



# CONFLICT **RESOLUTION** SERVICE



ANNUAL REPORT 2016 - 2017





# Table of Contents

Strategic Plan 2018-2020 .....	2
Our People .....	3
Message from the Chairperson .....	4
Message from the Executive Director .....	5
CRS ADR Service Overview .....	7
CRS Programs Overview .....	8
Overview of CRS Achievements .....	9
Mediation Offers and Acceptances .....	10
Mediation Withdraws .....	10
Outcome of Mediation .....	11
Profile of Clients accessing the Service .....	11
A message from the CRS Practice Manager .....	14
Family Dispute Resolution .....	15
FDR Achievements .....	15
Dealing with neighbourhood conflict .....	16
Living in the Community Program .....	16
Healthy Neighbourhood Program .....	17
Family Tree House Program .....	18
Family Tree House Achievements in 2016-17 .....	19
Conflict coaching with parents to support family cohesion .....	19
Referrals and Collaboration .....	20
Client Feedback .....	21
CRS as Educator and Modeler of Conflict Resolution processes .....	22
What clients said they liked most about the Service .....	23
Training & Community Education .....	24

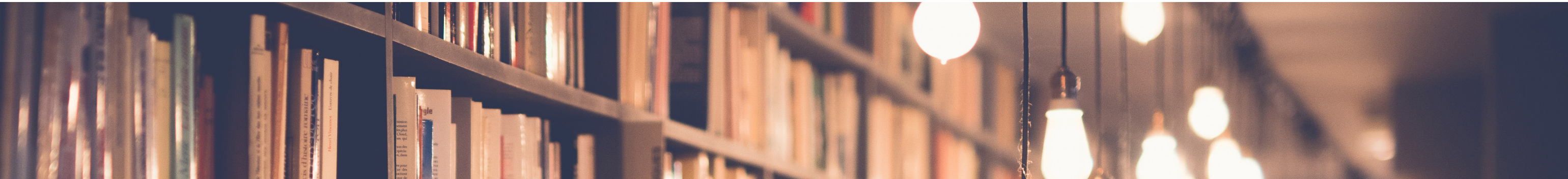
## Acknowledgment of Traditional Ownership

The Conflict Resolution Service acknowledges that Canberra has been built on the lands of the Ngunnawal people. We pay our respects to their elders and recognise the displacement and disadvantage they have suffered as a result of European settlement. We celebrate Aboriginal and Torres Strait Islander cultures and their ongoing contribution to the ACT Community.

## Partners and Contributors

Accounting Edge	Financial Integrity General Pty Ltd	National Dispute Resolution Network
ACT Magistrates Court	Housing ACT	South Star Design
ACT Policing	Justice and Community Safety	Strategic Narratives
Bandle McAneney & Co	LegalAid ACT	SupportLink
Child and Youth Protection Services	Marymead	ThinkPlace Global
Community Services Directorate	Mediation Standards Board	Unsplash
Duesburys Nexia	Meyer Vandenberg Lawyers	WotLink





# Strategic Plan 2018-2020

Addressing conflict is a necessary skill to maintain healthy, safe and thriving relationships across our community, whether it involves families, neighbourhoods, schools or workplaces. A restorative approach to relationships, conflict and dispute resolution helps to avoid the escalation of harmful conflict and reduces pressure on other services. Restorative Practice can be understood as a way of thinking and being, focussed on creating safe spaces for real conversations that deepen relationships and build stronger more connected communities. The ACT government has a vision for safer, more connected communities and in recent years there has been consideration and aspiration to declare Canberra a Restorative City.

## Who we are

We are leaders in professional conflict resolution support services. For over 30 years we have provided quality, independent services to Canberra families, workplaces, neighbours and community groups.

## What we do

Our experienced conflict resolution professionals provide:

- Conflict Coaching
- Mediation, Family Dispute Resolution & Assisted Settlement
- Facilitation & Restorative Practice
- Referrals to supporting services
- Training, community education and information
- Professional accreditation and development

## How will we secure long term sustainability?

Over the past ten years, Canberra's population and diversity has increased significantly, with further growth predicted. As the only dedicated Canberra service provider for community and neighbourhood dispute resolution, demand for our services has grown steadily, with the number and complexity of client cases also increasing significantly. Over this time our funding and resources have only increased incrementally.

To continue to deliver ongoing services to our clients and community, we need to secure long term financial sustainability. Over the first year of the plan we will consolidate our organisation to be on a sound financial footing, and will prepare ourselves to make strategic choices around growing our service offering and developing partnerships that will help secure sustainability for another 30 years in Canberra.

## Our vision

A restorative Canberra built on relationships that positively transform conflict.

## Our mission

To repair and strengthen relationships by preventing, managing and resolving conflict.



## Our strategic objectives

- 1 Raise profile across the ACT community, ensuring clients, funders and partners know who we are and what we do**
  - 1.1 Develop a marketing plan and compelling pitch
  - 1.2 Maintain a strong, well-connected community of mediators
  - 1.3 Update core systems, including our website
- 2 Ensure relevance to our community, clients, funders and potential partners, supported by a strong evidence base**
  - 2.1 Conduct research to better understand community and market need
- 3 Ensure financial viability and competitiveness**
  - 3.1 Review fee model and alternative revenue sources
- 4 Lead and govern the consolidation and transition of our organisation**
  - 4.1 Increase capacity of key staff and engage new Board members with required capability

# Our People

The following individuals were employed, elected or appointed to CRS positions during the 2016-17 reporting period.

