

Conflict
Resolution
Service^{INC}

David Syme
Coordinator


Block C, Acton House
corner Marcus Clarke St
& Edinburgh Ave, Acton
(06) 257 5611
GPO Box 2619,
Canberra ACT 2601

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Annual Report

1990 / 1991

Block C Acton House
Cnr Marcus Clarke Street
& Edinburgh Avenue
Acton 2601
Telephone: (06) 257 5611
Fax (06) 248 8632



Annual Report

1990/1991

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MANAGEMENT COMMITTEE

1990/1991

PRESIDENT
VICE-PRESIDENT
SECRETARY
TREASURER
OTHER ELECTED MEMBERS

David Purnell
 Jennifer Deveney
 Cheryl White
 John Coram
 Enamul Choudhury
 George Gamkrelidze
 Christine Harrison (to Feb. '91)
 Mary Hinchey
 Judy Perry (to Feb. '91)
 Judy Harrison

CO-OPTED MEMBERS

Julie Derrett (to Dec. '90)
 Elizabeth Hodge (to Feb. '91)
 Graeme Collin (from April '91)
 Rosemary White (from April '91)
 Sylvia Cenjic (from May '91)
 Kayleen Hazlehurst (to May '91)
 Mary Hinchey (from May '91)

*PUBLIC OFFICER***STAFF**

CO-ORDINATOR
ASSISTANT CO-ORD/INTAKE OFFICER
ADMIN. ASSISTANT/ETHNIC LIAISON
YOUTH MEDIATION PROJECT OFFICER

David Syme
 Sue Sheridan
 Fere Hooshmand
 Rhiân Williams (from April '91)



PRESIDENT'S REPORT 1990-1991

1) Mediation and conciliation are increasingly accepted as options to assist in settling disputes, especially at the interpersonal and community level. The details included in the statistical tables in this annual report bear this out and reflect the growing demand for the service offered by Conflict Resolution Service. The creation of other mediation services in the ACT is part of the trend also.

)
) The quality of the service we can provide is paramount. The professional approach of the staff and the mediators ensure a high quality, and this is underpinned by a solid funding base provided by the ACT Government. As our resources allow, we are able to respond to requests for consultancies to assist other agencies in building skills and structures for conflict resolution. We maintain strong links with mediation services in other states, especially NSW, Victoria and Queensland, and encourage our staff and mediators to participate in workshops and conferences.

Our relationship with the ACT Government and the Legislative Assembly has continued to be significant. There is general enthusiasm for mediation and we were able to get additional financial support for our youth mediation project and for our general needs. The legislation for the Rental Bond Board includes a provision for mediation via CRS and we will be funded for this work. Hopefully, other aspects of government will include mediation in future. We look forward to sustained support from the ACT Government and its agencies.

The pool of trained mediators has increased during the year. Training has focussed mainly on filling gaps in the range of mediators available, and as a result we now have more younger people and more people from non-English Speaking Backgrounds. The staff are taking greater responsibility for the training, with experienced mediators assisting with role plays and observation.

The Committee has met monthly and has helped guide CRS as it evolves. Sub-Committees on finance, training and staffing have helped share the load and respond more rapidly as needs arise. The incoming committee will need to review its way of operating to ensure that the challenges ahead are met effectively and that the staff receive the best possible support.

I have reached the end of my time as President and I wish to express my gratitude for the opportunity to work with such a caring and committed team at CRS. I wish the incoming office bearers and committee well in charting a course in uncertain times. I thank the staff, mediators and members of CRS for their enthusiasm and support.

David Purnell

David Purnell

COORDINATOR'S REPORT

The Director of the NSW Community Justice Centres recently admitted that "after 10 years of operation we still don't know why community mediation works - all we really know is that it does work".

While this is only our second year of operation, our results do show that community mediation is an accessible, acceptable and effective process for resolving a broad range of disputes among diverse social groups in the ACT community. Like the CJC's we can only theorise as to why.

This report can only briefly outline the activities of the past 12 months.

As well as coping with greatly increased demand, a range of programmes have been initiated in dispute settlement, community education and the promotion of the service amongst specific groups.

As well as being able to develop a group of very capable and experienced mediators, we have been able to improve the quality of our service to a wide range of people by recruiting and training new mediators from many different ages and backgrounds.

These activities have given us a solid basis for developing the service in the future.

Demand for Services

There has been an 80% increase in the rate of referrals to the service, from 86 disputes between February and June 1990 to 371 between July 1990 and June 1991.

Mediation has been increasingly accepted as a mechanism for settling disputes. Consequently it is more likely for cases to proceed to mediation. In 1989/90 mediations were scheduled in about one-third of cases. In 1990/91, the figure is close to one-half.

As a consequence, far more mediations than expected were scheduled. Instead of the approximately 100 mediations predicted 169 mediations were arranged in 1990/91.

As well as an increase in raw numbers, disputes referred to the service continue to increase in diversity and complexity.

Multi-party and organisational disputes which may involve dozens of people in a community or workplace have required increasing time and creativity.

People from a wide variety of ages and backgrounds have approached the service for assistance in dealing with disputes. These have included primary and high school students, people from

a variety of non-English speaking backgrounds, and people with many different lifestyles.

Family disputes such as between separated couples and parents and children have increased dramatically to the point that they now comprise nearly one-half of all disputes. Despite some confusion in the general community, families using the service readily appreciate the difference between mediation and counselling and seem to be approaching the service for a different type of approach to what has been offered traditionally.

More details about disputes handled by the service follow in Sue Sheridan's intake summary and in the appendices (dispute resolution statistics).

Effectiveness of the Service

Most people using the Conflict Resolution Service service welcome the neutrality, impartiality and skills of the mediators, and the accessibility and quality of the service generally. Many expressed appreciation at having mediators similar to themselves. (See sample remarks from service users in appendix 1).

Mediation sessions held have had extremely positive outcomes. 90% of parties attending a mediation session reached an agreement. In follow up questionnaires 70% of reported an improvement in the situation following mediation. 80% were satisfied with the agreement reached, and 95% expressed satisfaction with the service overall.

Other disputes were settled following our contact with both parties but without proceeding to a mediation session. Thus 46% of the total number of disputes accepted were settled.

It has been estimated that each dispute accepted by the service represents a saving to the community of over \$1700 in costs associated with litigation, violence and continued conflict. The increased workload handled by the service and the positive outcomes experienced therefore represent substantial benefits in both personal and economic terms.

Special Groups

While the service has worked extremely well for the majority of people using the service, special attention is required for groups who have greater difficulty in making effective use of mediation.

There are many such groups, and ensuring that the service is effectively delivered to all is an on-going process involving policy development, research and training.

As a result of a grant from the ACT Government, we were able to establish the youth mediation project - RESOLVE - which aims to

make mediation more accessible and relevant to young people. Rhiân Williams' report on this project follows.

We were also successful in obtaining funding from the Department of Immigration, Local Government and Ethnic Affairs under the Migrant Access Project Scheme to employ a project officer for 3 months to enable the service to improve its access and equity to people from non-English speaking backgrounds. The project is to be commenced in the second half of 1991.

Fere Hooshmand's report on this project and on the development of our contacts with non-English speaking groups follows in this annual report.

Mediators

If the service is to be responsive to the needs of the community it is vital that our mediators have a high level of skills and are representative of the general community.

In the light of this, and the needs of specific groups mentioned above, we recruited and trained mediators from non-English speaking backgrounds and young mediators from the 14-25 age group.

The service now has a pool of 45 mediators from diverse backgrounds; 14 are from non-English speaking background and 11 under 25 (9 are aged 14- 18). (We are now able to conduct mediations entirely in Spanish or Persian, and can conduct mediations where no-one is over 15!)

