



Mediator Profile Nina Harding

Location: Sydney, though prepared to travel

Online: www.ninaharding.com

Qualifications:

- Harvard Law School trained mediator
- Law graduate (BSAB, 1994)
- Master of Laws (UTS, 2005)
- LEADR Advanced Mediator (since 2002)
- Accredited under the National Mediator Accreditation System (NMAS)
- Australian Film Code Conciliator appointed under the Australian Film Exhibition and Distribution Code (2016 -)
- Defence Abuse Response Taskforce accredited Facilitator (2014 - 2016)
- Defence Ombudsman Facilitator (interim panel, 2016 -)
- Hong Kong International Arbitration Centre, General Panel of Mediators
- Workers Compensation Commission Panel Mediator (2002 -)
- Office of the Franchise Mediation Adviser, Panel of Mediators (2002 - 2016)
- SPAN ADR Adviser for disputes in the Telecommunications Industry (2005 - 2007)
- Former Adjunct Senior Lecturer, La Trobe University. Subjects taught at postgrad level; Business Dispute Resolution, Dispute Resolution, Advanced Dispute Resolution, Complaint Handling, Negotiation & Advanced Negotiation
- Casual lecturer at UTS teaching Dispute Resolution in Commerce (2012 -)
- Workchoices ADRAS Panel Mediator (2007 -)
- Farm Debt Mediator (under the Farm Debt Mediation Act, 1995 -)
- Horticulture Code Mediator (2007 – 2016)

Extensive experience in the resolution of commercial and public interest disputes since 1992.

Principal Occupation: Mediator / Dispute Resolution Expert

Comments: Please see, attached, testimonials.

National Accreditation: Accredited under the National Mediation Standard since 2008. Currently accredited by LEADR and The Accord Group. Please see the National Mediator Practice Standards at www.msb.org.au

Mediation and Facilitation Experience:

Nina Harding has worked as a full-time mediator and facilitator for over twenty years. Nina has mediated over two thousand disputes.

Nina Harding has mediated/facilitated disputes in a variety of areas, including:

Franchising, (mediation of numerous franchising disputes) also appointed by the Australian Franchising Code Council as Coordinator of their Alternative Dispute Resolution Program under the Australian Franchising Code of Practice, 1993 - 1996.

General commercial, contract and negligence, residential building disputes, disputes over sale of businesses, construction, defamation, partnership, unfair dismissal, various employment disputes, copyright, environment, IT, insurance, mining, product liability, trade practices, trusts, retail and petroleum franchise disputes, international consultancy agreements, personal injury CTP claims, sewerage and water issues, workplace, local govt issues, complex multi-party disputes and disputes involving the community and indigenous communities.

Development/Land Use Issues (White City Development, Belrose Road Corridor, Berrima Cement Plant),

Development of Transport Facilities for State Rail and DoT (Blacktown Bus-Rail Interchange),

Closure and reorganisation of hospital services for NSW Health.

Closure and re-settlement of retirement village residents, The Salvation Army.

Organisational Conflict issues (within government and non-government bodies, including hospitals, local councils, law firms, universities, large and small companies, staff – staff and staff - management),

Charitable organisations – Nina has facilitated planning sessions for the Board of St John (NSW) and conducted a state-wide consultation with members to identify issues and promote change. Nina conducted a strategic planning workshop for Mission Australia in 2006 and conducted dispute resolution training for homeless men in June 2006. Nina has mediated numerous disputes involving religious groups.

Farm Debt Mediations (numerous completed to date, involving financial institutions and rural farming businesses and families)

Mediation of complex negotiation between student organisations at UNSW in regard to Voluntary Student Unionism.

Facilitator of the Let's Get Together Forum (Australian Palestinians and Australian Friends of Israel – ongoing)

Facilitator for *Environment Australia* re proposed waste oil recycling legislation.

Facilitator for 17 *Local Aboriginal Land Councils* in West NSW re forestry issues.

Facilitator of *Strategic Planning* Retreat for The Nature Conservancy (international conservation organisation). To develop a Melanesian Conservation Action Plan.

Facilitator of Civil Justice Forums in 2016 for the NSW Dept of Justice and the NSW Attorney General.

Facilitator of ATSI Financial Counsellors forums, 2015 and 2016.

Nina has facilitated hundreds of large public meetings, often involving highly *controversial issues and hundreds of participants*.

Teaching and Training Experience:

- In-house negotiation workshops for numerous law firms;
- Negotiation training for Lawyers on behalf of The Law Institute of Victoria;
- Numerous workshops for the Australian Financial Ombudsman Service;
- Numerous workshops for the Energy and Water Ombudsman, Victoria;
- Numerous in-house workshops for CBA, NAB, The Financial Ombudsman Service, Insurance and Savings Ombudsman NZ, AGL, NSW Police, ADF, etc

Please see our website for more examples of our work, www.ninaharding.com

Professional Development - ADR Training:

- CEDR, London, Mediation Workshop, 1990
- Harvard Law School, Mediation Workshop, 1994
- Conference, Society of Professionals in Dispute Resolution, Washington DC, 1995
- Psychology and Dispute Resolution, 1997, UTS
- Conference, Society of Professionals in Dispute Resolution, Orlando, USA, 1997
- Dispute Resolution, 1998, UTS
- Advanced Mediation, 1999, UTS
- Workplace Dispute Resolution, 2002, UTS
- International Franchising, University of Melbourne, 2002
- Advanced Mediator Training, The Accord Group 2010
- Coaching for Managers workshop, University of Sydney, 2015.