## The Board of Directors

- Chair:** Leon Larkin  
**Deputy Chair:** Margaret Moreton  
**Treasurer:** Margaret Vincent (resigned March 2017); Tom Daly (commenced June 2017)  
**Secretary:** Clive Rodger  
**Member:** John Ramadge  
**Member:** Doriz Bozin (commenced February 2017)  
**Member:** Matt Casey (commenced February 2017)

## Office Staff

- Executive Director:** Shawn van der Linden  
**Practice Co-ordinator:** Lyn Walker  
**Dispute Assessment Office:** Susan Rockliff, Elizabeth Woods, Ros Lockley  
**Healthy Neighbourhoods Program:** Susan Rockliff  
**Family Tree House Program:** Rebekha Melville, Hamish Guthrie, Janine Brissett  
**Corporate Services:** Amanda Plowright  
**Mediator Supervision Facilitator:** Nigel Biginell, Mike Rowntree, Jenny Devlin  
**Mediation Course Trainers:** Jenny Devlin

## Panel of Mediators

- Nigel Biginell\*  
Janine Brissett\*  
Jenny Devlin\*  
Jacob Dunne  
Purnima Gurung  
Hamish Guthrie  
Mary Hinchey\*  
Roslyn Lockley  
Haydn Marsh  
Fiona McIlroy\*  
Anthony Melican\*  
Rebekha Melville  
David Purnell\*  
Susan Rockliff  
Eleanor Ross  
Mike Rowntree\*  
Jack Quaid\*  
Jeff Quirk  
Judy Scott\*  
Lydia Stanhope\*  
Lyn Walker\*  
Terry Watson  
Julie Whitmore  
Elizabeth Woods\*

## Mediators employed by the Conflict Resolution Service are:

- Accredited under the *National Mediator Accreditation Standards*.
- Registered *Family Dispute Resolution Practitioners* with Cth Attorney General's Department (\*Mediators with FDRP Registration)

“The support never wavered.”

CLIENT FEEDBACK/COMMENT



# Message from the Chairperson

**It is annual report time again, and before turning to the reporting year 2016/17 I return to last year's Annual General Meeting held in February 2017. Approximately 50 people attended and heard the keynote speaker, Terry O'Connell deliver an inspiring message highlighting the emergence of restorative justice and the development of alternative dispute resolution practice in Australia. This helps us locate CRS as a community organisation with a proud history within a broader movement that is continuing to evolve.**

The word “challenging” springs to mind in reflecting on the reporting year of 2016/17. It is pleasing to be able to report that each of the challenges that have presented themselves during this period have been met and resolved. So, the year has also been one of significant organisational achievement and the CRS is now on a sound regulatory footing with strengthened management systems and able to plan for the future with confidence.

One compelling problem that emerged for CRS during the reporting year was the loss of our charitable status because of administrative oversight in not completing renewal documents with the Australian Charities and not-for-profits Commission (ACNC) for the years ending 2014 and 2015. This oversight and the loss of charitable status was uncovered by the newly appointed Executive Director, Shawn van der Linden shortly after he commenced with CRS. Upon being advised of this the Board immediately responded by supporting the ED to move quickly to rectify our compliance with the ACNC. The Board decided to pursue reinstatement of charitable status and an application for Public Benevolent Institution status at the same time. Advice was received from the ACNC that our charitable status would be returned and backdated but that the application for PBI status would fail. The Board then sought the support of Michael Bannon of Nexia Australia in preparing a comprehensive application covering both matters and this ultimately succeeded and included the confirmation that CRS had always been a PBI Charity, an important step for ensuring alignment of all CRS taxation practices.

The Executive Director also uncovered errors in staff salary levels that were quickly rectified including back-pay to cover the period from July 2015. The Board supported funds being allocated to improve the stability and operation of the IT platform following system failure in December 2015, and the need to strengthen financial management and systems.

Increasing staff salaries to meet the requirements of the Multiple Enterprise Agreement and ensuring that the budget accurately reflects staffing costs in addition to committing funds to support the ongoing stability of financial and IT systems has required

significant budget recalibration. By necessity CRS has drawn on financial reserves and for this financial year has returned a deficit budget. This work is now largely and satisfactorily completed.

It is disappointing that approaches to government through the budgetary process failed to produce enhancement of funding despite a strong case being argued that this was necessary for CRS to continue to operate at the then current level. As a consequence, the decision was made in consultation with staff to reduce staffing levels in order to return a balanced budget for the next financial year. Reduction in staffing levels was accompanied by measures to ensure that service delivery levels were also reduced to realistic levels for staff who were already operating at full capacity, while at the same time meeting the targets included in contracts.

As we move into the next financial year there are several priorities requiring careful attention. In negotiating our present contracts, the Government has paid attention to measurement of outcomes and definition of our target client population. The contracts have also been reduced from three years to two with consideration being given to a move to competitive tendering for community service contracts in 2019. The ED has made improvements in the way in which our budget and financial statements are presented with clarity around cost drivers related to particular services. With our long history of providing services in the Canberra community CRS is confident we will be able to compete credibly for new contracts and the achievements of this reporting year place us in a strong position for responding to tenders.

Consequently, the Board has determined to commence the next reporting period with a process for determining our strategic priorities in consultation with key stakeholders and staff. Under consideration during this process will be the future direction of CRS:

- Do we seek to continue as a “stand-alone” organisation or as part of a partner or merged venture?
- Do we seek to expand our service offerings or aim to consolidate our present programs?
- Do we seek to improve our funding through fee for service programs that draw on the history and expertise of CRS?
- How do we create opportunities for improving our office accommodation to support staff and enhance service delivery?

The answers to questions such as these will set the course for securing a sound budgetary position and achieving a renewed organisation that is able to respond to emerging and future challenges.



The reporting year has seen some significant changes to the CRS Board. We have bid farewell to two long serving members, namely Margaret Vincent and Rae Lacey. Rae was the immediate past Chair who brought enthusiasm and a wealth of experience to the role and also the introduction of several new Board members. Margaret had served as treasurer for many years and her contribution in that role is acknowledged and valued. The Board has also welcomed three new members, namely Tom Daly who is treasurer; Matt Casey who has a strong background in Alternative Dispute Resolution; and Doris Bozin who brings legal qualifications and is a lecturer at the University of Canberra. The addition of these three members has undoubtedly strengthened the Board in a period of consolidation and renewal.

I conclude by acknowledging the commitment of CRS staff and mediators at the “front-line” where services are delivered to citizens of Canberra who are usually distressed and often marginalised. I also acknowledge the work of Shawn van der Linden

as Executive Director. Shawn has provided skilful leadership in guiding CRS through a series of existential crises while maintaining optimism, relentlessly seeking solutions and consensus. His work with the staff of CRS, the Board and other stakeholders has been outstanding. During the reporting year the profile of CRS in the community, through engagement with stakeholders and media, has been raised. This means that the voice and role of CRS within the context of the vision and movement for Canberra to be declared a Restorative City demands attention.