Like other services in Australia and overseas, it is difficult to define the qualities of a good mediator. We know that it is not related to age, background, occupation or academic qualifications. The ability to retain neutrality, impartiality, confidentiality and respect for people's ability to find their own solutions are crucial. So too is the ability to learn and to respond to feedback.

Developing the skills of our mediators is an on-going process. As well as intensive initial training, all mediators are required to undergo a supervised "apprenticeship" system, peer and supervisor debriefing, and accreditation and review procedures. They are also expected to continue to develop their skills through in-service training and practice mediations.

The high standards adopted by CRS have been recognised by equivalent services interstate. A meeting of the directors/coordinators of NSW, Victorian, Queensland and ACT community mediation services held in Sydney in October 1990 resolved to adopt a consistent approach and recognise each other's training programmes.

The commitment and professionalism of the mediators is fundamental to the success of our operation, and their efforts throughout the year have been greatly appreciated.

Public Relations

Extensive contact with groups and agencies have assisted in raising our profile in the community. These contacts have included talks to schools, police stations, local Neighbourhood Watch meetings and annual conference, and a range of community groups and agencies.

Several newspaper articles and radio interviews have also served to increase knowledge in the community about our service. Radio announcements on the youth mediation project have been produced and broadcast, and an advertisement produced with 2XX.

With the cooperation of the Community Justice Centres, WIN Television and Independent Video community service announcements for commercial television have been produced and screened.

For a community mediation service to be truly accessible people need to know it exists and for this more extensive advertising is required in the future.

External Training and Consultancies

One of the objectives of the Conflict Resolution Service is "to offer the community opportunities to learn conflict resolution skills through training programmes and public education". This objective is a preventive one: by enabling people to gain positive conflict resolution skills, they are more likely to be able to deal with their own disputes without external assistance!

In addition to talks provided to community groups, over 16 workshops were run for a variety of organisations. Special courses on conflict resolution and on dispute settlement were offered through the Centre for Continuing Education of the Australian National University.

In October 1990, the Conflict Resolution Service co-sponsored a seminar by CDR Associates (a mediation training organisation based in Colorado, USA).

There is enormous interest in alternative means of managing conflict, and the training offered by the service has well attended and received.

Administration

In order to cope with the increasing demands for our services and for complex statistical information, we introduced a computerised intake programme developed by the Community Justice Programme in Queensland. This programme enables us to record, access and collate information in relation to all disputes accepted by the service since February 1990.

The additional demands in terms of the volume and nature of disputes, new programmes and computerisation have demanded

considerable restructuring of staff responsibilities and improvements in office procedures.

I would like to express my personal gratitude for the skills efforts of the staff, the support of the committee, the backing of the ACT Law Office and the cooperation of interstate service at a time of rapid organisational change.

Future Plans

In the next year we will be able to implement many of our plans and to develop our capacity to meet new and emerging demands.

The Migrant Access Project will be completed and its recommendations received. We will then be in a position to develop better ways of promoting the service's access and equity amongst Non-English speaking groups.

The Youth Mediation project "Resolve" will continue to develop specialist youth focus for mediation and ensure that young people have a relevant and accessible means of resolving disputes.

In conjunction with the new Office of Rental Bonds, we will be providing mediation to assist in the settlement of disputes between landlord/agents and tenants.

We need to continue to develop strategies and techniques in dealing with complex or entrenched disputes, and with disputes of a cross-generational and cross-cultural nature. As well as recruiting mediators with some specialist skills and knowledge, additional in-service training is planned over the coming months.

In collaboration with other organisations we need to explore and develop the application of community mediation in relation to different types of disputes such as in planning or commercial conflicts.

In order to ensure that the service is accessible and effective for all sectors in our society, we need to promote it more widely across different age and cultural groups, and to develop our capacity to respond to people with special needs such as those with disabilities.

We hope that through our past and planned activities, we can ensure that Conflict Resolution Service provides a high quality accessible and effective community mediation programme for all people in our community.



David Syme

INTAKE SUMMARY

Types of Disputes

Between 1 July 1990 and 30 June 1991 the Conflict Resolution Service accepted 371 disputes where the contacting party agreed to attend mediation. 36% of these disputes were between neighbours over such matters as trees, animals, motor vehicles, trespassing, building developments, damage to property and children's behaviour.

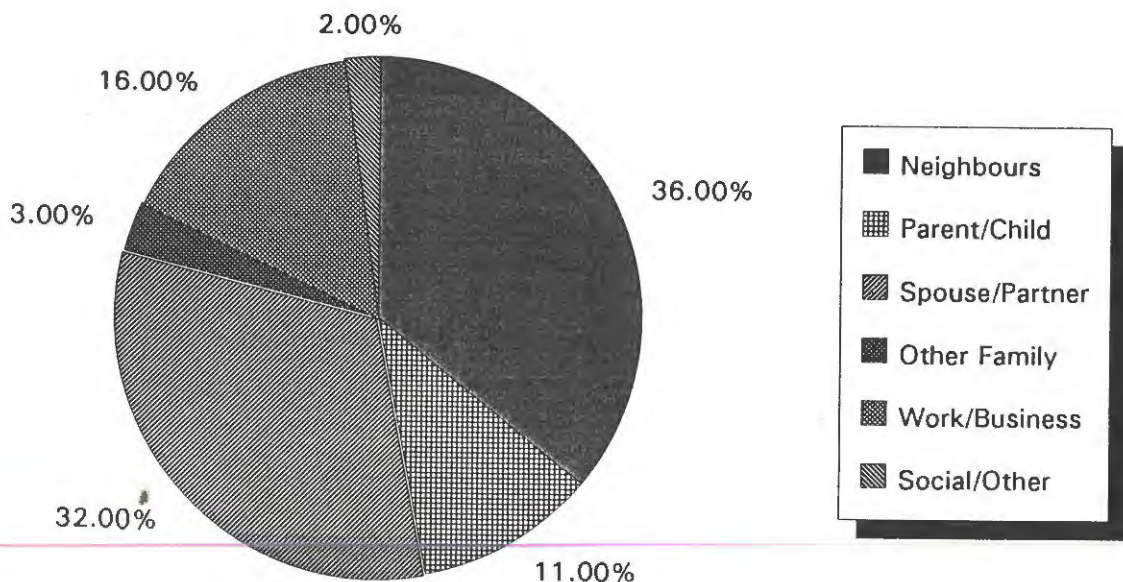
46% of the disputes accepted involved families. 11% were between parents and children, 32% involved couples or separated couples, and 3% were between siblings or other family members. Family disputes involved such matters as parenting/child support, access arrangements, children's rights, reconciliation, division of property, marital relationship, wills, and division of household duties.

16% of disputes involved organisations or other workplace disputes or people who were in dispute over a commercial transaction. The remainder(2%) involved fellow school students or people whose relationship was social.

Difficulties with communication, refusing to negotiate and harassment were issues that were common to all types of disputes.

This year has seen a marked increase in the number of family disputes being handled by CRS and an increasing demand for the service in relation to organisation and workplace disputes. Although neighbourhood disputes continue to be the main reason for people contacting the service initially it is still proving difficult to get neighbours to agree to come to a mediation session.

