

CURRICULUM VITAE



**THE HONOURABLE
NEIL ANTHONY BROWN
QC, FCI Arb**

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INTRODUCTION:

The Hon. Neil Brown, QC, is an arbitrator, mediator and conciliator.

He had a long and distinguished career in Government and the law. He was actively involved in government as a Minister, Shadow Minister, Member of Parliament and as a delegate to the General Assembly of the United Nations and other international organisations.

He was a Minister in four portfolios in the Federal Government of Australia, including Communications and the Attorney-General's portfolio and a Member of the Australian Parliament. He was actively involved in the carriage of the International Arbitration Amendment Bill in 1988.

He went to the Bar in 1964, was appointed a Queen's Counsel in 1980 and has practised in virtually every area of the law, mainly in commercial, governmental, intellectual property, administrative law, alternative dispute resolution (ADR), town planning, employment and industrial relations law.

Building on that experience, he is now qualified and experienced as an arbitrator, mediator and conciliator.

He is a Fellow of the Chartered Institute of Arbitrators and a Chartered Arbitrator.

CURRENT APPOINTMENTS:

ICSID Member of the Panel of Conciliators at the International Centre for the Settlement of Investment Disputes (ICSID) in Washington, USA.

WIPO Member of the World Intellectual Property Organisation (WIPO) Arbitration and Mediation Center's List of Neutrals and the Center's Domain Name Panel.

NAF Member of the Panel of Arbitrators and Mediators, National Arbitration Forum (USA).

CIETAC Member of Panel of Arbitrators for International (Foreign – related) Disputes of the China International Economic and Trade Arbitration Commission (CIETAC).

KLRC Member of Domain Name Dispute Panel for the Kuala Lumpur Regional Centre For Arbitration

IAMA Member of Domain Name Dispute Panel for The Institute of Arbitrator and Mediators, Australia

AIRC Member of Panel of Mediators, The Australian Industrial Relations Commission.

C INST ARB Member of Panels of Arbitrators and Mediators with The Chartered Institute of Arbitrators (Australia).

PANELIST for the Resolution of Domain Name Disputes at the Regional Centre for Arbitration, Kuala Lumpur, Malaysia, the Czech Arbitration Court, Prague and The Chartered Institute of Arbitrators (Australia).

Vice-Chairman of The Institute of Arbitrators and Mediators, Australia ,Victorian Chapter.

Speaker at meeting of The Institute of Arbitrators and Mediators, Australia, New South Wales Chapter, 2004.

Speaker at LAWASIA conference and Australian Law Convention, 2005, on ‘Arbitration: A viable alternative to judicial resolution?’

Speaker at function of The Institute of Arbitrators and Mediators, Victorian Chapter, 2005 on ‘Recent Arbitration Cases.’

Speaker at Commercial Litigation Masterclass, 2005, on Expert Evidence.

Chair and Speaker at Workshop on Mediation, 2005.

Author of articles and case notes on arbitration and mediation, including recent articles on anti-suit injunctions and orders for interest on arbitration awards.

Certificates of training-WIPO Arbitration Workshop and WIPO Advanced Workshop on Domain Name Dispute Resolution: Update on Practices and Precedents.

- British Passport
- Chambers also in London
- Able to sit on arbitrations and mediations in Europe, USA, Asia, Latin America and Australasia.

INVOLVEMENT IN ALTERNATIVE DISPUTE RESOLUTION:

Mr Brown has had a long-term involvement in all forms of ADR, particularly mediation and arbitration.

Mr Brown is a:

- * Fellow of The Chartered Institute of Arbitrators and a Chartered Arbitrator;
- * graded arbitrator and a mediator accredited by The Institute of Arbitrators and Mediators Australia;

- * accredited Mediator with the Victorian Bar Dispute Resolution Scheme;
- * Fellow of the Australian Centre for International Commercial Arbitration;
- * Fellow and Councillor of the Australian Institute for Commercial Arbitration;
- * holds the Practitioner's Certificate in Mediation and Conciliation of the Institute of Arbitrators and Mediators Australia; and
- * has taken part in virtually every type of ADR.

