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Views from ADR practice

Interview with Bruce Turner, Director Phoenix Facilitation

Bruce Turner was born in Sydney and raised and schooled largely in the UK and US. He graduated in Geology from ANU and worked for mining companies in Australia and Canada, and then the Bureau of Mineral Resources.

Bruce toyed with the idea of a career in academia but decided on teaching science and mathematics in a secondary college in Melbourne. He joined the Victorian public sector as a graduate trainee and eventually the Environmental Impact Assessment area after a stint as a natural resources policy adviser in the Premier's Department. He now runs his own facilitation business in Melbourne. He was interviewed by David Bryson, member of the ADRB editorial Panel.

Bruce, when did you first become interested in ADR?

I fell by chance into ADR work when I took up a job in Environmental Impact Assessment with the Victorian Government in about 1990. I got the job on the basis of my science degree but soon discovered that expertise in people and group dynamics was far more important to the role than technical expertise.

After a brief apprenticeship note-taking for more experienced colleagues at a variety of stake-holder meetings, I was thrown in the deep end and found myself chairing meetings with people who had strongly held, and divergent, values and opinions. My first project involved the search for a suitable site for a sewerage treatment plant at a small town on Victoria's coast. The only thing the local authorities, residents and environment groups could agree on was the need for the plant (at that time, the end of the town's raw sewage pipe didn't even reach to the low tide mark at some times of the year). But as soon as we started talking about possible site locations, things got very fiery! People were threatening to sue on other and so on.

I found the whole challenge of it quite exciting and set out to try to learn how to do better than just 'fly by the seat of my pants'. I discovered there was a national and international community of practitioners involved in mediation and multi-party facilitation. I was hooked.

I suspect we don't really 'fall into' this work! Are there threads of personal experience or other influences that formed the background to this vocation for you?

I guess I have always been a 'fence-sitter' by nature and when younger I used to think this was a weakness. I have come to appreciate this tendency as a capacity to see more than one side to a story. This has been very useful in my ADR work and may indeed have led me to it.

I have to be honest and say that I do not like, nor manage well, conflict in personal life — something I have heard other dispute resolvers confess to. It is curious how I seem to have been drawn to helping other people sort out theirs!

Inherent in the ability to manage large groups is excitement about performing. I have enjoyed being part of theatre and performing music since school — perhaps there is something about taking on a persona or role, yet remaining authentic, that has also attracted me to ADR.

What or who has been most influential on your work as an ADR practitioner?

My boss during those EIA years was Robin Saunders. He had the ability to chair a large public meeting so that everyone got a say, and you could hear a pin drop. I thought, 'wow, wouldn't it be great to be able to do that!'

I also admired his robust defence of the principles of genuine stakeholder involvement in decision-making, in the face of pressure from bureaucrats or politicians to settle for 'less than pure' processes. He played a key role in establishing the model of using Consultative Committees to guide the preparation of Environment Effects Statements in Victoria. As I've described, my work with these committees is how I 'cut my teeth' as an ADR practitioner.

Robin and I learned formal mediation skills at around the same time. I felt very fortunate to have the chance to co-mediate with him in the first mediations attempted in the planning

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scheme amendment process in Victoria. The largest of these involved some 400 landowners and many agencies in a complex dispute over new drainage infrastructure in northern Victoria.

What are the highlights of your work to date?

They are being involved in EIA at a time when genuine agreement-seeking processes were supported and pioneering the use of mediation in the planning process in Victoria. These sparked a strong desire to share these experiences and to help planners develop and use mediation skills. Robin Saunders and I were lucky to be able to team up with experienced trainers, Di Pittock, Sandra Ferguson and, later, Pat Marshall to develop and deliver a tailor-made training program through Melbourne University. With State Government support, this program was offered free to local government planners, managers and councillors for a period of about 18 months. I wrote a process guide, jointly published by State agencies, to support this capacity-building work.

