

ADR CONFERENCE

8-9 November 2014

*Sheraton Noosa Resort,
Queensland*



**ADR in a Changing World -
perspectives from home and abroad**

9 CPD points including Ethics and Practice Management. Code BAQADR14



**BAR ASSOCIATION
OF QUEENSLAND**

CONFERENCE WELCOME

The ADR Committee of the Bar Association of Queensland welcomes you to the annual ADR Conference to be held at the Sheraton Noosa Resort on Saturday 8 and Sunday 9 November 2014.

Our theme is ADR in a Changing World - perspectives from home & abroad

Each year the conference brings together mediators and other ADR practitioners for a convivial and informative weekend of professional development. The conference program has a variety of formats designed to provide you with new and honed skills, knowledge, information and motivation. Feedback from previous conference attendees has been outstanding and you will not want to miss out on this one!

This year we have a multi layered approach with:

- Master class workshops on international mediation perspectives, including ethics and updates new developments
- Short and sharp papers on topics from family law and P & E to commercial law
- Open mike – your turn!
- A variety of formal and informal discussions

Our keynote presenters include international mediators:

- Michel Kallipetis QC FCI Arb
- Phillip Howell-Richardson

From over the border:

- Campbell Bridge S.C. FCI Arb

From Queensland:

- His Honour Judge Michael E Rackemann, District Court and Planning & Environment Court of Queensland
- Michael Klug AM LLB, FAICD, Tim Matthews QC, Dr Jacoba Brasch, Mick Eastwood
- And your committee, Ian Hanger AM QC, Andrew Crowe QC and Doug Murphy QC.

Be sure to register early to secure your early bird discount and your place at this popular conference.

This year we have a special conference dinner 'Beach Vintage' theme. The evening will be the perfect way to wind down after a busy day and catch up with everyone. Come along for a relaxing night dining al fresco on the Lily Pond Terrace. Accompanying guests are welcome!

We have secured a special conference rate at the Sheraton for accommodation. **Click here for more information.** The room block is limited so we encourage you to book early to avoid disappointment.

ABOUT THE PRESENTERS

Michel Kallipetis QC FCI Arb



Michel has 40 years' experience as a practising barrister in the field of general commercial, professional negligence and employment work and he is recognised in The Legal Directories as an expert in his field in Mediation, Commercial Litigation and Professional Negligence. He is an Accredited Mediator with CEDR and ADR Chambers, was appointed to the Hong Kong HKIAC Accredited Mediator Panel and as one of the first CI Arb Mediation Fellows in 2008. He is a member of The Sports Resolution Panel, a PIM Senior Mediator and a Chartered Arbitrator. He is a Recorder and a deputy High Court Judge in Queen's Bench, Chancery and the TCC.

He initiated and was the first Chairman of the Bar Council ADR Committee holding the position for 9 years. He was a member of the working party which drafted the EU Code of Practice for Mediators, and gave expert opinion to JURI, the legal service committee of the European Parliament, prior to its adopting the European ADR Directive.

Michel regularly mediates a wide variety of disputes including: partnerships; banking; insurance and re-insurance; all areas of employment disputes including racial and sex discrimination claims and pension rights; solicitors and valuers' negligence claims; medical negligence and personal injuries claims; construction, engineering and commercial disputes with claims over several £100m including referrals from the Commercial Court and the Technology & Construction Court. Many of the mediations have been multi party disputes and others have involved international companies and the laws of other countries.

He is the author of a chapter on Mediation in Employment disputes in "Mediators on Mediation", and co-author with Stephen Ruttie QC of the chapter on Mediation in the UK in "Mediation in Business" published by Kluwer for the ICC. He regularly conducts training sessions for barristers and solicitors to enable them to represent their clients more effectively in mediation. He carried out mediation training for the Hong Kong judiciary at the request of the Chief Justice, and has conducted seminars on mediation advocacy for the Hong Kong Bar. He is a Distinguished Fellow of the International Academy of Mediators.

