *Legal Trends*

Chair: Linda Griffiths

David Spencer, Juliette Ford

General Stream 4

Theme: *Practitioner to Practitioner*

Chair: Geoff Standen

ADR Practitioners and Legal Practitioners Discuss Their

Various Expectations of ADR

Andrew Gill, Minter Ellison; Rod Badgery, Dibbs Barker

Gosling; Peter Ward, Blake Dawson & Waldron;

Michael Earwaker, Clayton Utz; tba, Allens Arthur Robinson

Session 6

Theme: *Innovation: The Way Ahead for Domestic*

& International Arbitration

Chair: Graham Easton

Prof Ian Bailey SC, Darren James, Alex Baykitch

Theme: *Practice Skills*

Chair: Alysoun Boyle

Prof Dr Dale Bagshaw, Robert Altamoro

Launch of the *IAMA Mediation Pack*

Morning Tea

Plenary Session 5

Address

William Slate II

President, American Arbitration Association

The Impact of Culture and On-Line Realities in Arbitration

and Mediation

Chair: Ian Nosworthy

Plenary Session 6

Closing Address

Tim Sullivan, Laurie James, Ian Bailey SC, Ian Nosworthy

& Gordon Tippett

Lunch

Wordwave Presentation

1.00 pm

2.30 - 3.30 pm

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CONFERENCE REGISTRATION FORM

This form becomes a tax invoice/tax receipt on full payment. ABN 80 008 520 045.

PERSONAL DETAILS: *(Please print)*

Surname: _____ Prof/Dr/Mr/Ms/Other: _____

Given Name: _____

Preferred Name (for badge): _____

Cocktail Party Partner's Name: _____

Mailing Address: _____

Postcode: _____

Telephone: () _____ Fax: () _____ Email: _____

Any special dietary needs? (Please specify): _____

Early Bird Registration (Payable by 29 April)

Members \$495 (incl GST) pp ea x + \$ _____

Non-Members \$745 (incl GST) pp ea x + \$ _____

Registration (Paid after 29 April)

Members \$595 (incl GST) pp ea x + \$ _____

Non-Members \$845 (incl GST) pp ea x + \$ _____

Conference Dinner \$95 (incl GST) pp ea x + \$ _____

Total Fee Payable \$ _____

Please circle the Session and Stream you would like to attend:

Friday 27 May 2005

Cocktail Party

Saturday 28 May 2005

	Session 1	Session 2	Session 3	Session 4	AGM
Plenary Session 1	Arbitration Stream 1	General Stream 1	General Stream 2	Arbitration Stream 2	
Plenary Session 2	Mediation Stream 1	Mediation Stream 2	General Stream 3	Mediation Stream 3	
	Adjudication Stream 1	Adjudication Stream 2	Adjudication Stream 3	Plenary Session 4	
	Plenary Session 3				

Sunday 29 May 2005

Session 5	Session 6	
Mediation Stream 4	Arbitration Stream 3	Plenary Session 5
General Stream 4	Mediation Stream 5	Plenary Session 6

PAYABLE BY CHEQUE/MONEY ORDER/CREDIT CARD

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Forward completed Registration Form and payment to:

The Institute of Arbitrators & Mediators Australia
National Office
PO Box 13064 Law Courts Vic 8010 Australia
Telephone: 03 9607 6908 Facsimile: 03 9602 2833 Email: national@iama.org.au
Website: www.iama.org.au

CONFERENCE PRESENTERS & FACILITATORS

BRYAN AHERN

BE (CIVIL) HONS, MENGSc (CIVIL), GRAD DIP LEGAL STUDIES, MIEAUST, CPENG, MIAMA, MAIPM.

National Councillor; Former ACT Chapter Chairman & Secretary, Grade 2 Arbitrator / Accredited Mediator, Construction arbitrator, mediator and experienced consultant with both formal qualifications and practical experience in contract construction and maintenance of major civil and building works and ITC projects. Specialist consultant in commercial contracts in all stages from concept development through to documentation, tendering, administration, and dispute resolution.

ROBERT ALTAMORE

President of Blind Citizens Australia and Vice-President of the Australian Federation of Disability Organisations. He has 25 years experience in policy development and implementation and advocacy for people with disabilities. He is a member of the ACT Disability Advisory Council and was its immediate past Chairperson. Robert has qualifications in Law and Arts, extensive experience in policy development and legal services in the public sector and is employed as a Senior legal officer with the Australian Government Solicitor.

