

Footprints on the landscape

Bruce Menzies reflects on the 9th National Mediation Conference in Perth WA.

Some of us are fresh air people. Air conditioning and central heating cause occasional angst and put tolerance levels to the test. On holidays we check out whether windows can be opened, and in our workplaces we may contemplate the use of force to let in some clean air. The Hyatt, I recollected with relief, had incorporated design elements to address this challenge. A sense of space and height, a central water feature, and a soft, *faux* natural light create a platform for comfort not always found in conference venues.

At the registration desk I collect a vivid blue satchel containing promotional material and a set of conference papers the size of a small telephone book. Heading for an armchair I succumb to the offer of a house coffee before settling down to check out the events of the day.

An almost tangible flavour of inspiration lingers.

By nine o'clock the crowd had grown and we assemble in the Grand Ballroom. I like the table arrangements, which allow most delegates a direct line of sight to the rostrum. Both visual and aural aspects seem well covered. Microphone-enhanced voices are easy on the ear and two large screens, flanking the presenters, permit PowerPoint data to be absorbed by the audience, without taking too much focus from the person speaking. The pool is full. We are ready for immersion.

The aftermath

The conference has finished. A weekend has flown by. I have emerged from the bubble of three packed days and had time to reflect. The overriding impression is positive. An almost tangible flavour of inspiration lingers.

It was gratifying to see such a large gathering under the banner of mediation. Perth's isolation did not turn out to be the barrier some had presaged. In fact, as I scrolled through the list of attendees, the interstate and overseas contingents seemed substantial. Locally, we had a diverse turnout, most of it institutional. I have a keen interest in the family law sector, a locus of change if ever there was one. Family lawyers from private firms were almost non-existent and private mediators thin on the ground. Present, however, were key players from Legal Aid, some Community Legal Centres and, to a lesser extent, the Family Court. With some exceptions, Family Relationship Centres across the country had also sent delegates. Of the large non-profit organisations, Centacare along with Relationships Australia, a conference sponsor, had significant numbers. Surprisingly, another major player, Anglicare, did not.

Highlights

It is always hard to know what takes place behind the scenes but as an observer, the organisation of the conference appeared smooth & seamless. From the first morning – with initial introductions, then a *Welcome to Country* preceding the formal opening by

the Attorney-General, followed by Hilary Astor's keynote address – to Friday afternoon and what has become the 'business end' of national conference proceedings, the program unfolded in an unfussy, cohesive and relaxed fashion – a credit to the preparation and attention to detail by the conference organisers.

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Did magic happen? Well I guess that might depend (among other things) on who does the research, how the questions are framed and whether the punters tell their truth – not to mention what the heck do we mean by "magic"? Taking a pro-active stance (as one must these days) hard evidence can be extracted and analysed from delegates' feedback sheets. Whether or not someone has the time and inclination for this assignment is another question.

John Wade, whom we might term The Great Persuader, may not be convinced by all this magic talk whereas Tom Fisher (The Great Transformer) could take a different stance. But, for those readers who were there, we could enquire what did the conference mean to you? Were you *persuaded* of the merits of anything said or done? Did you undergo a moment of *transformation*? Or would you describe your experience in altogether different terms?

I'm not that big on magic either, having driven behind so many oil-burning, garishly decorated Kombi vans. But there do seem to be moments when the penny drops, and insight, realisation, or deeper understanding can occur – whether in a mediation session or a conference forum.

This has been my experience, although if I had to choose a bumper sticker it might be *Shift Happens*, perhaps a slightly more nuanced description.

All of which brings me to the Canadians.

The post-lunch slot can be as difficult to manage as a wobbly whiteboard. Yet Michelle LeBaron took to her task like Meryl Streep with an Abba song. Snoozing was not an option as we 'mediated ourselves home' in a sea of culture, change and creativity. And when Michelle was done, she passed the baton to her Canadian side-kick, Julie Macfarlane, who emblazoned our skies with 'the new lawyer' – a marvellous entity for whom transformation [or persuasion?] from warrior to conflict resolver was nigh on complete.

What is in the North American water? I never cease to be amazed at the power, passion and performance of many keynote *aficionados* from that neck of the woods. And in this case the Canucks held sway, putting to bed any preconceptions held by us sun-baked Aussies that the Canadian psyche borders on the cool and non-theatrical. Those gals did good, as did their male compatriot, Chris Ford, who brought to life the force multiplier effect of conflict management in the Maple Leaf defence establishment.

My interest in organisational culture held me in the Plaza Room to hear Helen Marks and her colleagues describe the development and impact of an integrated approach to dispute resolution in the Australian Defence Organisation. The principles and practice of mediation seem to have found widespread support among the upper echelons of ADO leadership, support that is necessary if any cultural change of this nature has any chance of success. I was especially impressed by the ongoing professional development offered

to in-house mediators and the implementation of a multi-level system of mediator accreditation within the defence force. All of this had me wondering whether and to what extent other major public and private organisations had examined the ADO approach or developed similar dispute resolution practices.

