



Mediation News

July 1999

IN THIS ISSUE

- **Donations Sought**
- **New ADRA Office**
- **Position Vacant**
- **Teaching Adolescents Constructive Approaches to Conflict**
- **ADR on the World Wide Web**
- **Reaffirming the past, reshaping the future: Domestic Violence needs in SA**
- **SADRA Continuing Education Forums for 1999**

A Joint Project of...
Australian Dispute Resolution Association Inc. (ADRA)
South Australian Dispute Resolution Association (SADRA)
Victorian Association for Dispute Resolution (VADR)



ADRA President's Letter

Louise Roseman, Chairperson, SADRA

Welcome to the first issue of "Mediation News" for 1999.

This is my first "letter from the president" as the new President of ADRA. On behalf of the Board of management and members of ADRA, I would like to publicly extend my thanks to Paul Lewis who successfully completed a two year term as President at the Annual General Meeting in October 1998.

My personal commitment to ADR principles as a mechanism for managing conflict in our society is one of the reasons I am still mediating some ten years after my first training. I am sure most of you would say the same.

Yet I recently had cause to question why it is that I do what I do – facilitate negotiations between people in conflict and assist them to negotiate resolutions they can live with.

I learned earlier this year of the murder of the brother of a close friend. A man whose sense of humour and love for life I admired. Someone who become involved, like many of us at one time or other, in a dispute with his neighbour. This dispute led to an angry verbal confrontation, almost literally over the back fence. The argument ended when the neighbour pulled out a firearm and shot my friend's brother dead.

As someone whose first training was as a community mediator and who has mediated many neighbourhood conflicts over the years, I could only ask why these people could not find another way to resolve their differences? Was there a mediation service nearby and if so, did they know about it? Had anyone discussed the problem with my friend's brother or his neighbour and if so, was mediation or another ADR option suggested as an option? The community clearly needs to be aware of the options available when a dispute arises.

The issue of community education is clearly mandated in ADRA's constitution. The Board has long recognised the need to pursue initiatives in this area for the benefit of members. To date ADRA has not been able to commit significant resources in this area. In 1999, the Board has planned sev-

eral projects to promote the use of ADR options and enhance community awareness about the concept of mediation.

One strategy is to lobby government to undertake community education. In February 1999, ADRA was invited to speak at a meeting of the National Alternative Dispute Resolution Advisory Council and provide follow up to our earlier response to the NADRAC Discussion paper "Issues of Justice and Fairness in Alternative Dispute Resolution". Paul Lewis and I highlighted a range of strategies to educate the community generally. In particular, we argued that there is a need to provide specific information to government and other services who may be in a position to refer the public to dispute resolution options.

I would appreciate hearing from members about their ideas on this subject. What are the gaps that you perceive in the community's understanding of ADR? How can we enhance community awareness of alternative dispute resolution options? What strategies have worked in your organisation or practice? What could ADRA do?

After finalising our Business Plan for 1999, the Board of ADRA is working to implement a number of exciting projects which will benefit members and contribute to broader community education.

The first of these projects is the opening of our Sydney office. After eleven years, ADRA will now have a permanent home.

With the establishment of our office, we will be able to pursue a number of our goals. By the time you read this newsletter, ADRA members may already have access to a telephone enquiry line and a fax line which will enable members to obtain information about membership, the newsletter and ADRA events on one central number. We are also delighted that the premises provide a venue for our lunchtime seminar series, training activities and other events.

ADRA may also be connected to the internet as you read this! We hope to advise members of an email address in the near future and by the end of the year we hope to have established a home page.



The day is fast approaching when you will be able to access information about ADRA, apply for or renew membership and even review back issues of *Mediation News* online. Most importantly, we believe that an ADRA website will be a valuable tool to enhance community awareness of mediation and ADR.

The establishment of an office will provide tangible benefits to members and make the work of the Board immeasurably easier. The task of a volunteer Board member is a constant juggling act, trying to fit in ADRA tasks around work and family commitments and a personal life. Saving time on administrative tasks will leave Board members more time and energy to develop new projects. Centralising the administration will mean more efficient production of mail-outs to members and a faster response to member queries

A centralised office will also help in organising what we anticipate to be ADRA's biggest event of the year out bi-annual conference planned for last September early October. This year's conference will focus on innovation and present speakers at the cutting edge of developments in ADR in Australia. The conference will offer members up to date information, new ideas, practical suggestions and a opportunity to network with their peers in the ADR community. Typically our conferences have attracted participants from across Australia and overseas and ADRA will again be promoting the conference widely.

Further information about the conference date, programs and speakers will be pub-

lished in the next edition of *Mediation News*. I look forward to welcoming as many ADRA members as possible to the conference and extend an invitation to SADRA and VADR members to join us for a Spring break in Sydney.

Mediation News will continue to be our primary means of communicating with our members and I encourage members of ADRA and our sister organisations to contribute to your publication. Write to us about your latest research, do a book review of that new publication you have just read, up date us on a new website you have located, send us details of your latest training programs. Contributions to the next issue of *Mediation News* can be sent to the Editor (see back page for deadline and contact details)

The next edition of *Mediation News* will include a report on ADRA's first event for the year, a "Night at the Theatre" at the premier season of David Williamson's new play, Face to Face. Written following Williamson's research into transformative justice, the play explores community conferencing and aims to "...dramatise the process so the play might alert more people to the fact that there is an alternative to simplistic law and order measures focusing on more jails and more punitive sentences". Perhaps in theatre we may find one of the most potent community education strategies available... more on that in the next issue

Louise Rosemann,
President, ADRA

Deadline for Articles for Next Issue of Mediation News

The deadline for articles for the next issue of *Mediation News* is 30 July 1999.

Please send articles, letters, news items, book reviews (preferably on Disk) to:

**Mediation News,
C/- VADR
GPO Box 127a
MELBOURNE VIC 3001**

Donations Sought

Desperately seeking items of furniture and equipment for ADRA's new office! As a non-profit organisation, we are seeking assistance from members and other donors.

Perhaps you have some office equipment which is no longer of use to you, has seen better days but is still serviceable, is looking for a new home or is simply cluttering up your home or office.

Solve your problems and ours by donating the item to ADRA.