GRAHAM ANSTEE-BROOK

Graham Anstee-Brook is a leader in construction law in Western Australia and heads up a Minter Ellison team of lawyers dedicated to provide strategic and legal advice across all aspects of the construction industry. His expertise and experience enables him to assist clients in all phases of a project from tender preparation and contract negotiation and drafting to contract administration claims advice and dispute resolution. He is a committee member of the Institute of Arbitrators and Mediators (Western Australia), a graded arbitrator, accredited adjudicator and has been instrumental in developing a training course for adjudicators under the Construction Contracts Act (VWA) which has been approved by the Department of Housing and Works.

ROD BADGERY

Rod commenced with Dibbs Barker Gosling in 1982 and was appointed a partner in 1985. He conducts a commercial legal practice.

He has extensively used mediation and arbitration in preference to commercial litigation. He has appeared and represented various parties, extensively in the construction industry in arbitrations and mediations. He has advised and assisted in adjudications under the Building and Construction Industry Security of Payment Act 1999.

Rod has commercial litigation experience and has successfully conducted mediations of complex disputes before trial.

PROF DR DALE BAGSHAW

Associate Professor Dale Bagshaw, PhD, the Director of the Conflict Management Research and Postgraduate Studies in the School of Social Work and Social Policy, University of South Australia, has educated and trained many mediators in Australia and overseas since the early 1980's. Dale was inaugural chair of SADRA (1988-1999), President of the World Mediation Forum (2001-2003) - currently Vice-President, and is the inaugural President of the Asia Pacific Mediation Forum.

PROF IAN BAILEY SC

A barrister since 1983, Senior Counsel since 2004, specialising in construction law throughout Australia. Professorial Fellow; the University of Melbourne and Director of Studies for the Construction Law Graduate Program. Adjunct Professor; Faculty of Law UTS. Practising architect from 1970 to 1980. Court appointed Referee in NSW, IAMA National Vice-President 2004-2005 and Chairman of the NSW Chapter of the Institute

2000 to 2003. Fellow and Grade 1 Arbitrator of IAMA; accredited mediator.

ALEX BAYKITCH

A partner at Blake Dawson Waldron in the Litigation & Dispute Resolution Group, specialising in international commercial arbitration, maritime, aviation and customs and tariff law. He advises on both commercial and litigious matters. He conducts domestic and international arbitrations frequently arising from shipping, oil and gas, commodities and aerospace disputes. These arbitrations include references under the ICC, UAAA, GAFTA, and UNICITRAL rules as well as many ad hoc arbitrations. Alex is a Director of ACICA.

PROF LAURENCE BOULLE

Laurence Boule is Professor of Law at Bond University, where he has been Associate Dean and was Foundation Director of the Dispute Resolution Centre. He is a member of the Native Title Tribunal and the Law Council ADR Committee, is an Adjunct Professor in the University of Queensland, and was chair of the National Alternative Dispute Resolution Advisory Council for six years. Professor Boule has published extensively in constitutional and administrative law, employment law, and mediation and ADR. His Australian text *Mediation: Principles, Process, Practice* has been published in separate editions in Australia, New Zealand, Singapore, Canada, South Africa and the United Kingdom. He is editor of the ADR Bulletin and of title 13, 'Dispute Resolution', of *The Laws of Australia*. He practices as a mediator and dispute resolution consultant and trainer throughout Australia and has been a visiting professor and scholar at universities in Africa, North America, Europe and New Zealand.

ALYSOUN BOYLE

With extensive ADR experience in land/planning development, bushfire reparations, workplace, harassment/discrimination, commercial, legal and community disputes. Alysoun is also a mediation trainer. In 2005 she rewrote the IAMA Mediation Handbook and developed new Competencies for IAMA Accredited Mediators. A National Councillor and member of three IAMA National Committees, she is Chair of the ACT Chapter, a Member of the ACT Administrative Appeals Tribunal and the St James Ethics Society.

PETER CALLAGHAN SC

RFD S.C. LL. M (SYD)

Peter Callaghan took over Chairmanship of the NSW Chapter of IAMA in July 2003. Admitted to the NSW Bar in 1971, he took Silk in 1994, and has been involved in construction law since his days as an Articled Clerk in the early 1960s. He has sat as an acting Judge and regularly adjudicates in construction law cases as an Arbitrator or Court Referee. Peter is also a Judge Advocate in the Navy.

DAVID CAMPBELL-WILLIAMS

David Campbell-Williams is a construction lawyer of almost 30 years standing, with a primarily "back end" focus and extensive experience in not only conventional litigation, but also arbitration and other alternative dispute resolution process. He has since 1998 been closely involved in the introduction of the Building and Construction Industry Security of Payment Act and is currently at the forefront of Security of Payment in New South Wales, as a lawyer advising parties and an experienced Adjudicator. He is a Grade 2 Arbitrator and serves on the NSW Chapter Committee.