Papers written:

Numerous, including:

Co-author of 'Workplace Conflict Guide', 2014, available on iTunes.

"Unacknowledged Influences of the Commercial Mediator". 1997, "Advanced Mediation Skills Research Paper" 1999, "Designing Dispute Resolution Systems" 1999, "Crisis Management for Community Consultative Processes" 2000, "The Quarantining of Australian Franchising, Good Sense or Poor Justice" 2002.

Co-author of annotated bibliography on international economic disputes between Australia and Japan for the Foundation for International Dispute Resolution (FIDR) in Virginia, U.S.A. Titled '*Questions of Contract and Questions of Honour*'.

Co-author of "Blacktown Bus/Rail Interchange, A Case Study of Public Issue Mediation" and "Introducing ADR to Local Government - A Case Study of Parramatta City Council". 1998.

A Review of Manly Council's Development Application Processes, 2006.

Special Areas of Practice:

Nina has a special interest in business disputes and complex multi party disputes. Nina has mediated thousands of business disputes and always feels it is a privilege to help business people to resolve their disputes. Nina has mediated/facilitated numerous complex multi-party disputes including; the proposed development of White City, the controversial Belrose Road Corridor and the \$20m Wombarra Drainage Tunnel dispute.

Nina is the owner of FrontlineComplaints an online training forum for complaint handlers, www.frontlinecomplaints.com

Contact details: (02) 9880 2109 or 0408 447 525 or office@ninaharding.com

www.ninaharding.com

Testimonials

"HIC has ... engaged Nina to conduct high level mediations, and has found her practical, quiet approach achieves excellent results and that, most importantly, those results last."

Julia Burns,
Manager, People and Performance
HIC

"Nina Harding facilitated a strategic planning session for the board of The Association of Surfing Professionals (International) Limited ("ASP"). This multi-national group of about 15 people met for three days in France in 2003 and enjoyed what many in that group felt was the most productive meeting held to date. Nina's contribution was particularly helpful in keeping the group moving forward....each person present, through her skilful management, had ample opportunity to contribute."

Richard Grellman
Chairman ASP

"I would also like to thank you sincerely for all your efforts in this matter, I've greatly appreciated everything you've done. I've found your approach to be extremely professional but also very accommodating and empathetic. You're certainly an expert in your field - obviously a very skilled mediator. Thank you for making a very difficult and painful situation a lot less painful than I had thought it would be."

Name withheld - Workplace Mediation

"Jane Elix and Nina Harding helped us to establish a Community Liaison process with our local community at a time when there was a high level of dissatisfaction and anger. This process enabled us to communicate more easily with our local community and take their concerns into account in the management of our plant."

Doug Tucker
General Manager
Boral Asphalt NSW

“Jane and Nina did an excellent job of bringing together five disparate UNSW student organisations to recognise common interests and plan for a vibrant student experience under VSU. Nina and Jane successfully facilitated a complex series of negotiations and provided an effective framework for planning significant organisational change.”

Lyndell Carter
Executive Officer, Office of the Deputy Vice-Chancellor (Resources)
University of New South Wales

“Thank you for your assistance and guidance in getting mediation up and running within FWO. The training you delivered was amongst the best I have seen. This view was shared by all other participants who attended the training. Your depth of knowledge and practical explanation of mediation gave all of us a great basis to pursue an interest in mediation now and in the future.”

Peter Schmarr
Assistant Director ADR
Fair Work Ombudsman

“I cannot speak too highly of Nina Harding’s conduct of the mediation workshop. Her skill, energy, imagination and commitment were inescapable. Her engaging sense of humour made the whole experience an enjoyable one for those fortunate enough to attend.”

Robert Fisher,
Queen’s Counsel and former Judge of the New Zealand High Court

“I have been singularly impressed by Nina’s professionalism in ... the conduct of mediations. I worked closely with Nina in a very difficult mediation within Defence and have subsequently benefited from her excellent instructional techniques as my tutor during dispute resolution studies at university.”

Lieutenant Colonel Chris Grigsby,
Department of Defence

"I was extremely grateful for the time you all donated, to help the residents of the "Mission Australia Centre," at Surry Hills, where I was a resident at the time and was able to participate and take advantage of all the expertise, you and your team provided. I've had an occasion to use some of the tools your teaching gave us to my advantage, to resolve an issue that in my past would have ended with me frustrated and the issue unresolved.

So this thanks will never be sufficient to repay you and your team, for all you were able to supply me with, in the time you were all here. I just wanted to let you all know I'm extremely grateful and I'll be "Forever In Your Debt," thank you, all."

(Name withheld)

"We are grateful for the work done on our behalf...and would have no hesitation in recommending you to other potential users of your services."

Lt Colonel Geannette Seymour, Chief Secretary,
The Salvation Army, Australian Eastern Territory

"I would like to take this opportunity to personally thank you for your time, support and professionalism over this matter. I completely understand why [name of General Manager] has complete faith in your work. Your style of communication and mediation has made a very awkward situation comfortable for me."

(Name withheld - Mediation 2009)