Chance encounters can be an added bonus at a conference. The Hyatt provided both opportunity and motive. Spurred on by my aversion to house coffee I would scurry down to the basement café for a decent fix. On each occasion a conversation arose with another like-minded soul as we awaited our brew. As the service was not what one might find at Gino's, down Freo way, we had plenty of time to chew the fat and get to know each other a little. No doubt those who attended the dinner or had inclination and energy for the end-of-day drinks enjoyed similar spontaneous connections.

We also had the chance to catch up with old pals or renew acquaintances made at previous conferences. Enter 'Abbott & Costello'.

Values and purpose play a significant role in my own counselling and mediation practice. Thus, I was drawn to the workshop facilitated by Ian Goodhardt and Tom Fisher. They did not disappoint, bouncing off one another like a couple of accomplished showmen and involving their audience both in mind and body. Someone remarked "You're like an old married couple" but I thought their advanced modelling of conflict resolution skills made that a big call. "More like Abbott and Costello" said someone else. This registered, and though I did not seek clarification, I assumed the reference was to those long-gone comedians, not to the current political performers.

One should not expect mind-body balance at a Western talk-fest. But I was struck by the number of diversions woven into the program. At one point Usha had us on our feet, twisting our necks from side to side, enabling a slow scan of the ballroom for friends as well as expanding our vision and loosening a few vertebrae.

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On a separate occasion we threw ourselves into 'laughing yoga', followed by an exchange of gibberish with our neighbour. Being a sucker for role-play, I found it highly empathic and deeply engaging even though the conversation may have had little intellectual merit. Clearly the quintet of suited gentlemen at an adjoining table did not share my enthusiasm, if remaining seated and folded arms are a useful guide to innermost feelings.

The African drumming, I fantasised, could have had all of us on our feet. Bursting into the ballroom, these vibrant lads pounded the skins for fifteen minutes and gave us a throbbing taste of the primal. Other than a bit of rhythmic hand clapping we did not cross the cultural divide, leaving me musing what might have arisen had we all been issued pots and pans from the kitchen and extolled to belt along with the boys.

Lower-lights

A common dynamic in program development swirls around what to include and what to leave out. Then there is the allied question of how to assess the quality of papers as well as anticipate the ability of a presenter to engage his or her audience.

This conference seemed to exemplify these inherent tensions. Though keynote addresses, for me, were universally interesting and, at times, inspiring, the quality fell away in a number of concurrent sessions I attended. Particularly where research findings were delivered, presenters over-relied on the ubiquitous PowerPoint slide and less on their capacity to excite our interest and invite our questions.

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Others with whom I have conversed share this observation. I also thought there was an imbalance between information-laden sessions and those incorporating a more interactive workshop approach. Within the latter category, I recall two clear instances where I felt both stimulated and involved – the 'Abbot and Costello' affair referred to earlier, and the mediator training workshop with Sam Hardy from the University of Queensland.

It seemed we were all captive to the Hypothetical chaired by Nadja Alexander, where panellists excelled in a fluid exhibition of thinking on one's feet, non-serious seriousness, and some delicious displays of the Shadow. A demonstration along these lines could have been replicated in one or two conference streams, particularly family dispute resolution where the recent reforms have ushered in a myriad of issues for practitioners.

One minor grumble concerns the mini-telephone book of conference papers. At first blush it looks great but when I settled in for some post-conference reading, it transpires some papers are absent while many others have only the briefest of abstracts. Hopefully, this will be addressed and there will be some further distribution, perhaps online or through the release of a CD. In view of the wide choice of sessions, there are bound to be areas where delegates were unable to be present but would like to explore.

A last word

The differing landscapes of Perth and Fremantle could be said to be reflected in their respective football teams. Slick versus scrappy springs to mind. But don't be fooled. Let us move into a post-post-modern age – embrace a new paradigm, I can hear you exclaim – and simply declare Freo is better. We who reside there have no trouble wearing our preference on our sleeves. Yet, as I slipped into my daily train ride, to and from the Hyatt, the tyranny of distance and distinction evaporated.

Through the pages of Alex Miller's wonderful narrative, *Landscape of Farewell*, I journeyed from Hamburg to the Aboriginal outback of Australia, absorbed in a story of expanding vision and self-reconciliation. And the poetry of David Whyte, cited on more than one occasion during the conference, floats across the centre stage of my awareness:

"We speak only with the voices of those we can hear."

Perth 2008 – the 9th National Mediation Conference – allowed many voices to speak, and many ears and hearts to listen. It was both a pleasure and a privilege to be part of the landscape. I am already looking forward to Adelaide in 2010.

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