negocio resolutions

COMMUNICATE INNOVATE COLLABORATE FACILITATE NEGOTIATE MEDIATE EDUCATE

CURRICULUM VITAE

Stephen Lancken

Mediator/Arbitrator/Conflict Management Consultant

BA LLB
Masters of Peace & Conflict Studies (Sydney University)
Accredited Specialist Commercial Litigation and Mediation

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Secondary Education	Newington College Stanmore, Higher School Certificate 1975
Tertiary Education	University of New South Wales BA LLB1981 Sydney University MPACS (Masters Degree in Peace and Conflict Studies) 2011
Admitted as a Solicitor	9 July 1982
Accreditation	Specialist Accreditation: Commercial Litigation and Mediation. **Law Society of NSW** Accredited Mediator. **NMAS** Registered mediator **ACT Mediation Act** Mediator Pursuant to **rule 1177 of the Court Procedures Rules 2006 (ACT)** Accredited Mediato**r LEADR, ACICA, RICS, ArtsLaw and Australian Commercial Disputes Centre**

1 Career Summary

Since 1999 I have specialised in mediation and negotiation and have engaged in advanced study in Peace and Conflict Studies at Sydney University. I am a highly experienced facilitator of processes such as conferences, mediation and group decision making with a special interest in people who have been or are in conflict situations. My practice and teaching focusses on effective communication and decision making, alternative justice and dispute resolution methods. I teach, consult and practice in all areas of conflict management and systems design. Over the last 2 years I have been teaching a course called Conflict in Organisations to postgraduate students at Sydney University as a Visiting Scholar.

1982 to 1999

Lawyer then Partner Owen Hodge Lawyers

Specialising in injury and insurance for plaintiffs and then acted for corporate defendants in insurance and banking and finance litigation

Clients included insurers, banks and insolvency practitioners

Senior partner 1995 to 1999

Retired from partnership to pursue career in ADR

1994 to present

Costs Assessor Supreme Court of NSW

1998 to 2002

Board Member St George Community Housing Co-Op Limited

1998 to 2002, Chair 2002

1993 to 1998

Member Hurstville Board of Governors

1993 to 1998

1999 to present

Consultant Mediator and Arbitrator

2002 to 2012

Australian Principal, The Trillium Group

This organisation offers conflict consulting and skills training in mediation and other ADR processes. The company operates throughout the world

2002

Councillor Law Society of NSW

2002 to present

Arbitrator and Mediator Workers Compensation Commission

2003 to present

Adjunct lecturer Conflict Management, AGSM and University of NSW and Program Director Executive Programs

2005 to 2008

Board Member Cumberland Housing Co-Operative Limited

2008 to 2013

Councillor National ADR Advisory Council
Appointed by the Attorney General of Australia

2011 to present

Visiting Scholar, MPACS, Sydney University
ADR and Conflict in Organisations

2011 to present

Volunteer Indigenous Community Volunteers

2012 to present

Managing Director Negocio Resolutions

2013 to present

Volunteer, Mediators Beyond Borders

2 Qualifications, Accreditations, Appointments, Associations

Qualifications

Bachelor of Laws and Bachelor of Arts ***University of NSW 1981***
Master Peace and Conflict Studies ***University of Sydney 2011***
Accredited Specialist: Mediation & Commercial Litigation ***Law Society of NSW***

Accreditations

Arbitrator and Accredited Mediator ***NMAS***

Accredited Mediator ***ACDC/LEADR/Retail Tenancy Unit/ Workers Compensation Commission/RICS/ArtsLaw***

Accredited Farm Debt Mediator

Accredited Mediator ***Hong Kong International Arbitration Centre***

Mediator ***Law Society of New South Wales***

Appointments

Arbitrator ***District Court of NSW & Local Court of NSW 1984 - 2005***

Mediator ***Supreme Court, Land and Environment Court, District Court and Local Court (NSW), Supreme Court (ACT)***

