



**Australian
Dispute
Resolution
Association
Inc.**

Annual Report 2000

ADRA Board Members 1999/2000

**President/
Membership Co-ordinator**

Louise Rosemann

Deputy President

Rhonda Payget

Secretary

David Holst

Treasurer

Val Sinclair

Newsletter Editor

Christine James

Board Members

Ian McKendry

Allan Parker

Ursula Schappi

Marilyn Scott

Alan Tidwell (to July 2000)

Duncan Cameron (from December 1999)

Salli Browning (from February 2000)

Sub-Committee/Working Party Membership

Conference

Louise Rosemann (Convenor)

Christine James

Allan Parker

Ursula Schappi

Stella Sykiotis

Alan Tidwell

Policy and Review

Salli Browning

Val Sinclair

Finance and Administration

Ian McKendry (Convenor)

Louise Rosemann

Val Sinclair

Strategic Communications

Christine James (Convenor)

Newsletter and Publications

Christine James

Membership Services

David Holst

Annual Report 2000

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President's Report

The 1999/2000 Board of Management of ADRA has faced a challenging year. While several of the Board's planned objectives have been achieved, a number of factors have conspired to prevent the Board meeting all the goals established at the beginning of the year.

2000 Business Plan

The Board, for the third consecutive year, commenced its term by convening a planning meeting. During an energising day, skilfully facilitated by Allan Parker, the Board developed a Strategic Plan, which is intended to be a resource for future Boards, as well as establishing the priorities of the 1999/2000 Board. This meeting was followed by further discussion and refinement of the Strategic Plan at the first three Board meetings of the year. Allan Parker is owed the gratitude of the entire Board for his superlative contribution to this process.

The Board agreed that before determining an action plan, it was critical that we provide a firm foundation for future planning by identifying goals and objectives. The final plan presents a comprehensive framework for the future management of the Board. It encompasses statements about the Association's identity, ideology, purpose, vision, strategy, values, structure and activities.

The Strategic Plan identifies actions for each of four sub-committee/working party groups; Membership Services, Policy and Representation, Administration and Communication Strategy. Working parties were established following finalisation of the plan, however, resourcing issues have had a significant impact on the completion of the planned actions. The Annual Report outlines the successes and challenges faced by each sub-committee.

National Co-operation

The production of *Mediation News* has, until now, been a joint project of SADRA, VADR and ADRA. With the emergence of non-profit ADR associations in Queensland, Northern Territory and moves in this direction in Western Australia, the expansion of the project to include these new organisations has been mooted.

The recent 5th National Mediation Conference in Brisbane provided the opportunity for Chairpersons/Presidents of the various associations to meet and consider this and other issues. The idea of a national forum for ADR associations has been raised a number of times. The A Peak Body Project initiated by ADRA and then President Paul Lewis, demonstrated that there were a number of complex issues to be managed to create a National Association. In Brisbane the Chairpersons/Presidents acknowledged these potential challenges.

The overwhelming consensus of the meeting, however, was that the benefits of closer co-operation between the state-based non-profit ADR associations make this a goal worth pursuing. Closer co-operation on a number of fronts was discussed, including *Mediation News*, conference organisation, representations and communication. David Baker of SADRA and Damien Negus of the Alternative Dispute Resolution Association of Queensland (ADRAQ) are to be congratulated for their efforts in organising the meeting.

In part, our capacity to co-operate in the future will be dependant on our ability to communicate. David has provided enormous assistance in this regard, creating a cyberspace forum on the Ausdispute website to continue the discussions commenced in Brisbane. I hope that the 2000/2001 Board will continue the dialogue which has been established and work towards greater co-operation between the state- based no-profit ADR associations.

The launch of the Ausdispute website will provide an additional avenue for ADRA to communicate with members and others. SADRA, VADRA and ADRAQ have pages on the site and ADRA hopes to finalise content for its page soon. Currently the site is being expanded to include papers from the 1st to the 5th National Mediation Conferences, and recent back issues of *Mediation News*. The site is an invaluable resource and reference for ADR practitioners in Australia.

Challenges for ADRA

Employing the latest technology to serve its members needs will, I believe, be a key issue for ADRA in the future. As an association with its membership spread across almost all states and territories and reliant on volunteers to resource its activities, the Board of ADRA is conscious that this has a number of implications. Firstly, that the major benefit of membership for members outside metropolitan Sydney is likely to be communication and access to information. Secondly, that the Board is at present largely reliant on members in metropolitan Sydney to undertake the work of the Association.

