

- ²⁰ This power is vested in arbitrators by s 19(1)(b) of the *Commercial Arbitration Act* 1984 (Vic).
- ²¹ Useful guidelines for arbitrators are set out in D G Peacock, "Arbitration and the Arbitrator: An Introduction—Hearing and Demeanour" (1987) *The Arbitrator* Vol 5 p 115.
- ²² See s 38 of the Act in regard to the judicial review of awards and s 42 of the Act in relation to the position where there has been misconduct on the part of the arbitrator or the award has been improperly procured.
- ²³ For a discussion of enforcement of arbitration awards, see Sharkey and Dorter, *op cit*, n 13, p 300 and for a detailed statement of the Law see Mr Justice Asche in "Appeals from Awards/Judicial Review" (1991) *The Arbitrator* Vol 10 p 59.
- ²⁴ These statistics were contributed by Mr Donald Grieg, former Executive Officer of the CIAV.
- ²⁵ *Small Claims Tribunal Act* 1973 (Vic).
- ²⁶ See, eg, s 2 of the *Small Claims Tribunal Act* 1973 (Vic) which places a time limit on the small claim as a claim that has arisen not more than two years previously. The jurisdictional limit based on the monetary value of a claim set by each of the State Acts may also be a problem given the expense of carpet and curtain installations. However, it is acknowledged that the process of a consumer making a claim under this Act does not involve the initial \$90 or \$100 expense which the consumer must pay the Services.
- ²⁷ See the argument in L Lash, *The Complete Guide to Customer Service*, John Wiley and Sons, New York 1989, especially p 153 where she outlines the use of complaints as a means of improving consumer service.
- ²⁸ See R Ingleby, "Why Not Toss A Coin? Issues of Quality and Efficiency in the Evaluation of Alternative Dispute Resolution", Australian Institute of Judicial Administration Inc. Proceedings of the 9th Annual Conference, 1990, p 51, especially at p 54, for a comparison of these indicators of success against the nine indicators chosen by Ingleby.

ADVANCED ARBITRATION COURSE 1992

An advanced Residential Arbitration Course was conducted at Wesley College, University of Sydney, 10-13 December 1992.

The Course which was arranged and conducted by the New South Wales Chapter Committee on behalf of the Institute's Council was attended by approximately 40 registrants. Those who attended the course are eligible to attend the Institute's grading and Assessment examination which is held during February each year.

INSTITUTE MEDIATION COURSE

A comprehensive and intensive four day course on Mediation arranged by the New South Wales Chapter Committee on behalf of the Institute's Council was held in Sydney commencing on 3 December 1992. In all 24 registrants attended this Course which was designed to acquaint registrants with the role of mediation as a dispute resolution technique and to give practical experience in working with these techniques. The directing staff was led by Adjunct Professor David, of University of Technology, Sydney.