**Leon Larkin**  
*Chairperson, CRS Board.*

(Note: The audited financial accounts of the Conflict Resolution Service Inc can be accessed via the Australian Charities and Not for Profit Commissions Register at [www.acnc.gov.au](http://www.acnc.gov.au))

## Message from the Executive Director

**This financial year marks exactly one year since I commenced in this role, and what a year of surprises and challenges it has been!**

Indeed, it is fair to say that 2016/17 was largely dominated by the need to immediately address several major and urgent risks facing the organisation. This included a number of tasks related to updating office IT systems and support, undertaking a detailed financial operations quality assurance audit and adoption of new bookkeeping systems and support, and creating a new part time Executive Support Manager role through consolidating previous admin and training coordinator positions.

However, of particular note, this reporting period included the urgent responses to two major risks related to organisational compliance and financial sustainability.

### Organisational Compliance

An extensive process was undertaken regarding CRS's charitable status in this reporting period

as is mentioned in the Chairperson's report. An intensive twelve-month process that required the renewing the CRS Constitution and the submission of a comprehensive application to the Australian Charities and Not for Profit Commission (ACNC) was completed. For several reasons, it was absolutely critical that approval was received from the ACNC to confirm the understanding that CRS was a Charitable Public Benevolent Institution.

It was indeed a happy day when the CRS PBI status was confirmed by the ACNC. As well as ensuring CRS compliance, gaining this status is an important recognition for the nature of the services that CRS provides in the community to low income, vulnerable or distressed people, and it also provides a strong foundation for CRS sponsorship and fundraising strategies in the years ahead.

I would especially like to acknowledge the hard work and patience of the staff, the guidance and support of the Board, and Michael Bannon our expert Taxation consultant from Nexia Australia, whose advice and support was absolutely critical to the outcome.





Message from the Executive Director (cont.)

Financial Sustainability

The other very important development that was addressed in this reporting period was the critical need for CRS to tackle issues related to its financial sustainability.

A number of unavoidable costs were incurred by the organisation in response to the compliance and quality assurance actions outlined above. While these items were a key driver for the large deficit incurred in this reporting period, analysis of the CRS annual budget quickly revealed another serious challenge.

For many years CRS had been meeting the increasing demand for its services by pushing all of its resources to front-end service delivery and operating at 100% capacity as an organisation. The quality of services and output levels at CRS have always remained at very high levels. This fact has been regularly affirmed through client feedback surveys and feedback from Government on our performance. However, under the surface the foundational administrative capability of the organisation was becoming increasingly unsustainable.

Impacting this situation further was the cumulative bearing over many years of salaries growing at more than 5% per annum under our MEA but ACT Government funding growing at less than 2% per annum. Despite there being no increases in staffing allocations at CRS, the organisation was clearly now facing a situation where it could no longer afford to maintain the staffing levels it had in place for many years.

To address this problem a detailed funding proposal was developed and submitted to the ACT Government and a lobbying campaign was implemented in the months leading up to the announcement of the 2016/7 ACT Budget. Unfortunately, despite a very strong campaign and favourable media coverage the proposal was unsuccessful. This meant that towards the end of this reporting period there was no choice but to undertake a restructure and reduction in staffing levels.

A consultation process for the restructure was completed in a collaborative and supportive manner with the decision taken at the end of the 2015/6 year for a general reduction in staffing hours across most roles including management. This change has also involved managing the related reduction in service delivery output during the following

2016/7 financial year. These reductions have been difficult to manage, especially with the demand for CRS services so high and only growing.

The good news is that CRS has ensured its immediate financial sustainability, and is in a position now to begin implementing a new strategic plan and developing new partnerships. The conversation with the ACT Government about the need for appropriate levels of funding for community dispute resolution services continues, and CRS is increasingly being acknowledged as a vital contributor for the vision for Canberra to be known as a Restorative City. Building upon the achievements of this financial year CRS has undertaken a comprehensive strategic planning process, and will look to diversify its income streams and expand its service delivery offerings.

The data in this Annual Report demonstrates that despite all the challenges, the highly regarded community dispute resolution services of CRS have continued to be provided to thousands of Canberrans in a professional and highly effective manner. CRS has supported almost 2300 clients resulting in more than 250 offers for Mediation being accepted. Getting to the point of a mediation being accepted involves an extensive amount of work as clients journey through the process of understanding the dynamics of conflict in their lives. More often than not during this process they require significant support, information and education. This is represented in the 477 client coaching sessions, which clients are consistently seeking as a way to equip themselves to manage and resolve the conflict themselves without necessarily seeking a formal Mediation.

CRS remains the only provider of dedicated community dispute resolution services in Canberra, which are critical for low income, vulnerable or distressed people who are experiencing the negative impact of conflict in their lives. It is such powerful testament to the dedication and commitment of the staff and mediators of CRS, that these services will continue to be offered and be developed in the years ahead.

  
**Shawn van der Linden**  
Executive Director

CRS ADR Service Overview

SERVICE	DESCRIPTION <sup>1</sup>
<b>Intake and Assessment</b> <small>This step is also referred to as 'Pre-Conference' or 'Pre-Mediation'</small>	Initial pathway undertaken when parties first engage with the CRS. There are three main processes which occur during the entry stage: <ul style="list-style-type: none"><li>• <b>Intake:</b> obtaining administrative, historical and contextual information.</li><li>• <b>Screening:</b> Determining the suitability of the dispute, goals, scope for negotiation and informed choice. Is it a problem, dispute or conflict?</li><li>• <b>Assessment:</b> Capacity of parties to engage in the process by representing their own interests, good faith/goodwill, level of self-awareness and responsibility, ability to be self-determining. Assessment continues throughout the client's engagement with the CRS.</li></ul>
<b>Referrals</b>	Referral to other services which can assist with direct or indirect issues impacting on the dispute. External agencies are useful in providing information and advice about technical aspects of the dispute such as legal and regulatory rights and responsibilities. CRS also makes referrals for parties where they require assistance to support their welfare and wellbeing such as counselling and psychology services.
<b>Conflict Coaching</b>	Process whereby clients are able to work 1-on-1 with CRS to talk through their issues and receive coaching on effective conflict resolution skills and strategies with a view to: <ul style="list-style-type: none"><li>• Establishing their goals</li><li>• Assistance to understand their needs and interests, and those of the other person/s</li><li>• Identifying personal or external barriers to the dispute resolution process</li><li>• Work-shopping practical communication and negotiation strategies to manage and resolve issues themselves</li><li>• Preparing parties for mediation.</li></ul>
<b>Mediation</b>	CRS provides neutral third party intervention to assist parties to identify the disputed issues, develop options, consider alternatives and endeavour to reach an agreement. Mediation can be joint session or shuttle in configuration. CRS utilises a co-mediation model in all cases.
<b>Facilitation</b>	CRS provides neutral third party assistance to guide parties through structured discussion about information and ideas relevant to a particular topic or set of issues. Can include strategic and operational considerations as well as interpersonal responsibilities and relationships.
<b>Training</b>	Conflict resolution skills and strategies, communication, mediation training in organisations, workplaces, groups or for individuals.
<b>Professional Accreditation</b>	CRS is a Recognised Mediator Accreditation Body and provides accreditation services for mediators under the <i>National Mediator Accreditation Standards</i> . CRS is an approved agency to register mediators under the <i>Mediation Act 1997</i> (ACT). (Repealed in April 2016)
<b>Professional Development</b>	Continuing professional development for mediators with a focus on clinical supervision of mediator practice; ADR skills sessions and workshops both in-house and through external providers.
<b>Community Education</b>	Free workshops for community organisations and members of the public on the benefits of alternative dispute resolution. Sessions are delivered on the basis of educating for self-advocacy, that is, participants learn basic skills and strategies to prevent, manage and resolve problems and disputes; and also when and how to refer to CRS for third-party assistance.

