

Co-President's Report 25 August, 2020.

What a year 2020 has been!!

My last report as President of ADRA was on 23 May 2017 when I completed the first four-year term allowed by our new Constitution. Since then, ADRA has had the privilege to be led by a new model presidency with Mary Walker and Laurence Boule, as Co-Presidents until August 2019. Neither Mary nor Laurence need any introduction given their respective prominence in the Dispute Resolution world, not only in Australia but also internationally. Their co-presidency of ADRA ensured ADRA's significant prominence in Australia and has allowed ADRA to venture into international projects such as the Mongolia project about which I will talk shortly.

Co-Presidency Model.

Following the Co-Presidency model, it is now my great pleasure to be the Co-President of ADRA with Andrew Wong who also needs no introduction to the ADRA world. Andrew has been the staunch backup of the ADRA website in the new digital platform in which we find ourselves with all the difficulties that a COVID environment has thrust upon us. It is only because of Andrew's incredibly competent performance in all his work areas and especially in his technical capabilities that ADRA has been able to maintain a professional and effective website in the current climate. I have always said that but for Andrew, ADRA as a voluntary organisation would not have been able to sustain itself in a digital world. It is to him, then, that I give my very first thanks for yet another successful year of ADRA.

Mongolia Project.

Much has happened since the start of our Co-presidency in August 2019 when the team of 5 trainers, Mary Walker, Laurence Boule, Helen Meidjinski, Jennifer Scott and myself returned from Mongolia after conducting 9 days of training, in July 2019. The team conducted 5 days with the mediators and judges from the Judicial Council, 3 days with psychologists and social workers from the Family Youth and Child Development Authority of Ulaanbaatar and one day with the men from Erdenet City. In total we trained about 120 people about 40 of which were from the Judicial Council, about 60 from the Family Authority and about 20 from the men in Erdenet city. This is not the time or place to explain more about the Mongolia project but suffice it to say that the project was extremely successful such that the Judicial Council and the Family Authority both lobbied their respective ministers in June 2020 to establish a separate Family Court in Mongolia, following in the footsteps of Australia's Family Court.

The significance for ADRA of the Mongolia project is that ADRA was selected as the reputable organisation to which all five trainers belonged so that Rotary could fund the Mongolia project not just for the training in 2019 but also for continuing the project in the ensuing years. ADRA

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is therefore proud to have co-operated with such an eminent international organisation as Rotary and to have played a significant part in assisting the funding for the ongoing training of Mongolian organisations to further strengthen Mongolian families.

This is probably the best time, therefore, to acknowledge the immensely valuable contributions of all my fellow trainers without whom no training in Mongolia would ever have been so successful. That success is best encapsulated by the feedback we received from a member of the Judicial Council who stated that watching our 5 different styles in action was like looking at the five fingers of a hand working in unison because of their differences – a truly memorable definition of collaboration in action. All this success however was very largely made possible by the immense co-operation we received not only from Rotary, the Judicial Council and the Family Authority of Ulaanbaatar but mainly because of Ms Enkhee Sharav – who played a pivotal role in communicating between the parties, not just as an interpreter but also as an effective healer, smoothing the paths of any possible misunderstandings due to cultural differences and cultural expectations long before they became a problem. Her intuitive ability to foresee and avoid possible conflict is what makes her an eminent dispute resolver in her own right.

Award to Enkhee Sharav.

MOU between ADRA and *Mongolian Mediation Centre for Unity and Trust*.

It is therefore my great privilege to formally acknowledge the key role that Enkhee has played in the success of the Mongolia project. Enkhee was involved in 2018 when the needs analysis was being conducted in Mongolia, and has remained involved to date when the first Memorandum of Understanding (MOU) for an Affiliate relationship between ADRA and the newly formed Non-Government Organisation called *Mongolian Mediation Centre for Unity and Trust* was formally established in July 2020. As a direct result of Enkhee's involvement ADRA has expanded to become an international Dispute Resolution organisation whose aim in the Affiliate relationship is to offer Continuing Professional Development (CPD points) to Mongolian Mediators. Enkhee has translated the MOU in Mongolian at no cost to any party and it has been signed in both English and Mongolian to formally establish it. A Copy of the MOU can be seen on our website. And, if this is not enough, Enkhee has been the official interpreter for the ongoing CPD training enabled by the MOU, the first session of which was conducted voluntarily by Enkhee and me in late June 2020 via Skype to the mediators and judges from the Judicial Council. It is therefore my great honour to award this trophy to Enkhee Sharav.