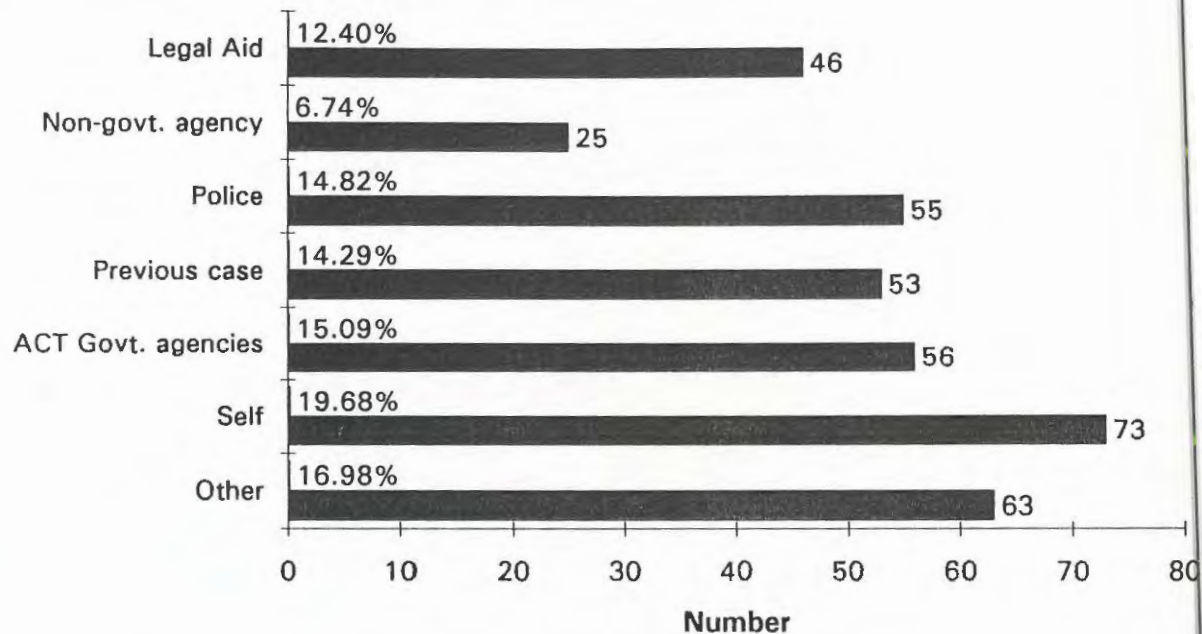
60% of all disputes accepted this year had been going on for less than one year but 27% had been continuing for between 2 to 5 years and 6% for longer than 5 years.



Referrals

The majority (66%) of disputes accepted by CRS continue to be referred by other agencies.

When a referral is made the referrer usually encourages the party to contact CRS directly but occasionally the person making the referral contacts the service. In these situations the service will still need to contact the parties involved to ascertain if they are prepared to attend a mediation session, and what would be a suitable time for them.



People Using the Conflict Resolution Service

The people contacting CRS come from a wide range of ethnic backgrounds, age groups, and occupations. Of the people making the initial contact with the service (A parties) most were aged between 30 and 50 years but 7% were under 25 and 7% were over 60 years old. Of the other parties involved (B parties) 14% were under 25 and 10% were older than 60.

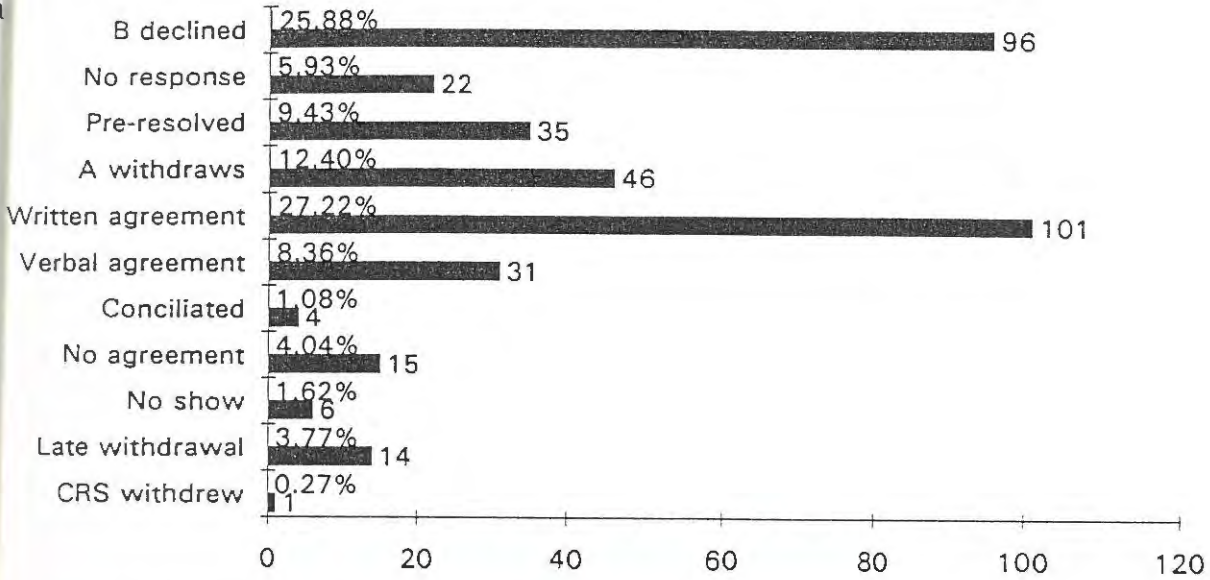
22% of A parties and 15% of B parties came from non-English speaking backgrounds. A large number of ethnic backgrounds were represented with the most common being German, Greek, Iranian, Italian, Filipino and Eastern European.

Outcomes

When a person contacts CRS about a dispute they talk to a staff member about possible options for resolving the dispute. If they agree to mediation CRS then contacts the other party or parties involved to see if they will also agree. This contact may be made by mail, as is usually the case in neighbourhood disputes,

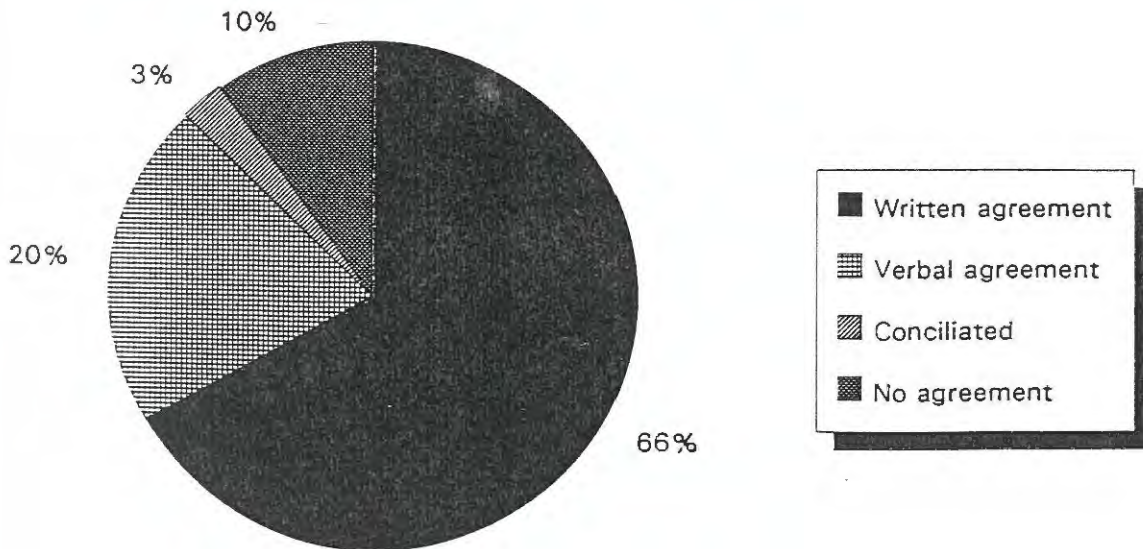
by phone which is often appropriate with family or workplace disputes.

