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IT tools in ADR

Putting the 'resolution' before the 'dispute' in IT

Neville Turbit

'The vast majority of people don't want conflict and the resulting stress. They are always receptive to proven ways of working together that recognise and use their skills.'

Once there was a boy. He was interested in Lego. He enjoyed cricket and could tell you the batting average of every person who had played Test cricket. He enjoyed the detail and the logic. He grew up to be interested in computers and for a while was into hacking, for the sheer joy of working through the intricacies of a security system. He was very goal focused and happy to spend hours undisturbed at the keyboard. To be interrupted by parents or phone calls was a nuisance. When he grew up he studied Computer Science and became a programmer. Today he is an IT project manager.

Down the road lived another boy who was more interested in wars, guns, death and destruction. To him, the computer was for games. Initially they involved missiles and death rays but later he moved to strategy games. He enjoyed reading but life was more about hanging out with the gang and going to the beach. He was very popular and generally considered the leader of the gang.

He did fairly well at school and drifted into university to do Commerce without really knowing where it would lead. Uni was a great social environment. When he came out of uni he found a trainee job in an insurance company. Today he is a customer service manager — coincidentally in the same company as the boy down the road.

Their company decided a new customer service IT system should be implemented and these two people were required to work together to design and build this new system. What are the chances of success?

Our project manager is logical and creative, and pays great attention to detail. He is not a 'people' person and much of the time finds other people a nuisance. He is very self-sufficient and needs little supervision. Give him a task and it is done.

He wants a clear goal and then to be left alone to achieve it.

Not surprisingly most of his IT team have similar personalities. Once it even occurred to him that as you could write a program or set of instructions to manipulate information and make it do all sorts of wonderful things, he didn't see why someone hadn't written a similar set of instructions for people.

Our customer service manager is a good people person. He has the confidence and devotion of his team, who both admire and respect him. He delegates well. This is partly because he believes he cannot do everything himself, and partly because he is a 'big picture' person and hates the detail. He is creative and ready to change course at a moment if someone has a good idea. His team are encouraged to work the same way and in fact have been recruited because of that potential. Some say he is erratic and undisciplined — however he sees it as being open and flexible.

These two people should complement each other on this project, but in many cases they will end up tearing the project apart, and someone else will have to come in to resolve their differences. The customer service manager will see the project manager as inflexible, pedantic and uncommunicative; the project manager will see the customer service manager as erratic, indecisive, political and forever seeking the limelight.

The example above may be fabricated, but it is really a compilation of our experiences over the past decade in hundreds of companies. I am sure most of us could identify people in our own organisation who fit the moulds of the fictitious project manager and customer service manager.

What is needed is a way to work ➤



➤ together that draws on their strengths and channels their efforts in a common direction. This is the new way of IT development and gives substance to the conceptual ideal of aligning IT with business.

I-Case International is an Australian company that has developed a way for business and IT to work together. That 'way' is detailed in a software product called Rapid Delivery, which details the steps to take in building software. It starts at the feasibility stage and works through business requirements to development, implementation and review.

The program covers such topics as how to structure teams for each stage of the process; the roles and responsibilities of team members in each phase; joint planning between business and IT; timeboxing each phase to bring the alien concept of working to fixed timeframes to IT; tools to enable such things as data modelling to be carried out by users; problem resolution; training and so on. It also includes several hundred templates and checklists to use for such things as interviewing people at the feasibility stage, or preparing a business case.

Most organisations introduce the process through a combination of formal training and mentoring by a consultant for a short period on a pilot project. The software sits on the LAN where everybody has access, and provides the day to day, plain English reference.

Rapid Delivery involves a change in the corporate culture. Cultural change is never easy and the most effective tool is success breeding success. A properly run pilot will shine a new light on the relationship between business and IT. In most organisations, people actually want to participate in subsequent projects using this new approach.

The vast majority of people don't want conflict and the resulting stress. They are always receptive to proven ways of working together that recognise and use their skills. The team based approach of Rapid Delivery gives them clear short term goals, roles, responsibilities and a list of tasks to be completed, forces them to plan before they start, provides ways to monitor their progress, empowers them and

provides a problem resolution mechanism. It is flexible. No two projects are ever the same and the differences need to be catered for. Most importantly, it builds on individual strengths, as any good team should do. It recognises that people are different and gives them a way to use those differences for the overall good of the team.

The best form of dispute resolution is to avoid the dispute in the first place. How many disputes started out with people of different personalities working together without ever defining exactly what they are trying to achieve, how to do it and who was responsible for what? A little thought and planning upfront can save enormous pain and cost to both the company and the individuals down the line. There are enough disputes in the world to be resolved without creating more. ●

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Legal Professional Privilege in Australia

Author: Dr Ronald J Desiatnik BA LLB LLM (Hons) SJD (Sydney); Barrister

This is the first Australian book devoted solely to the law of legal professional privilege. It examines, in depth, the common law doctrine of legal professional privilege and the provisions of the Evidence Act 1995 (Cth and NSW) relating to client legal privilege. It considers the elements of the definition of the principle, the history of the principle, its rationales and the qualifications and exceptions thereto. It contains detailed analysis of the relevant statutory provisions and shows how, in recent years, the 'judicially set pendulum' has swung between the differing interests which support and oppose the doctrine.

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