Constitutional Changes and Governance issues.

As stated earlier, our new Constitution allowed for the first major change in ADRA's history, namely establishing a four-year term being two terms each of two years. This has been a very successful move and allows the possibility of maintaining a smooth series of updates for a

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functional website on an ongoing basis. In relation to Governance Issues, our new Constitution has now been registered with the Department of Fair Trading and is now on our website. We have also upgraded our Governance Manual with the latest policies to be in line with the latest legislation and we thank Margaret McCue for chairing our efforts with these changes. The Governance Manual is also available for anyone interested to see it.

Another change to the Constitution included establishing the new category of Distinguished member, the first recipient of which was Paula Castile at the ADRA Xmas party in November 2019. Paula has served about 20 years as an executive member of ADRA and her immense contribution is not just to ADRA but also to Dispute Resolution in general during her time at various Government Departments including the Premier's Department where she lobbied successfully for the use of more Dispute Resolution services to be made available to the general public. The current logo of ADRA is just one of Paul's achievements for ADRA during her time as a past President. We thank Paula and the current executive for their loyalty and tireless efforts to support ADRA.

ADRA's new Patron

In line with our new changes ADRA has also secured a new Patron in January 2020- ie Justice Terry Sheahan. The first patron was Sir Laurence Street who was Patron from ADRA's inception until his death in 2018. A special lunch was held for Judge Sheahan and his wife at the Sheraton on the Park to honour the event. ADRA's life member, Ruth Charlton and her husband, Geoff were also invited to honour their on-going commitment to Dispute Resolution and to ADRA in particular. It was a very enjoyable event and we hope to see Judge Sheahan again at our Xmas function in November, provided COVID restrictions are lifted.

Ralph Steele – International Speaker

On 26 January 2020, ADRA hosted a very successful workshop by Ralph Steele from the USA at Piccadilly Arcade, Sydney. Ralph stayed in Australia for a period of about one week and introduced ADRA to the World Mediation Organisation. ADRA will be considering whether to become an organisational member of WMO at the next meeting. ADRA warmly thanks Ralph for his stimulating presentation and also thanks Josephine Reyes who organised Ralph's workshop with such grace despite encountering all manner of unexpected events that proved that both Ralph and Josephine were indeed extremely capable of walking their talk as dispute resolvers.

CADR

ADRA would also like to re-invigorate the steering Committee of what was the **Industry Forum for Dispute Resolution** which changed its name in 2018 to Council for Alternate Dispute Resolvers (or for Alternative Dispute Resolution?) otherwise known as **CADR**. The

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name change occurred because the original acronym (IFDR) was too close to FDR and member organisations were beginning to think that it was a Family Law initiative.

CADR began as an ADRA initiative in 2014, so I have contacted Deborah Lockhart from ADC, Amber Williams from RI and Mary Walker representing the Law Council to reinvigorate the project. To date we have held one Zoom conference in the hope of organising a half day workshop on 14 May 2021, being the traditional date on which the previous 5 conferences were set. The steering committee has managed to implement a web page on which ADRA has a link as do the other Dispute Resolution Organisations within Australia. With the current COVID restrictions, a central federation-type body such as CADR is imperative for consultation with the government about the future of ADR in Australia and internationally. I have written a short history of CADR's beginnings to date which will be placed on ADRA's website and will hopefully be sent to the member organisations again to refresh their interest in the project. ADRA hopes that many more years of CADR will be added to its history.

Student Engagement project.

