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# Dispute Resolution Centre News Volume 29

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# BOND LAW

## DISPUTE RESOLUTION NEWS



### VOLUME 29, OCTOBER 2008 UPCOMING COURSES FOR 2008

#### PLACES STILL AVAILABLE IN UPCOMING BASIC MEDIATION COURSES!

16-19 October 2008	Basic Mediation, Leo Cussen Institute, Melbourne (contact <a href="mailto:lpd@leocussen.vic.edu.au">lpd@leocussen.vic.edu.au</a> )
27-30 November 2008	Basic Mediation, Marriott Hotel, Gold Coast

Click 'read more' to view 2009 draft program

#### NEW Sydney Courses - 2009

23-27 March	LAWS73-761, Negotiation**
27 April - 1 May	LAWS73-762, Mediation**
31 August - 2 September	LAWS73-779, Advanced Commercial Negotiation**

#### France Course - 2009

27 April - 2 May	Global Negotiation**
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#### Gold Coast Courses - 2009

13-14 February	Assessment Course for Mediators
19-22 March	Basic Mediation Course*
14 May	Conflicts in Schools
27-31 May	Family Dispute Resolution and Mediation Course
12-13 June	Assessment Course for Mediators
30 July - 2 August	Basic Mediation Course*
27-30 August	Advanced Mediation Course*
26-29 November	Basic Mediation Course*

#### Melbourne Courses (in conjunction with Leo Cussen Institute) - 2009

15-18 October	Basic Mediation Course
6-7 November	Assessment Course

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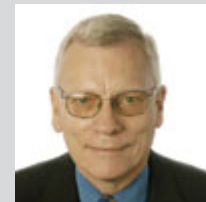
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### DISTINGUISHED VISITOR PROGRAM

#### GREG VICKERY AM



Greg Vickery is Managing Partner, Deacons, Brisbane. He completed Bond's first DRC course in mediation in the early 1990s. Greg visited the Faculty from 1-7 October. He lectured to staff and students on 'Stress and Depression in the Workplace: Causes and Solutions'; and 'From Legal Education to Legal Practice'; and also participated in faculty electives including, Takeover and Securities Regulation, Corporate Governance and International Contracts.

\* This course also has a Foundation Family Mediation stream run in conjunction with AIFLAM (Australian Institute of Family Law Arbitrators & Mediators)

\*\*Students can elect to take this course as an assessed Bond University postgraduate course.

For further information go to [http://www.bond.edu.au/study-areas/law/centres/drc/drc\\_courses.html](http://www.bond.edu.au/study-areas/law/centres/drc/drc_courses.html)

## SEMINAR: 'YOU SAID WHAT?! TEN COMMON MISTAKES OF REPRESENTING CLIENTS IN MEDIATION AND HOW TO AVOID THEM'

### ADR Seminar in Brisbane

Geoff Sharp, who will be visiting Bond in November as part of the Distinguished Visitors Program will be presenting at a seminar for the ADR Forum in Brisbane while he is in Australia.

**Topic:** 'You said what?! Ten Common Mistakes of Representing Clients in Mediation and How to Avoid Them'

**Date:** Wednesday 5 November 2008

**Time:** 6pm

**Venue:** Holding Redlich Solicitors, Level 1, 300 Queen Street, Brisbane (opp GPO)

**Cost:** \$20

**RSVP:** 28 October 2008 to [stodulka@bigpond.com](mailto:stodulka@bigpond.com)



## NEGOTIATION COURSE IN FRANCE

### Proposed Global Negotiation Course in France



Bond University and the University de Catholique in France, will be offering a 2 day or 5 day negotiation course in beautiful Lyon between 27 April and 2 May 2009. The course will be taught by Professor John Wade and visiting practitioners from Lyon.

### PROGRAM

**Day 1, Monday 27 April 2009**

### ANNA BOOTH



Anna Booth is chair of Slater and Gordon. Anna will be lecturing and participating in classes in the Faculty from 28-30 October. Anna has significant experience in manufacturing, hospitality, retail and financial services with a strong focus on negotiation and mediation. She offers the Faculty diverse knowledge and experience in an array of legal and non-legal fields.

