

Hon. Sir Ian Barker, QC, Chartered Arbitrator

Auckland Office

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Qualifications

Bachelor of Arts
Bachelor of Laws
Doctor of Laws (honoris causa)
Fellow, Chartered Institute of Arbitrators' (UK)
Chartered Arbitrator (UK)
Fellow, Arbitrators' & Mediators' Institute of
New Zealand

Appointments

President, Arbitrators' & Mediators' Institute of New Zealand, 2000-2002
Judge of High Court of New Zealand, 1976-1997
Judge in Charge of Commercial List, High Court of New Zealand, 1987-1997
Acting Chief Justice of New Zealand
and temporary member of New Zealand Court of Appeal, 1991-1997
Permanent Member of Courts of Appeal of Fiji, Cook Islands, Pitcairn Island
Occasional member of Courts of Appeal of Samoa and Vanuatu
Chancellor, University of Auckland, 1991-1999
Visiting Fellow/Judge in residence at various in Canadian and Australian universities
Arbitrator and Mediator, 1997 onwards
Member of arbitration panels in Pacific Rim arbitration centres
Knighted by Her Majesty the Queen in 1994
Domain Name Dispute Panelist for WIPO, NAF, HKIAC and Internet NZ
President, Auckland Medico-Legal Society, 1984
Door Tenant, Essex Court Chambers, London, UK

Arbitration Experience

Sir Ian has received 6 appointments from the ICC Court of Arbitration, Paris. 4 of these have been as independent Chair of a 3-person tribunal, one as sole arbitrator and one as party-appointed arbitrator. He has recently been appointed by the President of the ICC Court (as appointing authority) to be Chair of an arbitral panel in an ad hoc arising under a Bilateral Investment Treaty. He has been appointed as sole arbitrator in some 70 arbitrations in New Zealand. His awards have involved building and construction, financial transactions, agency, intellectual property, telecommunications, gas pricing, airport landing charges and general commercial topics.

Career

Sir Ian was appointed a Judge of the High Court of New Zealand in 1976 at a young age. He presided over many major commercial cases over his 21 years on the Bench. These included a major company liquidation (Securitibank), pharmaceutical patents (amoxycillin), competition law (Kapuni Gas, Fisher & Paykel), to name a few.

He was responsible for the Report of a Committee which successfully recommended a Commercial List in the High Court. He served as foundation Judge in Charge of that List for 11 years. Since his retirement from the Bench in 1997, he has been involved in arbitrations (as noted above) as well as conducting commercial mediations and various official inquiries. He has served on various Pacific Courts, including the Fiji Court of Appeal when it had to decide on the constitutionality of the government post the 2000 coup in Fiji. He was Chancellor of the University of Auckland for 8 years. He has published articles of legal interest and delivered papers of legal interest at law and other conferences.

Areas of Expertise

Financial, commercial, intellectual property, general contract, rental, competition.