

ADR Views from ACPACS

Christmas greetings from the editor

Welcome to the inaugural edition of *ADR Views*.

Some of you may be familiar with the *ACPACS newsletter* issued in print form several times a year. *ADR Views* complements our general newsletter, focusing on areas of interest to the growing number of ADR practitioners, researchers and 'pracademics' around the world.

As ACPACS approaches its second birthday, we look back at the whirlwind of events, training, research, practice and travel that has brought us to where we are today. Recently I spoke at a Symposium on the Globalisation of ADR at Hamline University in the United States. I was thrilled to experience an exciting dialogue with academics and practitioners who collectively represented every continent on earth and an impressive variety of disciplines. At a point in time when the ADR community still has an opportunity to influence how ADR practices are introduced and implemented around the world, the globalisation of ADR is a topic that urgently needs consideration and debate. In this edition, *ADR Views* features an article by the Director of ACPACS, Professor Kevin Clements in which he approaches the globalising theme by analysing a variety of 'ADR' and 'Peace and Conflict' approaches to conflict resolution.

In terms of training, ACPACS has done some exciting conflict resolution work in the Solomon Islands and Vanuatu with peace monitors, women's group representatives, chiefs and others. At home ACPACS trainers have recently conducted conciliation training for the Residential Tenancies Authority, mediation and negotiation training for the Queensland Law Society, the TC Beirne School of Law and a range of other corporate and public sector clients. Visiting professors Dan Druckman and Ben Broome expanded our horizons with their contributions to negotiation and online facilitation. ACPACS is currently setting up projects involving online applications of dispute resolution and cross-border comparative research on mediation.

[More Details](#)

[Volume 1, Issue 1,
December 2005](#)



Mediation Training in the Solomon Islands

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The people behind the program

ACPACS is excited to announce the launch of its ADR Program Conflict Resolution Training. The people behind the program include the trainers, instructional and graphic designers, the coordinators and administrators of the ADR Program.

Prof. Nadja Alexander: Prof. Nadja Alexander is Director of ADR and Practice at ACPACS. She is internationally recognised as a dispute management consultant, trainer and author of numerous books, articles and training programs on ADR and related topics.

Dr Polly Walker: Dr Polly Walker is a trainer and researcher at ACPACS. She is an experienced teacher and specialises in indigenous and cross-cultural conflict resolution and mediation.

Prof. Patrick Cavanagh: Prof. Patrick Cavanagh has more than 20 years of experience as a commercial mediator and trainer. He has been a Co-Director of the Bond University Dispute Resolution Centre since 1990 and has taught over 350 programs on negotiation, mediation and arbitration skills.

[More Details](#)



Prof. Nadja Alexander is Director of ADR and Practice at ACPACS

Training and events diary



GPN Building at St Lucia Campus: The home of ACPACS and the ADR Program

A very important part of the ADR Program's work is to provide basic level and advanced training workshops in negotiation, mediation and specialised forms of dispute resolution. We are constantly looking at extending our course curriculum to address the needs of the business world as well as the wider community. In addition to our current offerings, we are currently developing more training courses around school and peer mediation, mediation in the workplace and also international applications of mediation skills for private and public disputes. For more information on upcoming courses, please check our [website](#).

Commercial negotiation strategies for lawyers: This one-day seminar is aimed at commercial negotiators whose business and professional careers depend upon success in bargaining. The ability to negotiate a wide range of transactions is a vital element for success at any level of business management. This programme identifies standard problems and is applicable for all negotiators seeking to achieve superior results for their practice and clients. The course is conducted in conjunction with the Queensland Law Society (QLS) and is an approved top up course for LAMS mediators.

Mediation: This course provides participants with the basic skills to mediate disputes. In addition to practical mediation skills, participants will also consider the principles, ethics and law of mediation. The course will be highly interactive and skills-focused. It is a Queensland Law Society approved mediation training course. The course is taught as a 4 day intensive seminar.

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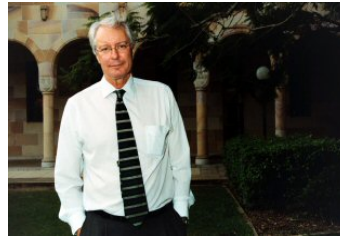
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Feature article: Mapping the peace and conflict fields – towards imagining the future

By Kevin Clements

This article was first published in 7(6) ADRB 2005, 93 and is re-published in this newsletter with the kind permission of the general editor

Conflict Resolution as a field is divisible into four general theoretical and practical schools. Each one is characterised by institutional arena, theory and methodology. The four schools are Alternative Dispute Resolution (ADR), Public Policy Disputes, Analytic Conflict Resolution and Conflict Transformation/ Reconciliation. Each school promises different outcomes and requires different value assumptions. The perspectives that these schools represent can be construed as lying along a continuum from total agreement to total enmity about the basic values and structures foundational to society.



Prof. Kevin Clements is Director of ACPACS

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Reviews and other resources

In this column we would like to share the staff's favourite resources with our readers. There will be short reviews of recently published books as well as old time favourites to enhance the toolkit of practitioners and academics alike.

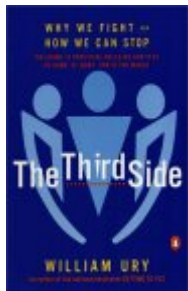
The Third Side

Author: William Ury

ISBN: 0-14-029634-4

Year: 1999 Publisher: Penguin

[More Details](#)



Brainstorm Box

Every ADR practitioner has encountered them: ethical dilemmas, deadlocks and communication barriers. We would like to hear from you about difficult situations or issues that you may have come across in your mediation practice. In each newsletter we will pose a question or describe a problem and ask you to email us with solutions, techniques or opinions. We will then publish your answers in the following newsletter. Our first dilemma has been provided by Prof. Ian Hanger QC.

Consider the following two scenarios.

Scenario 1: As a mediator you form the view that the defendant in the action has an incompetent legal team (or if you like is unrepresented) and has overlooked a perfectly good defence about which you have no doubt. It's a High Court decision just published on the web today.

- A. Do you raise it in a joint session?
- B. Do you raise it in a private session with one or other of the parties or with each of them?
- C. Do you raise it at all?

Please email your suggestions to mediate@uq.edu.au.

[For scenario 2 please click here.](#)

The Wonder Factory

By Tamara Marcs

About 6 months ago I was given \$100 by my local church, Kenmore Baptist Church, to invest in the community and I had the opportunity to use this money help out a little to buy Uno cards and craft materials that were needed by Entertainment Services at the Royal Children's Hospital. I wanted to help here because I had seen first hand from my volunteer work at the Royal Children's Hospital's **Wonder Factory** the value of this service and the needs they have in order to provide entertainment services to sick kids whilst they are in hospital.

So why am I sharing this? Because the RCH Foundation is a charitable organisation that relies purely on the generosity of the community, and therefore, I am seeking further support to help the Foundation continue to provide entertainment services to kids, especially over the Christmas period.

[More Details](#)

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