### GEOFF SHARP



Geoff Sharp is a commercial mediator and barrister from New Zealand with over 18 years legal experience and over 10 years of mediation experience. Geoff practices in a range of legal fields from health care to elite sport and finance/investment disputes and is now a barrister specialising in commercial mediation work. The legal practice and mediation experience of Geoff Sharp will compliment the academic environment of the Faculty. Geoff will be visiting the faculty from 3-7 November and lecturing to staff and students. Geoff will also be presenting at a seminar in Brisbane for the ADR Forum, details are

8.30am	Themes in negotiation types of negotiation; types of negotiaton; influence of culture; personality; Process in negotiaton; DVD
11.00am	Preparation sheets
12.30-2.30pm	<i>Lunch</i>
2.00-3.30pm	Negotiation exercise; debrief
4.00-4.30pm	Common hurdles 1
5.00-6.30pm	Evening lecture 1 - 'Persuasion in Negotiation'

### Day 2, Tuesday 28 April 2009

8.30am	Revision; Skills - listening, acknowledging, reframing, summarising, questioning; Exercises
10.30am	Creating agendas for meetings; exercises
11.30am	Preparation
12.30-2.00pm	<i>Lunch</i>
2.00-3.30pm	Negotiation exercise; debrief
4.00-4.30pm	Characteristics of a skilled negotiation - across cultures
5.00-6.30pm	Evening lecture 2 - 'Duelling Experts in Negotiation, and How to Respond'

### Day 3, Wednesday 29 April 2009

10.00am	Revision; Preparation; Risk Analysis
11.30am	Three ways to make offers; Packaging offers; Exercises
12.30pm	<i>Lunch</i>
2.00pm	Cross-cultural variables in negotiation; Exercises
3.30pm	Preparation for negotiation exercise
4.00pm	<i>Break; Coffee</i>
5.00-6.30pm	Evening Lecture 3 - 'Dobermans and Diplomats - 17 Strategies for Re-opening Hopelessly Deadlocked Negotiations'

### Day 4, Thursday 30 April 2009

8.30am	Revision; Power in Negotiation; Common Mistakes and Hurdles and Responses
10.30am	Negotiation exercise
12.30pm	<i>Lunch</i>
2.00pm	<i>Break</i>

### Friday 1 May 2009

included in this newsletter.

## RECENT VISITORS

### DR SAM HARDY

Dr Sam Hardy is a Senior Lecturer in the Australian Centre for Peace and Conflict Studies in Melbourne and sat in on the 2-day Mediator Assessment course run by the Dispute Resolution Centre. She is a member of the NADRAC working group on practice and compliance for the new National Mediation Accreditation Standards. This group has been looking at assessment and working with others on how to assess mediators' competency.

Holiday - Excursion to Annecy

**Day 5, Saturday 2 May 2009**

10.00am	Revision; Effects of Ethics and the Law on Negotiation
11.30am	More Common Mistakes and Hurdles and Responses
12.30pm	<i>Lunch</i>
2.00pm	Culture Revisited: What Has Been Learned?
3.00pm	Close; Farewells

**FOR FURTHER INFORMATION AND REGISTRATION FORM, CLICK [HERE](#).**



## BOOK REVIEW

**Review of *Conflict and Dispute Resolution - A Guide for Practice* by Mieke Brandon and Leigh Robertson**

*Review by Prof Dr Andrea Budde*

This book, as the title already indicates, is a very useful guide for practitioners in the field of conflict and dispute resolution in the workplace and also for managers, HR-professionals and people working inside an organisation. Beyond that, the book is an important tool for researchers and students in the field of conflict resolution, employment law and industrial relations as well. Read More [Click to download file.](#)



## RECENTLY RELEASED BOOKS

### Recent Book Releases

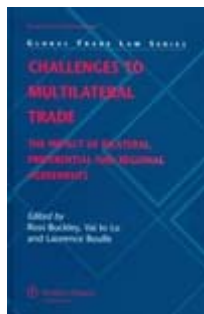


***Mediation: Skills and Techniques* (Lexis Nexis: 2008)**

**by Laurence Boule, Michael Colatrella Jr and Anthony Picchioni**

Mediation is increasingly being used to resolve disputes in business, employment, education, domestic relationships, religious organisations, government, international relations, and of course, litigation. This book offers a comprehensive course of study of the mediation process, from convening the mediation to formalising the settlement agreement. It also surveys careers in mediation and explains how to market a mediation business. Practical examples and case studies are used to illustrate the skills and techniques necessary to become a high-quality mediator. The book adopts an interdisciplinary approach to mediation, incorporating knowledge and expertise from law, psychology, and sociology. Whether you are a beginner or experienced mediator, whether you are a lawyer, business person, student or social worker, this book answers the call of a broad and systematic education in the practical skills and techniques involved in the rapidly growing and rewarding field of mediation.

This is the first US edition of Laurence Boule's well-known Australian text of the same name.