This year 26% of the B parties contacted declined mediation and did not respond to CRS's invitation. Overall a resolution was reached in 46% of the disputes accepted this year by CRS.



Mediation was arranged in 46% of cases. For mediations held 90% reached an agreement. In 10% of cases a settlement was reached with CRS assistance but without the parties meeting face to face in a mediation session.

Outcomes of Mediations Held



Sue Sheridan

SA Sheridan

YOUTH MEDIATION

What does a meeting mean to you?

In a recent mediation involving a young person things seemed to be getting really bogged down. The young person's parents wanted to have a regular family meeting but the young person was totally resistant to the idea. Finally the mediators asked "what does a meeting mean to you?". The young person replied "a place where you get in trouble" and suddenly everything became really clear. Meetings mean different things to different people.

Because mediation treats the concerns of all those involved with respect it offers people a chance to sort out their differences and to come up with realistic solutions that work for all concerned.

Resolve, the Youth Mediation Project of the Conflict Resolution Service was officially launched on Saturday 1st June 1991. Despite it being the week that everything happened in Australian politics, including of course, the great Keating-Hawke leadership challenge and the split of the ACT Alliance government, we did manage to obtain some media coverage. More importantly we had a beautiful Saturday morning and our programme of bands, street theatre and speakers went down well with those in Civic.

I was employed in April 1991 as the Youth Mediation Project Officer with the task of coordinating the project. The target group of *Resolve* is young people in conflict with peers, family or other people. During the establishment phase, young mediators aged 14-25 have been successfully trained as mediators and as a result the service has been able to allocate young mediators in disputes involving young people and to effectively match them according to age, sex and background.

Having young mediators in mediations involving young people has proved very valuable. Feedback from experienced mediators is that there appears to be a radical change in the dynamic of the mediation and that in general young parties feel happier about the mediation process if there is a young mediator present. Although the presence of young mediators does not guarantee that a young person will be more active in a mediation session it does mean that the young mediator is more in touch with what is happening for the young person.

To further improve the service that we are providing to young people we have decided to begin to use a system of intake interviews. These interviews are to be conducted in mediations involving parents and adolescents in particular. The aim of these interviews is to clarify the process both to the young person and their parents and to create a sense of trust and confidence in the young person about the mediation process. We believe that this empowers the young person and results in a more effective mediation.

In-service training has been provided to all CRS mediators to enhance their ability to deal with parent-adolescent disputes.

all as monthly in-service nights with local guest speakers, a week-end workshop was conducted for all CRS mediators by the federally funded Noble Park Family Mediation Centre.

med to our experience is that people using the service especially young people - appreciate the difference between mediation and other total approaches. School counsellors and other professionals support does the "normalising" effect of mediation. Mediation is regarded as where developmentally appropriate for adolescents and other young people in that it provides a balance between autonomy and interdependence.

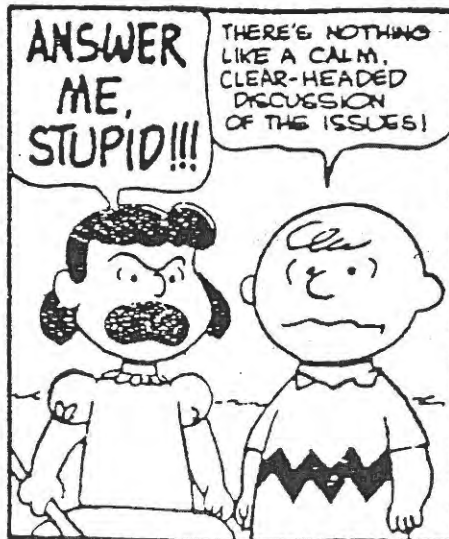
d with the challenge now is to get young people themselves to initiate contact with the service and that seems to be mainly a matter of generating awareness about Resolve amongst young people. I am in the process of contacting and visiting a wide range of youth sector groups and schools throughout the ACT, in order to promote Resolve. We have also made a radio ad with the local public radio station 2XX and are advertised on FM 104.7's community switchboard. Independent Video has applied for a grant from the Health Partnership Promotions Fund to make a video promoting Resolve which did specifically targets young people.

et Increasing community awareness of the value of mediation and encouraging people (whatever their age) to peacefully resolve their conflicts is and will continue to be a long term project. By ensuring that young people have access to the service and that young people are involved in providing that service means we are taking steps to providing a true community mediation service

HAPPY ENDING The young person in the aforementioned mediation sent in a feedback sheet 3 months later and said everything had worked out really well and that we were a really great service.

Rhiân Williams

Rhiân Williams



LIAISON WITH NESB GROUPS

With the aim to increase the knowledge and awareness of the Non-English Speaking Background people about the services of the Conflict Resolution Service I was given the responsibility of being the Ethnic Liaison Officer in January 1991.

An important task of this position is to inform ethnic communities about mediation and its potential benefits. I have tried this by contacting and responding to invitations from a number of communities.

As part of the my job I have given talks to community groups, addressed staff and committee meetings. Examples of communities that I visited include Croatian, Greek, Persian and Chinese communities. I have also visited representatives of the Hungarian, Italian and Arabic communities. I have worked very closely with the Migrant Resource Centre and run information sessions for the Early Childhood Centre and International women

As part of the presentations I have shown different videos on mediation, explained the role of the service and shared with the Conflict Resolution Multilingual pamphlets and on some occasions the interstate pamphlets.

I have also taken part in training courses on the subject of cross cultural issues and the use of Interpreters and Bi-lingual mediators.

I have always believed that mediation helps people of NESB to work out a solution to or resolution of their disputes. A recent study on "Cultural Difference and Conflict in the Australian Community", which is based on records of disputes handled by Community Justice Centres in NSW (an equivalent of Conflict Resolution Service in ACT) confirms the value of mediation to NESB people. This study concludes that: "the mediation process applied in the Community Justice Centres seems admirably adapted to resolving the cross-cultural misunderstandings and failures of communication that play a part in many of the disputes involving NESB parties".

This year CRS applied for funding from Department of Immigration and Local Government and Ethnic Affairs for a Migrant Access Project Scheme and we were awarded a grant of \$9,000.

This project aims:

- to sensitize the staff of the Conflict Resolution Service to the needs of Non-English Speaking Background people.

- to enable the service to deal with the particular needs of each migrant group.


- to establish links (oral networks) with migrant groups in the ACT, so that the Non-English speaking migrant groups will have a better understanding of the services provided by the Conflict Resolution Service.

to develop suitable publicity materials.

to develop policies, procedures and practices as a result of the information and experience gained.

As part of this project interviews or discussions and consultations with workers and members of ethnic groups or communities will be arranged.

As a result of the MAPS project, we will be more responsive to the needs of migrant groups. The links established will be maintained and developed and recommendations made from the project will be implemented as and when possible.

 F. HOOSHMAND

Fere Hooshmand



"Look - I'm TRYING to understand your stupid, biased, unreasonable view...!"

APPENDIX 1

Remarks from service users

About the office staff:

"The initial interview was thorough and I was made to feel very comfortable. They were quick to arrange interview times."

"The CRS staff were very friendly as they were involved in the situation of the problems which came up to the service."

"Very supportive and methodical."

"Staff were very helpful but the other party was set on not wanting to compromise in any way."

"I found the staff friendly, helpful and understanding."

"They tried hard to arrange suitable appointments and gave good information"

"Very informative and supportive and willing to respond and support."

"Due to your efforts and gentle persuasion a brand new heater has been installed in my flat. I had a very hard time trying to convince the landlord to undertake the task but after your correspondence things changed for the better."

"I would like to thank you very much for your service, regarding contacting the agents, etc to have a neighbour's tree lopped. I was done today and will be a great relief to me."