<sup>1</sup> The descriptions provided are a 'basic' overview and explanation of CRS services



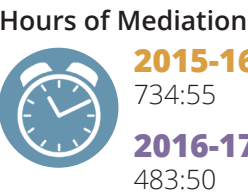


# CRS Programs Overview

Program	General	Family	Healthy Neighbourhood	Family Tree House	Workplace	Training & Professional Development	Professional Standards
Scope	All disputes not covered under other areas	Couples Parenting Property Child Inclusive Practice Generational Extended family Guardianship Foster Care Wills/Estates	Living in the Community Neighbourhood Dispute Program	Crisis service for young people aged 12-20 at risk of homelessness due to family conflict.	Workplace Resolution Consultancy (WoRC)	Nationally Accredited Mediation Training  Communication, conflict resolution and workplace effectiveness modules  [Standard and In-house]	Recognised Mediator Accreditation Body (RMAB) for National Mediator Accreditation Standards (NMAS)  Approved Agency to register mediators under Mediation Act 1997 (ACT) (Repealed in April 2016)  Clinical Supervision
Services Provided	Information and Referral Conflict Coaching Mediation, Facilitation & Assisted Settlements Community Education Restorative Justice Conferencing						
Primary Funding	ACT Govt: Community Services Directorate <i>Community Services Program</i>		ACT Govt: Justice & Community Safety Directorate and Community Services Directorate	ACT Govt: Community Services Directorate <i>Social Housing and Homelessness</i>	Fee for Service		

# Overview of CRS Achievements

During the 2016-2017 reporting period, the CRS achieved the following:



## Activity

New Enquiries  
Mediation Offers Accepted<sup>1</sup>  
Sessions Organised  
Client Coaching Sessions<sup>2</sup>  
Number of Clients  
Actions Recorded<sup>3</sup>

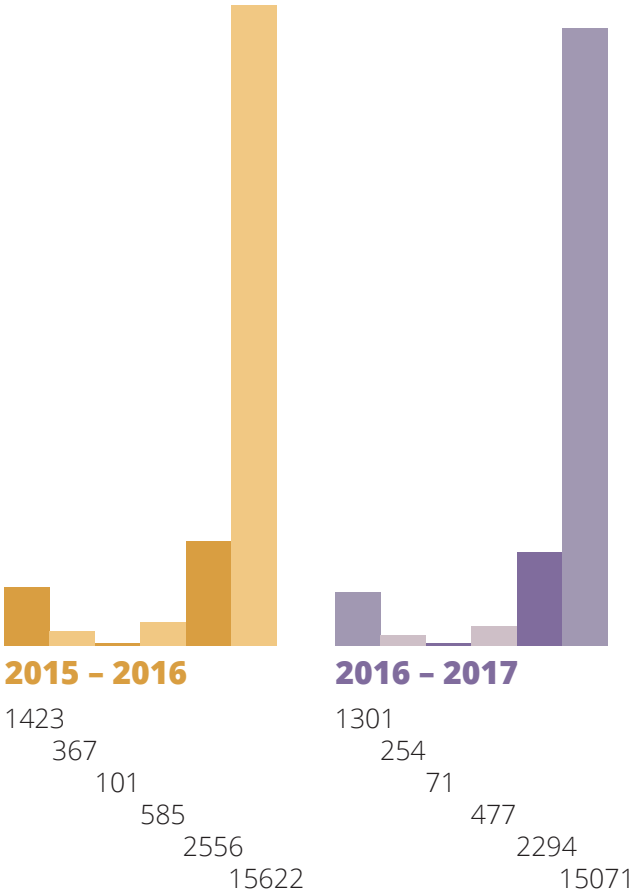
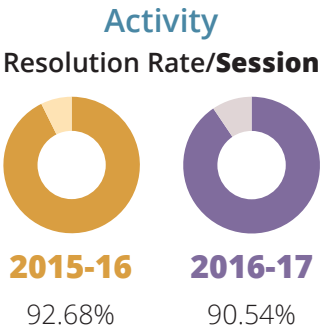
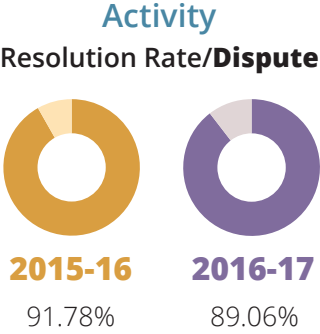
1 Where A, B & any other party accept offer of mediation

2 Figure does not fully include any adhoc coaching such as over the phone session during initial enquiry.

3 This figure only represents the activities entered into the client database and does not include any ad hoc contacts such as people who may walk in off the street requesting brochures, or in some instances additional calls made to/from existing clients to 'quickly' clarify information, case reviews between staff whether formally or informally.

