



SINGAPORE INTERNATIONAL
MEDIATION CENTRE

Mediator's Curriculum Vitae

Personal Particulars	
First Name	Brian
Surname	Bartley
Designation	Consultant
Organisation	Bartley Cohen
Educational/Professional Background	
<p>B.A. (1969), LL.B. (1972), LL.M. (1979) – University of Queensland. Admitted as solicitor of the Supreme Court of Queensland 1973 and subsequently as solicitor of High Court of Australia. Partner Corrs Chambers Westgarth (and its predecessor firms) 1977-2000. Established Brian Bartley & Associates (now Bartley Cohen) in 2000; retired as a partner June 2012, remaining as a consultant to that firm. Practised exclusively in the commercial litigation area, with particular emphasis on professional liability and professional disciplinary matters. Clients included solicitors' professional indemnity insurers in Qld, NSW & Victoria, Medical Defence Union (UK) and Queensland Law Society.</p>	
Mediation Style	
<p>The mediator must always adjust style based on an assessment of what is most likely to assist the parties to resolve their dispute and therefore I do not adopt the position that I have one particular style which will suit everyone. Having said that, I take the view that very often the parties will benefit from hearing the mediators views about the strengths and weaknesses of their case and my style therefore tends to be evaluative. As mediator, I would not presume to tell the parties how their litigation will be resolved by a court if they cannot reach agreement. That is primarily a role for their legal advisers who can be expected to have a more detailed understanding of the case and to have provided to the client considered advice as to prospects. However, my experience in litigation has taught me that there are usually only one or two issues in any case which will determine the outcome – and it often assists to focus the parties on those issues, including by drawing attention (in private session), to each party's weaknesses and risks of an adverse outcome if left to a court to resolve. I make a practice of reading the brief well in advance of the mediation conference and forming an appreciation of the issues and of the parties' strengths and weaknesses, with a view to using the results of that consideration in discussion with the parties. I also encourage the parties to confer with their legal advisers in advance of the mediation to obtain up to date advice about prospects, costs incurred and expected to be incurred, and the options available (and likely cost) if no agreement is reached.</p>	
Mediation Experience	
I was appointed as a member of the Queensland Law Society's Alternative Dispute Resolution	

Committee when that committee was formed in about 1992 and at the same time qualified as a mediator by undertaking a course at Bond University. I have practised as a solicitor exclusively in the commercial litigation field over a period of about 40 years and during the period since the early 1990's have actively promoted mediated resolution of my cases, with the result that no significant case in which I have acted during the past 20 years has gone to trial without prior mediation. Since about 2005, I have been conducting mediations as mediator in commercial disputes, referred by the parties' lawyers, as well as Farm Debt Mediations, referred by banks and their borrowers.

Mediation Education and Training

Bond University 1992

Mediation Teaching and Mentoring

Mediation Publications

Professional Affiliations

Member of the Queensland Law Society and a current member (and immediate past Chair) of the Society's Ethics Committee. I have been accredited under the Australian National Mediator Standards since 2008.