

Australian Dispute Resolution Advisory Council Inc

Annual Report

Year end 30 June 2019

ADRAC Council Membership

1. As at 30 June 2019 the Council consisted of:
 - a) Dr Andrew Bickerdike (Hon. Treasurer)
 - b) Alysoun Boyle
 - c) Dr Kate Chetty
 - d) Jeremy Gormly SC
 - e) Margaret Halsmith
 - f) Susan Hamilton-Green
 - g) Tom Howe QC PSM (Hon. Secretary/Public Officer)
 - h) Ruth McColl AO SC (Chair)
 - i) Jovanka Naumoska
 - j) Dr Lola Akin Ojelabi
 - k) Dr Alfred Jamie Orchard
 - l) Helen Shurven
 - m) Steve White
2. The CV and photograph of each member and many past members is displayed on the Member page of the ADRAC website: www.ADRAC.org.au.
3. During the year:
 - a. Adrian D'Amico, Professor Kathy Douglas, Debbie Hastings and Craig Pudig resigned as members of the council.
 - b. Ruth McColl AO SC, Dr Lola Akin Ojelabi, Dr Kate Chetty, Jovanka Naumoska, Dr. Jamie Orchard, Helen Shurven and Steve White became members of the council.
 - c. The membership terms of Dr Andrew Bickerdike, Alysoun Boyle and Jeremy Gormly SC were extended
4. All the new members were appointed on the recommendation of the ADRAC external selection panel.
5. The council was unanimously in wishing the extensions of Dr Andrew Bickerdike, Alysoun Boyle and Jeremy Gormly SC's terms to be effected. The external selection panel determined that those members terms should be extended.
6. The external selection panel consisted of the Hon. Justice Murray Kellam AO and Lindsay Smith.

Secretariat

7. Emily Bell, a lawyer employed by the Australian Government Solicitor was replaced in the role as Executive Secretary of ADRAC by Holly Ritson, then on her leaving the Australian Government Solicitor by Max Gao. All three ably supported the ADRAC council.
8. ADRAC acknowledges and is grateful for the support of the Australian Government Solicitor in enabling ADRAC to be well served with a lawyer from

AGS acting in the role of Executive Secretary and also in providing administrative support for its activities.

Council Meetings

9. The Council of ADRAC met, either face to face or by teleconference, on the following dates:
 - a. 25 July 2018
 - b. 12 September 2018
 - c. 24 October 2018 (AGM) (face-to-face)
 - d. 21 November 2018
 - e. 6 February 2019
 - f. 13 March 2019
 - g. 18 April 2019 (face-to-face)
 - h. 26 June 2019
 - i. 14 August 2019

Finances

10. ADRAC collected revenue of \$1,350 derived from donations and subscription fees for the financial year ending 30 June 2019.. Its expenses were \$2,005. ADRAC made a deficit of \$(655) mainly due to increases in teleconference and ICT costs compared to the 2017-18FY. Cash balance at the end of June was \$7,725, demonstrating a sound financial position. The deficit of \$655 has contributed to the decrease in the cash balance for the financial year.
11. ADRAC is currently exploring avenues for generating additional revenue to fund various projects and operating costs.

Website, Twitter and LinkedIn

The ADRAC website which was completely revised and upgraded the previous year, continued to act as a major and effective vehicle for ADRAC's work. There was active discussion during the year about extending ADRAC's social media reach and in particular to formulate and implement better use of Twitter and LinkedIn and other possible means of extending ADRAC's social media reach. It was decided to await the influx of members and the completion of the Conciliation project before attempting to design a new approach to its use of social media.

In line with this approach, Twitter was used only for announcements of significant events in the work of ADRAC and not for other purposes.

Projects and Submissions

ADRAC's work during this year was dominated by two projects;

- a) Continuation of the Conciliation project.
- b) Two submissions to the Australian Law Reform Commission's Family Law reference.

Further information on each of these projects is detailed later in this report.

During the course of the year, and in addition to these two major pieces of ADRAC work, other work included;

- a) Submissions to the **Justice Project of the Law Council of Australia** on the use of ADR in the justice system.
 - b) Continuing collaboration through ADRAC member Professor Kathy Douglas with Professor Rachael Field, on a project to assess and analyse the **Teaching of ADR in Australian Law Schools**. Professor Kathy Douglas' term on ADRAC concluded in April 2019 but upon an arrangement that continues ADRAC's collaboration in this project.
 - c) **National Mediation Conference 2019**: Attendance at the National Mediation Conference in April 2019 at which ADRAC was named as a collaborator. Papers were presented by a number of ADRAC members including on the ALRC Family Reference and on the Conciliation project. In addition, Tom Howe QC PSM did a public presentation on the work of ADRAC. At its meeting on 18 April 2019, ADRAC noted and congratulated its member Alysoun Boyle on her highly successful work as convenor of the NMC.
 - d) Ongoing meetings between the Chair of ADRAC Jeremy Gormly SC and the Chair of the **Mediator Standards Board** (Mr Mark Hebblewhite) with a view to examining a possible joint project or other collaboration between the two bodies.
12. **ALRC Family Law Reference**: ADRAC recognized the significance of the ALRC Family Law reference and devoted time and human resource to the task of making submissions. ADRAC member Susan Hamilton-Green chaired the ADRAC Family Law committee and co-opted assistance from other subject experts Jodie Grant, Mieke Brandon and Linda Kochanski who generously gave their time to improve the ADRAC submissions to the ALRC.
13. As a result of the work of the family sub-committee, two substantial submissions were made by ADRAC to the ALRC on the use of DR in family dispute and the avoidance of adversarial approaches in ongoing relationships. There were 34 references to ADRAC's submissions in the final ALRC report. This was acknowledged by the chair of ADRAC, Jeremy Gormly SC, at the 18 April 2019 meeting as a sign that ADRAC had been heard and noted. He also recorded that this was a tribute to the work of the ADRAC committee headed by Susan Hamilton-Green.
14. **Conciliation Project**: During this year ADRAC conducted extensive online surveys of conciliation entities and held focus groups of conciliators in each of Brisbane, Sydney, Melbourne, Adelaide and Perth. That concluded the major evidence gathering work in the project. Past research was updated and the task of writing a discussion paper to the point of a first draft, was completed.

Future Activities

15. ADRAC anticipates that next year ending 30 June 2020 will result in:
 - a. Circulation of the discussion paper on Conciliation, receipt of comments and publication of a final report.
 - b. Commencement of a collaboration to collaborate with the National Mediation Conference (NMC) (subject to further engagement with NMC)

in a review of the content and recommendations in relation to Indigenous communities as set out in the NADRAC report Solid Work You Mob, with a view to determining current relevance and, if necessary, making further recommendations to further recognition of Indigenous dispute resolution

- c. Such other projects and submissions as ADRAC may determine.