Phillip Howell-Richardson



Phillip is another of the UK's most experienced and widely respected mediators. He has had over 35 years' experience as a solicitor and over 19 years of mediating the most complex cases in the UK and internationally.

Phillip became a full time independent mediator in 2005. At the same time he became a consultant in ADR with SJ Berwin LLP and subsequently the head of their ADR Unit. That firm is a leading city law firm with a worldwide presence and a long standing reputation for leadership in mediation and ADR.

He is an accredited mediator with CEDR, a visiting professor in mediation at the University of Hong Kong and an accredited mediator with the Hong Kong International Mediation Centre.

ABOUT THE PRESENTERS

Phillip was one of the first European mediators to be invited to join the International Academy of Mediators as a Distinguished Fellow and he is a mediation Fellow of the Chartered Institute of Arbitrators. He is a member of:

- Resolving Commercial Disputes, led by the Institute of Chartered Accountants (mediator member)
- World Intellectual Property Organisation
- CMAP, Paris, International Chamber of Commerce Mediation Panel
- Sport Resolution (UK) panel
- London Court of International Arbitration
- Fellow of the Institute of Professional Development, London

Campbell Bridge S.C. FCI Arb



Campbell was admitted to the NSW Bar on 25 July 1977 and appointed Senior Counsel in October 1998. He practices as a barrister, mediator and arbitrator from Selborne Chambers in Sydney.

His practice involves appellate advocacy, major inquests, product liability, construction and commercial matters, class actions, disciplinary matters and professional negligence actions. Apart from appearing in numerous arbitrations and mediations for parties, he has been retained as mediator in several hundred Australian and international mediations held in Australia, Singapore and Indonesia in areas of medical and professional indemnity, mining, insurance, commercial law and construction law. He has served on NSW Bar Association Committees over many years and he is currently on the ADR Committee of the NSW Bar.

He is a Fellow of the Australian Centre for International Commercial Arbitration (ACICA) and is an Accredited Mediator in Australia, and on on the mediation panels of Kuala Lumpur's Regional Centre for Arbitration KLRCA and the Indonesian Mediation Centre (PMN). He is also a panel arbitrator of ACICA, KLRCA and Indonesia's National Board of Arbitration (BANI). He is the only non-Indonesian accredited as both an Arbitrator and Mediator in Indonesia. He speaks frequently at international conferences on negotiation, culture and mediation of disputes in Australia and Asia.

Campbell has been a member of the Australia Indonesia Business Council Committee advising on the Economic Partnership Agreement where he had specific responsibility for advising on the incorporation of ADR (with mediation the preferred option) in the Comprehensive Economic Partnership Agreement between the Australian and Indonesian governments. It may be seen that he has a particular interest in Asia and Asian culture. He writes and photographs extensively on subjects concerning Asian culture, history and traditions for various culture and travel magazines such as Asian Geographic (Singapore).



ABOUT THE PRESENTERS

His Honour Judge Michael E Rackemann



Judge Rackemann was appointed to the District Court of Queensland and the Planning and Environment Court on 12 January 2004 after 13 years' practice at the bar. He was a member of the Queensland Environmental Law Association's Integrated Planning Act Subcommittee from 1995 to 2003 and Convenor of the Queensland Bar Association Planning and Environment Subcommittee in 2002 and 2003. He has held a number of extra judicial positions including membership of the National Environment Law Association, the District Court Planning Committee, the District Court Conferences and Judicial Education Committee, the District Court Civil Procedure Committee and the Queensland Environmental Law Association. He is presently the Brisbane Listings Judge of the Planning and Environment Court. His Honour has a particular interest in ADR in planning and environment matters.

Michael Klug AM LLB, FAICD



Michael Klug's primary area of expertise is in ADR and he is one of Australia's pioneering lawyers in this area. He has practised law for more than 40 years since his admission to practice in 1973 and he recently concluded his third term as Partner in Charge of the Brisbane office of Clayton Utz. He is a life member of the Law Council of Australia. He is a former Part-time Law Reform Commissioner and part-time lecturer at QUT and the Bar Practice Course. He is one of the original founders of LEADR and an original director of the Australasian Disputes Centre. He was Inaugural Chairman of Queensland Law Society's ADR Committee and he has taught negotiation to delegates from over 600 organisations, in both the Public and Private Sectors.