In particular, we seek the donation of new or used equipment to support training events including:

- white board and stand
- butchers paper stand
- overhead projector and trolley
- overhead projector screen
- spiral binding machine
- bar fridge
- general office equipment

ADRA is also keen to display on its office walls, posters which promote ADR. If you can help, please telephone ADRA today on 0409 990 458 to arrange collection of your donation. Unframed posters can be posted to ADRA at PO Box A2468, Sydney South, 1235.

**Recycle your
unwanted or surplus
equipment and assist
ADRA to enhance its
service to members.**

NEW ADRA OFFICE ADRA has a home at last!

The Board of ADRA is delighted to announce to members and friends that we have opened an office in Sydney. Our Association now has a permanent "home" at:

Suite 312
Level 3
Cornelius Court
147a King Street
Sydney 2000
Tel: 02 9231 5822
Fax: 02 9231 5833

ADRA warmly thanks Ms. Stella Cornelius, a founding member of ADRA, for her generous assistance in helping make this exciting new step in ADRA's development happen.

In addition to an office, ADRA has access to a meeting room which will be a convenient venue for our lunchtime seminar series and other events.

A range of new services for members will be possible following the establishment of our office. First of these are a telephone enquiry line and an email service. ADRA also plans to establish a web site later this year. Members will soon have access to ADRA's collection of publications and resources at our office.

Office opening hours will be advertised as soon as staffing arrangements are finalised.

ADRA's office is conveniently located opposite the MLC Centre, less than 10 minutes walk from four city railway stations and bus stops servicing a number of routes. Parking is available at several nearby locations, including a short walk away at the Domain Parking Station.

The Board looks forward to welcoming ADRA members to their new home.

POSITION VACANT

Part-time Executive Officer

The Board of Management of the Australian Dispute Resolution Association Inc. seeks expressions of interest for the position of Part-time Executive Officer.

The successful appointee will be responsible to the Board for the administration of the Association's Head Office in the Sydney CBD.

The Executive office will:

- Manage the Association's head office
- Handle enquiries from members and people interested in membership
- Co-ordinate membership mail-outs, publicity and promotional activities
- Prepare fee reminders, process publication orders and respond to requests for access to resources
- Assist the Conference Sub-Committee to organise the 1999 ADRA Conference
- Assist the Training and Education Sub-Committee to present training events
- Assist the Newsletter and Publications Subcommittee to produce the Associations newsletter , Annual report and other publications
- Provide administrative support to the President, Deputy President, Secretary and Treasurer of the Association

The successful applicant will:

- Demonstrate effective communication skills
- Have administrative experience
- Possess initiative , Problem solving skills and the capacity to manage multiple priorities
- Be computer literate , have experience in Microsoft software, including access database and publisher desktop publishing and preferably have an understanding of web page design and maintenance
- Have an understanding of the issues affecting ADR practitioners

For further information about the position please contact:

Louise Rosemann (President) on **0409 990 458** or Ian McKendy (Convenor, Finance and Administration Sub-Committee), on **0419 688 986**, or write to ADRA at **PO Box A2468, Sydney South, NSW 1235**



Teaching Adolescents Constructive Approaches to Conflict – A New Approach

Dale Bagshaw

In 1998 a research team from the University of South Australia conducted a pilot study to test the effectiveness of educational drama approaches to teaching and learning conflict handling strategies, involving year 9 students in a large school located in a low socio-economic area in the Northern suburb of Adelaide. Half the students in the selected school come from disadvantaged backgrounds with one third of students from non-English speaking backgrounds. It is schools with these demographics that are predominantly reporting escalating problems with conflict (Johnson and Oswald, in Martin 1994) and it has been suggested that strategies such as peer mediation do not work for many of the adolescents involved (Bagshaw 1998).

In order to ascertain perceptions and experiences of conflict particular to the targeted school, a questionnaire was administered to all year 9 students including questions about how often students had experienced various kinds of aggression directed toward them at school. Verbal abuse was the most common. Some 44% of respondents indicated that they had often been sworn at; 22% often called names they didn't like and 19% often yelled at. Physical abuse was more likely to be reported by boys, with 14% reporting that they had often been deliberately hit or kicked. Girls were more likely than boys to complain about more indirect forms of aggression, with 14% reporting that often someone tried to break up their friendship.

As is normally the case, the place where negative treatments were experienced most often was in the school grounds. However, the level of reported abuse in classrooms – especially verbal (12%) – was surprisingly high.

A high incidence of bullying behaviour was reported, with 34% of boys and 26% of girls reporting being bullied at least weekly by an individual. An even higher number of girls and boys were also prepared to say that they often (weekly) engaged in bullying others - 27% of boys and 24% of girls personally bullied others; 30% of boys and 30.5% of girls bullied others as part of a group. These figures are high by national standards (Rigby, 1997).

Approximately one child in five claimed to have avoided going to school because of conflict at least once during the year and approximately one child in ten reported that they frequently would like some help in sorting out a conflict issue at school. Most students reported needing help from time to time, with girls more interested in receiving help than boys.

Research indicates that many adolescents lack the skills to handle conflicts at school in a satisfying and constructive way, resorting to “fight or flight” solutions (Bagshaw 1998). Withdrawing from conflict can be constructive in certain situations, but usually leads to unsatisfactory outcomes for all concerned – disputes can stay unresolved, fester or erupt at a later date. “Smoothing things over”, or “giving in”, can have a similar effect in the long term. Resolving disputes by taking sides or asserting power (forcing) can escalate the dispute and lead to revenge, retaliation and/or violence.

In schools, the reactions to conflict can be rigid, authoritarian, impersonal and bureaucratic. Approaches to school discipline are often crisis oriented and many schools are not sufficiently resourced to address the causes of the unwanted behaviour, especially those located in disadvantaged areas. Given the current emphasis on the need for early intervention and relationship education, however, schools are ideal places for children and young people to learn about respectful behaviours, including constructive approaches to conflict management.

Educational theory indicates that ‘active’ forms of learning seem to be more effective for adolescents than ‘passive’ forms. Drama-in-education is about developing creativity and the use of the imagination, and as such is a valuable tool for intellectual and emotional growth. It is not about public performance but is a *process* that involves the participants in problem solving and cooperative interaction. The focus is on understanding the problem, ▶

Constitutional Review is Catchy!

The ADRA Board has set up a sub-committee to review the Constitution.