FRANK COSTIGAN QC

FCIArb (UK), MIAMA

Practice: Admitted to Victorian Bar May 1957 QC: Victoria 1973; NSW 1976; ACT 1976; NT 1978; SA 1988; WA 1996.

Certified Grade 1 Arbitrator & Mediator.

1986: Appointed to the Panel of International Commercial Arbitrators by the ACICA. 1996 Completed the Special Fellowship Course conducted by The Chartered Institute of Arbitrators, London. Elected Fellow. 1998 Elected to the Panel of International Arbitrators of the Singapore International Arbitration Centre.

History: President Australian Bar Association 1979 Chairman Victorian Bar Council 1977-1979 Royal Commissioner into the activities of the Federated Ship Painters and Dockers Union and organised crime 1980-1984. Director and Vice-Chairman Jesuit Social Services

JENNIFER DAVID

LL.M (Srd)

Jennifer is one of Australia's ADR pioneers. She has held professorial appointments and developed post-graduate courses at four universities. She has extensive experience in designing and evaluating dispute management systems.

Jennifer is an experienced mediator, conciliator and arbitrator, currently an arbitrator with NSW WCC and Member ACT RTI. She has taught over 600 ADR courses in Australia and eight overseas countries. Jennifer is a member of the ACT Chapter Committee.

JOHN DORTER

IAMA Past President, ACICA director, Senior Fellow in Faculty of Law at the University of Melbourne. Leading Australian expert in construction contracts & dispute resolution from negotiation & advice to claims and disputes with distressed projects. Co-author of *Building and Construction Contracts in Australia*, & *Commercial Arbitration in Australia - Law and Practice*. General editor of *Building and Construction Law Journal*. Recently involved with ICC power station arbitration in Gulf of Thailand & currently in ICC and UNICITRAL arbitrations in Bangkok, Hong Kong and Kuala Lumpur. Law Council of Australia's representative on OB/3 (MB10) Construction Contracts Committee of the SAA.

MICHAEL EARWAKER

Michael is a partner in Clayton Utz's Construction and Major Projects teams. With degrees in engineering and law, Michael provides specialist advice on both technical and legal aspects of Major Projects and Construction matters. His legal experience encompasses acting for owners and contractors in disputes in building, infrastructure, civil and earthworks projects, chemical and mineral facilities, pipeline installations, roads and power generation facilities. Michael also has significant involvement in dispute resolution having been involved in mediations, arbitrations, facilitated negotiations and court proceedings.

GRAHAM EASTON

Arbitrator and Mediator with over 20 years experience and an extensive practice within Australia and Internationally. He is a Fellow of IAMA and a Grade 1 Arbitrator. He is admitted as a Barrister of the Supreme Court of NSW and also works as a court-appointed Referee. Prior to turning his attention to Dispute Resolution activities, he worked as a Civil Engineer in the construction industry. He also spent a period as an Academic, teaching and writing Construction law and Management topics.

DEPUTY CHIEF JUSTICE JOHN FAULKS

Since June 2004 the Deputy Chief Justice of the Family Court of Australia and a judge of the Court since 1994. Prior to his appointment to the Family Court, Justice Faulks was a Senior Partner of Phillips Fox, practising extensively in family law. He was Chairman of the Family Law Council of Australia from 1992 to 1995, and a Member of the Council between 1990 and 1992. Justice Faulks was President of the Law Council of Australia from

1987 to 1988, Vice President from 1986 to 1987, and Treasurer from 1984 to 1985. He was admitted as a Barrister of the Supreme Court of New South Wales in 1969 and holds a Bachelor of Laws degree from the Australian National University.

WARREN FISCHER

IAMA National Councillor, Chair, Adjudication Committee, Vice-Chair, Qld Chapter, Grade 2 Arbitrator, Accredited Mediator, Adjudicator and co-author of The Adjudicator's Guide. More than 20 years international experience in civil, structural & mining engineering. Energy Arbitrator under Electricity Act (QLD) 1994 & Gas Supply Act (QLD) 2003, Independent Adviser to Co-ordinator General, State Development and Public Works Organisation Act (QLD) 1971 and Specialist Adjudicator under the Body Corporate and Community Management Act (QLD) 1997.

