

# Alan Wein LLB (Melb)

**Barrister & Solicitor, SME Consumer Advocate, Expert Mediator, Educator and Entrepreneur and Communal volunteer.**



Alan has an extensive depth and breadth of experience in mediation, law, franchising relationships and commercial disputes, particularly relating to commercial business issues.

Alan was admitted as a Barrister & Solicitor:

- Supreme Court of Victoria, 1981
- High Court of Australia, 1981

Alan holds a current Law Institute of Victoria (LIV) practicing certificate and is an accredited mediator with LIV and LEADR. Alan is an experienced Panel mediator for the Office of the Franchising Mediation Adviser (OFMA) and the Office of the Small Business Commissioner in Victoria (VSBC) and is the principal mediator with the New Zealand Dispute Resolution Centre.

Alan has a strong connection with small business enterprises and franchising having operated and developed a number of successful businesses in the retail and services sectors.

Gloria Meltzer in her book 'Minding Their Own Business'<sup>1</sup> wrote that " ...some people have a natural in-built propensity to be entrepreneurial, Alan wears many caps and all of them successfully. Alan has the gift of the gab. A natural communicator....his ability to talk, to convince, to negotiate, his persuasive style would have been enhanced by his legal training... and have proved a powerful catalyst to success."

Alan was a member on the "Committee for Melbourne".

In 2000 Alan was appointed as the inaugural chair of the Victorian government's Small Business Advisory Council, which was responsible for assisting government with SME policy and issues. Alan was also appointed to the Infrastructure Planning Council in the same year. Alan's achievements in both roles were extensive and recognised in that he was awarded the Centenary Medal in 2001 for his outstanding contribution to SME's.

One of Alan's recommendations to Government was the establishment of a Small Business Commission, advocating and assisting business to business engagement, dispute

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<sup>1</sup> McGraw Hill IBSN 0-07-471040-0

resolution and improved business relationships. The Victorian government was the first to enact legislation providing for a Small Business Commissioner, which has been adopted and varied by other States and the Federal government. Alan has been involved and contributed to the Small Business Commission since its inception in 2003.

From 2003 - 2007 Alan was an Adjunct Professor in the School of Business and Management in RMIT University, where he was instrumental in assisting students develop concepts and ideas in the School of Business Management - Entrepreneurship Department.

In 2003, Alan established a mediation practice operating in all court jurisdictions and specialising in franchising, trade practices and retail leasing disputes. Alan completed the Law Institute Victoria mediation training accreditation course with Prof Tania Sourdin in 2006. Alan now is recognized as a leading dispute resolver and peacemaker in Australia and his skills and dedication to ADR have contributed to savings of millions of dollars to parties, our court system and personal emotional relief to thousands of parties he has assisted over many years.

In 2007, Alan was appointed a member in the Victorian Governments VSBC Reference Panel into Improving Business Conduct which included some of Australia's largest corporations.

In 2008, Alan was appointed by the Victorian Small Business Minister as an Ambassador for small business through the Energise Enterprise initiative.

In 2010, Alan was appointed to the Mediator's Advisory Committee by the Victorian Small Business Commissioner, to assist and advise on legislation, legal issues, mediation practice process and standards.

Mark Brennan, former Victorian Government Small Business Commissioner commented that, "Alan's success in mediating disputes is, in large part, due to his ability to combine the right mix of intellectual rigour, empathy and discipline to achieve the optimum outcome for disputant parties. Alan combines a solid professional foundation with an intuition for the preferable approach. Alan's professionalism is punctuated by his promptness, efficiency and responsiveness to the needs of the task at hand. Alan is constructive in his advice. His analysis of complex problems is sound. He has clearly earned the highest respect of his peers in the legal profession and in industry generally."

In 2010, Alan was appointed a member of the Law Council of Australia SME Business Committee and ADR specialist. Alan has contributed voluntarily to the various Law Council Committee and presentations on franchising and Alternative Dispute Resolution processes and the law. As one of the leading mediators in commercial litigation in franchising and shareholder agreement and property disputes, Alan is also extensively involved in coaching, training and mentoring lawyers and students in mediation.

Alan has contributed to the advancement of mediation and alternative dispute practice through contributions to the Victorian parliament's Law Reform Committee paper on ADR and the National Mediation Practice and Standards and has also been a presenter and coach in legal dispute mediation and alternative dispute resolution and trainer and mentor.

In addition to Alan's business, professional and academic achievements, he has also been involved with a number of non for profit, charitable, educational and fund raising organisations. In 2007 Alan joined the board of the Royal Botanical Gardens research foundation ARCUE, which he retired from in 2011.

In 2013 Alan was a Finalist in the Law Institute of Victoria Legal Awards (Solicitor of the Year - Suburban).

In 2013 Alan was appointed by the Federal Government, under Terms of Reference, to conduct a Review of Franchising in Australia and to recommend reforms which would improve and promote 'best practice' within the industry. On his appointment to Review the Franchising Code and industry in 2013, the Federal Minister of Small Business, Mr O'Connor said "Mr Wein brings a wide variety of talent, skills and experience through an impressive history of personal achievement"

Upon completion of the Report Minister Gray and parliamentary Secretary Ripoll commented, "Mr Wein has conducted a comprehensive review that makes recommendations aimed at strengthening franchising in Australia. I want to thank him for his hard work in preparing this report..... The recommendations provide a road map for reforms to assist Australia's 73,000 franchise small businesses and the more than 400,000 people who work in the sector". Minister Billson commented that 'the Coalition welcomed the Wein Review and its recommendations....and that it was a useful road map to franchise reform" and on enactment of the legislative and regulatory implementation of Alan's recommendations that "Alan Wein's Report in 2013 was very good and useful....."

Alan has also been a Board member of the Maccabi Victoria Inc and was chairperson of the inaugural Hall of Fame Committee. After a short absence Alan has in 2014 again been appointed as the inaugural Chairperson of the national Maccabi Australia Appeals Tribunal as part of the Maccabi organisations 'Member Protection Policy'.

In 2015 Alan was involved with the Minister Billson in the development of Unfair Contracts Legislation. In 2015 Mr Wein appointed by the Australian Small Business Commissioner to facilitate the Wine Industry Roundtable conference in South Australia.

In June 2015 Alan was appointed by the Federal Government, under Terms of Reference, to conduct a Review of the Horticulture Code and related legislation and regulatory framework in Australia and to recommend reforms which would improve and promote 'best practice' within the highly significant and economically important horticulture sector industry.

In 2018 Alan was appointed as one of the three Federal Government Cabinet appointed Consumer Directors of the newly legislated Australian Financial Complaints Authority (AFCA).

In July 2020 Alan was appointed as the Chair of the Victorian Governments Covid-19 CTRS Administration Committee administering the Commercial Tenancies Relief Scheme (CTRS).

Alan's contribution to the law, business, mediation practice, and involvement in a number of organisations in a voluntary capacity at high board level have defined Alan as a very special individual who has committed himself to excellence in all that he is involved in for the benefit of those that he contributes to.

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