# Dispute Types

371	Neighbourhood	60	Couple - relationship	9	Small Civil Claim
327	Separated Couple	36	Workplace	7	Social (Friend/Community)
214	Youth Crisis Mediation (FTH)	21	Tenant/Landlord/Body Corporate	4	Youth (not Family)
115	Family Conflict	21	Business/Consumer	1	General Complaint
76	Living in the Community (Housing Tenants)	12	Organisation	8	Not Applicable (not dispute)
		12	FDR/Child Inclusive Practice	7	Not Stated
		<b>1301</b>		<b>TOTAL</b>	







## Mediation Offers and Acceptances

Client participation in mediation is not an automatic process. There are 2 components which will determine if mediation occurs:

- i. CRS assesses as suitable
- ii. All parties agree

254	Cases where mediation was offered
105	Offer accepted by the other party
77	At least one session arranged
59	No response from other party
47	Mediation declined by party
28	Pre-resolved before mediation
47	One or other party withdraws
34	CRS withdraws

## Mediation Withdraws

CRS conducts an on ongoing screening and assessment throughout the course of the client engagement with the service. CRS's ongoing analysis can result in CRS withdrawing its services.

CRS withdraws from matters primarily in accordance with regulations and standards:

- *National Mediator Accreditation Standards*
- *Family Law Act (Cth)*

During the reporting period, CRS withdrew services prior to mediation commencing in 34 cases. The most frequent reasons for CRS withdrawing or temporarily suspending services included:

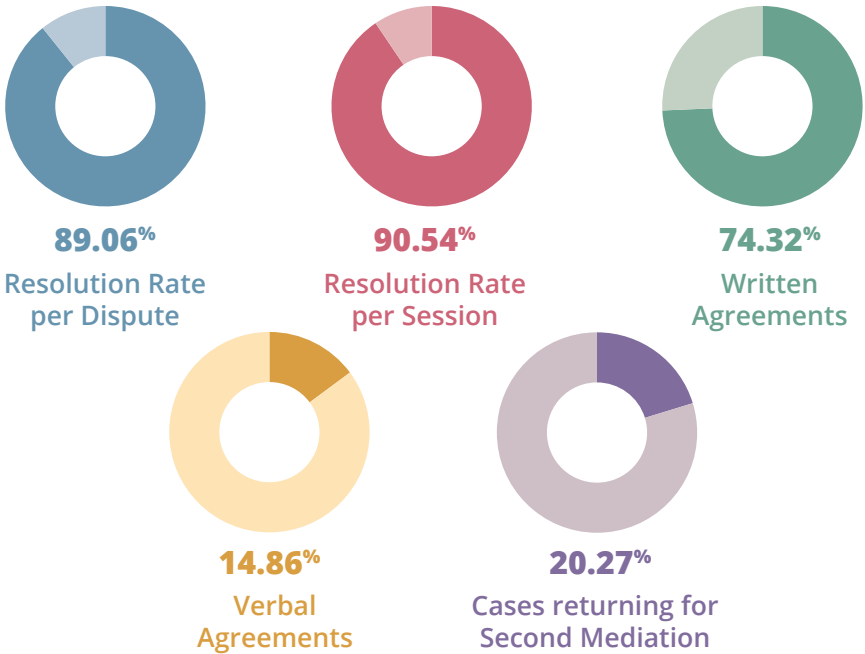
- Significant drug and/or alcohol abuse;
- Child protection concerns;
- Counselling being viewed as a more appropriate pathway;
- Family and domestic violence;
- Lack of good faith and/or good will to solve the difficulty, resulting in very entrenched and positional beliefs regarding their own particular point of view;
- Legal impediment;
- Unresolved paternity question.

In the above instances, the CRS refers one or both parties to more appropriate services or pathways where possible e.g. counselling, Legal Aid, ACAT, etc.

**Note:** In cases where CRS has considered mediation face-to-face in the same room to be inappropriate, the Service is now offering some of these parties the much slower Assisted Settlement pathway. Assisted Settlement is suited to the group of parties where they are reluctant to enter into discussions directly with each other, usually due to hurts and events from the past that cause high emotions. The Assisted Settlement process involves email or telephone contact with both parties, taking proposals from one to the other. This allows time for parties to consider what the other is putting forward and because information is being communicated by the CRS employee, emotions can be managed. There is also the opportunity for conflict coaching at the same time.