***Challenges to Multilateral Trade: The Impact of Bilateral, Preferential and Regional Agreements (Wolters Kluwer: 2008)***

**by Ross Buckley, Vai lo Lo and Laurence Boule**

Progress in multilateral negotiations to liberalise trade under the World Trade Organisation (WTO) has become more difficult since newer members are general developing countries with different interests than the US and other European Union and industrialised countries.

More than 250 free trade agreements (FTAs) have come into effect since 1948. Partly as a result of the WTO impasse, over 130 FTAs have been ratified just in the past ten years; each agreement has been designed to eliminate trade restrictions and subsidies between the parties involved. Almost all of the WTO Members participate in one or more FTAs (some Members are party to 20 or more).

Most books on FTAs are country or region specific, while others deal with the subject from a particular perspective. This timely work - produced by some of the world's leading experts in their respective fields - employs a broader approach exploring FTAs from the interdisciplinary perspectives of international law, political economy, culture and human rights.



## **ANOTHER FIVE STAR RATING FOR BOND**

### **2009 Good University Guide Results**

The 2009 Good Universities Guide has been released and the results are very pleasing once again.

Bond has received the highest rating of all Queensland Universities, after earning the maximum five-star ratings across an impressive ten key performance indicators. We were also the only university in Australia to achieve five stars across all of the educational experience and graduate outcomes categories and were rated second highest nationally (just behind the University of New South Wales which scored highly in other categories including research).

In summary, the **2009 Good Universities Guide, Bond rates FIVE STARS for:**

- Overall Satisfaction
- Graduate Starting Salaries
- Teaching Quality
- Staff Qualifications
- Student to Staff Ratio
- Getting a Job
- Positive Graduate Outcomes

- Generic Skills
- Entry Flexibility
- Non-Government Earnings



## RE-INVENTING THE PYRAMID: A PROCESS FOR TEACHING AND LEARNING IN MEDIATION COURSES

### Article by John Wade

Click here to download article by John Wade, "Re-inventing the Pyramid: A Process for Teaching and Learning in Mediation Courses". [Click to download file.](#)



## RECENT ACTIVITIES OF THE DISPUTE RESOLUTION CENTRE

### Dispute Resolution Staff Activities

#### John Wade

31 July - 2 August	Four day mediation course with Laurence Boule and David Bryson on the Gold Coast
21 - 22 August	Chaired meeting of the Family Law Council in Brisbane
23 - 24 August	Led a two day workshop on negotiation for Canberra Law Firm, Dobinson Davey Clifford Simpson
28 - 31 August	Advanced mediation course with Patrick Cavanagh and Laurence Boule on Gold Coast
4 September	Led one day negotiation workshop for Blake Dawson lawyers in Melbourne
8 - 12 September	Led one day negotiation conference in Perth and led half day workshop and delivered key note address
9 September	Attended NADRC meeting as a member of the Practice and Compliance subcommittee on the National Accreditation of Mediators
10 September	Judge in the national SCRAM competition (mediation in schools competition) in Perth
September	Wrote a letter of advice to the Federal AG for the Family Law Council of Australia recommending amendments to prerequisites for financial agreements under the <i>Family Law Act</i> . Amendments to s 90G of the <i>Family Law Act</i> are now proposed in October 2008

#### Laurence Boule

31 July - 2 August	Four day mediation course with John Wade and David Bryson on the Gold Coast
28 - 31 August	Advanced mediation course with Patrick Cavanagh and John Wade on the Gold Coast
8 - 12	Attended national mediation conference in Perth

September	presented paper 'ADR in the WTO', chaired a session on the Victoria Law Commissioner's ADR and was general rapporteur for conference.
27-28 September	Presented an address on 'Law of Globalisation' at conference on How Globalisation is Shaping the Asia-Pacific: Multi-Disciplinary Perspectives, Bond University

### Patrick Cavanagh

4 August	Presented Commercial Negotiation Seminar for Urban Development Institute of Australia, Cairns
5 August	Presented Commercial Negotiation Seminar for Urban Development Institute of Australia, Townsville
14 August	Presented Lawyers as Negotiators Seminar at Mullin Lawyers, Brisbane
17 August	Presented Lawyers as Negotiators Seminar at Blake Dawson, Perth
18 August	Presented Lawyers as Negotiators Seminar at WorkCover, Perth
25 August	Presented Lawyers as Negotiators Seminar at McCullough Robertson, Brisbane
6-7, 13-14 September	Taught Mediation intensive course at University of Queensland with Miryana Nestic
15-19 September	Taught Advanced Commercial Negotiation intensive course at Bond University



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