

Australian Dispute Resolution Advisory Council Inc

Annual Report

Year end 30 June 2018

ADRAC Council Membership

1. As at 30 June 2018 the Council consisted of:
 - a. Dr Andrew Bickerdike (Hon Treasurer)
 - b. Alysoun Boyle
 - c. Adrian D'Amico
 - d. Dr Kathy Douglas
 - e. Jeremy Gormly SC (Chair)
 - f. Margaret Halsmith
 - g. Susan Hamilton-Green
 - h. Debbie Hastings
 - i. Tom Howe PSM QC (Hon Sec)
 - j. Craig Pudig.
2. The CV and photograph of each member and past members is displayed on the Member page of the ADRAC website: www.ADRAC.org.au.
3. During the course of the year a founding member and office bearer Shirli Kirschner, retired from the Council on 29 November 2017. Susan Hamilton-Green, Melbourne family and children's lawyer, was appointed to the Council commencing 8 December 2017.
4. In addition, the Hon. Dennis Cowdroy OAM retired from membership on 9 October 2017. Dr Sam Luttrell, solicitor and partner of Clifford Chance in Perth, was appointed to the Council commencing 20 December 2017.
5. Both Susan Hamilton-Green and Dr Sam Luttrell were appointed after the ADRAC external selection panel endorsed the Council's decision.
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 ably continued in the role as Executive Secretary of ADRAC throughout the year.
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.

Council Meetings

9. The Council of ADRAC met, either face to face or by teleconference, on the following dates:
 - a. 29 August 2017
 - b. 9 October 2017
 - c. 29 November 2017
 - d. 20 December 2017
 - e. 7 February 2018
 - f. 7 March 2018
 - g. 1 June 2018.

Finances

10. ADRAC held \$8,900 by way of earlier donations and contributions of members at the conclusion of the year. Its expenses were less than \$500.
11. ADRAC commenced work on fundraising plans which have been developed by a fundraising committee.

Website, Twitter and LinkedIn

12. With the kind assistance of the Australian Government Solicitor's IT staff, a new and substantially more sophisticated and attractive website was carefully designed, prepared and launched on 18 June 2018. It was matched with a new LinkedIn page to which member accounts are being added.
13. Twitter continued to be used under the name "ADRAC Chair", principally to announce news such as the addition of new papers to the ADR mapping project on the website.

Projects and Submissions

14. Individually, each member of ADRAC is involved in a broad range of activities in the ADR sector. A summary of each project or submission that the Council and its sub-committees worked on as a group throughout this year appears below.
 1. ADR Mapping Project
 - a. ADRAC continued to work on the ADR Mapping Project , publishing the following papers:
 - i. ADR in the Regulation of Aged Care
 - ii. Areas of need
 - iii. Facilitation
 - iv. Government and ADR
 - v. Need for a peak body in ADR.
 - b. The ADR Mapping project continues to be displayed on the ADRAC website and is accessed regularly, most notably in the Law Council of Australia's recent report regarding the Justice Project, in which ADRAC is frequently cited.

2. ALRC Family Law Reference
 - a. ADRAC took an immediate interest in the Australian Law Reform Commission's possible reference from Attorney-General Brandis. The Chair, Jeremy Gormly SC, Tom Howe QC and Dr Andrew Bickerdike met on 7 September 2017 with officers of the Attorney-General's Department to discuss the possible reference.
 - b. Shortly after the reference occurred, ADRAC member Dr Andrew Bickerdike was appointed as a member of the ALRC Advisory Panel.
 - c. ADRAC wrote to the ALRC encouraging a focus in its early discussion papers on the use of dispute resolution techniques in any reformed system of family dispute resolution.
 - d. ADRAC established a large sub-committee under the chair of Susan Hamilton-Green and secured the benefit of the assistance of Jodie Grant to prepare its initial submission to the ALRC on a reformed dispute process in Family Law.
 - e. Three members of ADRAC met on 18 April 2018 with the Commissioner for the Family Law reference, Professor Helen Rhoades, and her team to introduce ADRAC and offer assistance to the ALRC reference.
 - f. The ADRAC sub-committee met on numerous occasions and prepared and submitted a substantial paper on 15 May 2018 in response to the Discussion Paper which issued from the ALRC.
 - g. The ADRAC subcommittee stands willing to respond to the ALRC Issues Papers due later in 2018.
3. Survey for ADRAC Conciliation Project
 - a. As reported last year, ADRAC is conducting a substantial study on the use of conciliation by statutory bodies across Australia.
 - b. In this year, ADRAC issued two forms of survey (depending upon the outcome of a website survey already conducted last year) to 89 statutory bodies and commenced a follow-up to achieve the maximum possible response rate.
 - c. ADRAC plans in the next year to complete the survey process and move to completion of the study with focus groups and writing up the results in a report to be launched in various places in Australia.
4. Survey of Australian Law Schools on ADR Teaching
 - a. ADRAC and ADRAC member Associate Professor Kathy Douglas of RMIT University, together with Professor Rachael Field commenced conducting a survey of Australian Law Schools with a view to examining the position of ADR teaching to law students.
 - b. It is anticipated that ADRAC will publish those results in the next operating year.
5. Revised Logo
 - a. With the kind assistance of the Australian Government Solicitor's staff, ADRAC was able to upgrade and improve its logo.
 - b. ADRAC remains in this and many other matters grateful to the Australian Government Solicitor for its assistance.

6. Meeting with MODRON about ADR technology
 - a. The members of ADRAC's council met with MODRON at its face to face meeting in Sydney on 29 November 2017, to have demonstrated technology in the Online Dispute Resolution field.

7. ADRAC Submission to the Law Council of Australia Justice Project
 - a. A submission was made concerning ADR in the justice field particularly as to ensuring a wide rather than a limited, court-based approach to justice.

8. Meetings with Chair of Mediator Standards Board
 - a. On two occasions the Chair of ADRAC and the Chair of the Mediator Standards Board Mr Mark Hebblewhite met in Sydney to discuss matters of mutual concern for ADRAC and the MSB.
 - b. It was agreed that when mutually convenient, an invitation to each to attend the council and board meeting of the other, would occur.

Future Activities

15. ADRAC anticipates that next year ending 30 June 2019 will result in:
 - a. Preparation and final submission to the ALRC Family Law reference
 - b. Completion of the Survey of ADR teaching in Australian Law Schools
 - c. Completion of conciliation focus groups, analysis of all material and evidence and preparation and launch of a report on conciliation
 - d. Further papers in the ADR Mapping Project
 - e. Such other projects and submissions as ADRAC may determine.