

VIAC – Questionnaire for Arbitrators

1. Name: Russell Thirgood

2. Citizenship: Australian

3. Contact information: Arbitra International

Address: 100 St Paul's Churchyard, London, EC4M 8BU;
Level 34 Waterfront Place, 1 Eagle St Brisbane, QLD 4000, Australia

Telephone: +44 (0) 207 936 7070; +61 438 644 002

Fax:

E-Mail: info@arbitra.co.uk; russell@thirgoodarb.com

Website: www.arbitra.co.uk; russellthirgood.com

LinkedIn: <https://www.linkedin.com/company/arbitra-international>;

4. Current position:

Arbitrator & Mediator

5. Education:

- Graduate Diploma in Construction Law (University of Melbourne) 2013
- Master of Laws (First Class Hons) (University of Sydney) 2003
- Bachelor of Laws (Hons) (University of Queensland) 1993-1998
- Executive Program on Negotiation (Harvard Law School) 2016
- Bachelor of Arts (University of Queensland) 1993-1998
- Diploma in International Commercial Arbitration (Chartered Institute of Arbitrators)

6. Practiced experience in arbitration

- How many arbitrations have you participated in (domestic/international); under which Rules?

17 – ICC, ACICA, AdHoc, UNCITRAL, Resolution Institute

- How often have you acted as Chairman?

0

- How often have you acted as Sole Arbitrator?

17

- How often have you acted as Co-Arbitrator?

0

- How often have you acted as Counsel?

100+

- How often have you acted in a different function (e.g. Administrative Secretary)?
N/A

7. Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):

- Remote Hearings – Silver linings and storm clouds, Paper presented to the ICP of the IBA on 14 May 2022
- “Legal Reasoning across commercial disputes – Book Review”, (2021) 31 ADRJ 178
- “Appeals in Arbitration – To be or not to be”, (2021) 87(3) *The International Journal of Arbitration, Mediation and Dispute Management*
- 'Foreign Investors' Increasing Awareness of Investor-State Arbitration – view from Australia' (2020) 39 (1) *Australian Resources and Energy Law Journal*
- 'From Mediation to Arbitration' (2020) 40(6) *Proctor*
- 'The Non-Responsive Respondent: Taking an Arbitration Forward and How' (2019) 85(1) *The International Journal of Arbitration, Mediation and Dispute Management*, 65
- 'Arbitrating Down Under: Highlights and lessons learned from 2018 to 2019' (2019) 15(2) *Asian International Arbitration Journal*, 133
- 'The Use and Misuse of Expert Evidence: Rules on Experts – A Critical Assessment' (2019) 13(4) *Construction Law International*
- 'Quantum merit will not save a bad bargain: Mann v Paterson Constructions Pty Ltd' [2019] HCA 32 (2019) 188 *Australian Construction Law Newsletter*, 56
- 'International Arbitration Australia: 2019 Year in Review' McCullough Robertson Publication
- 'The “Bones” Arbitration: An American Cautionary-Tale for Australian Practitioners' (2019) 1 *The ACICA Review* 37
- 'Apply to Set Aside, or Appeal Against an Award?' (2018) 38(8) *Proctor* 14
- 'Director's fury over road block to litigation: Mad Max arbitration to be heard in Hollywood' (2018) 1 *The ACICA Review* 25
- “Fast Track” Arbitration Rules – Room for Development' (2018) 182 *Australian Construction Law Newsletter*, 15
- 'International Arbitration Australia: 2018 Year in Review' McCullough Robertson Publication
- 'International Commercial Arbitration 101' (2017) 37(11) *Proctor* 16
- 'Australian Courts' Approach to Multi-Party and Multi-Contract Arbitration' (2016) 2 *The ACICA Review* 29
- 'ADR Forms and Precedents' (Lexis Nexis) (2009 to present)

- 'International Arbitration: The Justice Business' (2004) 21(4) Journal of International Arbitration 341
- 'A Critique of Foreign Arbitration in Japan' (2001) 18(2) Journal of International Arbitration 177
- 'Judicial Independence: Attorney-General (Cth) v Tse Chu-Fai' (2000) 74(10) Australian Law Journal 707
- 'A Critique of Foreign Arbitration in China' (2000) 17(3) Journal of International Arbitration 89
- 'Dispute Resolution Chinese Style – The Influences' (1999) 10(4) Australasian Dispute Resolution Journal 266
- 'Mediator Intervention to Ensure Fair and Just Outcomes' (1999) 10(2) Australasian Dispute Resolution Journal 142