Michael has been involved in significant public disputes apart from being one of Australia's best-known speakers and lecturers in the negotiation area both here and overseas. He has extensive board experience across a diverse range of fields including education, health care and transport. He is currently Chairman of the Queensland Rail board and Autism Queensland.

He was appointed a Member of the Order of Australia in this year's Queens Birthday Honours list for significant service to the law in the field of alternative dispute resolution and to the community.

ABOUT THE PRESENTERS

Tim Matthews QC



Tim is the third generation of the Matthews family to practice law in Queensland after his father, the late Honourable RH Matthews QC (Supreme Court Judge, 1967-1989) before his grandfather, the late Honourable BH Matthews (Supreme Court Judge, 1945-1961). He was admitted to the Bar in 1981. He is an extremely experienced trial and hearing barrister practising in Common Law/Insurance, Building and Construction, Commercial, Family Law and Alternative Dispute Resolution. He is a nationally accredited mediator.

Dr Jacoba Brasch



Jacoba holds the degrees of BA, M.PublicAdmin (UQ), LLB (Hons) (QUT), LLM (NYU) and PhD (UNSW). She was admitted to the Bar in 2000 and she practises in Family Law, Mental Health Law, and Customs and Excise.

After working in law-related government jobs for most of the 1990's, including one as Press Secretary to an Attorney-General, she completed her LLM at New York University as a Fulbright Scholar and NYU Graduate Merit Scholar studying Human Rights Law and Medical/Psychiatric Law.

In 2010, Jacoba graduated with a PhD from the University of New South Wales. Her doctoral thesis concerned what constitutes a fair, independent and impartial trial, using Australian courts martial as her subject matter.

Since 2002, Jacoba has been on the board of directors of Barristers Chambers Ltd (The Inns of Court) and is a member of the Council of the Bar Association of Queensland.

Mick Eastwood



Mick Eastwood has a general practice at the bar at Southport. He was admitted as a barrister in 1996 after practicing as a solicitor since 1985. From 2009 to 2011 he was President of the Gold Coast Bar Association. He is a nationally accredited mediator and is an accreditation assessor at the Dispute Resolution Centre, Bond University. He is also an Adjunct Tutor in Personal Property Transactions, Evidence and Land Law and Assistant Professor Professional Legal Training at Bond University.

ABOUT THE ADR COMMITTEE



Ian Hanger AM QC



Ian was called to the Bar in 1968 and took silk in 1984. After a career in litigation he began mediating in 1990. Since that time he has mediated matters including public nuisance disputes, commercial disputes of all kinds, professional negligence, class actions, employment, partnership, insolvency and personal injuries.

He is an Honorary Professor of Law at Bond University, a member of the mediation panel of the Court of Arbitration for Sport, a member of the mediation panel for the International Centre for the Settlement of Investment Disputes and has given papers on mediation in the USA, England, Scotland, Ireland, France, Italy, Croatia, Australia, Hong Kong and New Guinea.

He has been consulted on ADR practice by judges from China, Hong Kong, Japan and New Guinea.

He has been a member of the National ADR Advisory Committee to the Federal Attorney-General in Australia and a member of the Law Council of Australia's ADR Subcommittee, as well as remaining the Chairman of the Queensland Bar Association's ADR Committee.

In 2007 he was appointed a Member of the Order of Australia for his services to ADR and to music. In 2009 he was made a Distinguished Fellow of the International Academy of Mediators and awarded Fellowship as an Eminent Professional by the Royal Institute of Chartered Surveyors in London.

Andrew Crowe QC



Having practised as a litigation solicitor for five years Andrew was called to the Bar in 1985 and then appointed silk in 2000. He holds the degrees of BA LLB (UQ) and an LLM (QUT). He has a wide-ranging commercial practice including appellate work in Banking & Finance, Building & Construction, Contract, Equity, Insurance, Professional Negligence, Property, Trade Practices & Competition and Arbitration, Mediation & Evaluation. Andrew has developed a particular expertise in Intellectual Property.

