

**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 nationally 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 – where she was a partner for almost 15 years. 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, conflict resolution and dialogue creation. As a mediator, she works closely with all parties to ensure parties are heard, the dispute is understood and a just result is reached. Alison is also on a mission to use her mediation skills to resolve conflict and create constructive dialogue in Australia and around the world. This follows her passionate leadership of pro bono national and international justice projects over many years.

As the principal of Haly & Company, Alison mediates highly complex disputes each week. She was the first full-time female mediator in commercial and international law in Australia. She has always been passionate about the theory and practice of negotiation, mediation, decision making and conflict resolution, 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. She has developed new mediation models and is a passionate advocate of mediation in stages – helping to lead stakeholders to a gradual and considered environment where collaboration and joint enterprise can encourage productive dialogue, and an understanding of needs and working solutions. She works 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 system change, draft legislation, an arrangement for public discourse or a highly sensitive and private protocol. Alison has also been in high demand in managing the conciliation and mediation of high level institutional abuse claims after the recent opening up of limitation periods allowing victims of sexual abuse to bring to light injustices committed many decades ago. She has always worked in the mediation of new ways to bring about accessible and effective support systems and collaboration, including in disability support in Australia, being appointed by the Australian Administration Tribunal to conduct staged mediations over some months to solve entrenched division between substantial numbers of stakeholders.

Internationally, she is currently working programs of dialogue and understanding in areas as diverse as the Middle East, the US and in many high conflict ethnic regions. She has also lead programs of dialogue assisting women in stressed environments. This includes creating opportunities for more collaboration across different agencies and organisations experienced in resolution pathways. She is also committed to training people at a grass roots level in active listening and dialogue creation following participation in the High Level Political Forum in the United Nations In New York in 2019 where she saw first hand how dialogue between nations is faltering. Alison is certified in Structured Reflective Dialogue which is so useful in bringing about meaningful communications between people who are divided by cultural, racial or economic differences.

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 managed, nurtured and grew a leading team in the areas of:

- Commercial litigation;
- Work Health and Safety;
- Risk Management; and
- Pro Bono International law.

Alison's litigation work included significant contract and trade practices disputes including misleading and deceptive conduct claims, obtaining and executing Anton Piller orders on appointment from the Federal Court as an independent process arbitrator, conducting foreign examinations under *Hague Convention*, obtaining mandatory injunctions, acting in foreign 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 and in international justice claims including those involving the arms trade, the breach of international treaties, the development of emerging nations and institutional mental and physical abuse claims.

Alison's insurance work also included 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 Work 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 and ultimately, cross border disputes.

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 2020, 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 so many categories by her peers. She is also listed in the 2020 Doyle's international guide for her pre-eminence in mediation work.

Education

- Townsville Grammar School (school captain)
- 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
- Speaker – Advanced Mediation program 2019, Australia – Negotiation with the difficult and in 2021 Advanced Mediation Conference, she has been invited to speak on her "Pathways mediation" model.

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 – a charity to empower those who are homeless and without traditional support structures;
- Member – Mediators Beyond Borders International, the Australian Institute of Company Directors, Fellow – Australian Institute of Management;
- Passionate teacher of negotiation, mediation and dialogue internationally and nationally – particularly with reference to cognitive research as to how we make decisions and build understanding and rapport.

Alison was also trained to the highest levels in dance and piano. She has been known to use those skills, particularly in group connection exercises in counterbalancing rhythms, to ease tensions and create opportunities for connection, joy and dialogue.

Alison is also working on ways to mediate the survival of the human species. She is concerned to ensure that governments of the world transition to green policies, including embracing the education and equality of women.