We are undertaking this as a two – stage process:

Stage one:

Correct minor errors such as spelling mistakes

Correct inconsistencies, for example, references to Society rather than Association

Improve clarity by reviewing numbering, headings and language

Make minor changes such as removing the use of the third party neutral in the object and definitions

Stage two:

Decide whether we would like to have a preamble and/or mission statement

Decide whether we should incorporate a specific dispute resolution procedure in the Constitution or leave matters as

framed in clause 8

Consideration of postal votes in preference to or in addition to, or as an alternative to proxies
Any other matters that arise in stage one.

Under our Constitution, any changes must be approved by a Special General Meeting. Prior to any Special General Meeting, proposed changes will be circulated to all members.

If any members have any comments, suggestions or queries, please do not hesitate to contact the Convenor of the Constitutional Review Sub-Committee, Rhonda Payget at the ADRA address, our new telephone number is

PH: 02 9231 5822

the development of ideas and interpersonal relations.

Verbal abuse was considered to be an appropriate focus for the research project as it had been identified by year 9 students in the school as the predominant source of conflict. Prior research in a range of secondary schools had also identified that verbal abuse between adolescents at school was common, was often ignored by teachers, can be more hurtful than physical abuse, can continue for a long period and was difficult to handle (Bagshaw 1998). It is important to reflect that verbal abuse is identified by many victims of domestic violence in South Australia as being the most destructive form of abuse in the long term (Bagshaw, Chung et al, 1999).

Educational drama approaches tested in this project included a range of drama exercises, improvisations, and role plays involving conflict situations typically experienced by students at school, especially conflicts involving verbal insults. The emphasis was on enabling students to develop their own conflict scenarios, drawing on their experiences and crea-

tivity. An action research framework was employed, allowing the researchers to work collaboratively with the participants and to constantly evaluate the process and modify activities. Various research techniques were trialed to ascertain their usefulness.

Students were introduced to five strategies for handling conflict identified by Johnson (1996) – withdrawing, smoothing, forcing, compromising and problem solving. Drama activities were designed to facilitate student exploration of the effect of each strategy, and to identify the destructive and constructive elements of each. Where conflict was the subject of the drama, they experimented with different strategies to manage or resolve the conflict, thereby opening up new possibilities for change.

REFERENCES

Bagshaw, D. (1998) ‘What adolescents say about conflict in schools’, *Children Australia*, vol. 23, no. 3, pp. 17 -22.

Bagshaw, D., Chung, D., Couch, M., Lilburn, S. & Wadham, B. (1999) *Reaf-*

firming the Past, Reshaping the Future: Domestic Violence Needs in South Australia. Report for the Domestic Violence Unit, South Australian Department of Human Services and the Commonwealth Government Partnerships Against Domestic Violence Initiative, University of South Australia.

Johnson, D. W. (1997) *Reaching Out. Interpersonal Effectiveness and Self-Actualisation*. Sixth Edition (Boston, Allyn and Bacon).

Martin, R. (1994) ‘Violence in Australian Schools’, *Criminology Australia: Quarterly Journal of the Australian Institute of Criminology*, vol. 6, no. 1.

Rigby, K. (1997) ‘What children tell us about bullying in school’, *Children Australia*, 22, 2, 28 – 34.

For more information about this project please contact Dale Bagshaw, Director of the Conflict Management Research Group, University of South Australia.

Facsimile: 61 8 8302 4375. Email: Dale.Bagshaw@unisa.edu.au



The Australian Dispute Resolution Directory

A national guide to professional providers of dispute resolution services
 Now only \$10.00 plus \$5 postage and handling

Please send me The Australian Dispute Resolution Directory
 I have enclosed a payment of \$10.00 plus \$5.00 for postage and handling.
 My cheque is payable to: **University of South Australia OR**

Change my credit card: AMEX Bankcard Visa M/card

Name

Address

..... Postcode

Card No

Card Expiry Date / Signature _____

Mail or Fax coupon to:
 Dale Bagshaw
 Group for Mediation Studies, School of Social Work and Social Policy,
 University of South Australia, Lorne Ave, Magill SA 5072
 Fax: (08) 8302 4377 Telephone enquiries: (08) 8302 4378



DR on the World Wide Web:

Taking Advantage of the Communication Revolution

Australians are renowned as technology junkies. We have one of the highest rates of mobile phone ownership in the world, and most of us these days have contact with computers in the workplace and/or at home. Remember, only a few short years ago when an automatic teller was a novelty and electronic typewriters were the latest office equipment.....

Increasingly, we are getting email addresses and connecting to the internet. Even those of us who don't understand the technological revolution taking place are starting to take advantage of the benefits it offers.

For example: the ADRA Board now circulates its notices of meeting via email - saving members money, and Board members time, as well as increasing efficiency (one message sent automatically to various destinations without photocopying, addressing individual envelopes or postage).

The increasing use of the world wide web has led to an exponential growth in the amount of information available to us from the comfort of our office or home (or at the very least our local library or community centre). We can access vast databases, new ideas and research; and unlike a library of books, where the information is static, we can now tap into the very latest information....

But there is so much out there.... where do we begin to look.....

Following is a starting point for all those internet surfers looking for ADR related sites. Some of the listings are organisation sites, some are articles and there is information about an online conference. It is only a very small sample of what is out there....

If you go to a site and would like to provide a review please forward it to the Editor of the next issue of *Mediation News* (see last page). If you have other sites to recommend send the web addresses and any other pertinent information.

In the next issue of *Mediation News* ADRA will be providing its email address to add to the list. Let's go surfing.....

Louise Rosemann

(Disclaimer: no claims made and no guarantees about whether the sites still exist at these addresses and what you will find when you get there....)

<http://www.abanet.org>

American Bar Association, 750 North Lake Shore Drive, Chicago, IL 60611, USA.

<http://www.aamft.org>.

American Association for Marriage and Family Therapy, 1133 15th St. NW, Suite 300, Washington DC 20005-2710, USA.

<http://www.austlii.edu.au/au/other/acdc/>
Australian Commercial Disputes Centre

<http://www.agric.nsw.gov.au/general/acts/farmdebt.htm>

NSW Farm Debt Mediation Act, administered by the Rural Assistance Authority

<http://www.amic.org>

Arbitration and Mediation Institute of Canada

<http://members.aol.com/peacejnl/index.htm>.

