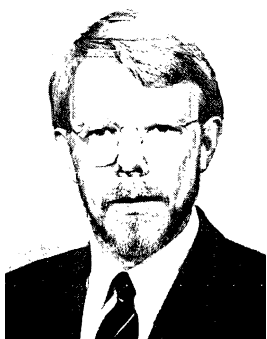


President's message



Our confidence in arbitration processes as an essential part of alternative dispute resolution techniques is not misplaced. There has been a good deal of publicity in recent years in relation to the development of a broad range of alternative dispute resolution processes, particularly mediation. It would generally be accepted now that in most arbitration and civil litigation dispute settlement by mediation should be seriously attempted as a preliminary step. However each dispute resolution technique has its particular strengths and weaknesses and it is only arbitration as an alternative dispute resolution process that can finally resolve issues in the absence of agreement between the parties. Arbitration also provides a dispute resolution process of wider application than commonly thought. Its emphasis on all of the parties having a fair hearing and the application of procedural fairness generally also provides procedures and models which can be used in management practices in organisations. This aspect of arbitration is demonstrated by the interest of people involved in management in the Institute's arbitration courses.

Interest in arbitration in the more traditional sense has been demonstrated recently by a number of national and state based industry groups for whom arbitration and arbitration-type dispute resolution schemes are being established with the assistance of the Institute. In particular, specially tailored mediation, arbitration education and training courses are being provided for government and local government organisations in various States and Territories. A particularly interesting scheme is the Sydney Airport Noise Amelioration Program where members of the NSW Chapter are responsible for case management of disputes arising out of the Program. Recent changes to the Commonwealth Family Law Act also demonstrates confidence in arbitration as a process. Amendments made to the Act this year now provide for arbitration in property disputes.

Mediation courses continue to be provided by the Institute together with mediator accreditation assessment days. A very successful three-day mediation course was conducted in Melbourne in September with the assistance of Professor Laurence Boule and Pat Cavanagh from Bond University Dispute Resolution Centre together with senior mediators and arbitrators from the Victorian Chapter of the Institute. Similar courses are provided nationwide and can be provided specially for industry or community groups as required.

Development of the national education program is continuing as outlined in the previous issue. Expressions of interest will be sought very soon from members of the Institute willing to provide some assistance for lectures and tutorials in the various capital cities. Chapters will contact members directly in this respect.

Discussions are continuing with Judges of various Courts and Attorneys-General, Commonwealth and State, in relation to our education and training developments and for the purpose of exploring ways in which the Institute can assist the Courts, and government departments and instrumentalities in providing arbitrators, mediators or conciliators at all levels.

A handwritten signature in black ink, appearing to read "Clyde Croft". The signature is fluid and cursive, with a prominent initial 'C'.

Dr Clyde Croft, *President*