

6-1-2008

# Going with the flow regardless of where the flow is going

Michelle Brenner

---

## Recommended Citation

Brenner, Michelle (2008) "Going with the flow regardless of where the flow is going," *ADR Bulletin*: Vol. 10: No. 5, Article 4.  
Available at: <http://epublications.bond.edu.au/adr/vol10/iss5/4>

This Article is brought to you by [epublications@bond](mailto:epublications@bond). It has been accepted for inclusion in ADR Bulletin by an authorized administrator of [epublications@bond](mailto:epublications@bond). For more information, please contact [Bond University's Repository Coordinator](#).



## Morals and bullying in the workplace

# Going with the flow regardless of where the flow is going

Michelle Brenner

Always remember that every person, no matter how lowly their position may appear to be, is a hero or heroine in the eyes of those close to them especially their children and their parents — and, particularly in the presence of those, treat them with dignity that befits a hero or heroine.

*Sir Lawrence Street*

The discernment between dignity and bullying underlies the intention behind the Prevention and Management of Workplace Bullying Policy.<sup>1</sup> The key policy principle is that workplaces have a duty of care to provide safe working environments.

### What does a safe working environment mean?

There would be no challenge to this principle in general, yet clearly there are differences in opinion in actuality or the need to implement legislation against bullying, harassment and the like would not be necessary in modern day Australia.

It may be obvious in the schoolyard or the workplace when someone is yelling or raising their voice to someone, or if posters or fun is at the expense of someone's identity. But where discernment is less easily perceived is when one person sees behaviour or management practice as acceptable and another clearly sees it as unacceptable. Who leads this conversation and what practices and perceptions are preferred?

A holistic conflict resolution approach to this question would look like this:

- What is the context?
- What are the roles of the people involved?
- What is their responsibility?
- What are their positive intentions, hopes and expectations in this context?
- Is there a willingness of all the parties to support a safe working environment?
- What are the underlying concerns

from all the people?

- What are the underlying needs?
- What happens when the needs and concerns are not addressed?
- What happens when dignity and wellbeing are experienced in the workplace?
- What supports meeting the underlying need?

### The role of ethics, emotions and the moral barometer

The question of dignity, of safety and of harassment and bullying are all related to feelings, emotions and states of being. It is not an economic or resource distribution dilemma. Unlike petrol and water, that have possible limitations and supply realities to consider; emotions, ethics and the choice we make in relating to each other tends to cultivate and generate. They cultivate more fear or more trust. Both have consequences that relate to ongoing relationships and quality of work.

Hans Seyle, biologist and the founder of the Stress movement, identified that one of the inherent purposes of being is to collect. What we collect is up to us, a matter of free choice, but the need to collect Hans Seyle suggests is a universal need. In order to live a peaceful life, a life that is 'stress without distress', Hans Seyle says we should be collecting goodwill. In goodwill there is safety, with goodwill there is the effect of positive or generative flow on. With goodwill there is a sense of reciprocity. The generation of goodwill takes practice and emotional work. It requires emotional fitness and strong moral reflexes.

Goodwill connects us to a sense of good identity. A sense of being liked. So what is identity and why does it matter? Identity includes how I see myself, how I am seen by others and how I see others, a three-dimensional experience, This all becomes monitored or mediated by our emotions, and our ethics. Our

emotions, our gut feelings, our sense of feeling sick, or sense of wellbeing, are felt in our 'bones', our guts, our hearts, our back and in our mind. Our identity has real implications to our health and well being.

Our emotions impact on how we do things, our *processing* of information what we do with experiences and thoughts as well as our *content*, what we do and think, what information and life experiences we pay attention to. Emotion has a lot to do with decision making. Confidence, trust, fear and insecurity does impact on judgments, social relationships, memory and attention.<sup>2</sup>

Ethics is about paying attention to the needle on a compass. Knowing which way is good. Knowing which way takes us away from that direction and which way brings us closer to the direction. There is no end place, ethics is always on the move. The compass is felt by our moral barometer. The moral barometer is within all of us. It rings loud to some, it is quiet in others. It is connected to our feelings and possibly our actions and that is why our sense of hurt, pain and joy and satisfaction are so critical in decision making.

The moral barometer guides our sense of goodness. It comes with life but it does need maintenance to keep it working well. One way to keep the moral barometer in good order is to think about its messages, wonder on the connections between the signals and the reality in its midst. The moral barometer is our internal indicator for ethical awareness.

