

**Alison Haly**

Mediator

Haly & Company

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Alison is leading a new generation of national and international mediators. Harvard trained in advanced mediation technique and NMAS and QLS accredited, she has developed unique skills for resolving complex disputes. Until 2013, she practiced for 25 years in international and national law firms including almost 20 years in the firm which became the largest business law firm in the world - DLA Piper. She is a former President of the Australian Insurance Law Association in Queensland and has chaired and spoken at many national and international conferences dealing with risk mitigation, workplace health and safety law and injury claims. In 2013 Alison set up her dedicated independent mediation practice and as a mediator works closely with all parties to ensure they are heard, the case understood and a just result is reached. Accordingly, Alison has a very good working relationship with plaintiff and defence firms and works to build rapport with and between parties. Alison is also on a mission to use her mediation skills to resolve conflict and create constructive dialogue in Australia and around the world.

Alison has participated in and mediated many hundreds of disputes as an advocate but now mediates disputes between parties many times a week. She has always been passionate about the theory and practice of negotiation and mediation, studying and practicing avidly in those fields, culminating in her acceptance into, participation and completion of the "Advanced Mediation Program – Mediating Complex Disputes" at Harvard University with 47 other mediation experts from around the world. This program included reviewing current public disputes involving population resettlement, the effect of toxic by-products on workers from manufacturing, the national and international disposal of wastes and other public issues, which program included mediators from Israel, Russia, the UK, the US, Germany, Switzerland, Brazil where, lead by legendary proponents of negotiation and mediation, the participants also trained each other on cultural and environmental aspects of negotiation and mediation in each of their countries. Various members of that team remain a think tank for mediation issues around the world and Alison remains an active participant with work in the Middle East, Asia, Europe and the USA. She also practices in the mediation of highly sensitive disputes and public policy where, instead of a private settlement deed, the product of the mediation can be a memorandum of understanding, a joint media statement, draft legislation, a charter, an arrangement for public discourse or a highly sensitive and private protocol.

Prior complex litigation work

Prior to commencing her independent mediation consultancy, Alison worked for 25 years in leading national and international law firms. She was for many years an equity partner of the largest business law firm in the world, DLA Piper, where Alison nurtured and grew a leading team in the areas of:

- Insurance litigation;
- Commercial litigation;
- Work Health and Safety; and
- Commissions of Inquiry and Inquests.

Alison's litigation work included significant contract and trade practices disputes including misleading and deceptive conduct claims, obtaining and executing Anton Piller orders, conducting foreign examinations under *Hague Convention*, obtaining mandatory injunctions, acting in foreign debt disputes, large environmental contamination claims, inquests and industrial accidents, corporate prosecutions and contract disputes. She also acted in some of the biggest Commissions of Inquiry in Australia.

Alison's claims work included personal liability, product liability, professional indemnity, property and industrial special risks claims including claims resulting from major fires, weather, mining, transport (including aviation claims) and large infrastructure catastrophes and the creation of new law concerning claims for pure economic loss. Her workplace health and safety work included prosecutions and negotiating enforceable undertakings arising out of major incidents

causing deaths and the creation of risk and communication management plans for the benefit of workers. She has spoken at infrastructure summits, insurance seminars and national legal conferences on liability law, risk management and the requirement for further harmonisation of the Workplace Health and Safety legislation throughout Australia and has advised clients on multi-disciplinary sites and the operation and inter-relationship of other safety legislation including in mining, rail, quarrying, port, water, oil and gas projects. She was called upon to urgently resolve workplace issues including at one of Australia's major ports when the workers refused to load coal from Australia's major rail operator leaving container ships mounting up at wharves. She settled the matter by the use of experts and high level commitments to new standards which she drafted and was thereby able to settle their polarised and impassioned positions. This was one of the many matters that resulted in her desire to be a full time mediator of complex disputes and to help mend fractures in public policy, communications and processes.

National and international recognition

Alison is listed in the Best Lawyers report published by the *Australia Financial Review* in alternative dispute resolution, insurance and litigation, most recently in 2018, but has been listed for many years and is one of only a very few lawyers in the history of that publication in Australia to be listed in three categories by her peers. She is also listed in Doyle's international guide in recognition of her mediation work.

Education

- Townsville Grammar School
- Bachelor of Arts, Bachelor of Law – Queensland University
- Advanced Mediation Program – Mediating Complex Disputes – Harvard University

Career History

- 2013 - Current Mediator, Haly & Company
- 1994 - 2013 Associate and then Partner from 1999 DLA Piper (previously Phillips Fox, DLA Phillips Fox) specialising in Litigation, risk, Workplace Health and Safety
- 1991 - 1994 Solicitor Feez Ruthning (now Allens), Middletons, Moore and Bevins (later Blake Dawson and Waldron and now Ashursts)
- 1989 - 1991 Department of Justice - Associate to Justice Tom Shepherson and Justice Margaret White of the Supreme Court of Queensland

Conference/Speaking

- Chair, 2008, 2009, 2010 and 2015 Australian Insurance Law Association Conference;
- Chair Australian and New Zealand Institute of Insurance and Finance 2015 National Conference;
- Speaker - various – including the Australian National Mining Conference, New South Wales Infrastructure Summit, American Board of Trial Advocates international conference, Sydney and American Board Association, Washington DC USA.

External roles

Alison has held a variety of roles relating to fields of special interest to her including:

- President – Australian Insurance Law Association, Queensland Australia
- Director – PA Research Foundation: ensuring continuation of funding to world class medical research - home to the world's first cancer vaccine, Gardasil, through the work of fellow director Professor Ian Frazer AC and 1300 researchers making an incredible difference to the quality of lives around the world;
- Mentor – Smith Family of Australia schools' program - building capacities of less advantaged students to have nourishing careers;
- Mentor - particularly for women in the legal and commercial sector;
- Pro-bono advisor – Elevicare Australia – creating tailored programs for the severely disabled to enable their return to independent living;
- Pro-bono advocate – Mission Australia
- Member – Mediators Beyond Borders International, the Australian Institute of Company Directors, Fellow – Australian Institute of Management