If ADRA is to remain relevant and useful, to meet the present needs of its members and anticipate and plan for their future needs, to effectively advocate for those with an interest in ADR, we face a number of challenges. The principal one of these is in continuing to resource the association to enable us to achieve our aims. I challenge our members to consider how they can support the work of ADRA.

With thanks to....

In the first month of the 1999/2000 Board's term, we held our 1999 conference. I would like to again acknowledge the contribution of Stella Sykiotis, who concluded her term on the Board at the last AGM, for her contribution to the success of that Conference. This year the Board was joined by Duncan Cameron for 9 months and I thank him for his contributions, particularly at the planning meeting.

The Board recently accepted with regret the resignation of Dr Alan Tidwell from the Board, owing to his huge teaching load and other commitments. Alan has made an invaluable contribution to the operation of the Board, has been an inspiring speaker and presenter at ADRA seminars and brought energy and a 'can do' approach to Board meetings. Alan also made an invaluable contribution to the planning of the conference.

Christine James has advised her intention to not accept re-election to the Board owing to her pending move to Brisbane. Christine was a powerhouse in organising the Night at the Theatre and the conference in 1999 and this year took on the challenge of editing *Mediation News*. She has done a superb job. I will miss the fun and enthusiasm that Christine brought to Board meetings, her forthright and positive attitude, and our working bees to label and mail the newsletter! As Christine plans to continue to do some work in Sydney we hope to see her at future ADRA events.

Rhonda Payget, Deputy President for the last two years, has advised, following the arrival of her second baby earlier this year, that she will not be standing for re-election. Over the last few years Rhonda has been tireless in her work for the Board. The Board's representations and responses to discussion papers have benefited from her incisive analysis, and her clear and helpful legal counsel has been relied upon on numerous occasions. Rhonda was instrumental in re-writing the ADRA Constitution and managing the consultation and approval processes.

In the role of Deputy President, Rhonda has provided leadership to the Board as well as enormous support to me personally. I extend my sincere thanks to Rhonda for her outstanding service to the Board over the years and my best wishes to her and her family as they settle into life in Canberra.

I would like to take this opportunity to acknowledge the support of all the members of the Board who have assisted me in my role as President. I would like to make particular mention of Ian McKendry, who has offered invaluable support and understanding despite an eventful year in his own life. I thank Ursula Schiappi for her kindness and caring words which were much appreciated. I also acknowledge David Holst, who, in addition to his role as secretary, has stood in for me as Chair of the last two Board meetings of the year. I greatly value his advice and assistance.

Salli Browning stepped in to take minutes for David at one meeting and I hope she will consider taking on the role of Secretary in 2000/20001 as her minutes were both prompt and useful. Marilyn Scott is to be congratulated for compiling and editing this Annual Report.

Finally, I would like to thank Jon Graham, my manager and training colleague at Relationships Australia NSW, whose understanding of my commitment to ADRA has made my task as President immeasurably easier. This year has been an extremely difficult one for me personally, with the loss of my father in June, after a traumatic but mercifully short illness. I could not have coped without the strength and love of my husband Craig McKenzie.

I have found the last two years as President of ADRA challenging but rewarding. I wish the 2000/2001 President and Board every success in furthering the objectives and goals of the association.

Louise Rosemann
President 1998/1999 and 1999/2000

Deputy President's Report

As the President's Report has outlined, we started the year with a dynamic meeting facilitated by Alan Parker with a view to developing a strategic plan. This was a useful process for Board members to reassess the organisation, clarify our values and look towards the future. As always our vision cannot be achieved in a year and we have started on the path by concentrating on two areas. First we want to consolidate the administration of the organisation. And secondly, we want to reinforce our links with organisations in other states.

The need to consolidate the administration of the organisation coincides with the changes to the taxation system. As a result of this ADRA has obtained an Australian Business Number.