THE HON TONY FITZGERALD AC QC

Fellow, Institute of Arbitrators and Mediators Australia; Fellow, Australian Centre for International Commercial Arbitration Ltd; Fellow, Chartered Institute of Arbitrators; Inaugural Fellow, LEADR. Former Judicial Offices: Judge, Federal Court of Australia 1981-1984; Inaugural President, Queensland Court of Appeal, 1991-1998; Judge of Appeal, New South Court of Appeal, 1998-2001. Public Inquiries Chaired: Commission of Inquiry into Official Corruption in Queensland, 1987-1989; Commission of Inquiry into Fraser Island and the Great Sandy Region; Cape York Justice Study, 2001. Current Offices: Chairperson, Law and Justice Foundation of NSW; Chairperson, National Pro Bono Resource Centre; Honorary Professor, Key Centre for Law, Ethics, Justice and Governance, Griffith University; Director, Australian Research Alliance for Children and Youth.

JULIETTE FORD

Juliette is a partner at Farrar Gesini & Dunn, a family law specialist practice. She was formerly a Deputy Registrar of the Family Court (1999-2001) and prior to that a Senior Associate at Dwyer Durack Lawyers, Western Australia (1996 - 1998). From 1993-1996 she worked at the Aboriginal Legal Service, Western Australia. Juliette also lectures in the area of family law at ANU and is a Council member of the ACT Law Society.

IAN FRECKELTON

Ian Freckelton: Barrister, specialising in medico-legal, criminal, compensation and administrative law. He holds 3 honorary professorial appointments at Monash University, sits on Victoria's Medical Practitioners Board, Psychologists Registration Board, and Mental Health Review Board, is the Vice-President of the International Institute of Forensic Studies and is a consultant to the Australian and Victorian Law Reform Commissions reviewing Australia's evidence laws. He is the co-author of Expert Evidence: Law, Practice, Procedure & Advocacy and editor of the Journal of Law & Medicine.

ANDREW GILL

Senior Associate, Minter Ellison Lawyers, BCOM (UNSW 1990), LLB (UNSW 1992)

Principal areas of practice; Dispute resolution; Agribusiness; Government; Aviation; Construction.

Andrew is a commercial litigation and dispute resolution specialist acting for Government, listed public companies, major financial institutions and private companies in all major jurisdictions in Australia. His strength is conducting large litigation matters, particularly arbitrations which has involved him in high value and complex commercial matters.

Andrew has an interest in alternative dispute resolution, and has been involved in numerous arbitrations, mediations and tribunals. He has attended a number of related courses including the Harvard negotiation course.

JANET GREY

B Arch MA ARAIA MIAMA

Janet Grey is an architect and a grade 1 arbitrator specialising in dispute resolution in the construction industry.

She has acted as arbitrator, court appointed referee, adjudicator, expert determiner, mediator and conciliator and given expert evidence in a variety of building industry and professional disputes. She is a past Vice President of IAMA and is currently serving as an IAMA NSW committee member.

LINDA GRIFFITHS

Linda Griffiths was admitted as a Solicitor in Queensland in May 1980. Since 1986, she has been a member of the Australian Defence Force. She recently completed an LLM (Government and Commercial Law) from ANU, and is now working towards an LLM (Dispute Resolution) from the University of Queensland. External to her military duties, Linda is a member of IAMA, and currently the Vice Chairman of the ACT Chapter.

JOHN HERTZBERG

Solicitor admitted in NSW and is an Accredited Specialist in Mediation. He has had extensive mediation experience in many areas over the past 14 years and is on several mediation panels and he is Director of the Australian Institute of Family Law Arbitrator and Mediators (AIFLAM) and is an Arbitrator and Mediator member of the NSW Workers Compensation Commission. John is regularly asked to assist with mediation and arbitration training.

STEPHEN HIBBERT

Stephen is an IAMA National Councillor and has practised as both a civil engineer and lawyer. He is currently a construction partner at Corrs Chambers Westgarth. He has acted for owners, contractors, consultants and financiers in a wide variety of engineering, construction and infrastructure projects. Stephen is Chair of the national Practice Publications & Rules Committee and a member of the national Finance Committee. He is also a member of the New South Wales Chapter Committee.

DOUGLAS HUMPHRIES

Law & Commerce graduate, UNSW. Admitted as solicitor in 1981. Three years in private practice then joined Legal Aid Commission of NSW. From 1993, Manager, then Director, Criminal Law. 2003 appointed Principal Registrar of Commonwealth AAT. Experience with ADR processes under the NSW Young Offender's Act, Drug Court and MERIT programs & Court Psychiatric Nurse Program. Within the AAT he will have responsibility for implementing processes under amending Commonwealth legislation, passed in March 2005, expanding the range of ADR available in the AAT.