8. Membership in arbitral institutions / functions in arbitral institutions/organizations:

- Fellow of Australian Centre for International Commercial Arbitration (ACICA)
- Member of Nominations Committee for ICC (International Chamber of Commerce) Australia (2018-2020)
- Australian Disputes Centre (ADC)
- Dubai International Arbitration Centre (DIAC)
- Hong Kong International Arbitration Centre (HKIAC) List of Arbitrators
- Singapore International Arbitration (SIAC)
- ICDR Panel of International Arbitrators (ICDR-AAA)
- New Zealand Dispute Resolution Centre (NZDRC)
- New Zealand International Arbitration Centre (NZIAC)
- Abu Dhabi Global Market Panel of Arbitrators (ADGM)
- Shanghai Arbitration Commission Panel of Arbitrators (SHAC)
- Building Disputes Tribunal, New Zealand
- Queensland Law Society, Australia
- Resolution Institute, Australia
- Roster of International Arbitrators, Juris
- Thai Arbitration Institute List of Arbitrators
- Fellow of Chartered Institute of Arbitrators (UK)
- Fellow of Resolution Institute (previously named Institute of Arbitrators and Mediators Australia)
- Member, Panel of Editorial Consultants, Australasian Dispute Resolution Journal

- General Editor, The Arbitrator and Mediator
- Member, Queensland Law Society since 1998
- Member, International Bar Association (International Construction Projects Committee)
- Member, American Bar Association
- Member, Society of Construction Law
- Member, International Trust of Amnesty International (UK)
- Member, Dispute Review Board Federation

9. Languages

Mother tongue: English

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct arbitral proceedings in this language):

10. In which legal systems have you trained?

- Civil Law
- Common Law
- Austrian Law
- Hungarian Law
- Swiss Law
- Czech Law
- Polish Law
- Ukrainian Law
- German Law
- Slovakian Law
- European Law

Other _____

11. What is your main jurisdiction of practice?

Australia, Asia-Pacific

12. In which jurisdictions are you admitted to the bar?

Australia

13. Special expertise or specializations (please list a maximum of five):

- Antitrust/Unfair competition
- Damages
- Insolvency
- Natural resources
- Aviation
- Distribution
- Insurance
- Power plants
- Banking & Finance
- Domain name disputes
- Intellect. property (IP)
- Private Intern. Law
- Capital markets
- Employment
- Investment arbitration
- Public Intern. Law
- CISG
- Energy
- ISDS/Foreign inves.
- Real estate
- Civil fraud disputes
- Engineering
- Joint ventures
- Shipping
- Commercial disp. / transactions
- Entertainment
- Licensing
- Sports
- Commodity market
- Healthcare & Pharmac.
- Life sciences
- State/Public contracts
- Company/Corporate/M&A
- Hotel/Gastro./Tour.
- Maritime arbitration
- Technology
- Construction
- Inform. technology (IT)
- Media
- Telecommunication
- Contract law
- Infrastructure
- Mining
- Transport
- Other _____

14. Date of birth: 03/03/1975

VIAC offers arbitration practitioners the possibility to present themselves on its website. VIAC reserves the right to publish any presentations submitted and to remove it as the case may be. Parties are free to nominate an arbitrator of their choice and so is the VIAC Board when appointing an arbitrator. These presentations do not constitute recommendations but may assist the parties in choosing an arbitrator willing to conduct proceedings according to the Vienna Rules. The fact that an arbitration practitioner appears on this list, does not authorize this person to use the title "VIAC-arbitrator".

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate.

I hereby consent that the data provided in this questionnaire may be processed for the appointment of arbitrators and published by VIAC. This includes in particular publication on the website of VIAC as well as use in any presentations, etc. This consent may be withdrawn at any time by contacting VIAC at our general contacts, in particular by email addressed to office@viac.eu. The consequence of any such withdrawal will be that my data will no longer be processed by VIAC. For further information, see our privacy statement at <http://www.viac.eu>.

Date: 23 May 2022