### Emotional fitness

Just as physical fitness keeps your body in good condition, emotional fitness keeps your emotions in good condition. Good here means positive, full of life, well. It is possible to get into a rut with emotions just as one can do with the body. The fitness level of emotions is evident when there is an



ability to be strong in the feelings of goodness. As mentioned above, feeling good is a three-dimensional experience. How we feel about others, how others feel about us and how we feel about ourselves. This is often tested in everyday interactions. The more the conditions that surround us invite us into the good feelings that make up our identity the more that dignity is present and the more that we are emotionally well.

When dignity is not present, there is the need to work towards bringing dignity back. This is the exercise of emotional fitness — being conscious and working to keep dignity present. It is a three-dimensional setting. Dignity is related to others and cannot be viewed in a vacuum of self. Good listening is one fitness exercise. Listening may not achieve the presence of dignity, but including the intention of listening for the good in the others intentions or hopes can invite dignity to be present. This is not always easy. Difficult conversations and relationships that have a history of dignity not being present make the presence of dignity tricky. Interventions and support can go along way in restoring dignity.

### Moral reflexes

Reflexes are instinctive, they come with the human condition as a natural response to stimulus, or they can be learnt through habit or effort. Moral reflexes are the response to moral stimulus. When something demands a response that has implications of conscience that relates to good or bad, there is moral reflex in action. Moral reflex is the awareness of responding to situations and conditions that impact on good. When the reflex is conditioned to be aware of this impact and the consequences that follow, the reflexes will be reflected upon in practice. Reflection in practice is thinking in the moment, weighing up consequences, impacts and considerations.

There is a clear connection between the moral barometer and the moral reflex. When the moral barometer is in

tune to goodness then the alarm will ring when there is a stimulus that challenges it.

The most destructive element to dignity is when trust has been broken and the moral reflex puts doubt into goodness being present. Doubt, fear and mistrust then stand between the moral barometer and the moral reflex. Trust by its nature is two fold, being in tune with one's moral barometer, sensing the trust in one's own judgment, and the other part of trust is believing in the other person. When either of these links to moral judgment is broken, there is doubt.

The weakening of moral reflexes limits the opportunities for dignity to be present. In Africa there is a word called UBUNTU, this is the word for justice. It means what affects you will also affect me. If I hurt you, I am hurt, if I am good to you, I am good to myself. UBUNTU was the basis of the Truth and Reconciliation Commission in South Africa. UBUNTU clearly illustrates the connection between moral reflex and dignity. They come together because one informs the other.

Strengthening moral reflexes is about strengthening dignity. It includes returning to equilibrium. Without peace of mind, equilibrium or a balance of wellbeing, the moral reflex can be pulled out of elasticity.

The nature of the workplace is about attending to goals that transcend our personal lives. A policy that insists on attention to dignity in the workplace, places responsibility on everyone for its implementation.

### Dignity in the workplace

Discernment about the presence of dignity requires a sense of tuning into oneself and others. The discernment becomes weak when habits between people slip into absence of dignity. At these times it takes noticing, attention and work to restore dignity.

The nature of the workplace is about attending to goals that transcend our personal lives. A policy that insists on attention to dignity in the workplace,

places responsibility on everyone for its implementation. What affects you affects me. One of the consequences of this policy is the potential for emotional wellness to be part of the working conditions. To work in an environment where dignity is present would as Hans Seyle points out, create a generativity of flow. A flow of goodness that transcends the workplace into the community.

In a recent research article on workplace bullying, the authors place great emphasis on the subjective nature, the non-observable impact that being a target of bullying can have on employees. In time, the non-observable impact eventually does lead to observable and organisational consequences.

Practically speaking, even the strongest argument based on measurable costs of bullying is not likely to move people to action without an engagement of emotion (Aristotle, 1954; Cialdini, 1984; Planalp, 1993). Understanding what bullying feels like, therefore, is necessary for motivating change (Weiss & Cropanzano, 1996). Furthermore, employee emotion serves an important signal function (Freud, 1926; Hochschild, 1983); the emotion of fear signals danger, which in turn leads to action (e.g., a fearful person is likely to be moved to take safety precautions).