Costs Assessor ***Supreme Court of NSW 1994 - present***

Arbitrator and Mediator Workers Compensation Commission of NSW

Mediator ***Retail Tenancy Unit (NSW)***

Chair Settlement Week Steering Committee, ***Law Society of NSW***

Adjunct Lecturer ***Australian Graduate School of Management***

Conciliator ***Health Care Complaints Commission NSW***

Chair Independent Property Impact Assessment Panel ***Cross City Tunnel and Lane Cove Tunnel***

Member Experts Working Group Commercial Arbitration Act

Councillor ***NADRAC 2008 -2013***
ACDC Panel of Mediators ***2013***

ACICA Panel of Mediators ***2013***

Associations Past & Present

Member ***Law Society of NSW and St George and Sutherland Law Society***

Fellow ***Australian Institute of Company Directors***

Associate Member ***Institute of Arbitrators and Mediators Australia***

Associate Member ***Chartered Institute of Arbitrators***

Member ***LEADR (Lawyers Engaged in Alternative Dispute Resolution)***

Member Dispute Resolution Committee ***Law Society of NSW 2000 to 2005***

Member Litigation Law and Practice Committee ***Law Society of NSW***

Member ***Corporate Lawyers Association***

Member ***Australian and New Zealand Sports Law Association (ANZSLA)***

Member ***Insolvency Practitioners Association of Australia***

Member Mediation Group ***Hong Kong International Arbitration Centre***

3 Professional Education & Development

Specialist Accreditation Mediation and Commercial Litigation ***1994***

Mediation Workshop ***Harvard University Law School 1994***

Advanced Arbitration Course ***Institute of Arbitrators Australia 1994***

Intensive Mediation Course ***Australian Commercial Disputes Centre 1990***

ADR Workshops Levels 1 & 2 ***The Trillium Group, Sydney 2000***

Australian Institute of Company Directors Course ***1997***

4 Specific Experience & Practice Areas

- Mediation and arbitration of numerous disputes over work grievances, discrimination, wrongful dismissal and workplace abuse (in corporate, school, hospital, club & government agency environments).
- Mediated and investigated numerous disputes relating to workplace bullying and harassment in the private and public sector.
- Advising Government on dispute resolution systems.
- Conciliation of doctor/patient disputes for the Health Care Complaints Commission of NSW.
- Mediation of land issues between Native Title claimants, pastoral lease holders and a state government.
- Facilitated dialogue and community consultation for local and state government agencies (including dispute resolution with community and special interest groups).
- Conciliation and arbitration for a large number of Workers Compensation matters.

- Mediation and arbitration in numerous commercial, professional, partnership, lease and property disputes (including a multi-million dollar dispute in family businesses).
- Conduct of a wide variety of commercial litigation including such cases as *Amann Aviation v Commonwealth* to the High Court, lengthy and complex commercial litigation in all jurisdictions including District, Supreme and Federal Court.
- Appeared as an advocate in the Local, District and Supreme Court and the Court of Appeal.
- Conduct of litigation for such clients as St George Bank, GIO, Catholic Church Insurance and Primary Industry Bank of Australia.
- Conduct as a mediator and arbitrator of numerous matters for claimants and defendants in personal injury and insurance law (including multi-million dollar personal injury disputes, medical negligence, Lawcover, product liability and occupier's liability cases).
- Advocacy, mediation and arbitration in building, construction and general commercial matters (including a multi-million dollar building claim heard over 15 days and a major power station construction).
- Negotiation of Enterprise Bargaining Agreements.
- Sports Law (including Tribunal Chair, hearing an appeal against a failed Olympic Games selection; mediation of a dispute between a national sports body and a sponsorship partner; and mediation of a dispute concerning the trainer's fee for a thoroughbred racehorse).
- Chair of the Independent Property Impact Assessment Panel (IPIAP) for the CrossCity Tunnel and Lane Cove Tunnel Projects in Sydney.
- Mediation between a state owned resource corporation and a contractor alleged to have negligently caused $6.5 million damage to corporation assets.
- Mediation of a dispute between a telecommunications supplier and a third party vendor
- Mediation of many debt and insolvency disputes, acting for a number of Sydney insolvency practitioners in a variety of case types (including significant bank debt recovery actions arising from rural and general commercial lending).