Andrew has also developed a large mediation practice having mediated hundreds of commercial disputes and is a nationally accredited mediator. He has been a long standing member of the Bar Association of Queensland's ADR Committee and a former member of the Bar Council.

ABOUT THE ADR COMMITTEE



Doug Murphy QC



Doug Murphy has practised at the bar since 1980 except for three years as a solicitor. He was appointed Silk in 2006. His practice, in more recent years, has been in the fields of Commercial and Property Law, Equity & Trusts, Probate and Succession Law. He is a Court approved mediator and case appraiser and has been accredited under the NMAS since 2008.

Since 1996, Doug has mediated hundreds of cases of varying types. First trained at the Bond University ADR Centre, he has also undertaken courses in ADR at the Straus Institute, Pepperdine University, CA and at the American Institute of Mediation in Los Angeles. He has presented papers on mediation topics at many conferences and for professional organizations. He was inducted as a Distinguished Fellow of the International Academy of Mediators in Toronto in May 2013.

He was a member of the Bar Council for a total of 14 years of which he spent four as the Hon. Secretary and four as the Hon. Treasurer. He is a member of the Griffith University Law School Visiting Committee and a member of the advisory board of the Bond University ADR Centre. He has been a long standing member of the Bar Association of Queensland's ADR Committee as well as Chair of the Bar's Succession Law Committee.



PROGRAM AT A GLANCE



Saturday 8 November

Queensland Bar Mediators Conference 2014 – Sheraton Noosa

9.15 - 9.30	Welcome and Opening
9.30 - 11.00	A European Overview – Lessons from the Coalface - Michel Kallipetis QC and Phillip Howell-Richardson
11.00 - 11.30	Morning Tea
11.30 - 12.15	Mediating International Disputes and Domestic Mediations with Non-Australian Parties - Campbell Bridge S.C. FCI Arb
12.15 - 1.00	Is 'Negotiation' a Core Skill for Mediators? - Michael Klug AM LLB, FAICD
1.00 - 2.00	Lunch
2.00 - 3.15	Knotty Problems – Case Studies from Afar - Michel Kallipetis QC and Phillip Howell-Richardson
3.15 - 3.45	Afternoon Tea
3.45 - 4.15	Short Topic: Planning & Environment Court: <i>Problem Solving and Management of Experts in the Mediation Process</i> - His Honour Judge M E Rackemann, District Court and Planning & Environment Court of Queensland
4.15 - 4.45	Short Topic: Hot Tubbing with Experts - Michel Kallipetis QC
4.45 - 5.30	 <i>Open Mike</i> with Tim Matthews QC
7.00	 Cocktails & Conference Dinner – Beach Vintage casual theme

PROGRAM AT A GLANCE



Sunday 9 November


Queensland Bar Mediators Conference 2014 – Sheraton Noosa

9.30 - 10.15 Infrastructure Disputes - *Why They Are Best Resolved by Mediation*
- Campbell Bridge S.C. FCI Arb

10.15 - 10.45 Short Topic: Power Imbalances
- Dr Jacoba Brasch

10.45 - 11.15 Morning Tea

11.15 - 12.30 International Code of Ethics
Michel Kallipetis QC and Phillip Howell-Richardson

12.30 - 1.30  *Open Mike* with Mick Eastwood
Closing remarks

1.30 Lunch and Farewell

TERMS & CONDITIONS

CONFERENCE REGISTRATION FEE *(Does not include conference dinner)*

\$875 Member early bird - book before 5 September 2014
\$925 Member standard - book before the closing date 14 October 2014
\$925 Non Member early bird - book before 5 September 2014
\$1150 Non Member standard - book before the closing date 14 October 2014
\$695 Member Pupil rate - book before the closing date 14 October 2014
*Late fee of \$50 after 14 October 2014
\$90 Dinner per person (Includes three course meal, arrival drinks + cash bar)

CONFERENCE VENUE & ACCOMMODATION

Venue: Sheraton Mirage Resort, 14-16 Hastings Street Noosa, Queensland. Please note entry to the carpark is from Noosa Parade and parking is \$20 per day. Accommodation: Conference rate is \$305 per room and payment is made direct to the hotel.

