

RESUME of DEREK MICHAEL MINUS



Contact Details

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Education and Professional Qualifications

Chartered Arbitrator, Fellow of The Chartered Institute of Arbitrators, 2002

LL.M (with Distinction) major in Dispute Resolution, University of Technology, Sydney, 1998

Bachelor of Laws, University of Sydney, 1989

Securities Industry Diploma, Securities Institute of Australia, 1987

Bachelor of Science, University of Sydney, Sydney, Australia, 1974

Admitted to Practice, Supreme Court of New South Wales, 1991

- High Court of Australia, 1992

- Federal Court of Australia, 1992

Membership of Professional Bodies

Former President, The Chartered Institute of Arbitrators (Australian Branch)

Fellow, The Chartered Institute of Arbitrators by Mediation FCIArb (Mediation)

Fellow, The Chartered Institute of Arbitrators by Arbitration FCIArb (Arbitration)

Member, New South Wales Bar Association, since 1992

Member, Victorian Bar Association, since 2005

Professional Training

Transformative Mediation Conference,
University of Santa Barbara, USA August 2008

Accredited Mediator under the National Mediator Accreditation Scheme,
July 2008

Appointed a Fellow of the CIArb by Mediation
May 2008

Queen Mary, University of London (student)

International Diploma in Mediation (incomplete) *12 month course, London 2008*

ICC Amicable Dispute Resolution (ADR)

Paris, 14-16 April 2008

LLM (with distinction)

Major in Dispute Resolution

University of Technology, Sydney, 1998

Relationships Australia,

Mediator training course in family breakdown, 1995

Advanced Mediator Training

NSW Law Society, 1993

Lawyers Engaged in Alternative Dispute Resolution (LEADR),

Mediator Training and Accreditation Program, 1992

Conflict Resolution Workshop

Macquarie University,

Centre for Conflict Resolution, 1992

Conflict Resolution Network,

Professional Skills Course, 1991

Expertise

Dual qualified as a Fellow of The Chartered Institute of Arbitrators both by arbitration and mediation, I practise as a barrister, mediator, arbitrator, and conflict management consultant. I am:

- a Barrister practising in NSW courts and tribunals generally in commercial, property and personal injury matters
- a court appointed Arbitrator and Member of government tribunals resolving public disputes
- a Nationally Accredited Mediator and conciliator for both government appointed panels and privately
- a consultant conducting courses on conflict resolution for corporations.



Barrister

- Admitted to practice as a barrister in 1991. Member of the NSW since 1992 and Victorian Bars since 2006. Practice in commercial law, contractual disputes, trade practices and personal injury disputes.
- For the past five years I have maintained a specialist Dispute Resolution practice, appearing as counsel in mediations and arbitrations and appointed to conduct them.
- I have been approved by the NSW Bar Association as an Arbitrator, appointed to the list of District Court arbitrators for 2011/12, the list of Local Court arbitrators for 2010/11, approved as an Expert Determiner, re-accredited as a Mediator and appointed to the NSW Supreme Court list and the District Court list of mediators for 2011/12.
- I specialise in the combined mediation/arbitration of disputes as the sole appointed mediator/arbitrator under the *Commercial Arbitration Act 2010*.

Mediator Experience

Nationally Accredited Mediator by the NSW Bar association, the Victorian Bar Association and The Chartered Institute of Arbitrators (Australia).

Beginning with the New South Wales Law Society Settlement Week panels in 1992, I have conducted well over 1000 mediations and conciliations. I work for different agencies and privately, resolving contractual and financial disputes, partnership disputes, workers compensation, franchising, medical negligence, personal injury, family relationship and many other matters.

As well as experience, I maintain my skills through ongoing study at courses both in Australia and overseas. I practise a transformative style of mediation which allows participants to stay together and discuss and review their differences. My expertise is in settling disputes involving intractable and aggressive participants.

I have been a member of various mediation panels, including:

- The Chartered Institute of Arbitrators international and Australian mediation panels
- NSW Bar Association mediation panel for Supreme and District Courts
- Victorian Bar Association, Advanced mediation panel
- Office of the Mediation Advisor - Franchising Panel
- NSW Workers Compensation Commission & Consumer Trader and Tenancy Tribunal
- Registered Family Dispute Resolution practitioner R000192

Arbitrator Experience

Engaged by the NSW state government as a part-time court arbitrator and tribunal member since 2000.

I have been employed as:

- Arbitration Member (part-time), New South Wales *Workers Compensation Commission* (personal injury jurisdiction), since 2002 - 2010,
- Member (part-time) of the New South Wales *Consumer Trader and Tenancy Tribunal* (CTTT) and a Strata Schemes Adjudicator, responsible for consumer, property and fair trading legislation from 1999 - 2002
- WIPO and auDA arbitrator for the resolution of intellectual property and domain name disputes
- Appointed an arbitrator for District and Local Courts in New South Wales, since 2000.
- Chartered Arbitrator for the resolution of commercial disputes referred under the *Australian Commercial Arbitration Act* or the *International Arbitration Act 1974* under the UNCITRAL Model Law.

Specialist Experience

- Sixteen year background in commercial business as an executive working in the information technology and computer industry for Australian and U.S. multinational companies.
- I have lectured in Trade Practices law, contract law and dispute resolution skills for the Centre for Agency Licensing, University of Western Sydney and conducted corporate seminars on Unconscionable Conduct and the Franchising Code, Misrepresentation and Misleading and Deceptive Conduct in business transactions and interpersonal dispute resolution and conflict management techniques for a number of corporations, including: AMP, Byvan, Stocklands, Chestertons, Knight Frank, Harvey Norman, the Business Brokers Association, the Australian Property Institute, the Property Council of Australia, the Federal Attorney Generals Department and others.
- Highly numerate, with majors in statistics and mathematics from the University of Sydney.
- Completed the Diploma course of the Securities Institute of Australia.