Emotion can serve as a warning sign that organizational interaction is asked. Thus, uncovering and publicizing the emotional pain may be a precursor for organizational intervention, change, and prevention.<sup>3</sup>

The authors of this research note that,

... most workplace bullying interventions are reactive if existent at all. For instance, European health professionals have founded specialized



clinics to treat the injuries resulting from bullying at work (Crawford, 2001; Zapf et al., 2003). Although such clinics may be ameliorative, workplace wellness research suggests organizational social health may be most dependent on employees' perceptions of camaraderie and communication with peers, supervisors, and family (Farrell & Geist-Martin, 2005)—all issues that must be proactively maintained and protected through everyday practices ...

Finally, although there is scant evidence in the bullying literature (or our data) regarding the potential for bullied workers to respond with violence, workplace aggression research suggests active revenge could be a very real possibility. Perceptions and reports of unfair treatment are common precursors of workplace aggression, violence, and sabotage (Analoui, 1995; Hoad, 1993; Neuman & Baron, 2003). Certainly, if feeling like the unpopular kid at school is one factor leading to bloodshed among children (Garbarino & deLara, 2002), it is not unthinkable that a worker who feels continually abused, tortured, and isolated in an organization might respond with aggression.<sup>4</sup>

Emotions are the indicators of dignity and bullying. Being able to talk about the emotional unease that comes with slights to dignity, to bullying and abusive interactions is not always easy, in fact there may be little opportunity to discuss the types of behaviour or feelings that are indeed not part of the workplace core business.

Often it is subtle behaviours and interactions that in time add up to feeling unsafe, trapped, lonely, isolated, desperate and to say the least disappointed about a workplace. Not unlike abusive families there is a great sense of shame that comes with the experience. It is an emotional experience and emotional experiences are not part of the vocabulary that usually is present in the workplace.

If the purpose of the no bullying policy is to limit its pervasiveness in the workplace then there will need to be conversations that include an emotional awareness of safety, personality conflict and management practices. Within

these phrases are nuances that conceal the conditions that support dignity in the workplace. These conversations are not so easy to have. They are difficult conversations. Difficult because they are subjective and as such tend to be subject to fact-finding, and objectifying processes that further dehumanise the experiences. However if these conversations are constructive and

they perform their duties.

Using personality conflict as a term of reference or analysis is trivialising or minimising not only the analysis of the conflict, but more importantly assuming that nothing can make a difference. In respect to conflict and its resolution, making the difference is everything. That is the intention of conflict resolution, to move away from

**The terms 'fit in' and 'personality conflict' are commonly used to dismiss any underlying notions that can be dealt with. There is almost a sense that these words suggest that nothing can be done.**

caring conversations they can offer the workplace opportunities for alignment. Aligning the workplace intentions with the personal intentions. Aligning values that support business to values that support the people who work in them.

### Personality conflict

The terms 'fit in' and 'personality conflict' are commonly used to dismiss any underlying notions that can be dealt with. There is almost a sense that these words suggest that nothing can be done. 'Personality conflict' is often used as a common explanation by management to staff to nullify the pursuit of a grievance that someone is requesting to be remedied.

In a paper titled 'The Myth of the on-the-job "Personality Conflict"', by Russell J Watson, President of Target Consultants, Inc, reveals a summary of 22 years of research in workplace dynamics, values and strength-based management.

He says,

The bottom line: behavioural style didn't seem to be the major predictor of success in working teams. Some other dynamic was at work here. The operative dynamic that clearly emerged as critical to a team's success was the dynamic of Values. While behavioural style describes how one does their job, Values illuminate why one does their job, ie, their wins, drives, and rushes as

conflict and pain and move towards freedom. Freedom here means having one's thoughts and feelings freed up from conflict. As this research suggests, intentions, motivations, roles and dominant priorities as well as dominant interests when understood, and reflected add more to the story than a closing dismissal.

By seeing conflict as a 'personality conflict', there is a framing of the conflict within a personal domain, a domain that within the workplace has no priority. Personal is out of work time and place. However if the personality conflict was reframed to allow for naming the frustrations, expectations and incongruence then the impact of the conversation and the opportunity for articulating the emotional transactions can shed light to better work place structure. Better for the people in it.

### Management practices

Through the use of power and coercion it is possible to achieve a predetermined outcome without going into the complexities of the problem concerned. With force, complexities of any human dimension in a conflict can be overridden, in the short term, and the situation can be reduced to the simple dimensions of institutional preservation. ... There are inevitably longer-term consequences ...<sup>5</sup>



Management practice is traditionally involved in bringing the employees into line with management goals and intentions. One of the challenges that the 'non-bullying' workplace seeks to encapsulate, is the responsibility of workplaces to be in line with the employees' human needs, such as dignity as well as the institutions need for core business. Core business is the centre of the workplace needs, but the employees needs are the centre of the core business needs being met.