As ADRA is a non-profit institution with an annual turnover of less than \$100,000 we had a choice as to whether we would register or not. The Board considered that the advantages of registering were:

- An organisation must be registered to participate in the GST system. If an organisation does not register, GST is not payable on supplies made. However, unregistered entities will not be entitled to claim tax credits for GST included in the price paid for goods and services acquired.
 - ADRA is more streamlined organisationally and so the timing is good to set ourselves up to include the new tax requirements
- there are reports that some companies may only deal with ABN registered entities
- it prepares ADRA for future growth

This means that we will charge 10% GST when we "make a supply of services". This presumably will be on our membership, conference fees etc. We will be charged GST on our rent and by suppliers (eg stationary, printing etc). We can claim this GST back from the Australian Tax Office (ATO) on a Business Activity Statement, provided we are registered. The difference between the GST we have collected and the GST we have been charged is the amount we owe, or are owed by the ATO.

We will need to complete quarterly Business Activity Statements.

At a Board level we have prepared Board member's handbooks setting out the mechanics of the Board, calling meetings, draft correspondence and so on. This aims to provide an efficient transition from one Board to the next. This will be put to the test in the coming year as there will hopefully be many new members on the Board. As always we encourage members participation on the Board or on particular sub-committees or working groups.

Louise Rosemann has completed her second year as President and will be handing over to a new President in accordance with the Constitution which limits the term of President to two years. ADRA has benefited enormously from her time as Board member and President. Louise has had the responsibility of membership for many years and her fine organisation of the membership records has now been transferred to our office database. In 2000 Louise has worked hard to reinvigorate our links with organisations in other States, resulting in positive discussions about what we can achieve together. This will be positive for ADRA both in terms of sharing the load of newsletters and conferences and participating in a national presence.

On a personal note, I will not be re-nominating for the Board due to personal circumstances. I have enjoyed working with Board members over the past four years and encourage members to be involved with the good work that ADRA is doing.

Rhonda Payget

Policy Sub-Committee Report

The main initiatives of the Policy Sub-Committee for this year have been focused on the Development of Standards for ADR and policy development in regard to membership services which reflect the changing needs of our members.

ADRA has maintained a facilitative role in the development of the "Let's Talk Code of Conduct". (see the following report) The launch of the National Alternative Dispute Resolution Council's (NADRAC) discussion paper on "The Development of Standards for ADR" and a request for responses gave ADRA the opportunity to respond on behalf of its members.

Response to NADRAC Paper – The Development of Standards for ADR

In March 2000, NADRAC launched a comprehensive paper that discussed a variety of issues pertaining to ADR standards. The paper discussed ethical and competency standards for ADR practitioners, standards for training and accreditation and outlined a variety of options for a regulatory framework.

The paper reflects much of the discussion and debate that has existed for many years. The outcome could have a significant impact on ADR organisations and practitioners. The Policy Sub-Committee provided a considered response to the paper on ADRA's behalf. Our response commented on the following issues and made a number of suggestions.

- General comments on and considerations for the Development of Standards
- Education and Training
- Enforcement of Standards / Complaints mechanisms
- Regulation
- ADRA's Role

In September, ADRA hosted drinks with Professor Laurence Boulle, Chair of NADRAC. Professor Boulle spoke about the responses received to the Discussion Paper. He told us that all responses would be published in a document to be circulated at the end of the year. We look forward to receiving this document and to future developments in 2001.

Let's Talk Report

The Let's Talk Group have been meeting regularly since late March 1998 to discuss issues in relation to ADR practice. The idea for this group originated at one of ADRA's Peak Body Project facilitation meetings. Let's Talk is a non-commercial and non-proprietary network that provides regular opportunities to representatives from ADRA organisations to discuss areas of common interest and develop initiatives that may benefit the fast growing ADR community.

The outcome of the early meetings was the identification of the desirability of a nationally accepted Code of Conduct for mediators. The Draft Code of Conduct was completed and circulated for comment to a number of organisations including NADRAC. After incorporating agreed suggestions into the document, the final Professional Code of Conduct was circulated for Let's Talk members to follow endorsement procedures with their individual organisations. This has been a much longer process than expected as some organisations were required to wait until a board was able to meet and report on the document. The final response was received in August. The majority of organisations have decided to endorse the document including the Dispute Resolution Committee of the Law Society of NSW. Comments and suggestions have been received from three organisations and have been considered in the final editing of the document. This task was undertaken by Dr Tania Sourdin. The Code of Conduct was circulated and presented at the 5th National Mediation Conference in Brisbane and has been forwarded to NADRAC as a response to their discussion paper on standards.