About the mediators:

"I appreciated the mediators' detachment and quiet no pressure approach and the fact that my partner and I were matched with mediators who were confident and competent to work (with our type of case)."

"I was impressed with their ability to remain impartial and focus on an end result."

"The mediators were really in a neutral situation. They tried very hard and really patient in using all skill and talent to sort out all the things and true issues by neutral way and gave both sides a peace solution."

"Very sensitive, caring (people) who obviously were keen ensure everything went well for both parties."

"I found the two mediators to be very skilled in achieving the aim of the meeting."

"Caring, non-judgemental, able to get on to each of our wavelengths rather than us trying to adjust to theirs, patient and realistic. I was most impressed not only by their neutrality but also by their skill to truly be a mediator - enabling and encouraging the two participants to work through the problem themselves. A very rare and wonderful ability."

"Helped us to stick to main issues without going off on other tangents."

"It was an excellently conducted meeting - many thanks."

"The mediators were excellent by giving both parties a fair say."

"I felt very relaxed and willing to talk about the problem due to the mediators' manner."

"I was very impressed by their objectivity and impartiality despite ample opportunity for bias and value judgements."

"I cannot speak too highly of their patience and understanding."

"Very fair in hearing both sides views."

"Excellent. I believe all members of our group gained great insight and assistance from the mediators."

"They were helpful but we still had to work a lot out ourselves."

"I felt the mediators were very fair and gave excellent attention to each of us."

About the agreement:

"Not only was the agreement in itself helpful and affirming but our ability to arrive at an agreement and put it in writing gave me a lot of confidence and determination to continue."

"The agreement has worked reasonably well for me in the light of the very big personality differences of the parties concerned."

"I didn't feel there was any solution that could really work well for all of us involved."

"It was alright."

"The immediate conflict was resolved and parameters given to out in the future."

"The agreement as worked out expressed our deepest feelings - it was a springboard for understanding each other more fully."

About the situation:

"We mostly manage to communicate without shouting at each other now."

"Everyone seems to be trying to get on with each other."

"We have been working on this. It is not yet finalised."

"We are on better terms with our neighbours but the problem still exists but not as bad."

"(Work) completed on time with good relationships maintained throughout."

"Myself and the other party are closer to resolving our differences."

"We have almost completed our marriage property settlement."

"The meeting got the two of us talking which commenced negotiations towards an agreement."

"Situation is much better and under more control - further time will tell."

About the service generally:

"I feel this kind of service is extremely valuable and would like to see it extended and available more widely."

"The service gives the chance for everyone to meet on neutral ground."

"Extremely grateful for your assistance at a traumatic and difficult time and I have no hesitation in recommending the service to friends."

"I do think in my case it was very helpful to use this service."

"We've taken the skills learnt back into our relationships and use them frequently. It built a lot of confidence and trust in us and with each other. Very affirming and non-judgemental. Great!"

"It's good to get qualified people to help find some options and lift some of the stress and pressure people are in conflict with. It certainly helped me to cope better with difficulties when they arise."

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"It's good to get qualified people to help find some options and lift some of the stress and pressure people conflicts cause. It certainly helped me to cope better with difficulties when they arise."

"I feel it was very fortunate to have such a service available to me - to our community. Being a free service was a main point of use as well."

"Helps to diffuse anger, abuse and other emotions that block communication."

"It was alright, but we didn't work out really what we wanted to, but mum and I have now on our own. I did appreciate the help and have recommended you to a lot of friends that have problems too."

"Excellent service. Thank you for your time and effort."

"I feel the service would have benefited the situation if my partner had been cooperative but unfortunately none of the services e.g. counselling, mediation, solicitors have been a help."

"It was very satisfying confronting the problem openly but we were glad the mediators were there or it would not have worked."

"The Conflict Resolution Service is undoubtedly the most worthwhile and dedicated resource that my wife and myself have ever encountered."

"At least it made us bring things out into the open."

"I found the service very satisfying."

"I shall always be very grateful to the quick response I was given initially when seeking help, the immense support throughout the process and the continuing interest in further assistance if required."

"It is a wonderful service you have. I really appreciate having had the opportunity to use your service, thank you so much for it."

"I'd like to say thank you and really appreciate for your association with others in problem-solving and saving my marriage and family."

"I was very satisfied with the service that I received and never forgot. I also realised that the CRS is very important and high standard, they deserve to be maintained and developed more forever to serve the public in need."

"Service is well worthwhile and a valuable method of obtaining a workable agreement to the type of problem we encountered. Wider advertising of existence and purpose of the service is recommended."

APPENDIX 2

Dispute Resolution Statistics; 1/7/90 - 30/6/91.

Source of Referral

MAGISTRATES COURT	3
FEDERAL GOVERNMENT	15
LEGAL AID	46
MEDIA/TV/RADIO	1
MARRIAGE & FAMILY COUNSELLING	7
NON-GOVERNMENT AGENCY	25
OTHER AGENCIES EG. A MEDIATOR	15
PREVIOUS CASE	53
POLICE	55
PREVIOUS CLIENT	10
SELF REFERRAL	73
STATE GOVERNMENT	56
PRIVATE SOLICITOR	12

Presenting Problem

ALIENATION/INFLUENCE	29
ACCESS ARRANGMENTS	62
ADDICTION	4
ANONYMOUS LETTERS	3
ANIMALS	46
BUILDING DEVELOPMENT	2
BROKEN PROMISES	23
CUSTODY	32
CHILDREN'S BEHAVIOUR	17
CULTURE CONFLICT IN THE FAMILY	6
COMMON FACILITIES	5
NO COMMON LANGUAGE	12
COMMUNICATION PROBLEM	1
CHILDRENS RIGHTS/LEAVING HOME	11
CHILD SUPPORT	14
DAMAGE TO PROPERTY	10
DIVISION OF HOUSEHOLD DUTIES	38
DOBING IN	13
DIVISION OF PROPERTY	9
DRAINAGE, WATER RUN-OFF	48
DEBT	1
ENDANGERMENT	18
CARE FOR ELDERLY RELATIVES	20
ENTRY OF OBJECTS BALL,RUBISH,	1
FAILURE TO ACT ON COMPLAINTS	23
FENCE	3
FAMILY INCOME	20
FINANCIAL SUPPORT	3
GARBAGE	31
GUARDIAN	2
HARASSMENT	2
	87

MARRIAGE ARRANGMENTS	5
MEDICAL/PSYCHOLOGICAL TREATMENT	1
MARITAL RELATIONSHIP	42
MOTOR VEHICLE	8
NOISE	36
OWNERSHIP OF PROPERTY	41
PARKING RIGHTS	11
PARENTING	47
POLICE	3
PRIVACY	35
RECONCILIATION	20
RACIAL	8
RETAINING WALL	3
RUMOUR & GOSSIP	25
REFUSING TO NEGOTIATE	180
RELATIONSHIPS WITH NEW PARTNER	3
RENTAL DISPUTES	8
RIGHT OF WAY	8
SIBLINGS	8
SMOKE	3
SEXUAL MATTERS	3
SWIMMING POOLS	1
TRUST	7
	1
TELEPHONE HARASSMENT	7
THEFT	8
TREES	19
TRESPASSING	12
UPBRINGING/EDUCATION	2
UNSATISFACTORY SERVICE	9
WILLS	4
WORK-RELATED COMPLAINTS	12
EXTENDED FAMILY	2

Relationship Between A & B

Neighbours	133
Other Family	10
Other (Specify)	4
Parent/Child	40
Social	4
Spouse/Partner	120
Work	59

Length of Dispute

Less than 1 Year	226
1 to 2 Years	17
2 to 5 Years	101
	20

APPENDIX 2

Dispute Resolution Statistics; 1/7/90 - 30/6/91.