ROBERT HUNT

President of IAMA from 2000 to 2002. He drafted the Institute's Rules for the Conduct of Commercial Arbitrations 1999, the Expert Determination Rules 2001, Mediation and Conciliation Rules 2001, and the Industry and Consumer Scheme Rules, in addition to writing various Practice Notes. He is also the author of various chapters in "A Guide to Arbitration Practice in Australia" (University of Adelaide), and many published articles on arbitration and ADR. Having worked as a civil engineer and builder from 1967, he has practised since 1983 as a barrister, arbitrator and mediator in international and domestic disputes in commercial and construction matters. He is a director of ACICA, a Chartered Arbitrator with the Chartered Institute of Arbitrators and on numerous other ADR panels in Australia and overseas.

DARREN JAMES

Darren is a Senior Associate in the Commercial Litigation Department of Freehills in Melbourne. He has assisted many prominent private and government entities to resolve significant domestic and international disputes in a variety of fora and by a variety of means (including, arbitration, expert determination and mediation). He is admitted to practice as a solicitor and a barrister in the Supreme Courts of Victoria and South Australia together with the Federal, Family and High Courts of Australia. He is a member of numerous professional organisations including the Australasian Forum on International Arbitration (AFIA).

LAURIE JAMES

LLB (1st Class Hons) University of WA 1963. Admitted as a Barrister and Solicitor in 1965. Partner Kott Gunning since 1967, Managing Partner 1991-1994 now Chairman of Partners. National Senior Vice President IAMA and Vice Chairman of WA Chapter. Deputy Chairman (W.A.) of the Construction and Infrastructure Law Committee of The Law Council of Australia. Convenor of the Western Australian Dispute Resolution Service. The Gas Disputes Arbitrator under the Gas Pipelines Access (Western Australia) Act 1998.

ANDREW KINCAID

A member of the Victorian Bar and Chairman of the Victorian Chapter of the Institute. He is Grade 2 arbitrator and was a sessional member of the Victorian Civil and Administrative Tribunal between 1996 and 2000, sitting in the Domestic Building and Retail Tenancies Lists. He has written several papers on commercial, insurance and international law, including a paper on the construction of ambiguous contractual terms (The Arbitrator & Mediator, December 2002) and rectification (Law Institute Journal, April 2003).

ALAN LIMBURY

Alan Limbury, a litigation lawyer since 1964, specializes in intellectual property, trade practices and administrative law. In 1996 Alan became a sole practitioner and Managing Director of Strategic Resolution, a dispute resolution consultancy. He has mediated over 750 disputes with legally represented parties and arbitrated over 180 domain name disputes. He has been a Member of the AAT, Chairman of LEADR, Chairman of the Law Council Dispute Resolution Committee and Chairman of the Law Council Business Law Section.

JUSTICE ROBERT McDUGALL

Graduated University of Sydney with Honours in Arts (1968) and Law (1972). Commenced practice at the New South Wales Bar in 1975. He was appointed Queen's Counsel in 1990. He practised extensively in the areas of Equity, Commercial and Construction law and, particularly after taking Silk, appeared in many long and complex cases, with a particular focus on building and construction industry disputes.

Robert McDougall was appointed as a Judge of the Supreme Court of New South Wales in August 2003. From appointment, he has been one of the three Judges sitting full time in the Commercial and Technology and Construction Lists.

HEATHER MCKINNON

BA LLB, MIAMA

Law Society NSW Accredited Specialist, arbitrator & mediator in family law and qualified child representative. Heather is a partner at Fishburn Watson O'Brien in Coffs Harbour, has lectured at Southern Cross University and advises the Pacific Rim Institute. She is a director of the Australian Institute of Family Law Arbitrators & Mediators, the Chair of Country Committee of Family Law Section, Law Council Australia, member, NSW Women's Lawyers Association, the Association of Family and Conciliation Courts and Vice President, Advisory Committee, Board of the National Marine Science Centre. Heather was awarded the Law Society of NSW, Lawyer of the Year in 1989.

ANTHONY MAKIN

MRICS FAIQS MIAMA ICECA JP

Grade 3 arbitrator, Accredited Adjudicator under the BCSOP Act (NSW) and has completed the Institute Mediation course, Immediate Past President of NSW Chapter of AIQS, Chartered Quantity Surveyor with 40 years experience in cost planning and contract administration on major commercial and civil construction projects, expert witness, court references and expert determination. Tony has served on NSW Chapter Committee for four years.

