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Working it out

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Boulle: Working it out



New resources in mediation

Working it out

It is always good to see an addition to Australian resources in ADR and this publication has reviewed a number of recent local books on the topic. If ADR is about resolving disputes with an awareness of differences, then it is important for its development to be rooted in the native soil, while also taking account of comparative developments abroad. Think globally, produce locally.

The Victoria Law Foundation, with a contribution from the Victorian Civil

Laurence Boulle

and Administrative Tribunal, is responsible for the production of a fine new mediation package to add to your resources. The package comprises a 15 minute video, a 47 page booklet (by Keith Jackson and Louise Kyle) guiding





users of dispute resolution processes and training notes (by Jules Aldous).

This is an excellent package for those with little prior exposure to or understanding of mediation and the evidence suggests that the Australian community is still relatively ignorant about the system. It can be used for educational and

without a broader understanding of the mediation context.

While this is a good resource for the beginner, for the more experienced mediator the video in particular will have something of an early 1990s promotional feel, with a rather uncritical view of mediation. Nowadays, promoting mediation as a 'terrific alternative', and in relation to

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training purposes, for prospective users of mediation, as a resource in the 'client library' which some professionals are developing for their dispute resolution services and for general promotional purposes.

The video features Julie McCrossin of the ABC who introduces the viewer to the objectives and practice of mediation by way of information, scenarios and mediations. The scenarios cover different situations, such as workplace, business and neighbourhood, and evoke challenges faced by the many mediators plying their trade throughout Australia. Mediation clients are interviewed about the process and outcome and there is even an unsuccessful mediation to add reality to the presentation. This is all done in a lively and entertaining fashion and the technical side of production is excellent. Experienced mediators will be pleased to encounter well worn phases such as 'your perception of events', although sometimes it is difficult to evaluate mediator's interventions

its cost effectiveness, is rather suspect. The video would also not be suitable for those interested in the different models and variety of mediation and their relationship to other dispute resolution processes — indeed it is difficult at this time in the evolution of ADR to justify the notion being put abroad that there is only one analytical model of mediation, when, at last count there were between four and 39. While there is a short section on Services and Resources in the user's guide, it is something of a surprise to see no reference to the rich literature and related resources which have developed in Australia over the last decade.

Nevertheless, this remains an attractive and practical resource and a welcome addition to the mediator's kit. Congratulations to those responsible. For further information contact the Victoria Law Foundation at (03) 9602 2449. ●

Laurence Boulle, General Editor.

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