Source of Referral

MAGISTRATES COURT	3
FEDERAL GOVERNMENT	15
LEGAL AID	46
MEDIA/TV/RADIO	1
MARRIAGE & FAMILY COUNSELLING	7
NON-GOVERNMENT AGENCY	25
OTHER AGENCIES EG. A MEDIATOR	15
PREVIOUS CASE	53
POLICE	55
PREVIOUS CLIENT	10
SELF REFERRAL	73
STATE GOVERNMENT	56
PRIVATE SOLICITOR	12

Presenting Problem

ALIENATION/INFLUENCE	29
ACCESS ARRANGMENTS	62
ADDICTION	4
ANONYMOUS LETTERS	3
ANIMALS	46
BUILDING DEVELOPMENT	2
BROKEN PROMISES	23
CUSTODY	32
CHILDREN'S BEHAVIOUR	17
CULTURE CONFLICT IN THE FAMILY	6
COMMON FACILITIES	5
NO COMMON LANGUAGE	12
COMMUNICATION PROBLEM	1
CHILDRENS RIGHTS/LEAVING HOME	11
CHILD SUPPORT	14
DAMAGE TO PROPERTY	10
DIVISION OF HOUSEHOLD DUTIES	38
DOBBING IN	13
DIVISION OF PROPERTY	9
DRAINAGE, WATER RUN-OFF	48
DEBT	1
ENDANGERMENT	18
CARE FOR ELDERLY RELATIVES	20
ENTRY OF OBJECTS BALL, RUBISH,	1
FAILURE TO ACT ON COMPLAINTS	23
FENCE	3
FAMILY INCOME	20
FINANCIAL SUPPORT	3
GARBAGE	31
GUARDIAN	2
HARASSMENT	2
HOSING	87
INCLUSION/EXCLUSION	4
INCINERATORS	7
LIFESTYLE DIFFERENCES	1

MARRIAGE ARRANGMENTS	5
MEDICAL/PSYCHOLOGICAL TREATMENT	1
MARITAL RELATIONSHIP	42
MOTOR VEHICLE	8
NOISE	36
OWNERSHIP OF PROPERTY	41
PARKING RIGHTS	11
PARENTING	47
POLICE	3
PRIVACY	35
RECONCILIATION	20
RACIAL	8
RETAINING WALL	3
RUMOUR & GOSSIP	25
REFUSING TO NEGOTIATE	180
RELATIONSHIPS WITH NEW PARTNER	3
RENTAL DISPUTES	8
RIGHT OF WAY	8
SIBLINGS	8
SMOKE	3
SEXUAL MATTERS	3
SWIMMING POOLS	1
TRUST	7
TELEPHONE HARASSMENT	1
THEFT	7
TREES	8
TRESPASSING	19
UPBRINGING/EDUCATION	12
UNSATISFACTORY SERVICE	2
WILLS	9
WORK-RELATED COMPLAINTS	4
EXTENDED FAMILY	12
	2

Relationship Between A & B

Neighbours	133
Other Family	10
Other (Specify)	4
Parent/Child	40
Social	4
Spouse/Partner	120
Work	59

Length of Dispute

Less than 1 Year	226
1 to 2 Years	17
2 to 5 Years	101
5 to 10 Years	20
Greater than 10 Years	4
Unknown	2

INCLUSION/EXCLUSION	87
INCINERATORS	4
LIFESTYLE DIFFERENCES	7
LYING	1
	4

Less than 1 year	226
1 to 2 Years	17
2 to 5 Years	101
5 to 10 Years	20
Greater than 10 Years	4
Unknown	2

Seriousness of Dispute	
ABUSE	83
ARGUMENT	163
HARASSMENT	50
THEFT/DAMAGE	11
THREATS	30
VIOLENCE	33
<hr/>	
Legal Action	
CONDITIONAL ON CRS	107
CURRENT	21
INTENDED	21
NONE TAKEN	4
TAKEN PREVIOUSLY	12
NOT INTENDED/NOT KNOWN	205
<hr/>	
Outcome Sought by A	
CESSATION OF ACTION	32
COMPENSATION	3
COURT WITHDRAWAL	6
TREES LOPPED	1
MONEY/COMPENSATION	13
ONGOING CO-OPERATION	194
SPECIFIC ACTION	90
TERMINATE CONTACT	31
<hr/>	
Alternative Action	
FURTHER DISPUTING	28
EXIT	23
LEGAL REMEDIES	177
OTHER AGENCIES	59
UNKNOWN	83
<hr/>	
Other Agencies Involved	
Building Control	3
Citizens Advice Bureau	1
Consumer Affairs Bureau	1
Canberra Marriage Counselling	5
Council Workers	48
Child Protection Unit	1
Counselling Service	9
Court	7
Dog Control	9
Department Community Services	1
Domestic Violence Crisis	1
Early Childhood Unit	1
Education Department	1
Environment Protection Service	5
Family Court Counselling	4
Health	13
Housing Trust	29
Human Rights Commission	1
Legal Aid	46
ACT Law Society	1
Migrant Resource Centre	1

Private Counselling	1
Police	87
Priest	2
Real Estate Agency	1
Salvation Army	1
Small Claims	3
Solicitor	58
School Welfare Officer	3
Telecom	3
Telephone Interpreter Service	1
Union	2
Urban Services	29
Welfare	19
Womens Shopfront	1
Youth Advocate Welfare Rights	2
<hr/>	
Party Type of A	
Couple	32
Family	2
One Person - Female	203
One Person - Male	115
Organisation	14
Other	2
Unknown	1
<hr/>	
Preferred Language of A	
Arabic	
Dutch	
English	
Greek	
Italian	
Macedonian	
Phillipino	
Polish	
Serbo-Croatian	
Spanish	
<hr/>	
Employment Status of A	
All Benefits	30
Full-Time	193
Home duties	44
Other (specify)	2
Pension	2
Part-Time	2
Retired	45
Student	19
Unknown	23
	11
<hr/>	
Approximate Age of A	
0 - 25 Years	25
26 - 29 Years	55
30 - 39 Years	110
40 - 49 Years	114
50 - 59 Years	34
60 - 69 Years	15
70 Years or more	10
Unknown	6

English Fluency of A	
Not Fluent	1
Key words	4
Make sentences	13
Meaningful conversation	21
Fluent	330

Country of Birth of A	
Aboriginal	
Argentina	
Austria	
Australia	
Bangladesh	
China	
Croatia	
Czechoslovakia	
Finland	
Germany	
Greece	
Hong Kong	
Holland	
Hungary	
Indonesia	
Iran	
Italy	
Korea	
Lebanon	
Laos	
Malaysia	
Nepal	
Nicaragua	
New Zealand	
Philippines	
Poland	
Portugal	
South America	
Spain	
Switzerland	
UK/Ireland	
Unknown	
Ukraine	
United States of America	
Yugoslavia	
Zimbabwe	

Usual Occupation of A	
Clerk/Sales/Service	76
Home Duties	36
Machine operators/Labourers	18
Managerial/Professional	84
Never Worked	23
Para-Professional	41
Retired	2
Self Employed	1
Skilled Trades	61
Unknown	27

Party Type of B	
Couple	69
Family	22
One Person - Female	122
One Person - Male	134
Organisation	19
Other	3

Preferred Language of B	
Arabic	
English	
German	
Greek	
Italian	
Lithuania	
Macedonian	
Phillipino	
Portuguese	
Serbo-Croatian	
Spanish	

Employment Status of B	
All Benefits	10
Full-Time	95
Home duties	13
Part-Time	11
Retired	12
Student	32
Unknown	196