GEOFF MARKHAM

BE(HONS), CPENG, FIEAUST, FIAMA

Grade 1 arbitrator, court-appointed referee, expert appraiser, accredited mediator. Principal, G A Markham Consulting Engineer Pty Ltd, consulting in dispute resolution, approximately 100 cases encompassing contractual, tortious, trade practices claims (up to \$6M), relating to design/construction of civil/structural engineering works, building construction, marine engineering, façade engineering, concrete technology, contract administration, project management, professional negligence including acting as expert witness. Royal Australian Engineers (1958-1962); Taylor Thomson Whitting Consulting Engineers, Sydney (1963-1990), Managing Director (1980-1990).

THE HON TREVOR MORLING QC

Prior to his appointment to the Federal Court of Australia Trevor Morling QC practised at the Sydney Bar. He is a former President of both the NSW and Australian Bar Associations. Since leaving the Bench he has been occupied almost exclusively as an Arbitrator and Mediator of a wide range of disputes. He is the current Chairman of the Australian Commercial Disputes Centre.

MIRINA MUIR

At Blake Dawson Waldron in their Perth office. Her legal practice spans corporate and litigation areas. She is experienced in arbitration proceedings for resource-based projects, general commercial and international disputes. Mirina sits in various quasi judicial roles as either a panel member or chairperson. She is a graded Arbitrator and accredited Mediator. She is a member of the Chartered Institute of Arbitrators and Australian Institute of Arbitrators and Mediators Australia.

IAN NOSWORTHY

BA, LLB, FIAMA, FCIARB, AIPM, CHARTERED ARBITRATOR.

The Immediate Past President of the Institute. A Mediator and a Grade 1 Arbitrator and a Fellow and Chartered Arbitrator of the Chartered Institute of Arbitrators. He is the Deputy Chairman of the Law Council of Australia's Business Law Section, and its Construction Law Committee. He has practised in South Australia for 36 years and is admitted to practice in the Northern Territory, New South Wales and Victoria, specialising in litigation, arbitration and ADR, in the areas of construction, insurance and engineering disputes. He is a former Councillor of the South Australian Law Society, and is still actively involved in its work.

PROF ANGELA O'BRIEN

Member of National Council of the Institute, Chair of the Journal Committee and a member of the national Educational & Professional Development and Finance Committees. She is also a member of the Victorian Chapter Committee. Foundation Head of the School of Creative Arts at the University of Melbourne. In addition to her teaching and research, she has extensive governance and committee experience on educational, professional and community bodies. She is the Chief Investigator in a large three-year Australian Research Council funded project with Industry Partners from the Departments of Justice, Human Services, VicHealth and Arts Victoria.

PAUL O'SHEA

Paul O'Shea is a lecturer at the TC Beirne School of Law University of Queensland. He teaches business law, banking and finance law and consumer law. He has been a solicitor for 16 years in commercial and consumer law. He is currently a member of the Surveyor's Board of Queensland, the Council of the Financial Cooperatives Dispute Resolution Service, the Complaints Resolution Committee of the Australian Timeshare Holiday Ownership Council and an Alternate Panel Member of the Insurance Ombudsman Service. He has published articles in The Journal of Banking and Finance Law and Practice, The Australasian Dispute Resolution Journal and The Alternative Law Journal and contributed chapters to Butterworths Australian Consumer Credit Law and the CCH Lawyers

Practice Manual. His doctoral research is on industry based consumer dispute resolution schemes.

MICHAEL PEEDOM

Michael Peedom is a graduate in law from the Australian National University. He is a barrister and solicitor of the Supreme Court of Victoria and the ACT Supreme Court. He was the former Director of Legal Services of the Australian Government Solicitor ACT Regional Office and the first Chief Solicitor of the ACT Government Solicitor's Office.

He is currently the President of the ACT Administrative Appeals Tribunal, a Deputy President of the Discrimination Tribunal and a number of other tribunals.

ERIC PRATT QC

Practised law in PNG from 1965, before joining Queensland Bar in 1972. Early member of the Institute of Arbitrators and Mediators. At the Bar he litigated/negotiated Ranger Uranium Inquiry, Kakadu National Park, Nabarlak, Jabiru, Jabiluka and Koongarra. Appointed Q.C. in Queensland and NT 1980, elevated to the District Court bench 1982 where served until retirement in 2000. He was then elected Chairman, Queensland Chapter of the Institute, where he remains.

PROF MICHAEL PRYLES AM

Michael Pryles is a full-time arbitrator with an extensive international practice. He has sat as an arbitrator throughout Asia as well as in Europe, North America and Australia. Michael is a part-time consultant to the law firm Clayton Utz in Melbourne and also has chambers in London. Michael also holds the following positions: President, Australian Centre for International Commercial Arbitration; President, Asia Pacific Regional Arbitration Group; Chairman, ICC Australia; Commissioner, United Nations Compensation Commission; and a Court member of the London Court of International Arbitration. He has published extensively on arbitration and international dispute resolution and is the author of many books and articles.