For further information and bookings, please click on this link to [Starwoods website](#) or call Sheraton Mirage Resort on (07) 5449 4888 and ask for in-house reservations. **Please book early to secure conference rates.**

SPECIAL REQUIREMENTS

So that we can make the conference as enjoyable as possible please advise us of any special dietary, physical or other special requirements.

PRIVACY

Please advise if you do not wish your details to be included in the conference materials or provided to sponsors, or receive promotional materials.

CONFERENCE ATTIRE

Smart casual is recommended as you will be sitting for several hours and, as the temperature in the conference rooms can vary slightly, we advise a jacket or jumper may be necessary.

Conference Dinner - 'Beach Vintage' smart casual or optional theme dress.

CANCELLATIONS

All requests for refunds must be made to the **Chief Executive** of the Bar Association of Queensland and will be discretionary. An administration fee will be charged.

CPD POINTS

Attendees may accrue 1 CPD point per hour of attendance and presenters may accrue 3 CPD points per hour of presentation. All strands are accredited for accredited mediators. Mandatory strands include Ethics and Practice Management; all other sessions are in the Non Allocated strand. Attendance at the entire conference will accrue 9 CPD points.

ENQUIRIES

CPD, Bar Association of Queensland | Helene Breene & Hollie Spencer
Phone: 07 3238 5109 | Fax: 07 3236 1180 | Email: cpd@qldbar.asn.au



BAR ASSOCIATION OF QUEENSLAND

REGISTRATION FORM

BAQ ADR CONFERENCE, 8-9 NOVEMBER 2014

A. REGISTRATION INFORMATION

Surname: _____ Given Name: _____ Barrister
 Title: (Mr/Ms/Other) _____ Preferred Name for Nametag: _____ Judge
 Non member Organisation Name: _____ Solicitor
 Address: _____ DX: _____ Mediator
 Telephone: _____ Email: _____ LEADR
 Special Dietary or Other Requirements: _____ Other

 (Please state)

B. CONFERENCE AND EVENT

\$875 (inc. GST) Member early bird – Book before 5 September 2014
 \$925 (inc. GST) Member standard – Book before the closing date 14 October 2014
 \$925 (inc. GST) Non Member early bird – Book before 5 September 2014
 \$1150 (inc. GST) Non Member standard – Book before the closing date 14 October 2014
 \$695 (inc. GST) Member Pupil rate – Book before the closing date 14 October 2014
 \$50 (inc. GST) Late fee after 14 October 2014

Privacy - Please advise if you do not wish your details to be included in the Conference materials, provided to sponsors or to receive promotional materials.

TOTAL \$ _____

C. CONFERENCE DINNER

\$90 - I will attend the conference dinner on 8 November 2014
 \$90 - I will bring an accompanying person to the conference dinner. Name: _____

Please advise of any special or dietary requirements for your guest: _____

TOTAL \$ _____

D. FORM OF PAYMENT

All payments must be in Australian dollars. Payments may be by cheque made out to "B.A.Q. Trust Fund" or by credit card: American Express Mastercard Visa

_____ Expiry date: _____ / _____

Cardholder's Name: _____

Total: _____ Signature: _____ Date: _____

Please send this form, together with payment to:

B.A.Q. Trust Fund
 Ground Floor, Inns of Court
 107 North Quay, Brisbane Qld 4000
 or DX 905, Brisbane Qld
 or fax (07) 3236 1180
 or Email cpd@qldbar.asn.au

TAX INVOICE

B.A.Q. Trust Fund
 ABN 40583 247 028
 Please note this document is deemed a tax invoice upon payment. Remember to retain original for GST record keeping.