Approximate Age of B	
0 - 25 Years	44
26 - 29 Years	34
30 - 39 Years	89
40 - 49 Years	79
50 - 59 Years	27
60 - 69 Years	22
70 Years or more	10
Unknown	64

English Fluency of B	
Key words	2
Make sentences	7
Meaningful conversation	8
Fluent	337
Unknown	15

Usual Occupation of B	
Clerk/Sales/Service	29
Home Duties	14
Machine operators/Labourers	3
Managerial/Professional	31
Never Worked	25
Para-Professional	15
Retired	8
Self Employed	6
Skilled Trades	21
Unknown	27

Skilled Trades
Unknown

1
61
27

Bangladesh
China
Croatia
England
Germany
Greece
Hungary
Indonesia
Iran
Italy
Lithuania
Malta
New Zealand
Philippines
Papua New Guinea
Poland
Portugal
U.S.S.R
South America
Thailand
UK/Ireland
Unknown
United States of America
Yugoslavia

Para-Professional
Retired
Self Employed
Skilled Trades
Unknown

31
25
15
8
6
21
217
1.09%
9.43%
8.09%
3.23%
3.23%
2.43%
4.85%
4.58%
0.27%
0.27%
6.47%
8.09%
12.40%
7.01%
2.70%
0.54%
0.27%
0.81%
0.54%
0.54%
5.66%
2.70%
3.23%
9.43%

Letter Class	Party A	367	98.92%
	Referral	4	1.08%
	Court	0	0.00%
Mediation Status	Accepted	48	12.94%
	Declined	96	25.88%
	No Response	21	5.66%
	Pre Resolved	35	9.43%
	Agreement	123	33.15%
	Hold	1	0.27%
	A Withdraws	46	26.74%
	CJP Withdraws	0	0.00%
Sex of Party A	Male	118	31.81%
	Female	202	54.45%
	Couple	38	10.24%
	Other	13	3.50%
Sex of Party B	Male	155	41.78%
	Female	135	36.39%
	Couple	51	13.75%
	Other	29	7.82%
Mediation Outcome	Written Agreement	101	58.72%
	No Agreement	15	8.72%
	Verbal Agreement	31	18.02%
	Conciliated	4	2.33%
	No Show	6	3.49%
	Late Withdrawal	14	8.14%
	CJP Withdraws	1	0.58%
	Agreement Breakdown	0	0.00%

2582	BOWNING NSW	0.27%
2600	PARLIAMENT HOUSE CANBERRA ACT	0.81%
2601	CANBERRA CITY ACT	0.27%
2602	DOWNER ACT	0.27%
2603	GRIFFITH ACT	0.27%
2604	KINGSTON ACT	1.08%
2605	GARRAN ACT	2.70%
2606	WODEN ACT	2.96%
2607	PEARCE ACT	4.31%
2608	CIVIC SQUARE PRIVATE BOXES ACT	0.54%
2609	FAIRBAIRN CIVIL AERODROME ACT	0.54%
2611	WESTON ACT	6.20%
2614	MACQUARIE ACT	8.09%
2615	KIPPAX CENTRE ACT	14.02%
2617	BELCONNEN ACT	7.55%
2620	BOOROOMBA ACT	2.70%
2621	BUNGENDORE NSW	0.54%
2628	BERRIDALE NSW	0.27%
2630	COOMA NSW	0.54%
2652	GRONG GRONG NSW	0.27%
2900	TUGGERANONG ACT	0.27%
2902	KAMBAH ACT	5.12%
2903	OXLEY ACT	1.08%
2904	MONASH ACT	2.70%
2905	CHISHOLM ACT	7.55%
2905	CHISHOLM ACT	9.43%

Party B		
1		0.27%
871	ALICE SPRING NT	0.81%
2168	MILLER NSW	0.27%
2213	PANANIA NSW	0.27%
2232	LOFTUS NSW	0.27%
2570	ORANGEVILLE NSW	0.27%
2580	GOULBURN NSW	1.08%
2600	PARLIAMENT HOUSE CANBERRA ACT	2.70%
2601	CANBERRA CITY ACT	9.16%
2602	DOWNER ACT	7.55%
2603	GRIFFITH ACT	2.96%
2604	KINGSTON ACT	3.50%
2605	GARRAN ACT	2.43%
2606	WODEN ACT	5.39%
2607	PEARCE ACT	4.31%
2608	CIVIC SQUARE PRIVATE BOXES ACT	0.54%
2609	FAIRBAIRN CIVIL AERODROME ACT	0.54%
2611	WESTON ACT	6.20%
2614	MACQUARIE ACT	8.09%
2615	KIPPAX CENTRE ACT	14.02%
2617	BELCONNEN ACT	7.55%
2620	BOOROOMBA ACT	2.70%
2621	BUNGENDORE NSW	0.54%
2628	BERRIDALE NSW	0.27%
2630	COOMA NSW	0.54%
2652	GRONG GRONG NSW	0.27%
2680	BILBUL NSW	0.27%
2755	RICHMOND NSW	0.27%
2900	TUGGERANONG ACT	0.27%
2902	KAMBAH ACT	5.12%
2903	OXLEY ACT	1.08%
2904	MONASH ACT	2.70%
2905	CHISHOLM ACT	7.55%
2911	MITCHELL ACT	0.27%

J. W. TURNER & COMPANY

CHARTERED ACCOUNTANTS
2nd Level, Cilibank Building
24 Marcus Clarke Street
CANBERRA CITY, A.C.T. 2601

Telephone: (06) 249 7133
Facsimile: (06) 247 4100



Bentleys

Offices in all States of
Correspondence:
G.P.O. Box 554
CANBERRA A.C.T. 2601

PARTNERS:
J.W. TURNER F.C.A.
R.J. ELLISON A.C.A.
S.D. BAILEY F.C.A.
S.T. BENNETT A.C.A.


**AUDITORS' REPORT TO THE MEMBERS OF
CONFLICT RESOLUTION SERVICE INCORPORATED**

We have audited the attached accounts in accordance with Australian Auditing Standards and report that:

- (i) we have obtained all the information and explanations which the best of our knowledge and belief were necessary for the purpose of our audit;
- (ii) in our opinion and to the best of our knowledge and according to the information available to us and the explanations given to us the attached accounts are properly drawn up so as to exhibit a true and fair view of the financial position of the Association as at 30th June 1991 and of the results for the year ended on that date.
- (iii) in our opinion the provisions of the rules relating to the administration of the funds of the Association have been observed;

and the attached accounts are properly drawn up in accordance with Australian Accounting Standards.

J.W. TURNER & COMPANY
Chartered Accountants


.....
STEPHEN D BAILEY
Partner

Canberra - 28th August 1991

CONFLICT RESOLUTION SERVICE INCORPORATED
BALANCE SHEET
AS AT 30TH JUNE 1991

1990		1991
	<u>Accumulated Funds</u>	
272	Funds at 1st July 1990	12,880
	Add Surplus (Deficit) for the Year	
	- Community Grant Account	(9,249)
	- Youth Mediation Grant Account	3,020
	- Migrant Access Project	8,257
	- Committee Account	<u>3,577</u>
<u>12,608</u>		<u>5,605</u>
<u>\$12,880</u>	Funds at 30th June 1991	<u>\$18,485</u>
	Represented By	
	<u>Fixed Assets</u>	
	Office Equipment & Furniture - at Cost	15,914
8,787	Less Accumulated Depreciation	<u>3,330</u>
		12,584
	<u>Current Assets</u>	
	Cash at Bank - Committee Account	2,527
	- Grant Account	97
	- Accumulated Annual Leave	5,017
	- Migrant Access Project	<u>8,257</u>
<u>9,555</u>		<u>15,898</u>
<u>\$18,342</u>	Total Assets	<u>\$28,482</u>
	<u>Less Current Liabilities</u>	
	Unpresented Cheques	1,583
	Provision for Annual Leave	5,017
	Mediators Fees	1,569
	Accrued Expenditure	<u>1,828</u>
<u>5,462</u>		<u>9,997</u>
<u>\$12,880</u>	NET ASSETS	<u>\$18,485</u>
=====		=====