There are approaches to management that structurally contribute to distress and bullying practices. Hierarchical structures aren't inherently conditions for either bullying or dignity. However, there are possibilities of separation between the operational team of employees and the directional team of employees. When the bottom and the top never have direct contact or the contact is through 'Chinese whispers', the chances are that authoritative and directive communication is present. This can encourage bullying under the guise of management practice. Stress leave, burnout, unhappiness are all possible by-products of management practice. John Burton identifies two kinds of philosophical models that can underlie systems, one is the billiard ball concept which sees the goings on within a person or group as being not of concern. In this model the more power or force that is within a person or group denotes the level of influence one has on the direction of others. Alternatively John Burton suggests the cobweb concept which

... draws attention to system transactions — that is, interactions of all kinds, communications, transport, trade, cultural and all others that flow between the people or the groups. Whereas the billiard ball model invites defensive policies, the cobweb model draws attention to the need ... to preserve relationships ... It focuses thought on the totality and complexities of relationships ... the transactional relations.<sup>6</sup>

In the *Harvard Business Review* an article called, 'Fair process: managing in the knowledge economy', the authors researched the difference

between two styles of management and the respective outcomes. One style called distributive justice, uses traditional tools focusing the management task on resource allocation, economic incentives and organisational structure. The outcome

**A practice of management that hedges far away from bullying practices, can be easily identified by its employees, not by its paperwork, not by its mission statement, but by the level of satisfaction in relationships.**

with this management style is a relatively mediocre level of performance. The management style called procedural justice uses fair process as a management focus, prioritising *engagement* with employees, *explanations* that compliment change and directions, and both employees and management having *expectations of clarity*.<sup>7</sup> Performance is not the only difference in outcome, the one that is relevant to the conversation around bullying is this quote,

Lacking trust in the change process, employees could see only its negative side. They began taking out their fears on one another. Fights erupted.<sup>8</sup>

Trust relates to dignity and when trust is not present, questions around intentions, nuances of meaning and eventually the moral reflexes move away from comfort and equilibrium to the spectrum of negativity. What is clearly being identified in management and conflict resolution thinking is that there are many ways to productivity. It is the consequential by-products, the human experience in the process, the collateral damage that may be avoidable if attention is directed towards duty of care.

So what would a better workplace look like? Dr Daryll Hull and Vivienne Read suggest that in Australia quality in the workplace means; 'quality in the relationship — first,' they furthered this by identifying 'good workplace leadership, clear values, having a say and being safe'<sup>9</sup> as main connections to quality.

Human beings are dynamic, alive with energy, varying degrees, varying inclinations and at varying levels of actualisation. Making a difference in the world is a human need, at whatever level the human is at. When we align the human need for dignity,

to the values and goals of the organisation, we are congruent with a best practice of management. A practice of management that hedges far away from bullying practices, can be easily identified by its employees, not by its paperwork, not by its mission statement, but by the level of satisfaction in relationships.

### **Structural stress management practices**

Structural stress management is about placing the responsibility of the impact of human stress and distress on to the structures that we create. We have become accustomed to seeing stress management as a personal responsibility. However, like safety and security, stress is a relationship that involves the environment. Structural stress management is consciously viewing the reality of stress, distress and burnout as a common impact in modern life and the onerous responsibility of managing this stress belongs to the structures that society have created.

There are many structural conditions that create safety but the one that is without doubt the most important, is a sense, a feeling, a deep inner knowing that you are in a secure environment, a warmth of protection that includes you in it. This no doubt is what we really mean by safe.

Stressful experiences in the workplace turn into distress when the power or support to arrive at a satisfying result is not reached and the prolonged frustration is the only



outcome. With ongoing dissatisfaction and no let up, we experience fatigue, exhaustion and burnout.

