12-1-1999

Mediation: past and promise

Peter Condliffe
Mediation: past and promise

Peter Condliffe

It was the mid-80s and I remember an eminent academic telling me that I should read a book by some authors called Fisher and Ury. She said it would help me understand something about interest based negotiating and could be useful in training courses for mediators. Positions … interests … transitions … reframes … etc, etc. It was a steep learning curve and we were experimenting as we went along.

Times have changed and in a few short years much has been achieved. We have moved from a heavy supply side emphasis (everyone wanted to be a mediator but no one was mediating) to a demand side shift (nearly everyone still wants to be a mediator but there are now some eager customers).

This conference will celebrate those achievements and look to the future to examine the potential still before us. Divided into five streams (family, commercial, public issues, practice and theory, cross cultural/native title), as well as sessions for discussion and sharing, this conference will involve and enrich you from the start to the very end. You will come away with some new contacts, good papers and enhanced knowledge of the field. The most experienced and eminent practitioners from around Australia will be there. As well, the President of the Society of Professionals in Dispute Resolution (US) will deliver a keynote address and mingle.

And just in case you have forgotten some of those achievements, here is an outline for you to ponder and prepare yourself for what promises to be the best ever mediation event within the legal system. Many law schools now have ADR or mediation courses. Other professions have been slower to embrace these new approaches but this is rapidly changing, especially in the environmental planning and human service fields.

Courts, banking, insurance and other large institutionalised systems have now embraced mediation, in varying degrees, as part of their conflict management strategies. In Queensland, for example, there are now over 30 pieces of legislation that specifically provide for mediation services.

As part of this wider ‘ADR movement’ mediation has begun to have a major impact on the way in which individuals, organisations and communities perceive and manage conflict.

Despite mediation being an age old process, the modern mediation movement, in Australia and other western countries, is still in its beginning stages. Theory and practice, in most instances, are still being trialed and advanced in incremental and ad hoc ways as the field expands and embraces the new approaches and techniques. It is this dynamic which will focus our attention in this important conference.

The conference is in sunny Brisbane on 17–19 May 2000 at the Sheraton Hotel. Phone the conference organisers for details on 03 9521 8881.

Peter Condliffe is a Barrister and Mediator and the Director of Peacemaking Associates Brisbane. He can be contacted at <peace@ozhost.net.au>.