These formative experiences combined to support my successful application for a Churchill Fellowship to study 'leading edge practice in managing conflict over environmental and resource use issues in North America and Britain'. This was completed in 1998. The scholarship really opened my eyes to the field and what was possible.

I would also count managing the transition from the public sector to private practice as a highlight. Being independent of government has opened up many more varied opportunities to be involved in dispute resolution than when I was within a single agency. The transition was actually a pleasant surprise, and a soft landing, largely because I had reached the full extent of what I could do within the salaried position. I had developed a good network and initially worked for an established small firm before launching my own business with the blessing of my previous employers. It's now hard to imagine not being my own boss.

Most of all I have valued the many experiences of working with 'real people' in ADR processes, particularly those in small rural or semi-rural communities, from whom I have received so much in return.

You have facilitated numerous public meetings and I have watched you deal with people with such patience. Can groups in these situations be trusted to make wise decisions? And if you have equivocations about that, what can the facilitator do to increase the wisdom quotient?

I continue to have faith in human nature, that with the benefit of credible information and adequate opportunity to have a say and be heard in decisions affecting their lives, people are prepared to change their views or lifestyles for the 'greater good'. There's a growing sense that, to quote a recent pop hit, 'we're all in this together'.

I think a major challenge now for those of us working in ADR is in helping people come to grips with, and have an informed view on, complex and elusive issues like climate change, or the relative costs and benefits of nuclear versus other renewable power sources. We cannot stand back and watch these debates be handled by ideologues or experts with axes to grind.

However, my experience is that large public meetings, where perhaps hundreds of disgruntled community members are airing their concerns, are not the place for decision-making. They are useful for venting emotions and increasing awareness of different points of view.

Smaller representative groups such as advisory, consultative or working groups are useful for building understanding and can have a powerful influence on decision-makers if they are able to achieve consensus on contentious issues.

A lot of care needs to be taken in putting together such groups so that the various interests are represented appropriately. In technically-complex cases the wisdom quotient can be increased by encouraging the group to agree on mutually credible experts to provide them with advice. The negotiations can then centre on agreeing questions to put to the experts. In my experience it has worked best to leave the experts to meet separately from the group and draw up recommendations for the group to decide on.

Does ADR necessarily become advocacy in situations where greed or incompetence take control of decisions?

As I've indicated, I see the facilitator or mediator's role as being to help groups identify gaps in their knowledge and work out a process of how to address these. I think it has to remain value-free on the content side otherwise you won't be able to get people to listen to each other and jointly solve problems or create any joint future.

The facilitator must also ensure that difficult things that are explicit or implicit are not overlooked, that all voices are heard, including those not necessarily in the room — even including future generations. I remember in the mediation I referred to earlier involving new drainage infrastructure in northern Victoria, there was a lone and isolated voice; this was one farmer who challenged the sustainability of farming practices that led to the infrastructure proposal in the first place. No one wanted to listen to him. My co-mediator and I felt that all we could do was to insist that this person be given a fair hearing. It was not our role to say who was right or wrong and we weren't going to change the world in that one session. But we were able to make sure that all views were aired and, several years down the track, that lone voice is almost certainly not alone any more.

What are the four most useful things to take in to mediation?

1. A clear, strong, yet flexible, process framework — so you know what your purpose is at any moment.
2. A sense of humour.
3. Calm, present moment awareness — where mediation meets meditation!
4. 'Rule no 6' from Roz and Ben Zanders' book *The Art of Possibility* (Penguin 2000), that is, 'don't take yourself (or your impact) too seriously'. Perhaps when all the evaluations of the success of ADR are in we will know that the real shifts in people's thinking occur during the tea breaks! ●

Bruce Turner runs Phoenix Facilitation Pty Ltd, Victoria, and can be contacted at <bruturn@ozemail.com.au>. *His article aimed at helping local government planners manage meetings is accessible at <www.dse.vic.gov.au/CA256F310024B628/0/61162EBDC1BC5FA8CA2570230026A7A6/$File/How+to+get+the+best+out+of+planning+Aug+1997.pdf>.*