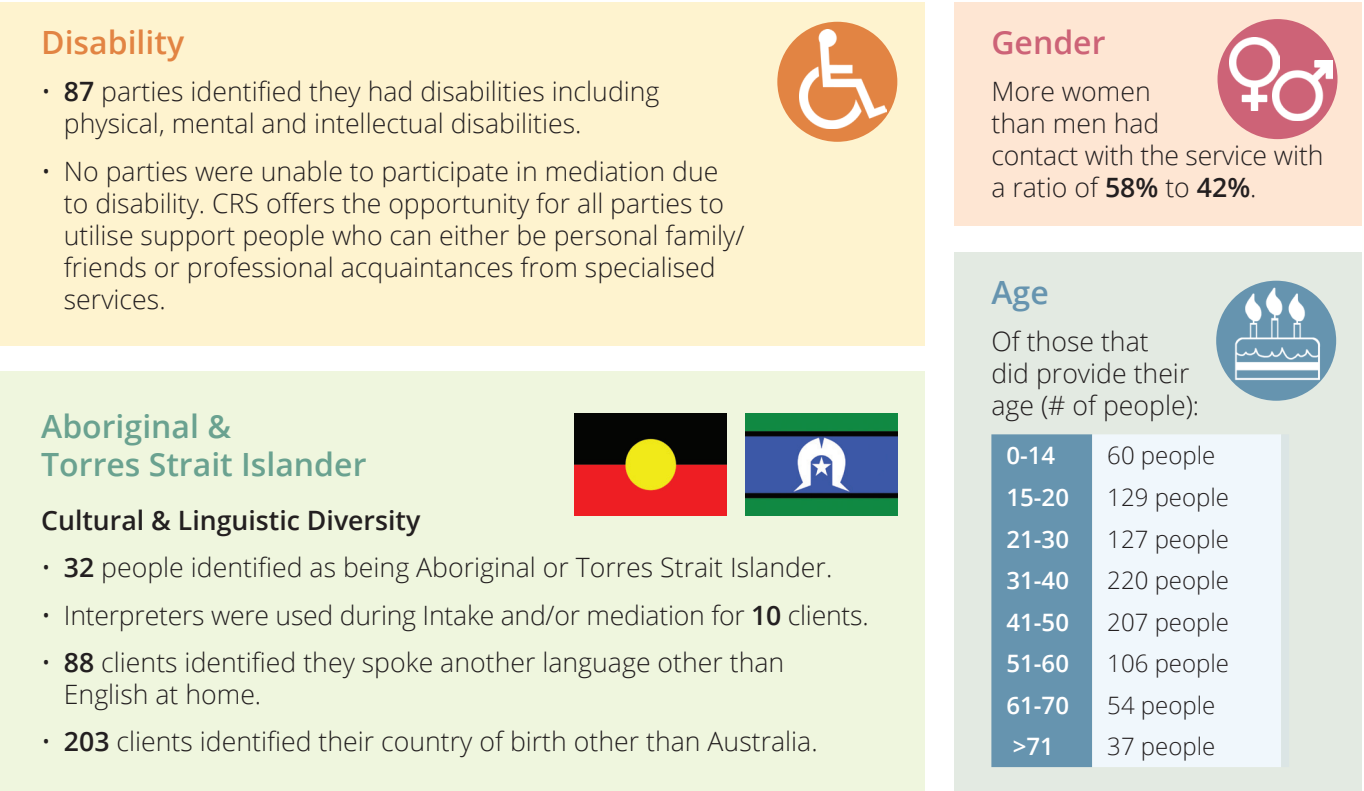
## Outcome of Mediation

The final stage of mediation session is called the Outcome Stage and can include full, substantial and partial agreements. Agreements can be in writing, which is the preferred CRS mode as it is a tangible record for parties; or verbal agreements between the parties to a mediation.



## Profile of Clients accessing the Service

During the period **2294** people accessed CRS services. Demographic information is obtained where possible.





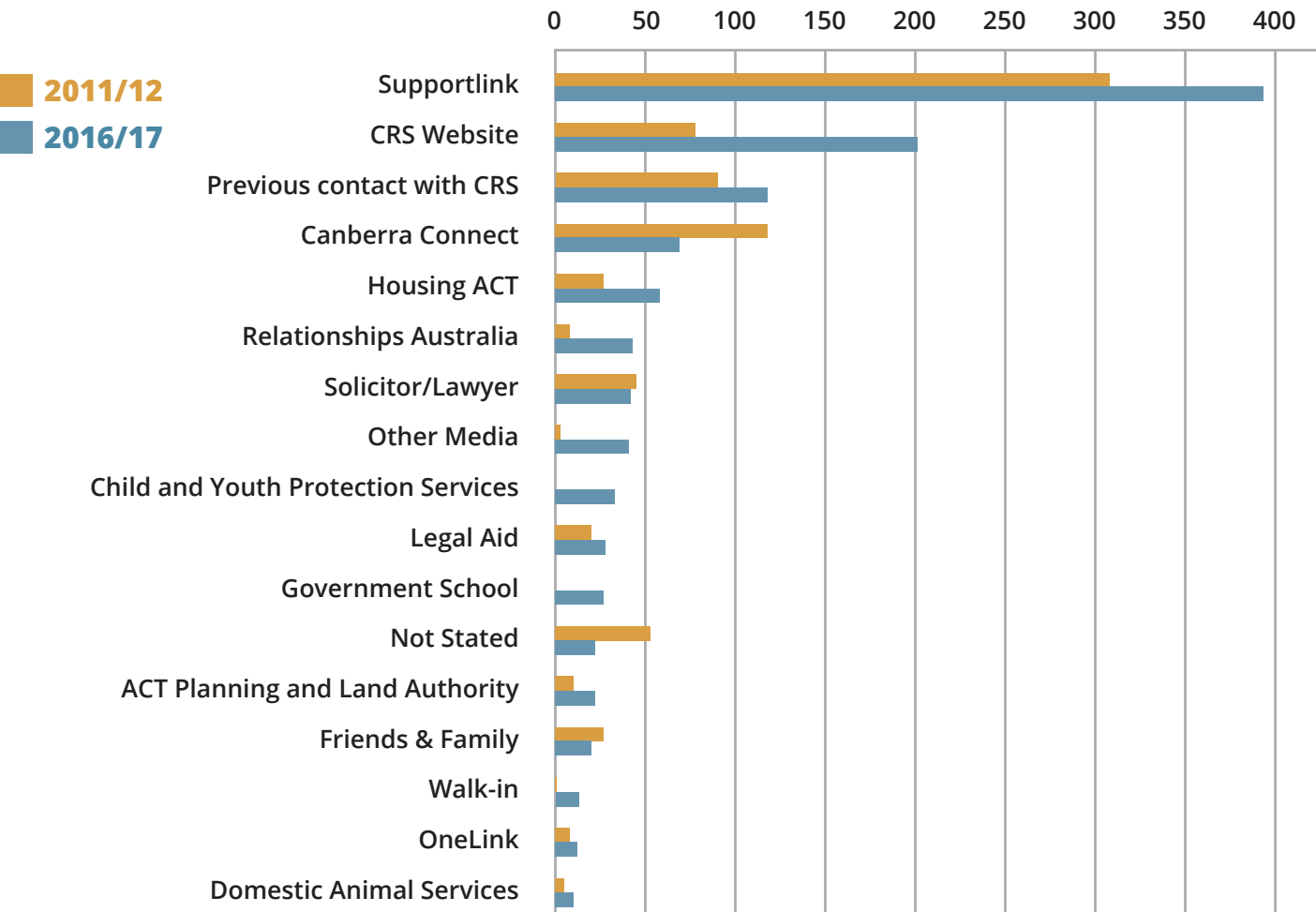


Pathway to the CRS

It is unsurprising that the nature of conflicts and disputes will change over time. Like the rest of the community services sector, there is evidence emerging around increasing complexity in issues and cases. While CRS is not directly a therapeutic service, it is important that we work closely with other agencies to put in place supports that enable parties to work to resolve disputes. CRS endeavours to establish links with other agencies to achieve lasting outcomes for clients. This joined-up approach while critical is part of the complexity we experience.