In recent years he has also conducted two significant inquiries for the Australian Government.

The first was an inquiry into the claims of a 'whistleblower' against a bank. The Inquiry became a quasi-arbitration of a seemingly intractable 12-year old dispute, involving evidence, submissions and the writing of a report. However, all parties accepted Mr Brown's recommendations and the dispute was resolved.

In the second inquiry, Mr Brown was appointed by the Prime Minister as Chairman of the Consultative Group on Constitutional Change which assessed public opinion on certain proposals to reform the Australian Constitution.

Mr Brown now works in mediation, arbitration and the conduct of inquiries in many fields, notably

- * building and construction.
- * intellectual property, communications and IT;
- * commercial, contracts and trade;

- * successful mediation of a dispute between principal engineers and consulting electrical engineers on scope of work, terms of contract and over-run of work;
- * a successful mediation of a building dispute in Sydney between builder-developer and owner, the dispute being over the scope of work, quality of work and variations;
- * has a lengthy interest in the building industry, stemming from appearances in a government inquiry into permanency of employment in the industry and several industrial relations cases in the building and mining industries;
- * town planning cases involving interpretation and application of plans;
- * many proceedings on commercial , trade and business disputes;
- * contested arbitration on liability for GST under a long term contract in the energy industry between electricity producer and purchaser;
- * mediation of a separate case in the same field;
- * many proceedings on domain name disputes for WIPO, the National Arbitration Forum (USA) and the Kuala Lumpur Regional Centre for Arbitration; has a particular interest in intellectual property and IT.
- * mediation of several commercial and other disputes including: the administrative structure and funding of a municipal library, a dispute between landlord and tenant of vineyard and contracting parties as to their respective liabilities under agreement and investment and partnership contracts.

SUMMARY OF PROFESSIONAL CAREER:

- 1964 – present. Barrister and Solicitor in Australia
- 1980 – present. Queen’s Counsel
- 1969 – 1972 Member of Federal Parliament
- 1975 – 1983 Member of Federal Parliament
- 1984 – 1991 Member of Federal Parliament
- 1981 – 1982 Minister for Employment and Youth Affairs
- 1982 Minister for Business and Consumer Affairs
- 1982 – 1983 Minister for Communications, and
Minister Assisting the Attorney-General
- 1985 – 1987 Deputy Leader of the Opposition
Shadow Minister for Employment and Industrial Relations
Shadow Minister for Foreign Affairs
- 1988 – 1990 Shadow Attorney-General
Shadow Minister for Justice
- 1990 – 1991 Shadow Minister for Communications
- 2003 Appointed by Australia to the Panel of Conciliators at the
International Centre for the Settlement of Investment
Disputes (ICSID) in Washington , USA.
- 2003 Awarded the Centenary Medal by the Commonwealth of
Australia
- 2004 Appointed as a member of the World Intellectual Property
Organisation (WIPO) Arbitration and Mediation Center’s
List of Neutrals and the Center’s Domain Name Panel.
- 2006 Appointed to the Czech Arbitration Court panel for the
resolution of European (.eu) domain name disputes.

PROFESSIONAL QUALIFICATIONS:

1964 Barrister and Solicitor of the Supreme Court of Victoria
1980 Appointed as Queen's Counsel

PERSONAL AND EDUCATION:

Born 22 February 1940 in Melbourne, Australia.

Educated at Moonee Ponds Central School, and the University of Melbourne – Graduated as Bachelor of Laws – 1963.

Resident Tutor in law at International House and Ormond College, University of Melbourne – 1963 – 1968.