An initiative of Mary's during the last year of her Co-Presidency was to instigate the Student Engagement project which was chaired by Louise Mathias. Louise reported that the Student Engagement Committee has sent flyers to all universities in NSW in relation to the Essay Competition with a prize of \$500 to encourage innovative thinking in the Dispute Resolution environment. The cut-off date for the competition has been extended to 9 October 2020. Louise confirmed that she has received 9 applications to date from students wishing to participate on the Board of ADRA and at least two of these students have already joined ADRA as student members. ADRA warmly thanks the Student Engagement Committee for its sterling efforts and in particular, ADRA thanks Louise without whom the project would not have continued.

Upgrade of the website.

At the May meeting, the Board resolved to engage Paul Muthugala to consider the best way to migrate our website from Joomla to WordPress in a staged process so that the functionality of the existing website is not disturbed. The current website has some difficulties – one of which is with membership renewals and renewal of re-accreditation procedures. These problems will hopefully be eliminated by the new upgrade. Paul has had several meetings with Andrew and myself about the changes and is hopeful to start work on the changes in early September 2020.

Linked in and Face-Book.

Andrew has created a Facebook discussion group for our members to discuss any dispute resolution related issues and to professionally connect. This can also serve as a referral system if needed: <https://www.facebook.com/groups/adragroup/>. Ruwan expressed an interest in monitoring Linked-in group and Andrew encouraged members to join the Face-Book and

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Linked-in sites to make them more active and appealing to the public. ADRA thanks Ruwan for his interest to monitor the Linked-in site where it was noticed that more people are viewing our Linked-in page. Hopefully, this will increase ADRA's exposure and digital presence. Andrew has also sent a link for all executive members to join Linked-in and Face-Book

Women and Leadership Australia (WLA).

At our last meeting the Board agreed that ADRA would host some logos for the Women and Leadership Australia. I have since been in contact with Alistair from WLA and those logos will be placed on our website very shortly allowing for greater collaboration by ADRA with more community groups. ADRA will be forwarding the events of WLA to our members offering them the opportunity to attend at special rates.

Collaborations.

Other groups with whom ADRA has collaborated this year for future projects together include:

1. Myrna Lewis – deep Democracy
2. Amanda White -ANZAPPL
3. Wendy Buchanan – Dispute resolution and Psychology from the APS (Australian Psychological Society)
4. Deborah McFarlane – VADR online web platforms

Mediator Practise Network Sessions.

So far this year, ADRA has conducted 3 Mediator Practise Network Sessions and aims to have a Saturday MPN session in October. The sessions were originally initiated to give new mediators constant experience to use their skills for on-going accreditation purposes.

Gaining sufficient work for ongoing accreditation, has been a major stumbling block for the Dispute Resolution Industry since its inception. All manner of attempts have been made to overcome this problem over the last 30 years but so far none have been able to give the stability the industry requires for accreditation purposes and the organic flexibility it requires to keep evolving. With the new COVID restrictions and a larger web platform there may now be opportunities that were not possible in the past and we look forward to our Guest speaker who may also offer some suggestions on this issue such as engaging interstate members and those overseas.

Introducing the Guest speaker.

Before introducing our Guest Speaker for this evening, however, there is one last item which follows from our July meeting namely that the usual procedure prior to COVID was that a

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dinner was held after the AGM meeting to celebrate the new Board. Given the current COVID restrictions however, it was decided that a celebration of sorts should still occur.

Various proposals were forwarded in relation to the best ways to celebrate and it was agreed that we will offer members who attend the AGM some sort of voucher such as Movie tickets (or Uber Eats?) so that they can celebrate with their loved ones safely and conveniently at a time that suits them. These vouchers will be sent to those attending the AGM via email. That finalises the Co-Presidents' speech.

We are now very delighted this evening to introduce Bianca Keys to address us on the issue of maintaining ongoing accreditation and to give us the latest updates with the Mediator Standards Board (MSB). Bianca is no stranger to the Dispute Resolution World and is best placed to answer questions on the issue of ongoing accreditation.