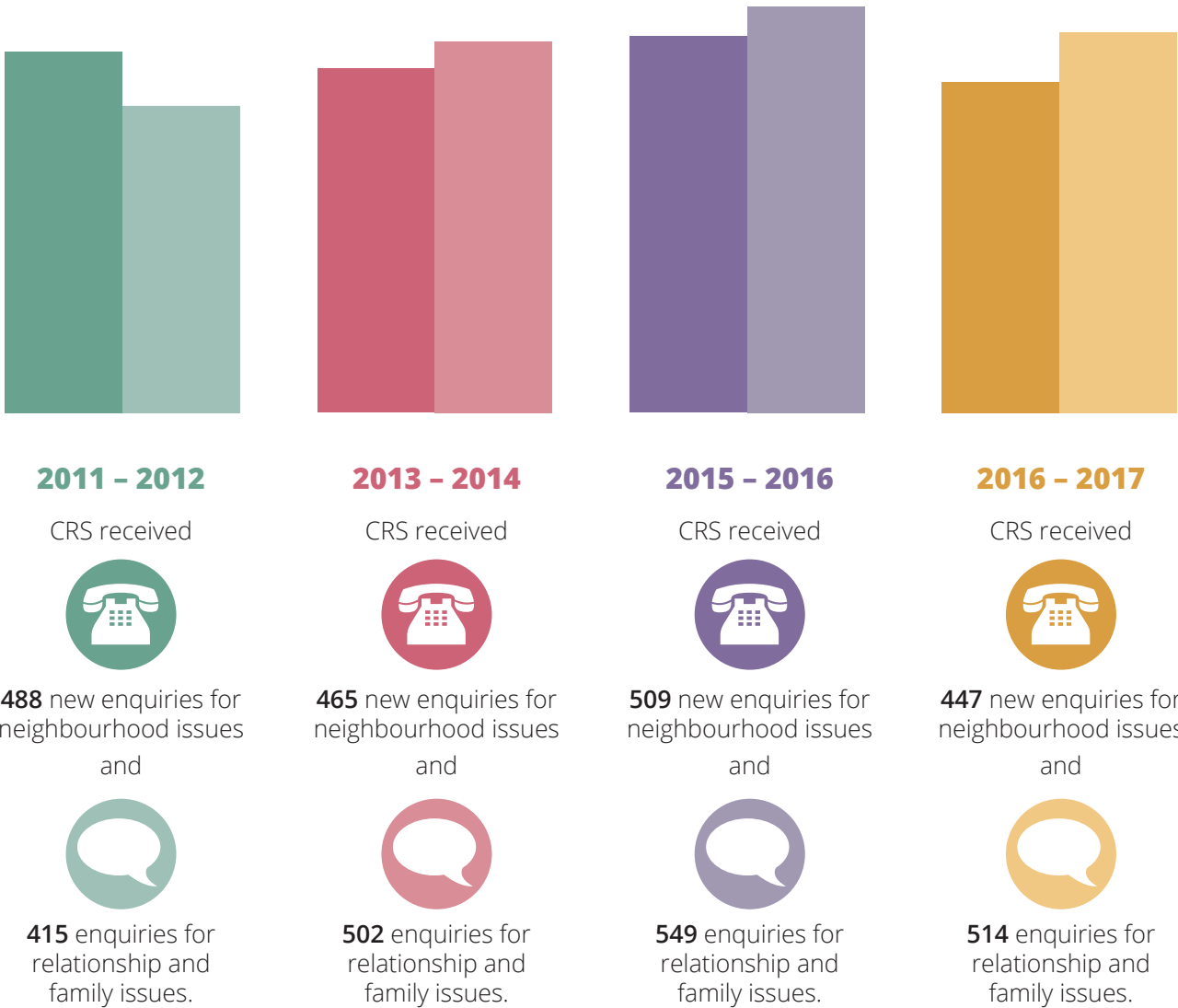
The chart below provides information regarding where the majority of referrals come from, over the selected periods 2011/2012 to this 2016/17 reporting period. While referrals from Supportlink (ACT Policing) continues to provide the most referrals, other referral pathways have shifted quite significantly. Electronic referrals through the website are now a primary channel for initial engagement with the service. In addition, while some government agencies such as Canberra Connect (Access Canberra), Housing ACT and Child and Youth Protection Services are emerging as key referral agencies, there is a reduction in other agencies such as ACT Planning and Land Authority and municipal services areas.

Changing Nature of Referrals to CRS



**This suggests complexity in that there is a shift away from more straightforward issues such as neighbourhood disputes to more complex relationship and family issues as demonstrated in the key statistics below.**

Therefore, the numbers reflect that over the last five years there has been a significant move from neighbourhood dispute enquiries to family and relationship issues which have a tendency to be more complex and more time consuming in terms of time spent with clients. CRS expects that this trend will continue.



“It felt like a healthy safe environment.”

CLIENT FEEDBACK/COMMENT



# A message from the CRS Practice Manager

It's not always clear what to do as mediators working in the Intake and Assessment area of CRS, when confronted with the words "I cannot sit in the same room as that person", uttered in different tones of voice and/or with emphasis on different words in that sentence. Fierce determination not to meet in the same room can sometimes shift with reasoning about the benefits of each party making attempts to understand the other and the positive impact on relationships when such an effort is made. Such reasoning does not always have an effect, however, and mediators are left searching for other ways to try to mediate conflict for members of the community. This search has led to some very interesting discussions.

Alongside this search, there have occurred other situations where "usual mediation" is not appropriate for various reasons. The assessment of being inappropriate may occur at times where one party to a dispute tends to slowly process information, resulting in drawn out decision making. It may be that a party has a history with drugs and alcohol that leaves them with the same tendency. A party who is quick to anger also needs time to calm down and consider options in a quiet moment. Whatever the reason, on-the-spot processing of information is not within their reach. They require a little more time to consider the options available. As a Service dedicated to assisting all members of the ACT community access opportunities to resolve conflict, we are now able to talk to people about the possibility of using an Assisted Settlement process which perhaps has always been used but is now considered a viable alternative to mediation in a situation that would otherwise be unsuitable.

Assisted Settlement is a process whereby a list of issues is nominated for resolution. The mediator in the Intake Team assists the parties by telephone to select one of the issues and what follows is a future focussed consideration of the solutions to this issue back and forth by phone over days if necessary. Once a solution is found and both parties agree, the mediator can move onto the second issue and so forth. This slowing of the process allows plenty of time for parties to consider their options and speak with others if necessary. This process also allows for conflict coaching during the telephone calls between the mediator and the parties.

One of the benefits of Assisted Settlement for the Intake Team is this opportunity to conduct Conflict Coaching with parties and it is a rapidly expanding activity delivered by CRS. We don't necessarily live in a society where solving difficulties with each other is modelled for us by prominent citizens but we do know how to be adversarial! Learning successful techniques in communication is a life-long challenge for us all and these skills take patience and practice to master. The Conflict Resolution Service is committed to giving community members the opportunity to resolve their difficulties with others and to learn how to perhaps negotiate their own path to resolution next time.