The annual review issue of the Online Journal of Peace and Conflict Resolution has been posted at this address.

<http://www.bond.edu.au/bondlawframe.htm>.

Bond University School of Law, Centre for Dispute Resolution, Gold Coast, Queensland, 4229.

<http://www.conflict-resolution.net/cdrc/stds1.htm>.

The final draft of the California Dispute Resolution Council's Standards of Practice for California Mediators is available at this site.

<http://www.convenor.com>

Convenor, vol 1 no. 1, December 1998. Convenor is a web only newsletter which will carry articles that are awaiting publication and news of developments in research and practice. The first issue contains an article entitled *Absolutely Confidential, More or Less*, looking at the limits of the claimed confidentiality of mediation which will be published in the American Bar Association's Dispute Resolution Magazine.

Got
Some
Spare Time



ADRA Needs YOU!

ADRA is looking to members to assist in completing a range of projects in 1999. We need volunteers who can help us get things done!

- The following Sub Committee/ Working Parties have been established in 1999:
- Conference Sub-Committee
- Policy Sub-Committee
- Constitutional Review Sub-Committee
- Marketing and Promotions Sub-Committee
- Training and Education Sub-Committee
- Newsletter and Publications Sub-Committee
- Financial and Administrative Sub-Committee

The Board is particularly looking for members who wish to volunteer to assist the following groups:

Training and Education
Sub-Committee
Convenor, Val Sinclair
on 0419 635 345

Newsletter and Publications
Sub-Committee
Convenor, Stella Sykiotis
on 02 9349 3937

If you wish to support ADRA in this practical and tangible way, please contact the Sub-Committee convenors on the numbers listed.

<http://www.crenet.org>

<http://www.nafcom.org>

<http://www.spidr.org>

Several of the major US organisations in conflict resolution have moved in together. The new address for SPIDR, NIDR/CRENet (The Conflict Resolution Education Network) and NafCM is 1527 New Hampshire Ave. NW, Washington DC 20036, USA. Websites for each listed above.

<http://www.euconflict.org>

The European Platform for Conflict Prevention and Transformation includes a directory of organisations and institutions working on conflict prevention and management.

<http://www.familycourt.gov.au/services/html/mediation.html>

Family Court of Australia: information about mediation services, including topics “How Mediation Helps You?”, “Mediation is it Right For You?”, “How to Get Started?”

<http://www.familymediators.co.uk>

Family Mediators Association, 1 Wylvil Court, London SW8 2TG, England.

<http://www.hrplaza.com/legal/altdispute.html>

Site provides statistics on the use of ADR in human resources departments and the effects of ADR on the settlement of harassment suits.

<http://www.instarb.com.au>

Institute of Arbitrators and Mediators Australia, Level 1, 22 William Street, Melbourne, VIC, 3000 (email: instarb@werple.net.au)

<http://www.internationaladr.com/ab.htm>

The International ADR site includes detailed information on recent publications, upcoming conferences, rules set from various locations and a range of other information for those with an interest in ADR in the international setting.

<http://www.keybridge.org>

ADA Mediation Online Conference from 14-18 June 1999. Contact Key Bridge Foundation (email: keybfound@aol.com)

<http://www.law.capital.edu>

Center for Dispute Resolution, Capital University Law School, USA

<http://www.lawlink.nsw.gov.au>

Lawlink NSW

<http://www.lawsocnsw.as.au/legalhelp/answers/mediation/>

Law Society of NSW Legal Help: information on ‘What Is Mediation?’

<http://fassweb.macarthur.uws.edu.au/cms/default.htm>

Home Page for Centre for Mediation Studies, University of Western Sydney

<http://mediate.com/tan>

The Alternative Newsletter: A Resource Newsletter on Dispute Resolution, James B Boskey (ed.), Seton Hall Law School, Newark, NJ 07102-5210, USA (email: Tan@mediate.com)

<http://www.mediate.com/articles/roberts.cfm>

Article by Michael J. Roberts entitled *Why Mediation Works*

<http://www.mnnc.org>

Mediation Network of North Carolina, PO Box 241, Chapel Hill, NC 2751409241, USA.

<http://www.nntt.gov.au>

Australian National Native Title Tribunal

http://www.peersupport.com.au/Peer_Mediation.htm

Peer Support Foundation Victoria Ltd., Peaceable Schools: Mediation Training for Primary and Secondary School teachers who train students as mediators

<http://www.relationships.com.au>

Information about Relationships Australia National and State organisations; including information about mediation, training and development, branch locations, and links to other related web sites.

<http://www.texasadr.org>

ADR Section, State Bar of Texas, PO Box 1248, Capitol Station, Austin, TX 78711, USA.

<http://www.tased.edu.au/tasonline/cmst>

Community Mediation Service Tasmania Inc.

<http://www.tja.com.au>

Site for Transformative Justice Australia, an organisation providing training, workshops and community conference facilitation.

<http://www.unisa.edu.au/courses/pg99/soc/onfMgmt.htm>

Information about Conflict Management courses, University of South Australia

[http://www.unisa.edu.au/courses/pg99/soc/Mediat\(Fam\).htm](http://www.unisa.edu.au/courses/pg99/soc/Mediat(Fam).htm)

Information about Graduate Certificate in Mediation (Family), Faculty of Humanities and Social Sciences, University of South Australia

<http://www.uniserv.edu.au/alrc>

Australian Law Reform Commission article *Technology - What Does it Mean for Dispute Resolution*

(Reference: some of the information above is drawn from *The Alternative Newsletter: A Resource Newsletter on Dispute Resolution*, March 1999, James B Boskey (ed.), Seton Hall Law School, Newark) ■■■

SUBSCRIBE TO AN ON LINE DISPUTE LIST

If you are interested you can subscribe to the dispute resolution list serve. It's got a lot of useful stuff, though you do get between 10 and 30 emails a day.

To subscribe send a message to listserv@listserv.law.cornell.edu The message should say subscribe dispute-res firstname lastname. To unsubscribe, send a message to listserv@listserv.law.cornell.edu. The message should say unsubscribe dispute-res. When you unsubscribe, you do not need to put in your name.

Alan Tidwell

Mediate-Canada have a new list serve which will act as a vehicle for discussion and exchange of information as it relates to ADR in Canada.