Some research based structural stress management practices:<sup>10</sup>

- Plan for better work environments: the work environment has a significant impact on the professionals caring and commitment, and there are many ways supervisors and administrators can *make the work environment more stimulating and supportive*, particularly by emphasising prevention
- Provide opportunities to *develop special interests* on the job.
- Make it easier to work with difficult clients. Professionals must now deal with situations that they never were trained to handle ... Professionals — even experienced ones — *need sensitive supervision and training to help them deal with their reactions to difficult clients*. Simple exhortation will not work.
- Increase organisational negotiation skills: The most successful professionals are those who can *discover ways to be both efficient and kind*. The most successful professionals usually didn't learn these skills in school.
- *Rely more on the quality of previous work experiences* in selection for professional training: The most successful professionals in the study were individuals who had worked successfully in challenging situations in the past ... They seemed to have matured in those situations and learned valuable coping skills ... An applicants age is less important than what the applicant has done in the past. What seems to be most critical is that *the individual has successfully mastered a challenging job*.
- *Provide career counselling and professional development*: the most successful professionals developed career insight earlier in their careers, which gave them a distinct advantage, over those who didn't develop it — or did so much later. Although counselling is usually provided on a one to one basis, *group counselling* is an interesting alternative ... Group sessions are more economical, and there is some

advantage to being able to talk with other professionals who are grappling with the same

- Promote social *environmental conditions that support warmth*. In spite of working conditions that are associated with high burnout, the atmosphere in this workplace exuded warmth and staff were unusually lively, enthusiastic and content with their work.
- *Encourage transcendent emotions*: These include beauty, rapture, love and gratitude. The transcendent emotions take us outside of ourselves to feel the joy of another. They do more than just relax our body, *they connect our rhythms to a resonance that creates a biological connection between sincerity, heartfelt positive emotions, improved health and increased longevity*. 'Furthermore, data suggest that this more efficient functional mode also improves the cognitive processing of sensory information.'<sup>11</sup>
- Prevention is better than cure. Structural stress management practices recognise that the structures in our society are socially constructed to serve society. It is the responsibility of these structures to support the humans they serve. Stress management practices have traditionally fallen on the responsibility of the individual. With a wider focus that includes the reality of how stress and distress impacts on the human condition, a conflict resolution approach to non-bullying in the workplace takes structural stress management practices into normative management practices.

## Conclusion

Being aware of where the flow is going is being aware of the barometer reading. If the reading is frustrating, has undercurrents of unhappiness and tension, then going with the flow is counter to human development. Moral leadership here means leading an organisation towards knowing that our sense of goodness is a critical part of social interaction.

The workplace is one of the most intensive places where social interaction takes place, this policy that marks a duty of care to provide safe working

environments is doing more than just creating more work for policy guidelines, positions of employment or management practices. This policy offers an opportunity for moral leadership in human development. The workplace that takes the challenge to construct conditions that support dignity in the workplace is aligning itself to human progress. ●

*Michelle Brenner is a conflict resolution consultant. She lectures at the University of Technology in Sydney in the Masters of Dispute Resolution as well as practising mediation in family, workplace, government and community contexts. She can be contact at <brennermichelle@hotmail.com>.*

## Endnotes

1. Dignity and Respect: Policy and Guidelines on Preventing and Managing Workplace Bullying (NSW Premier's Department) March 2007.
2. Joseph P Forgas, *Affective Intelligence* available at <[www.psy.unsw.edu.au/~joef/fjorgas.htm](http://www.psy.unsw.edu.au/~joef/fjorgas.htm)>.
3. Sarah J Tracey, Pamela Lutgen-Sandvik and Jess K Alberts, 'Nightmares, Demons and Slaves Exploring the Painful Metaphors of Workplace Bullying' 20(2) *Management Communication Quarterly* (November 2006), 1–38.
4. Above note 3 at 29.
5. John Burton, *Conflict; Resolution and Prevention* (1990) p 86.
6. Above note 5 at p 76.
7. Chan Kim and Renee Mauborgne, 'Fair Process: Managing in the Knowledge Economy' *Harvard Business Review* (July-August 1997) 73.
8. Above note 7 at 67.
9. Dr Daryll Hulland Vivienne Read, 'Simply the Best Workplaces in Australia' Working Paper University of Sydney (December 2003) available at <[www.acirrt.com](http://www.acirrt.com)>.
10. Based on research by Guy Cherniss, *Beyond Burnout* (1995).
11. Jack Barbalet, 'Theory and Research on Human Emotions' 21 *Advances in Group Processes* (2004) 245–272. See also Rollin Mc Craty and Doc Childre, 'The Grateful Heart — The Physiology of Appreciation in Emmons and McCullough (eds) *The Psychology of Gratitude* (2004) at 248.