KARYN REARDON

Karyn Reardon specialises in resolution of large construction and engineering disputes. She has a detailed understanding of ADR practices, having been involved in a number of matters resolved by way of mediation, arbitration, adjudication and expert appraisal. Karyn also drafts and reviews construction and engineering project documentation. Karyn has conducted on-site training for corporate clients, and has lectured in Construction Law and Arbitration Law at QUT. Karyn is Treasurer and Honorary Secretary of IAMA's Queensland chapter, and a National Councillor. She is a graded arbitrator, a registered adjudicator and an accredited mediator, and co-author of The Adjudicator's Guide.

THE HON PHILIP RUDDOCK MP

Philip Ruddock has been Australian Attorney-General since first being sworn in on 7 October 2003. He was again sworn in on 26 October 2004 following the October 2004 election.

Philip Ruddock was first elected to the House of Representatives on 22 September 1973 in the seat of Parramatta. He was re-elected in 1974 and 1975 and was elected for the newly-created seat of Dundas NSW in 1977, and again in 1980, 1983, 1984, 1987 and 1990. He succeeded the retiring Member for Berowra, Dr Harry Edwards, on 13 March 1993. He was re-elected in March 1996 and appointed Minister for Immigration and Multicultural Affairs in the first Howard Ministry.

Following the October 1998 election, Mr Ruddock was appointed the Minister for Immigration and Multicultural Affairs, and Minister Assisting the Prime Minister for Reconciliation, in the second Howard Ministry. In January 2001, he became Minister for Immigration and Multicultural Affairs, and Minister for Reconciliation and Aboriginal and Torres Strait Islander Affairs.

He was again re-elected in November 2001, and on 26

November 2001 became the Minister for Immigration and Multicultural and Indigenous Affairs in the third Howard ministry.

Mr Ruddock graduated from Sydney University (BA LLB). Before entering Parliament, he was partner of the boutique commercial and general law firm, Berne Murray and Tout in Sydney.

MICHAEL RUDGE SC

Has practiced as a solicitor with Allen Allen & Hemsley from 1973 - 1982. During that period he practiced in general commercial work for the first 5yrs & for the last 4 was engaged in general commercial litigation. Upon his call to the Bar in 1992, he undertook general commercial litigation & for approximately the last 15 yrs has specialised almost exclusively in matters relating to the building & construction industry. Michael was appointed by the Supreme Court & District Court as a Referee in building disputes and has conducted a number of Mediations. He took silk in 1998.

HIS HON JUDGE FRANK SHELTON

Appointed County Court Judge September 1994.

Judge in charge of Building List in the County Court since 1998.

Past National President (1989-92) and Honorary Fellow of the Institute of Arbitrators and Mediators Australia.

Honorary Fellow of the Australian Property Institute and Building Dispute Practitioners Society.

Partner of Minter Ellison, Solicitors, and its predecessors from 1970 to 1994.

PROF TANYA SOURDIN

Professor in Law and Dispute Resolution, La Trobe University, Professor Sourdin is an experienced teacher, mediator, conciliator and adjudicator, who has considerable experience and knowledge of litigation and ADR processes in Australia. She is the author of a number of books, reports, articles and papers on the subject of ADR. She is a member of the National Alternative Dispute Resolution Advisory Council and the Administrative Appeals Tribunal.

DAVID SPENCER

Solicitor and Senior Lecturer-in-Law, Macquarie University, Contract Law and Dispute Resolution. In 1994-1995 David took a year out of legal practice to work for the ACDC as their Dispute Resolution Adviser. He is on the editorial Board of the Australasian Dispute Resolution Journal where he writes the quarterly case notes and is the author of "Essential Dispute Resolution", Dispute Resolution in Australia: Cases, Commentary & Materials with Associate Professor Tom Altobelli. He also co-writes a column for the World Arbitration and Mediation Report (Pennsylvania State University) on international mediation with Professor Nadja Alexander.

GEOFF STANDEN

Partner and head of the Construction and Engineering Division of Colin Biggers & Paisley. He was admitted as a solicitor in 1977, joined the firm in 1984 and became a partner in 1986. Geoff holds a Master of Laws degree. He practices extensively in the building, construction and engineering industries. Geoff is a committee member of The Institute of Arbitrators & Mediators Australia and a member of its editorial advisory panel. He is a Fellow of the Australian Institute of Company Directors, a member of the International Bar Association, the Inter-Pacific Bar Association, the Law Council of Australia Construction Law Committee, the Australian Institute of Project Managers and the Environment and Planning Law Association (NSW) Inc. and a life member of LawAsia and a member of its Construction Law Committee. He also co-ordinates the Advoc-Asia Construction and Engineering Law Group.