To subscribe send a message to mediate-canada-request@mailing.list.net. In the body, type subscribe and send the message. Follow the instructions you get back from the list.



REAFFIRMING THE PAST, RESHAPING THE FUTURE: DOMESTIC VIOLENCE NEEDS IN SOUTH AUSTRALIA

Domestic violence has been a political concern for three decades involving women's movement activists, the state and the non-government sector. A complex web of responses to deal with domestic violence has evolved over this period. A great deal is already known about domestic violence from Australian and overseas research and the experiences of people working in the field of domestic violence. Given the multi faceted nature of domestic violence, no one piece of research or intervention can provide the solution. This research was funded under the Partnerships Against Domestic Violence initiative of the Commonwealth Government and examined the needs of men, women and young people experiencing domestic violence in South Australia. The aim of the research as outlined in the Consultancy Brief was:

"To inform the design/implementation of effective strategies and interventions to prevent domestic violence based on a current analysis of the needs of victims, perpetrators and also young people who have witnessed domestic violence. These strategies will be inclusive of people from Aboriginal, rural, migrant, lesbian and gay communities."

The research collected qualitative data using a multi-method approach. The methods involved phone-ins, focus groups, interviews with service providers to marginalised groups, and networking with various communities.

The research findings confirm prior research and indicate that many organisational and professional developments have had a positive impact on the experiences of women, men and children seeking help for domestic violence. Specialist domestic violence services were generally viewed positively by participants. However, participants reported both positive and negative experiences of mainstream services. Overall, domestic violence services appear to be less effective for marginalised groups in the community, including Indigenous people, people from culturally and linguistically diverse backgrounds, those living in rural and remote areas, gay men and lesbians. Culture, location, sexuality, gender and class were critical factors in how people

living in domestic violence understood their experiences and the effectiveness of service responses. The experiences of domestic violence in these marginalised groups challenge current theories and orthodox service delivery. There is a need for a more complex understanding of power and its abuse in relationships.

"To inform the design/implementation of effective strategies and interventions to prevent domestic violence based on a current analysis of the needs of victims, perpetrators and also young people who have witnessed domestic violence. These strategies will be inclusive of people from Aboriginal, rural, migrant, lesbian and gay communities."

Current theories of domestic violence need to include and address a greater diversity of experiences. New approaches are needed, which may require further research.

In advertising the phone-in it was decided not to use the words 'domestic violence' in promotional materials in an attempt to target a wider range of participants. The words 'relationship abuse' were used instead, with a range of examples of non-physical behaviours that people may be experiencing. Whilst a large number of participants had used domestic violence services and described themselves as 'victims' or 'survivors' of domestic violence, other participants had not identified their situations as 'domestic violence' until they read the behaviours and feelings described in the posters. The data suggests there is increasing public awareness of domestic violence, however the general perception was that non-physical forms of violence did not constitute domestic violence without accompanying physical violence. The findings suggest the need for future education and awareness cam-

paigns to focus on expanding the public's understanding of domestic violence to include emotional, psychological, social and economic abuse.

A common response to women living in situations of domestic violence is to ask: "Why don't you leave?" The research participants described this as one of the most unhelpful responses to women experiencing domestic violence. As previous research has shown, there are many complex reasons why women remain in abusive situations. The pressure to remain in a relationship and not have it 'fail' was a major reason for many women. This pressure to 'make the relationship work' was often reinforced by family, friends and work colleagues. Constant threats and intimidation also made women fearful of leaving. Informal networks were often women's first source of help for domestic violence and their responses were often critical in determining future courses of action. This research points to the need for public education initiatives that aim to help family, friends and workmates respond appropriately and effectively when people disclose domestic violence.

Service providers, such as doctors and police, also need further education and training to assist them to identify domestic violence, establish or adhere to appropriate protocols, respond effectively and make appropriate referrals.

The male participants in this research were primarily perpetrators of domestic violence. Focus groups involved men who were attending group programs and a small number of male victims and perpetrators participated in the phone-in. An overarching theme was that the victim/perpetrator distinction did not capture the ambivalence men experienced in naming their place in domestic violence. However, such a distinction is needed to maintain a focus on the responsibility that perpetrators must take if the incidence of domestic violence is to be diminished.

Amongst many of the women participants in the phone-in there was a dominant narrative that indicated the development of an identity as a domestic violence 'victim' or 'survivor'. It was concerning, however, that some women appeared to have developed a 'career' as a survivor of

domestic violence. On the other hand, common themes were not evident from the male participants' descriptions of their experiences. Some men did not locate their experiences within the domestic violence discourse and in some cases described themselves as both victims and perpetrators (sometimes confusing the two).

Men who could be identified as perpetrators of domestic violence sought relationship counselling instead of domestic violence services, as they perceived their violence as a response to a 'relationship problem'. Men's commitment to change was primarily motivated by their own personal investment in making their own lives better and saving or improving their relationship.

Male participants found that contemporary stereotypes of domestic violence portrayed men in a negative light, establishing a barrier to domestic violence prevention messages and services. The dominant male culture was seen to promote their ongoing use of violence, with limited support offered to stop or prevent violent behaviour. Whilst men's groups were seen as supportive and helpful they often could not meet the need for ongoing support as they were time-limited.

Men felt that dominant ideas and beliefs about masculinity and the ways they were

raised as men limited their ability to communicate within relationships, to understand their role in relationships and to deal with the pressures of relationships and daily life. Violence was seen by some men to be a normal and justified action. There is a continuing need for community based awareness programs to work with young men to prevent and stop violence, and for services that contribute to men's education in life skills, communication and relationship skills.

There is considerable research on the effects of domestic violence on children. This project relied on parental reports on the effects of domestic violence on children and the findings corroborated previous research. It was found that effective services for children who had experienced domestic violence were either not available or were not easily accessible. Where children had attended counselling it was not viewed as valuable for two main reasons:

- * service providers often focussed on the anti social nature of children's behaviour and did not place their behaviour within the context of domestic violence; and
- * children often perceived their attendance at counselling as a punishment (when they had done nothing wrong) and/or as an unsuitable method of helping them.

Young people also reported difficulties in disclosing domestic violence and finding appropriate services. They supported the use of peer education programs for raising awareness of domestic violence amongst young people and as a means of support to young people who have experienced domestic violence. Thus whilst the effects of domestic violence on children and young people are well understood, the next stage requires the development of specific models relevant to their needs.