- Many mediations involving issues of property estates and retail leases (for example, a dispute over a will involving significant assets including real estate, bloodstock and a share portfolio).
- Panel Member in the Retail Lease mediation scheme.
- Construction disputes including $50 million dispute relating to construction of a power station.

5 Teaching, Training and University Courses Conducted

Conflict in Organisations ***Centre for Peace & Conflict Studies, Sydney University.***

Conflict Management (Master of Business Administration).
Australian Graduate School of Management.

Five-day Personal Injury Mediation Course ***Hong Kong Law Society.***

Coaching and Assessing of Mediators ***Construction Industry, Development Board of Malaysia; Hong Kong International Arbitration Centre (Mediation Group).***

Training and Assessing of Mediators ***The Accord Group; Law Society of NSW; Institute of Mediators and Arbitrators; Global Mediation Services, The Trillium Group.***

Representing Clients in Mediation ***College of Law; Coudert Bros Lawyers***

ADR, Advanced ADR, Applied Negotiation and Difficult Conversations Workshops***; The Trillium Group (Toronto, Vancouver, Canada, Hong Kong, Sydney, Perth, Brisbane, Canberra, Townsville & Melbourne).***

6 Publications & Seminars

Publications

AS 4608: Standard for the Prevention, Management and Resolution of Disputes ***Australasian Dispute Resolution Journal Dec 2001***

ADR for Insolvency Practitioners ***The Insolvency Bulletin Dec 2000***

The Preliminary Conference: Option or Necessity? ***Australasian Dispute Resolution Journal Aug 2000***

The Benefits of Mandatory Mediation ***Lawyers Weekly Aug 2001***

Compulsory Mediation in Asia ***Asian Dispute Review Sept 2001***

Litigation: Is refusing to mediate worth the risk? ***Law Society Journal Apr 2004***

Mediation: What cases will a court refer to mediation over the objection of one of the parties? ***Law Society Journal Sept 2002***

The responsibility of the neutral party in respect of mediation confidentiality ***ADR Bulletin July 2004***

Reasonable, Cheaper Way to Avoid Filing ***The Australian Apr 2004***

Common Ground on Access to Justice Reforms ***Law Society Journal Dec 2009***

Courts Require Clarity from Lawyers Engaged in ADR ***Law Society Journal Sept 2009***

Lawyers as Conservationists ***Law Society Journal Sept 2008***

Courts Apply Old Principles to New Situations ***Law Society Journal Apr 2009***

Reflections on 'tactics' in negotiation and conflict management ***ADR Bulletin Dec 2007***

Pre-litigation dispute resolution – What new requirements will mean in practice ***Law Society Journal Feb 2011***

Let's be Reasonable ***Lawyers Weekly Oct 2011***

Litigation – Court finds reasonable steps vacuum ***Law Society Journal Dec 2011***

Good faith bargaining – how "good" is it really? ***Law Society Journal* 2012**

Make me an offer I can't refuse ***Lawyers Weekly Apr 2012***

Lawyers & Mediation: What's the right direction for resolution? ***Lawyers Weekly Aug 2012***

Fair Work Act Negotiations - Failure to Bargain may jeopardise your interests ***Law Society Journal Sept 2012***

Mediation: Talking about a resolution **Lawyers Weekly Sept 2012**

Judging Mediation **Lawyers Weekly Dec 2012**

When Mediation Meets Medicine ***Summer 2014/15 MDA National Defence Update***

Clients are looking for more than a settlement ***08 August 2014 Lawyers Weekly***