CONFLICT RESOLUTION SERVICE INCORPORATED
COMMUNITY GRANT
STATEMENT OF INCOME AND EXPENDITURE
FOR THE YEAR ENDED 30TH JUNE 1991

	<u>Income</u>	
100,000	Grant - ACT Government Law Office	13
1,404	Interest	
845	Membership and Donations	
	Reimbursements	
<u>\$102,249</u>		<u>\$13</u>
=====		==
	<u>Expenditure</u>	
13,341	Mediator Training	2
9,750	Mediation Expenses	1
39,364	Accommodation	9
7,608	Salaries	
1,130	Publicity	
942	Insurance	
3,942	Library	
4,122	Telephone	
1,580	Administration	
1,176	Office Supplies	
1,106	Travel	
700	Staff Training	
4,068	Audit Fee	
812	Provision for Annual Leave	
<u>89,641</u>	Depreciation	<u>14</u>
12,608		
<u>\$102,249</u>	Surplus (Deficit) for the Year	<u>\$1</u>
=====		=

CONFLICT RESOLUTION SERVICE INCORPORATED
YOUTH MEDIATION GRANT
STATEMENT OF INCOME AND EXPENDITURE
FOR THE YEAR ENDED 30TH JUNE 1991

INCOME
ACT Government - Youth Affairs Unit
Interest

EXPENDITURE
Mediator Training
Mediation Expenses
Salaries and On-Cost
Accommodation
Publicity
Insurance
Library
Telephone
Administration
Office Supplies
Travel
Staff Training
Provision for Annual Leave

Surplus for the Year

CONFLICT RESOLUTION SERVICE INCORPORATED
MIGRANT ACCESS PROJECT
STATEMENT OF INCOME AND EXPENDITURE
FOR THE YEAR ENDED 30TH JUNE 1991

Income

Grant - 12th February 1991 - Department of Immigration, Local Government & Ethnic Affairs	9,000
Interest	<u>220</u>
	9,220

Expenditure

Salaries	385
Staff Training	559
Administration	<u>19</u>
	963
Surplus for the Year	\$8,257 =====

CONFLICT RESOLUTION SERVICE INCORPORATED
COMMITTEE ACCOUNT
STATEMENT OF INCOME AND EXPENDITURE
FOR THE YEAR ENDED 30TH JUNE 1991

Income

Membership Fees	567
Consultancy	8,164
Bank Interest	<u>150</u>
	\$8,881

Expenditure

Training	1,685
Consultancy	1,944
Wages	917
Advertising	76
Bank Charges	38
Stationery	448
Sundries	<u>196</u>
	5,304
Surplus for the Year	3,577 \$8,881 =====

3 September 1991

I, David Purnell, certify that the grants received in 1990/1991 by the Conflict Resolution Service Incorporated have been used for the purposes for which they were provided, and that the conditions included in the letters of advice have been met.

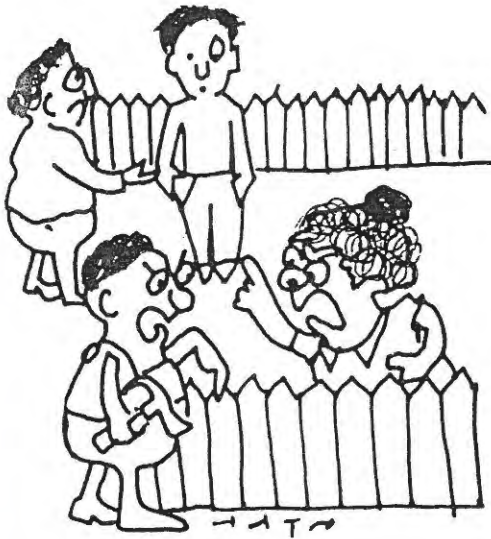
David Purnell
President

NOTES FOR REFERRERS

WHO TO REFER TO THE CONFLICT RESOLUTION SERVICE

You can suggest to any or all parties involved in a dispute that they phone CRS

Types of disputes suitable for mediation are



1) Disputes between neighbours -

causes can include noise, behaviour of children, drainage, proposed renovations, smoke, smells, untidyness, car parking, damage to property, suspected theft, insults, harassment, abuse, racist remarks, invasion of privacy, dogs, cats, birds, horses, rumor-mongering, interference with (or by) visitors, "dobbing-in", fences and any number of petty annoyances that arise because of different life-styles and different values.

It is not necessary for the disputants to be "next-door neighbours" - they may simply live in the same neighbourhood.

2) Disputes between family members -

- between separating couples over children, access, support, pets, property, behaviour towards one another, privacy, consulting about needs of children, other relatives

- between couples still living together, over allocation of responsibilities, expenses, behaviour etc.

Couples may be married or not and includes homosexual couples

- between adult or adolescent children and parents/s, about leaving home, or returning, contributions to household, behaviour, friends, pets, money, debts, etc.

- between other family members, about care of aged relatives, property, or any other matters.



- 3) Landlord/tenant Disputes, (but not disputes involving occupancy). In other words, disputes about conditions etc. can be mediated, or disputes where the landlord and tenant are also neighbours.
- 4) Disputes between members of shared household - about money, debts, division of duties, friends, habits, belongings, privacy, occupancy.
- 5) Disputes between unit owner or occupier and corporate body - These may be quite like ordinary neighbourhood disputes.
- 6) Disputes between people involved in other social relationships - e.g. members of service club, friends, lovers.
- 7) Disputes between different community organisations, or sections of an organisation - may be about use of common facilities, cleaning, "turf", methods of operation, or other matters



In some circumstances the CRS may also agree to mediate in a dispute between strangers.

WHAT ABOUT DOMESTIC VIOLENCE?

Violence of any sort is not an issue to be negotiated through mediators. Mediation may be appropriate, however, for the resolution of disputes leading to or arising out of violent incidents eg. a neighbourhood argument that has resulted in an assault and consequent police involvement; family disputes over access, maintenance or property following the issuing of a domestic violence order.

The CRS will not collude in the continuing use of violence and will not be a party to the reconciliation of a violent relationship, the withdrawal of legal proceedings necessary to protect a person from violence, nor the reaching of an agreement which accepts the continuation of any level of violence.

HOW TO REFER

It is usually not necessary for people to come into the CRS office make initial contact so it is sufficient if you provide the phone number. The referrer does not have to contact the other parties involved - CRS will do this.

As attendance at a mediation session is voluntary we appreciate it referrers encourage people to use the service by pointing out the advantages.

WHAT ARE THE ADVANTAGES OF USING CONFLICT RESOLUTION SERVICE?

- * it is free
- * it is quick, easy and effective
- * it will not interfere with the client's normal legal rights to remedies - if it doesn't work they can go right back into the legal system
- * it does not matter if the matter is before court or not.
- * there is a good chance that the matter will be settled (where the disputants agree to mediate, about 86% achieve a mediated agreement)
- * it is convenient - mediations can be held during the day, in the evenings or at weekends
- * it is informal
- * they will not need witnesses
- * attendance at mediation sessions is voluntary
- * a party may withdraw from a mediation session at any time
- * a dispute can be settled without legal costs &/or lengthy court battle.
- * interpreters are provided if necessary
- * mediators are trained to make sure everyone has their say and get heard.
- * parties will not need to take time off work