Domestic violence research and services have made important contributions to large numbers of people who have lived in situations of violence and abuse. However, it is timely to review domestic violence theories and interventions in the light of new knowledge and current challenges identified in this research. This research has demonstrated the need for new terminology, more inclusive theories of relationship abuse and a greater diversity of approaches to domestic violence. New approaches are needed which respond effectively to the unique needs of children and young people, Indigenous people, people from diverse cultural backgrounds, those living in rural and remote areas and those who do not identify as heterosexual. ■■■

Contribute to the ADRA 'Library'

Since it was established in 1987, ADRA has been building a collection of books, papers and other resources dealing with ADR in Australia and related topics.

You will have read elsewhere in this newsletter that ADRA now has a Sydney office. One of the new services that ADRA hopes to provide to members is access to that collection.

We are keen to expand our collection of publications and to include a greater variety of publications and resources. Members are encouraged to donate suitable items. A record of donations will be maintained.

Please look through your bookshelves and filing cabinets for duplicate copies of papers you have no need of, texts you no longer need, videos, tapes and any other ADR resource which may be of interest to other members or students undertaking research.

To those members who are published writers, ADRA would be pleased to include a review of your work in *Mediation News* in return for a donation of your publication to ADRA's collection.

Please send your donations to ADRA at :

If you have a large package of materials to donate, please telephone Louise Rosemann on 0409 990 458, to arrange collection.

PO Box A2468
Sydney South
NSW 1235

ADRA Thanks You for Your Help!

ADRA Seminar Series for 1999

Following from the success of the seminar series in 1998, ADRA has again developed a series of seminars and workshops for 1999, bringing back some popular speakers from last year and introducing a number of new speakers and presenters.

In April, Jenny Barga, director of the Youth Justice Conferencing program will be doing a presentation on youth conferencing.

In May, Micheal McDaniel, past Tribunal member of the Native Title Tribunal will be speaking on issues relating to native title.

In June, Allen Parker will be presenting a Saturday workshop exploring agreement in mediation.

In July, Dr Alan Tidwell will be presenting a talk on problem solving for one.

In August, Linda Fisher will be speaking on personality and mediation.

In September, Professor Laurence Boulle will be speaking on NADRAC. In October, David Rollinson will be speaking on Environmental Dispute Resolution.

In November Karen Barker will be speaking on Family Court Mediation.

A program including seminar dates and times, has been sent to all ADRA members and further flyers will be sent prior to each presentation. So, note the dates in your diary!



Review of Papers from the Fourth National Mediation Conference held in Melbourne in April 1998

Australia is probably the leading anglophone country in mediation research, certainly on a population adjusted basis, and while insights from Australia sometimes seem to trickle slowly into the American mainstream, this reflects more on the breadth of attention of United States mediators than on the quality of the insights from the Australian side.

This collection of papers, from the 4th National Mediation Conference, held in Melbourne in April 1998, reflects the breadth and depth of Australian mediation and the range of knowledge and information available there to those outside the region. Included are 53 papers, in addition to seven keynote addresses, covering the length and breadth of the mediation field.

The keynotes set the stage for the breadth of the papers. Peter Adler, Joe Folger and Alistair Nicholson set the

stage by examining the current status and likely future of mediation, while Hillary Astor deals with identity and diversity issues, Dale Bagshaw with adolescents and peer mediation, Susan Gribben with children in conflict situations and the effects of mediation, and Moira Raynor examines the use of mediation in protecting and developing human rights in the developing democracies.

The papers themselves cover a wide range of topics. Fourteen deal with family law issues ranging from ethical questions to the development of mediation norms, several papers addressing the role of children's voice, etc.

Other groups of papers examine peer and victim-offender mediation, mediation training, and nine papers on cultural issues in the mediation process. While not every paper offers major

insights, most of them include ideas and information of real value, and all will repay careful reading.

This is a volume that belongs in any serious library of mediation resources.

Reprinted from the Alternative Newsletter: A Resource newsletter on dispute resolution, March 1999, James B. Boskey, (Ed.) Seton Hall Law School, Newark, NJ, PP 41-42

Fisher, Tom (ed), 4th National Mediation Conference - Melbourne - April 1998 – Proceedings, School of Law and Legal Studies, La Trobe University, Bundoora, 3083, Australia (439pp 1998) ISBN: 1864464828.

TO BE RELEASED SOON

A needs assessment of men, women and young people who have been involved in domestic violence in South Australia

Reaffirming the past, reshaping the future: Domestic violence needs in South Australia



Dale Bagshaw, Donna Chung
Murray Couch, Sandra Liburn, Ben Wadham
University of South Australia

A Full report or Summary Report will be available.

This research reports on research with men, women and young people from mainstream and from Aboriginal, non-English speaking, gay and lesbian backgrounds in South Australia.

Commissioned by:
The Domestic Violence Unit
Department of Human Services, South Australia

Funded by:
The Commonwealth Government Partnerships Against Domestic Violence Initiative.

ORDER FORM

REAFFIRMING THE PAST, RESHAPING THE FUTURE:
DOMESTIC VIOLENCE NEEDS IN SOUTH AUSTRALIA

I wish to order _____ copies of the Summary

I wish to order _____ copies of the Full Report

Name:

Organisation and Position:

Address:

Please forward to: Domestic Violence Unit, PO Box 39 Rundle Mall, Adelaide SA 5000.

FAX: (08) 8226 7088 Email: Kunst.Lis@saugov.sa.au

SADRA CONTINUING EDUCATION FORUMS FOR 1999

1. Topic area: Child-Inclusive Mediation.

(Convenors - Centa Care).

The latest research + John Haynes/UniSA tape - 'The Best Interests of Children'.

Date: April 19, 1999

Location: Osmonds Hotel (back meeting room), 120, Magill Road, Norwood.

Times: 5.00 pm - Coalition for Mediation Meeting.

6.00 pm - Forum

7.30 pm - Dinner (a la carte - optional).

2. Topic area: Using Educational Drama to Teach Conflict Handling Skills to Adolescents in Secondary Schools. A report on a project conducted by researchers from the UniSA.

(Convenor: Dale Bagshaw)

Date: May 31, 1999

Location: Osmonds Hotel (back meeting room), 120, Magill Road, Norwood

Times: 5.30 pm - Executive Committee Meeting.

