

## PROFESSIONAL PROFILE

### **DEREK MINUS**

**Barrister-at-law**

**Chartered Arbitrator**

**Nationally Accredited Mediator**

I am a barrister-at-law with a specialist practice as a dispute resolver at Mediation & Arbitration Chambers. I hold accreditation as variously: a Nationally Accredited Mediator, Chartered Arbitrator, Expert Determiner and Family Dispute Resolution Practitioner (FDRP). Called to the Bar in 1992, I was an early adopter of mediation and have conducted over 3,000 mediations and conciliations for all types of disputes.

From 1 December 2016, I have been personally appointed as the Commonwealth Government's Mediation Adviser with responsibility for arranging the dispute resolution processes for the Franchising Code of Conduct, the Horticulture Code of Conduct and the Oilcode, which are prescribed codes under the *Competition and Consumer Act 2010*.

My professional profile is available here:

[Mediation & Arbitration Chambers](#)

### **University lecturer**

I teach the undergraduate law course in *Commercial Dispute Resolution* at the University of Sydney Law School as a one semester program for undergraduate and *juris doctor* students. It is the only



undergraduate program in ADR offered at the University covering: negotiation, mediation, arbitration, family dispute resolution, tribunal decision making, dispute resolution management and trade practices Codes and is heavily orientated to practical skills. The course outline is available here: [LAWS5116](#)

### ***“Minus on Mediation”***

Over the past 20 years I have developed an advanced process of transformative mediation (based on the Harvard University Program on Negotiation model) but uniquely involving the practice of Japanese martial arts, in particular the art of Ai-ki-do (the art of Harmony). I am frequently engaged to resolve commercial disputes and in particular partnership breakdowns where there is significant disharmony. I have now started teaching this method to Australian lawyers and conduct this training for Legalwise as the *“Minus on Mediation”* program, see: [Seminar](#)

### **Arbitrator**

I have been qualified by The Chartered Institute of Arbitrators (UK) as a Chartered Arbitrator (their highest qualification) and was the Australian branch president of the CI Arb when Australia revamped its domestic and international arbitration laws. I have participated as a tutor in international commercial arbitration training for the CI Arb and I am a panel member of the Japan Commercial Arbitration Association.

As an arbitrator I am engaged mostly in commercial arbitral work for the New South Wales State government District and Local Courts throughout NSW, including at: Sydney, Albury, Armidale, Bathurst, Coffs Harbour, Goulburn, Katoomba, Lismore, Moss Vale, Newcastle, Port Macquarie, Queanbeyan, Tamworth, Tweed Heads, Wagga Wagga and Wollongong.

### **Tribunal Member**

I have spent over 12 years as an arbitration and mediation member of various New South Wales government Tribunals, including the NCAT (formerly CTTT) and the Workers Compensation Commission (WCC) doing consumer claims and workers compensation matters. I am also a specialist in the practice of combined mediation/conciliation–arbitration processes and I am graded as an expert determiner.

### **Farm Debt Mediator**

I am a member of the NSW Government panel of farm debt mediators. I am also the mediator with the Deputy Prime Minister's Farm Debt mediation roundtable. I am one of only 10 arbitrators appointed by the NSW Government to conduct land access arbitrations directly for the New South Wales State government as a member of the *Mining Act 1992* Panel, see: [Arbitrator](#)

### **Family Dispute resolver**

Since 2007 I have been accredited as a Family Dispute Resolution Practitioner (FDRP) by the federal Attorney-General's department and able to issue s60I certificates and was a member of the Relationships Australia mediation panel from 1993-1999.

I am also a family law arbitrator and a member of AIFLAM. The enactment of the *Family Law Amendment (Arbitration and Other Measures) Rules 2015* introduces a new Chapter 26B in the Family Law rules. These Rules, which took effect from 1 April 2016 provide arbitrators appointed by the parties to deal with financial disputes, with the power to order disclosure and subpoenas that assist with the conduct of a successful arbitration.

### **Mediation & Arbitration Centre**

I have established a Centre for the conduct of hybrid mediation/conciliation and arbitration processes. The combination of these different ADR procedures allows for both flexibility and finality in the handling of small business and family disputes.

### **ADR Publisher and Promoter**

I am a promoter of ADR resources and a publisher of ADR practitioner lists, including:

- The largest listing of over 1,500 accredited dispute resolvers in Australia: [www.adr.org.au](http://www.adr.org.au)
- a "team" of national dispute resolvers at [www.disputeresolvers.com.au](http://www.disputeresolvers.com.au)
- an information website promoting the dissemination of information regarding dispute resolution processes and resources at [www.disputeresolution.com.au](http://www.disputeresolution.com.au)