The success of the Let's Talk formula to facilitate group discussions between ADR organisations has been recognised by Victorian ADR practitioners. Let's Talk was approached by ADR Link Victoria with a request to use the Let's Talk name and structure for their Victorian group. A Victorian Let's Talk group has now been established. They have been meeting regularly and sending minutes of their meetings. The following organisations have been involved in Sydney:

ACDC
Accord Group
ADRA
Centacare
Community Justice Centre
Conflict Resolution Network
Institute of Arbitrator and Mediators, Australia
Interrelate
Law Society of New South Wales
LEADR
Mediate Today
Mediation Family Court
Relationships Australia
Unifam

Val Sinclair

Conference Sub-Committee Report

As ADRA held its 1999 Conference in November 1999 at the beginning of the 1999/2000 year, an interim report was presented in the 1999 Annual Report.

Thanks to the outstanding efforts of the Conference Sub-Committee (Christine James, Ursula Schiappi, Stella Sykiotis, Allan Parker, Alan Tidwell and Louise Rosemann) and the Conference Organiser (Angela Rosemann) the conference was a success from a number of perspectives.

In terms of organisation, the conference evaluations demonstrated that participants' needs were met. The Sebel Townhouse provided a superb venue and excellent catering. The speakers were each able to offer interesting insights, useful information and valuable learning opportunities. Coming from a diverse range of backgrounds and areas of ADR practice, the networking amongst participants was also a highlight.

As a result of the the popularity of the conference, income from the conference registrations totaled \$17 418. It is notable that the majority of participants were not ADRA members and that several participants took the opportunity to apply for membership of the association.

Expenditure, including accommodation and travel expenses for speakers, postage and advertising, production of the conference papers provided to participants, and catering and venue costs, totaled \$14 446.14, resulting in a profit of \$2 971.86 which was very pleasing. The profit has been used to fund ongoing administration expenses of the Association, including rent and utilities, thus providing a direct benefit to members.

On behalf of the Board, our sincere thanks to the speakers for their time and the energy they contributed to the conference, and to all the participants for their enthusiastic appreciation of the conference program.

The experience of the 1998/1999 Conference Sub-Committee prompts me to recommend that the 2000/2001 Board consider establishing a Conference Sub-Committee immediately upon commencing their term, in order to provide the maximum time for planning and organising the 2001 ADRA Conference. The 1999 Conference Sub-Committee has collated the records of their planning and decision-making, and databases of promotional and other contacts, as well as recommendations, which we trust will be of significant assistance in planning the next biennial ADRA Conference.

Louise Rosemann
Convenor

Strategic Communication Sub-Committee Report

This Sub-Committee was formed as the result of the Board's Strategic Planning session in January 2000. Allan Parker helpfully facilitated the strategic planning session..

The purpose was to take a strategic and consistent approach to communicating with ADRA's key stakeholders:

- Members and potential members
- Practitioners, researchers and educators
- The industry
- Consumers and interested others
- Governments and their agencies
- The national and global ADR community

The Committee is reviewing the broad sweep of communication needed, the most effective forms to be used and revising existing documentation to ensure ease of access, "user friendliness", effectiveness to goals, consistent style and integration among all documents.

This substantial undertaking has only begun this year.

Christine James

Newsletter Sub-Committee Report

The year began with the unexpected resignation of Stella Sykiotis after many years' valuable leadership of this Sub-Committee. Her invaluable contribution has been sorely missed. Due to this loss the main aim for the year was to produce the ADRA edition of Mediation News. This process was complete in July and issues sent in September.

Presenters' papers from the biennial ADRA Conference – Innovations in Dispute Resolution have also been collated and sets have been sold to non-attendees.

With the development of the Ausdispute Web Site, the issue of the coming year will be the question of distribution of Mediation News which is now available in the website, along with back copies. This issue will be discussed at the national level among editing organisations. The benefit of electronic distribution is in cost savings as well as also the potential for wider, global access.

Christine James

Membership Services

We have had a steady flow of new members throughout the year with membership increasing to 172. Membership details follow:

Financial Members	140
Unfinancial Members	32
Organisational Members	22
Reciprocal Members	10

With the establishment of the new office and computer system we are now well placed to launch a membership drive to increase membership over the following years.