6.00 pm - Forum

7.30 pm - Dinner (a la carte - optional).

3. Topic area: What is Conciliation? A comparison of styles/approaches used by conciliators in the Family Court, Work Cover, Equal Opportunity, Consumer Affairs and the Industrial Relations Court and Commission.

(Convenor: Coral Coleman).

Date: July 19, 1999

Location: Osmonds Hotel (back meeting room), 120, Magill Road, Norwood.

Times: 5.30 pm - Executive Committee Meeting.

6.00 pm - Forum

7.30 pm - Dinner (a la carte - optional).

4. Topic area: Small Business Disputes: Key Issues, Creative Options

(Conv.- John Steele)

Date: September 20, 1999

Location: Osmonds Hotel (back meeting room), 120, Magill Road, Norwood..

Times: 5.30 pm - Executive Committee Meeting.

6.00 pm - Forum

7.30 pm - Dinner (a la carte - optional).

5. Annual General Meeting. Guest speaker

(ideas welcomed).

Date: November 15, 1999

Location: Osmonds Hotel (back meeting room), 120, Magill Road, Norwood.

FINAL REMINDER — THIS YEAR’S MEMBERSHIP FEES NOW OVERDUE

SADRA

South Australian Dispute Resolution Association

c/o Dale Bagshaw, Chairperson,
University of South Australia,
St Bernard’s Road, MAGILL 5072
Phone: 08 8302 4375
Facsimile: 08 8302 4377
E-mail: Dale.Bagshaw@unisa.edu.au

Application for Membership

Name/Organisation:

Postal Address:

..... Postcode

Telephone: Work

Home Fax

Additional Information - Organisational Members Only

Contact Person:

Position in Organisation:

Additional Information - All Applicants

Interest and/or experience in dispute resolution

.....

.....

.....

Existing member renewal

I will/will not be renewing my membership and enclose a cheque for \$

Please enclose appropriate fee. Do not send cash.

Please make cheques or money orders payable to the South Australian Dispute Resolution Association, and forward to Dale Bagshaw at the above address.

Fees - Full-time students and volunteer mediators- \$25.00

Individuals - \$30.00

Organisations - \$40.00

Overseas members: AUS \$40.00



COURSES & TRAINING

NEW SOUTH WALES

LEADR, National Dispute Centre
Level 4, 233 Macquarie Street, Sydney,
NSW 2000
(02) 9233 2255
Fax: (02) 9232 3024

Mediation Workshops, 4 day course,
teaches mediation skills and philosophy.

*Issues and Techniques in Family Mediation
and Interpersonal Disputes.*

Mediate Today

Contact: Lorraine Djurican
Tel: (02) 9223 2255
Fax: (02) 9223 6058

Relationships Australia

5 Sera Street, Lane Cove, NSW 2066,
Tel: (02) 9418 8800
Fax: (02) 9418 8726
Contact: Louise Rosemann
Tel: (02) 9327 1222

96 hour course in Mediation
(VTAB Accredited): A comprehensive
accredited training program providing
experiential training in a variety of
mediation contexts.
16 weeks commencing 4 August 1999
(Wednesday 12.00 - 6.00pm each week)
at Edgecliffe, Sydney

6 day Mediation Training: An
Introductory Mediation Skills Course at
Edgecliffe, Sydney: 19,20,21,26,27 and
28 July 1999
(9.00am - 5.00pm)
Newcastle: 2,3,6,7,9,10 September 1999
(9.00am - 5.00pm)

Family Mediation Practice:

A one day workshop for trained
mediators.
Edgecliffe, Sydney: 14 August 1999
(9.00am - 5.00pm)

The Accord Group

Level 2, 370 Pitt Street, Sydney
Tel: (02) 9264 9506
Fax: (02) 9264 8268

Commercial Mediation Training, 4 day
course. Also runs in-house courses in
conflict resolution and negotiation skills.

Australian Commercial Disputes Centre

Level 6, 50 Park Street, Sydney,
Contact: Margaret Mclelland
Tel:(02) 9267 1000
Fax: (02) 9267 3125

Commercial Mediation Course,
3 day course (\$1395) and optional
evaluation day (\$395).

Workplace Grievance Mediation Course,
3 day course (\$1200) and optional
evaluation day (\$395).

*Local Government Planning and
Development Mediation Course*,
3 day course (\$1125) and optional
evaluation day (\$395).

Complaint Management Course,
1 day course (\$295).

Conflict Resolution Network

PO Box 671, Dee Why NSW 2099
Contact, Christine James/Jo Buckley/
Colin Isaac
Tel: (02) 9972 3955
Fax: (02) 9972 9620
Email: cmme@bigpond.com

Mediation Skills Training, 4 day course,
1 - 4 June 1999, cost \$850 In House
Training tailored for your
organisation.

VICTORIA

Barwon Parent and Youth Mediation Service

Geelong Victoria, contact Chris Halls
Tel: (03) 5223 2966
Fax: (03) 5229 0102

Professional Mediation Training, 3 day
course — Mediation available for parent/
adolescent at no cost. Peer Mediation
available to schools

Council of Adult Education

Community Programmes Department
256 Flinders Street, Melbourne, Vic
3000,
Contact: Margaret Jones/
Muriel Sutton
Tel: (03) 9562 0629 or (03) 9562 0799

Mediation an Introduction, 12 hour
course for people in management and
human resources fields.

Dealing with Conflict, 5 weeknight
course to improve skills and confidence in
conflict management.

*Dealing with Anger and
Communicating Across Cultures in
Workplace*

Family Mediation Centre

Level 4, 1001 Nepean Highway, PO Box
2131, Moorabbin, Vic, 2131
Contact: Marie Garric
Tel: (03) 9555 9300
Fax:(03) 9555 1765
Email: family@mediation.com.au - http://
www.mediation.com.au

Family Mediation Training Courses

Level 1: 20, 21 and 22 May 1999
Level 2: 22, 23 and 24 June 1999
Cost, \$500 for each level with 10%
discount if a deposit is received 10 days
prior to commencement.