PROFESSIONAL EXPERIENCE:

LEGAL CAREER:

1963 Articled Clerk

1964 Admitted to practice as a Barrister and Solicitor of the Supreme Court of Victoria.

1964 – 2005 Practised as a Barrister and a Queen's Counsel in the fields of:

- Commercial and Company Law
- Town Planning and Local Government Law
- Building and Construction Law
- Administrative Law and Alternative Dispute Resolution (ADR)
- Industrial Relations and Employment Law
- Criminal Law

Involvement in professional organisations in planning, arbitration and Industrial Relations.

Extensive experience in Alternative Dispute Resolution, including mediation and arbitration.

PARLIAMENTARY CAREER IN THE FEDERAL PARLIAMENT AND THE GOVERNMENT OF AUSTRALIA

1969 – 1972 1975 – 1983	Member for Diamond Valley in the Federal Parliament
16.4.1981 to 7.5.1982	Minister for Employment and Youth Affairs
20.4.1982 to 7.5.1982	Minister for Business and Consumer Affairs
7.5.1982 to 5.3.1983	Minister for Communications and Minister Assisting the Attorney-General
14.9.1982 to 17.12.1982	Acting Attorney-General
1984 – 1991	Member for Menzies in the Federal Parliament
1984 – 1985	Shadow Attorney-General
5.9.1985 to 11.7.1987	Deputy Leader of the Opposition, Shadow Minister for Employment and Industrial Relations and Shadow Minister for Foreign Affairs
1987 – 1991	Member for Menzies in the Federal Parliament

16.9.1988 Shadow Attorney-General and
to Shadow Minister for Justice
11.4.1990

1990 – 1991 Shadow Minister for Communications

Since then, Mr Brown has maintained an active involvement in public affairs, served on government committees and conducted two Inquiries at the request of the Federal Government of Australia.

COMPANY DIRECTOR AND BOARD MEMBER:

At various times, Mr Brown has held the following positions:

- Director of Meridian Communications Pty. Ltd., a private company actively involved in the tendering process for the introduction of satellite TV into Australia.
- Member of the Advisory Board of the Commonwealth Rehabilitation Service (CRS) responsible for the running of the CRS at the time of its restructuring and preparation for conversion to a company.
- Director of Life Insurance Complaints Service Limited, a company overseeing an alternative disputes resolution structure for the Life Insurance industry.
- Chairman of selection panels to recommend appointments to Federal agencies.
- Appointed by the Federal Government as Leader of the Australian National Observer Group, an election observing group.

Detailed information can be provided on these appointments.

INTERNATIONAL EXPERIENCE:

- Australian Institute of International Affairs
Study and Travel Grant for a study of the Indian Ocean region.
- Represented Australia as a Minister at a meeting of Labour Ministers at the Organisation for Economic Co-operation and Development (OECD) – Paris.
- South Pacific Labour Ministers’ Conference – Kiribati.
- Represented Australia as Minister at International Labour Organisation – Geneva.
- Delegate to the General Assembly of the United Nations - New York.
- Leader of the Australian National Observer Group observing independence elections in Zimbabwe.
- Member of the Australian delegation to independence celebrations – Zimbabwe.
- Inter-Parliamentary Union Conference – Guatemala.
- International Conference on issues in the Asian Region - South Korea.
- Bilderberg Group Meeting - Belgium.
- Numerous parliamentary delegations and private study visits to Europe, Asia, Africa and the Americas.

SPECIALIST INTERESTS AND EXPERTISE:

- Arbitration, mediation and conciliation, both domestic and international in intellectual property, all commercial matters, construction and communications.
- The procedures, protocols and structures of Government, encompassing the development and review of legislation and the operation of statutory bodies.
- Factors guiding Government decision-making and issues relating to public and commercial representation and advocacy.
- Legal and political factors attendant to democratisation and free and fair elections.
- Employment and labour relations issues, including Federal and State systems of individual contracting, bargaining, conciliation and arbitration.
- The principles of law and general conduct of public inquiries, including administrative and constitutional factors relating to appointments and composition, procedural fairness and judicial review.
- Legal, regulatory and commercial factors relating to the telecommunications industry.