During the year, three functions were held:

On 1st June 2000, an open forum to discuss the “implications of the Draft Code of Conduct for Practicing Members” provided valuable input to assist in the finalisation of the Code. It is the intention of the ADRA Board to endorse this code for use by its members.

To assist in understanding what our members wanted from their association a wine and cheese night was held in July to investigate future members needs. There were four key areas for discussion:

1. What do you want from your ADRA membership?
2. What should ADRA be focusing on?
3. What new ideas/projects can you suggest to the Board?
4. What could you contribute to ADRA?

The results of the facilitation will form an important part of membership services in the coming year.

In September Professor Laurence Boulle participated in an informal discussion on the NADRAC position paper “Development of Standards for ADR”. Professor Boulle indicated there was a general consensus that standards were important, however, there is still a lot of work to be done in clarifying the practice and the timeframe in this difficult area.

We look forward to the new year as an opportunity to expand our services in particular to address the needs of the ‘practitioner’ membership category which is planned to commence in 2001/2002.

Treasurer's Report

The establishment of ADRA's City Office in 1999 has also established ongoing and increasing expenditure for rent, electricity and telephone. This has necessitated some changes for board members and a need to establish processes for sound financial management and forward planning. To assist in this process a MYOB accounting programme has been set up on ADRA's computer. ADRA board members are now able to be provided with current Income and Expenditure figures at each meeting. A projected budget to 2002 was also established. Our thanks and appreciation to Jim Robertson who gave his valuable time and expertise to assist with this project.

The Revenue and Expenditure figures show a loss for 2000 which was \$460 greater than last year. Income from members subscriptions increased in 2000 and there was increased revenue from the conference held in November, 1999. Most expenditure was much the same with expenditure for functions increased by the conference costs. Rent and Electricity increased as expected with the greatest increase in Newsletter and Publication costs. This is a high expenditure item that the new board may wish to address.

ADRA's net assets have been reduced since 1999 by \$2,047 as a result of income not covering expenditure.

As I noted in last year's Treasurer's report, the preservation and safeguarding of member funds in reserve is essential for ADRA's future growth and development. The establishment of a budget has now given ADRA board members valuable information to assist in their decision making and forward planning as to how they can best manage funds to meet the needs of members and cover increasing expenditure.

Val Sinclair

Statement of Revenue and Expenditure for the year ended 30th September 2000

1999		2000
	REVENUE	
5690	Conference and seminar receipts	17656
206	Interest earned	76
6860	Members subscriptions	8010
-	Sale of Publications	90
<u>193</u>	Sundry Income	<u> </u>
12949		25832
	LESS EXPENDITURE	
400	Audit Fees	650
187	Bank Charges	105
6304	Conference and functions	14979
274	Depreciation	1479
59	Electricity	253
702	Insurance	659
2502	Newsletter and Publication costs	4002
1131	Postage	992
654	Printing and Stationery	656
185	Rent	1118
83	Sundry Expenses	-
1045	Telephone	1049
-	Travelling and Entertainment	708
1020	Wages	1229
<u>14546</u>		<u>27879</u>
1587	LOSS FOR YEAR	2047

Balance Sheet as at 30th September 2000

1999		2000
	MEMBERS FUNDS	
17472	Balance as at 30 th September, 1999	15885
1587	Loss for year	(2047)
<u>15885</u>		<u>13838</u>
	Represented by:	
	Fixed Assets	
4338	Office Equipment W.D.V.	3357
	CURRENT ASSETS	
	Other debtors	
1735	Cash at bank	1757
<u>10162</u>	Cash Management Account	<u>9233</u>
<u>16235</u>	Total Assets	<u>14347</u>
	CURRENT LIABILITIES	
350	Accounts payable	509
<u>15885</u>	NET ASSETS	<u>13838</u>

REPORT TO MEMBERS

Audited by GREENWOOD BKT

Audit Opinion

In our opinion, except for the effects of such adjustments, if any, as might have been determined to be necessary had the limitation discussed in the qualification paragraph not existed, the financial statements present fairly in accordance with the accounting policies described in Note 1 to the financial statements, the financial position of the Australian Dispute Resolution Association Inc as at 30th September, 2000 and the results of its operations for the year then ended.

(Full report available)

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October 2000