*Effective Grievance Management
Training*, 3 day course (\$500)

International Conflict Resolution Centre University of Melbourne,

Carlton Campus
Contact: Margaret Clark
Tel: (03) 9344 7035 Fax: (03) 9347 6618

Mediation in Education, a 30 hour
course for primary, secondary school
teachers and counsellors, July 5-8 1999
contact Pat Marshall (03) 59685414

Mediation short course, a 40 hour, 13
week course. Practical and theoretical
training for professionals.
Contact Pat Marshall
Tel: (03) 59685414

*Managing Conflict in Planning
Dispute Resolution and Facilitation Skills
for Planners.*
Contact Robin Saunders:
Tel: (03) 9853 7510

La Trobe University School of Law and Legal Studies,

Bundoora, Vic, 3083
Contact: Tom Fisher
Tel: (03) 9479 2423
Fax: (03) 9479 1607
Email: T. Fisher@latrobe.edu.au

Family Law for Mediators - subject is part
of Graduate Diploma in Family Law

Relationships Australia

46 Princes St, Kew
Contact: Ena Shaw
Tel: (03) 9484 9775

Introductory Mediation Course, 2 day
course includes the effects of separation
on children

Intermediate Mediation Course, 3 day
course includes cultural issues and intake
procedures



COURSES & TRAINING

QUEENSLAND

Alternative Dispute Resolution Branch, Department of Justice, QLD
 GPO Box 149, Brisbane, QLD, 4001
 Tel: (07) 3239 6277
 Fax:(07) 3239 6284

Mediation Skills Course, 5 day course, introductory course for people wishing to gain a basic understanding of mediation process and essential skills

Relationships Australia, QLD
 PO Box 595, Spring Hill, QLD, 4004
 Contact: Mike Brandon
 Tel: (07) 3831 2005
 Fax: (07) 3839 4194

Advanced Family Mediation, 28 hour course

SOUTH AUSTRALIA

University of South Australia- Conflict Management Research Group
 St. Bernards Road, Magill, 5072
 Contact: Dale Bagshaw
 Tel: (08) 8302 4375
 Fax:(08) 83024377
 Email: dale.bagshaw@unisa.edu.au

Training workshops and consultancies for organisations, tailored to need, 2 hours to 5 days.

TASMANIA

Community Mediation Service Tasmania
 11 Liverpool Street, Hobart, Tas 7000
 Contact: Lyn Newitt
 Tel: (03) 6231 1301
 Fax: (03) 6231 1969
 Email: cmst@southcom.com.au

Basic Mediation Courses:
 Launceston, 5 days, 26 - 31 Aug 1999
 Hobart, 5 days, 23 Sept - 4 Nov 1999
 Hobart, 5 days, 25 Nov - 1 Dec 1999
 Cost: \$500
 Supervision courses of 2 days duration are run in addition to the Basic Course (\$200)

Family Mediation Courses
 Held in March and May 1999
 A 3 day course for those who have already completed some training will be held in Hobart on 24, 25, 26 September 1999, followed by a 12 hour supervised roleplay on different dates (\$200)

UNIVERSITY CERTIFICATES DIPLOMA, DEGREES

NEW SOUTH WALES

Southern Cross University
 Bachelor of Social Science with Counselling and Mediation Studies Major
 Bachelor of Legal Studies

University of Western Sydney
 Graduate Certificate in Commercial Dispute Resolution

University Of Technology
 Faculty of Law, Post Graduate Studies
 Graduate Certificate in Dispute Resolution
 Master of Dispute Resolution

Macquarie University
 Graduate School of Management
 Post Graduate Diploma in Conflict Management
 Macquarie University School of Law also offers various courses

SOUTH AUSTRALIA

University of South Australia
 Faculty of Humanities and Social Sciences
 Graduate Certificate in Mediation (Family)
 Graduate Diploma in Conflict Management
 Master of Conflict Management

VICTORIA

La Trobe University
 School of Law and Legal Studies
 Graduate Diploma in Family Law Mediation
 Graduate Diploma in Conflict Resolution
 Graduate Certificate in Conflict Resolution



*For a kick off—
 let's sit down and talk*

SADRA Committee

Chairperson

Dale Bagshaw (08) 8302 4375
fax: (08) 8302 4377
email: Dale.Bagshaw@unisa.edu.au

Treasurer

John Steele (08) 8340 1982
fax: (08) 8346 9477

Mediation News

John Connell (08) 8223 4566
fax: (08) 8232 2898

Committee

David Baker
Rosemary Crabb
Joanne Engel
Susan Errington
Natalie Fuller
Virginia Leeuwenburg
Associate Professor Kathy Mack
Darren McGeachie
Franca Petrone

VADR Committee and Office Bearers

President

Eileen Dethridge
Ph/Fax:(03) 9486 4398

Vice President

Robin Sounders

Secretary & Membership

Bruce Turner (03) 9662 4023

Treasurer

Jane Picton

Committee

Eileen Dethridge
Sandy Caspi Sable
Marie Garric
Jack Jacobi
Amanda Perham
Jane Picton
Robin Saunders
Bruce Turner
Vanessa Richardson
Elize Simpson

ADRA, VADR and SADRA accept no responsibility for the accuracy of material printed. Views expressed do not necessarily reflect those of the Associations. Material may be copied from the newsletter if acknowledgement is made.

ADRA Board of Management

President/Membership

Louise Rosemann 0409 990 458

Secretary

David Holst

Treasurer

Val Sinclair

Newsletter

Stella Sykiotis

Committee

Christine James
Paul Lewis
Ian McKendry
Allan Parker
Rhonda Payget
Ursula Schiappi
Alan Tidwell

Deadline for Articles for Next Issue of Mediation News

The deadline for articles for the next issue of Mediation News is 30 July 1999.
Please send articles, letters, news items, book reviews (preferably on Disk) to:
Mediation News, C/- VADR GPO Box 127a, Melbourne Vic 3001

MediationNews

A Joint Project of

Australian Dispute Resolution Association Inc. (ADRA)
South Australian Dispute Resolution Association (SADRA)
Victorian Association for Dispute Resolution (VADR)

Design, Layout and Print Management – Inprint Design, Bedford Park, South Australia, Phone (08) 8201 3223 fax: (08) 8201 3238 email inprint@inprint.flinders.edu.au

Mediation News
Print Post Approved
PP255003/01474

If undelivered,
please return to:
Mediation News
c/o Inprint
GPO Box 2100
ADELAIDE SA 5001



SURFACE

MAIL

POSTAGE
PAID
AUSTRALIA

