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# Alternative Dispute Resolution

Robert Hunt

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**Book Review**

# Alternative Dispute Resolution

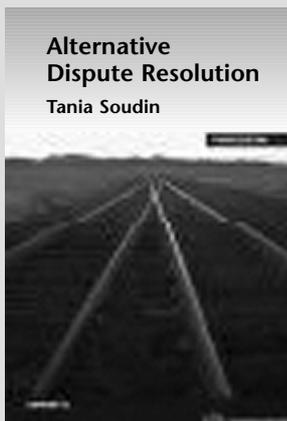
Reviewed by Robert Hunt

**Tania Sourdin**

*Alternative Dispute Resolution*  
(Third Edition. Lawbook Co 2008)

ISBN 978 0455 22495 4

RRP: \$94.95



This is the third edition of a book by Professor Tania Sourdin, who is a Professor in The University of Queensland. Professor Sourdin is well known as a leading Australian legal academic on conflict and dispute resolution.

In the Preface to the third edition, the author says that the book ‘aims to introduce concepts and skills and to map issues that are arising within the ADR area’, and ‘is intended to be an everyday reference as well as a more in-depth reference book for students who have a particular interest in ADR processes, skills and systems’. The book certainly meets those aims.

As well as updating the contents of the second edition from 2005, this third edition provides a far more comprehensive treatment of ADR in terms of knowledge, practice and skills. By way of example, this edition contains interesting and informative treatments of conflict coaching (in which a ‘coach’ assists a disputant in how to approach and manage a conflict), and collaborative practice which is traditionally associated with family law and involves a facilitative approach in which lawyers, experts, coaches, parties and others work together as a team to resolve a conflict (in a new Chapter 4).

Since the second edition of the book, there have been important developments in Australia in relation to mediation accreditation. There are now two major schemes, one comprising National Accreditation Standards for Mediators, and a second set of compulsory standards in the Family Law Act and Regulations for

family law disputes. In this edition there is a new Chapter 13 on mediator accreditation which provides a detailed analysis of these two schemes which differ considerably in their approach and application. Other chapters have also been updated to include new material on accreditation issues. Professor Sourdin is particularly well qualified to deal with accreditation, as a member of NADRAC and a person who played a leading role in developing the National Mediator Accreditation Standards.

Professor Nadja Alexander said in the Foreword to this edition:

It demonstrates a breadth and depth of research and know-how that will appeal to practising academics, academic practitioners, students, policy-makers, professional advisers and others eager to keep abreast of developments in this exciting field.

There is no doubt that those comments are appropriate in respect of the topics covered in this excellent book. A minor criticism which this reviewer has is that the treatment of determinative ADR processes remains fairly sketchy. A process such as expert appraisal or expert determination can be a useful tool for resolving ‘sticking points’ in the resolution of commercial disputes. Hopefully, we may find a more expansive treatment of determinative ADR processes in future editions. ●

*Robert Hunt is a Councillor of IAMA, and was President of IAMA from 2000-02. He is a dispute resolver, barrister and civil engineer based in Sydney. Further details are available at <[www.roberthuntbarrister.com](http://www.roberthuntbarrister.com)>.*



## ADR Diary • ADR Diary

- The **5th Asia-Pacific Mediation Forum Conference** will be held in India from 21–27 November 2010. For further information go to <[www.apmec.unisa.edu.au/apmf](http://www.apmec.unisa.edu.au/apmf)>.
- The **National Mediation Conference** will be held in Adelaide on 7–9 September 2010. For further information go to <[www.mediationconference.com.au/](http://www.mediationconference.com.au/)>.
- **LEADR** is holding five-day **Mediation Workshops** around the country that meet the standards for the National Mediator Accreditation Scheme. Mediation Workshops offered in 2009 include 16–20 June in Hobart; 3–7 August in Sydney; 11–15 August in Alice Springs; 25–29 in Adelaide. For more information, visit <[www.leadr.com.au/training.html](http://www.leadr.com.au/training.html)>.
- The **Bond University Dispute Resolution Centre** has upcoming courses including **Basic Mediation** 30 July–2 August 2009. 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)>.
- **Resolve** has an upcoming **Confronting Conversations — Dealing with Conflict** course at Bond University on 28–29 July.
- The **Australian Commercial Disputes Centre (ACDC)** is holding **Mediation** training on 10–14 August and 19–23 October in Sydney. **Accreditation** dates will be on 19 August and 28 October. Visit <[www.acdcltd.com.au](http://www.acdcltd.com.au)> for further information on these and other courses.

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