KENNETH STOUT

Ken is an IAMA National Councillor and Chair of the National Finance Committee, forensic chartered accountant, official liquidator, federal & state supreme courts, corporate finance specialist; previously investigating accountant with Victorian Law Dept. and partner, Ernst and

Young. Since 2000 Ken has combined his boutique accounting practice around litigation support as an expert witness, management of shareholder disputes with an ADR focus and corporate recovery. Ken also provides credit training and risk management courses to banks and credit-based businesses.

THE HON SIR LAURENCE STREET AC KCMG QC

Sir Laurence was Chief Justice and Lieutenant Governor of NSW. Since leaving the Bench he has been actively engaged in commercial mediation and has conducted over 1500 mediations principally in the field of major commercial disputes. He is a Fellow of the Chartered Institute of Arbitrators (UK) and an Honorary Fellow and Grade 1 Arbitrator of the Institute of Arbitrators and Mediators. Amongst other current appointments, Sir Laurence is President of the Asia-Pacific Council of the London Court of International Arbitration and Chairman of the Australian Government's International Legal Services Advisory Council. In recent years he was a Director, and later Chairman of the major Australian newspaper group John Fairfax Holdings Ltd. He is associated with a number of Australian and International ADR organizations and has maintained close involvement in speaking and writing on the subject of mediation.

TIM SULLIVAN
(LPAB, MIAMA)

Tim Sullivan is a contract administrator, arbitrator, mediator and adjudicator. He has extensive involvement and experience in alternative dispute resolution of disputes in areas such as building and construction, mining, engineering work, property, franchises, partnerships, professional conduct and professional fees. Tim Sullivan is

President of the Institute of Arbitrators & Mediators Australia, and a member of all National Council Committees.

ALAN THAMIYAH

Since 1989, appointed as arbitrator in over 50 building, engineering and international trade disputes, including: sole arbitrator by the High Court of Singapore, presiding arbitrator in an Kuala Lumpur R.C.A. arbitration, sole arbitrator in an IATA arbitration by U.S. and English lawyers and various appointments by the I.C.C. and S.I.A.C., as appointing authorities, to be Chairman and sole arbitrator. Member of the panel of arbitrators of ACICA, KLRCA, SIAC and SCMA.

PHIL THEOBALD

Practises as an arbitrator, barrister and mediator primarily in family law and succession disputes. He practises in Southern Queensland, northern New South Wales and as a mediator in Tasmania.

He is Chair of the Australian Institute of Family Law Arbitrators and Mediators (AIFLAM) and a member of the Executive of the Family Law Section of the Law Council of Australia. He coaches at mediation courses run by Bond University and teaches at the Family Law Arbitration Course run jointly by Bond University and AIFLAM.

DAVID THYER
MIAMA MAIB

David Thyer practices as an arbitrator, expert determiner, mediator and adjudicator in building and construction disputes. David is a Grade 2 Arbitrator and an Accredited Mediator and Adjudicator with IAMA and is currently the Vice Chairman of the Victorian Chapter Committee of IAMA. David has over 20 years experience in the building

and construction industry and is a Director of Thyer & Associates Pty Ltd - Construction Contract Consultants with extensive experience in contract administration, claims preparation and analysis, report writing, arbitration and litigation support, alternative dispute resolution and contract documentation

PETER WARD

A Senior Associate at Blake Dawson Waldron in Canberra, Peter's practice is focused on contractual disputes, construction law, and government and administrative law matters. He has acted for Commonwealth agencies and corporate clients, both before the courts and in ADR procedures. He also advises in relation to managing emerging disputes and on dispute resolution provisions in contracts. Peter acted for the Northern Territory Government in numerous cases in court, on appeal and advised on several major infrastructure project disputes. He is a member of the ACT Chapter Committee of the Institute.

PETER WOOD

Peter is a construction specialist with experience in the transactional and litigious sides of construction projects. He has experience in all forms of dispute resolution including litigation, adjudication, mediation and arbitration and international arbitration. Before joining Minter Ellison he practised as Counsel, appearing in a wide range of Courts and tribunals.

Peter was the lead lawyer in the Fluor v Anaconda arbitration conducted before an eminent international panel and listed by American Lawyer in the largest ten arbitrations in the world in 2002 and 2003.

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