



NEWS RELEASE

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Wellington mediator appointed LEADR Fellow for 2008-2010

Wellington commercial mediator and barrister, Geoff Sharp, has been made LEADR Fellow for 2008-2010.

LEADR Australasia Chair Margaret Halsmith said the appointment recognised Geoff Sharp's "professional and innovative contribution to mediation at a global level, his vigor in promoting alternative dispute resolution (ADR) and the personal integrity that underpins his efforts".

Geoff is the first New Zealander to be appointed a LEADR Fellow. Previous LEADR Fellows have been the Honourable Tony Fitzgerald QC and Ms Joanna Kalowski. The role of Fellow is to act as an ambassador and to represent ADR to the community and to government.

LEADR is an Australasian membership organisation that promotes mediation and alternative dispute resolution. LEADR has members in Australia, New Zealand and Asia, including Indonesia, Malaysia, India, Thailand and Japan. LEADR also has members in the USA and UK.

LEADR NZ Chair Carol Powell said Geoff was a highly regarded member of New Zealand's mediator community, and his appointment as a Fellow was a prestigious and richly deserved one.

"For nearly 20 years, Geoff worked as a commercial litigator for a major New Zealand law firm (Bell Gully). Since going out on his own as a commercial mediator in 1998, Geoff has mediated many contentious and complex disputes covering a wide range of issues from commercial tenancy disputes to historic sexual abuse claims."

Geoff was also well known for his witty and topical blog at <http://mediatorblahblah.blogspot.com>

Indeed, Geoff Sharp credits his blog for much of the favourable attention he has received in recent times. "The blog is a hugely powerful practice tool. I am almost better known overseas than I am in New Zealand. It's taken me personally a very long way."

Geoff says he is keen to use his profile as LEADR Fellow to promote the benefits of mediation throughout Australia, New Zealand and the Asia Pacific. He applauds the very active public sector mediation services already on offer in New Zealand – from the Department of Labour's employment mediation service to the tenancy and weathertightness mediation services.

However, he is interested in raising with the next government the issue of mediation in the court system. "I'm interested in posing the question: 'Should mediation be part of any state-sponsored court process? And if so what form should that take?'"

Currently, mediation is a wholly voluntary process in New Zealand courts. Some Australian states, and other jurisdictions such as California are at the other end of the spectrum with mediation being a mandatory part of the pre-trial court process.

"Somewhere in the middle sits the UK, where judges can award costs against a litigant who has declined mediation if the court believes that it might have prevented the case coming before the court in the first place.

"I'd probably look to the UK or Australia as models we might emulate. They also have statistics that we could look at to help assess its overall impact."

Geoff says when he first set up as an independent mediator in 1998 he was "stupidly ahead of the curve", earning less than one month of his law firm salary in his first year in business. Since then, there has been "an exponential shift among the gatekeepers of disputes" to involve mediation and his practice has thrived. "It's now very much mainstream," he says.

Mediation brings many benefits, tangible and otherwise, he believes.

There is a significant time and cost saving for the parties in dispute. Where a court case might cost \$100,000, mediation would cost closer to \$10,000.

There is also an important saving in terms of damaged relationships between the parties, and an ability to arrive at a business outcome rather than just money as they would get in the courts.

In mediation, parties in dispute remained in control of their case rather than handing it over to a judge.

"The people involved know best what's gone wrong, and they are the ones who are best placed to decide how their dispute is resolved. It's common sense, really," he says.

Geoff Sharp was until recently Principal Mediator for the Department of Building and Housing's Weathertight Homes Resolution Service, with responsibility for its 20 contract mediators dealing with the 'leaky building' crisis. His other appointments include:

- 2008 Distinguished Practitioner in Residence at Bond University Faculty of Law, Queensland
- Mediator on Hong Kong Panel of Mediators maintained by HK International Arbitration Centre
- Independent Standards Commissioner within Europe's new International Mediation Institute
- Teaching Mumbai barristers about mediation and talking to a law school there

He was also recently invited to join the 2008 adjunct faculty of Pepperdine University School of Law, California, and to teach its Summer Professional Skills Program in Dispute Resolution.

When he traveled to Los Angeles in June, he was profiled on the front page of the 'Los Angeles Daily Journal' – a paper read by 50,000 California lawyers – with the memorable introduction: *"Nearly everybody in the Southern California mediation community knows the face of Geoff Sharp but not too many have met him. That's because the New Zealand-based mediator's scruffy mug sits atop his popular ADR blog, Mediator Blah ... Blah..."*

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