The Value in a Good Conversation ***2014 PIAA International Conference, Amsterdam***

Communication Skills - Dealing with "Difficult People" ***Momentum, Law Society NSW March 2015***

Seminars Conducted

Part 7B, Supreme Court Act 1970, Reference to Mediation ***College of Law***

Innovative Dispute Resolution for Corporations ***Australian Corporate Lawyers Association***

'Compulsory' Alternative Dispute Resolution Young Lawyers, ***Law Society of NSW***

ADR and Medical Negligence ***NSW Legal Conference***

Representing a Client in ADR ***College of Law***

ADR Processes for Personal Injury Cases ***College of Law***

ADR Processes in Commercial Litigation ***College of Law***

Winning the War without the Battle ***Sparke Helmore***

What You Should Know About Mediation ***Master Builders Association of Malaysia***

Is Litigation the Answer? Law Society Specialist Accreditation Program

Personal Injury Revisited ***College of Law***

Preparation and Management of a Civil Trial: ADR Issues ***College of Law***

ADR for Medical Negligence Disputes ***NSW Legal Conference***

Environmental ADR ***Law Society of NSW***

Mediation Demonstration and Panel Discussion ***Young Lawyers***

The Art of Settlement ***College of Law***

Mediation Demonstration and Update ***Lighthouse Club of Kuala Lumpur***

Improving Your Practice with ADR ***NSW Legal Conference***

Court Ordered ADR: Does it Work? ***Hong Kong Mediation Council***

Workers Compensation ***State Legal Conference (NSW) 2001 to date***

Negotiation for Lawyers ***State Legal Conference & College of Law 2005 to date***

Negotiation/Collaborative Problem Solving ***Various Law Firms***

Finding the answers to effective mediation ***Tonkins Workers Compensation Conference 2012***

Effective Contract Drafting and Negotiation ***Marcus Evans 2008 to date***

In-House Counsel Day - 'Conflict Resolution within an organisation' ***Legalwise 2013***

'Ethics in relation to negotiation and mediation' ***Corrs 2013***

The unique role of the insurer in mediation, ADR and settlement conferences ***NSW Claims 2013***

Negotiation Business and "legal" outcomes, without giving in…Breaking down positions and creating value ***State Legal 2013***

The Bullying Session ***State Legal 2013***

A New Approach to Winning Negotiation Skills ***College of Law 2013***

Negotiation Tips & Traps (Rule 42.1.6.3) Professional Skills ***College of Law 2013***

Negotiating through Conflict ***The Law Society 2013***

"Dealing with difficult parties at mediation" ***CAS Conference 2013***

Solicitors as Executors ***The Law Society 2013***

Negotiation Skills Seminar ***Clinch Long Barrow 2013***

Innovation, Influence or Inhibition ***Kongress LEADR 2013***

Advanced Negotiation Skills ***Law Society NSW***

Dealing with Difficult People ***Law Society NSW***

How to be Effective in Negotiations and Dispute Resolution While Managing Ethical Considerations ***Legalwise 2014***

Dispute Resolution in Leasing ***Legalwise 2014***

Building Your Business with Mediation and Collaborative Problem Solving ***Legalwise 2014***

Workplace Bullying Seminar ***2014***

Restorative Justice Mechanisms & Resolution of Institutional Abuse Claims ***Law Society NSW 2015***

Getting Past No ***ACT Law Society, NSW Public Sector Community of Finance Professionals 2014***

The Ethics and Good Faith of Negotiation and Mediation ***Bartier Perry 2014***

Mediation Workshop College of Law

Alternative Dispute Resolution: The Fundamentals ***Sparke Helmore, Snedden Hall Gallop, 2014***

Negotiating business and "legal" outcomes ***State Legal Conference 2014***

Workers Compensation Session ***State Legal Conference 2014***

Stephen Lancken
Referees

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Former Attorney General of Australia
Contact details on request.

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Family Court of Australia
Former President Law Society of NSW

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