# ADR Diary & happenings

- The **3rd International Conference on Transformative Mediation** is being held at the University of California, Santa Barbara from 25–26 August 2008. The conference, entitled **New Waves of Transformative Practice — New Voices, New Frontiers, New Challenges** will also be running pre-conference training from 22–24 August. For more information visit the conference website at [www.transformativemediation.org](http://www.transformativemediation.org).
- The **9th National Mediation Conference** entitled **Mediation: Transforming the Landscape** will be held in Perth, Western Australia from 10–12 September. The theme will provide opportunities for presentations on a wide range of topics including accreditation of mediators. For more information and to register see [www.promaco.com.au/2008/mediation/](http://www.promaco.com.au/2008/mediation/).
- The **Bond University Dispute Resolution Centre (BUDRC)** will be holding a 4-day workshop-style **Basic Mediation Course** in conjunction with the **Leo Cussen Institute** on 16–19 October in Melbourne. For more information, phone (03) 9602 3111 or email [lpcd@leocussen.vic.edu.au](mailto:lpcd@leocussen.vic.edu.au).
- The **BUDRC** will also be conducting a 4-day workshop-style **Basic Mediation Courses** with a Foundation Family Mediation stream, run in conjunction with **AIFLAM** (Australian Institute of Family Law Arbitrators and Mediators) on the Gold Coast on 31 July–3 August and 27–30 November. A 4-day **Advanced Mediation Course** with a Foundation Family Mediation Stream run in conjunction with **AIFLAM** will take place on the Gold Coast on 28–31 August. Two day-assessment courses will be held on 15–16 August on the Gold Coast and 17–18 November in Melbourne. For more information email [drc@bond.edu.au](mailto:drc@bond.edu.au) or visit [www.bond.edu.au/law/centres](http://www.bond.edu.au/law/centres).
- **LEADR** is holding several 5-day **Mediation Workshops** around the country that meet the standards for the National Mediator Accreditation Scheme. Courses are being held in Adelaide from 15–19 September; Hobart from 10–14 June; Melbourne from 13–17 October; Perth from 20–24 October and Sydney from 4–8 August and 11–15 September. For registration forms, early bird registration dates and more information on courses, visit [www.leadr.com.au/training.html](http://www.leadr.com.au/training.html).
- The **Institute of Arbitrators and Mediators Australia (IAMA)** is offering a 5-day inter-active workshop entitled **The Practitioner's Certificate in Mediation** in Melbourne on 20–22 and 26–27 August. For more information on the courses and to register visit [www.iama.org.au/training.htm](http://www.iama.org.au/training.htm).
- The **Trillium Group** is conducting a 4-day **ADR (Negotiation and Mediation) Workshop** in Melbourne from 16–19 September and Sydney from 23–26 September with a 4-day advanced course being offered in Melbourne from 21–24 October. They are also running 2-day **Dealing With Difficult People Workshops** in Sydney from 13–15 October and in Melbourne from 16–17 October. To register, visit [www.thetrilliumgroup.com.au](http://www.thetrilliumgroup.com.au) or call 1800 636 869 toll free or 02 9036 0333. ●

**PUBLISHER:** Bond University **PUBLISHING EDITOR:** Carolyn Schmidt **PRODUCTION:** Alex Berthold **SUBSCRIPTIONS:** \$330.00 per year including GST, handling and postage within Australia **FREQUENCY:** 8 issues per annum **OFFICE:** Dispute Resolution Centre Bond University Qld 4229 Australia **TELEPHONE:** (07) 5595 2039 **FAX:** (07) 5595 2036 [adrbulletin@bond.edu.au](mailto:adrbulletin@bond.edu.au)

ISSN 1440-4540 Print Cite as (2008) 10(5) ADR

This newsletter is intended to keep readers abreast of current developments in alternative dispute resolution. It is not, however, to be used or relied upon as a substitute for professional advice. Before acting on any matter in the area, readers should discuss matters with their own professional advisers. The publication is copyright. Other than for purposes and subject to the conditions prescribed under the Copyright Act, no part of it may be reproduced, stored in a retrieval system or transmitted without prior written permission.

Inquiries should be addressed to [adrbulletin@bond.edu.au](mailto:adrbulletin@bond.edu.au)

Printed in Australia © 2008 Bond University Dispute Resolution Centre ABN: 88 010 694 121