Lyn Walker  
Practice Manager

"Staff were very supportive.  
Told me to write down opening speech.  
They followed up on everything.  
Even checked in after mediation.  
They were fantastic."

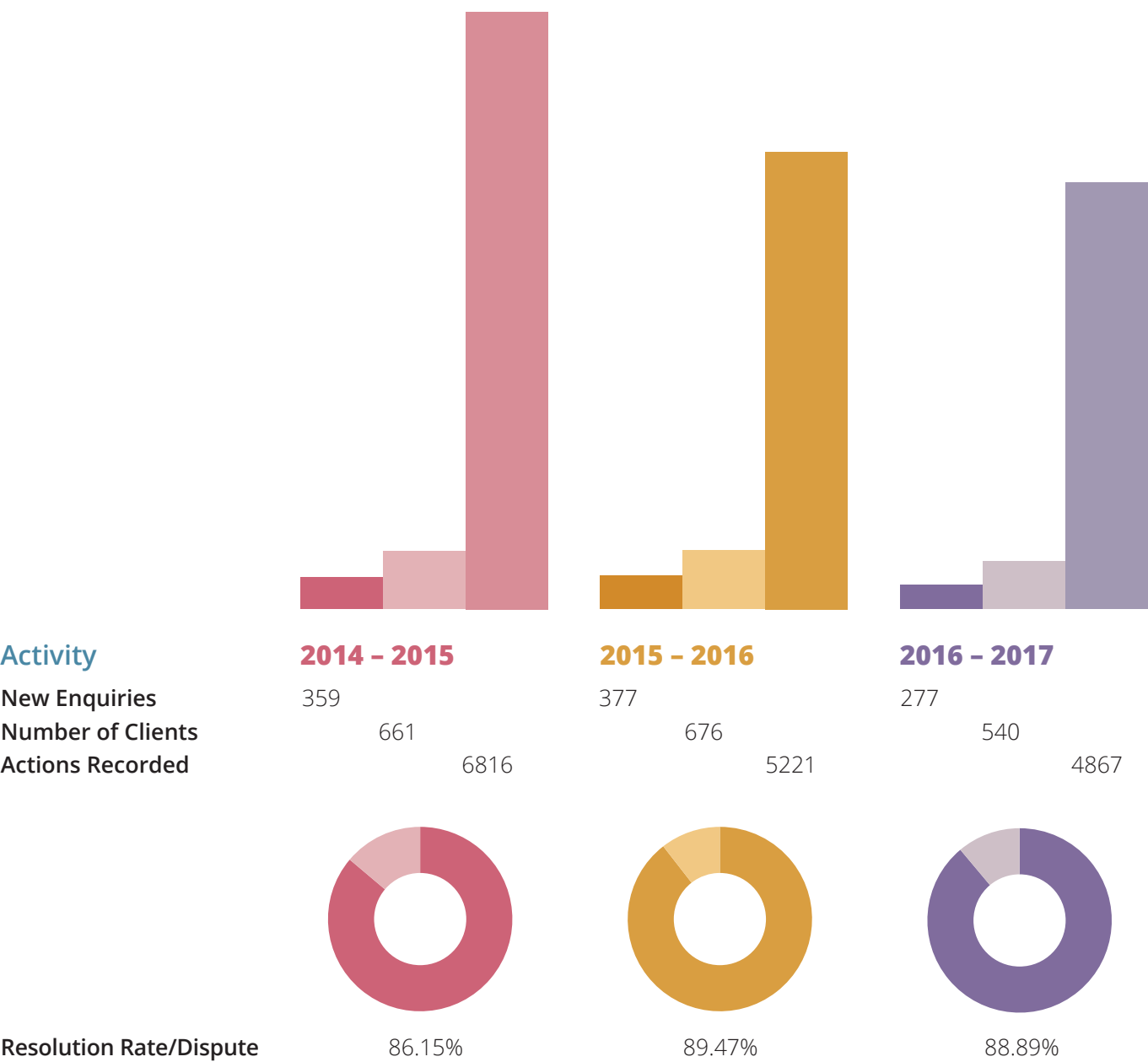
CLIENT FEEDBACK/COMMENT

# Family Dispute Resolution

Family Dispute Resolution (FDR) is a practical, less stressful and costly way for separating families to sort out parenting arrangements with help from a FDR practitioner, such as the CRS, who can assist parents to discuss issues, look at options and work out how best to reach agreement.

## FDR Achievements

FDR disputes accounted for **25.1%** of total disputes for the reporting period.



Parenting issues accounted for **83.8%** of FDR cases, with **16.2%** of these involving property settlements.





# Dealing with neighbourhood conflict

## Case Scenario

**Note:** these case scenarios are a based upon a compilation of actual case studies and also include other changes to ensure no identifying information.

### CRS Community Dispute Resolution Services

Andrew and Bruce are two elderly, single men who live in a public residential complex. Bruce had complained that Andrew was aggressive and a bully in his relationships with other residents of the complex, and that some of the female residents found him intimidating. The CRS *Living in the Community* (LitC) worker was informed by the housing manager that there had been a loud and heated argument between Andrew and Bruce previously, and that one of the residents called the police to attend. Consequently, a referral was also received from the Police. Housing ACT sent Andrew a letter notifying him that a complaint had been made against him but it did not state who had made the complaint.

The LitC worker interviewed Andrew in person at Housing ACT and Bruce over the phone because of his busy volunteering schedule. During these interviews, the LitC worker learnt that the tension between Andrew and Bruce was affecting their quality of life in the complex as both were afraid to make any noise because the other might make a complaint to the Police or to Housing or both. They both resented the other's intrusion on their ability to be themselves in their homes.

Mediation was offered to Andrew and Bruce and both agreed to attend. The mediation focused on assisting the two men to express what they enjoyed about their lives at the complex and their difficulty in being afraid of the other making a complaint that they thought was unwarranted. Ultimately, the mediation was successful in reducing the tension between Andrew and Bruce. Both men were able to share their understanding of what had happened, and this helped to settle some of the ill-feeling between the two. Bruce came to understand that Andrew's loud communication style – which some found intimidating – was due to Andrew's hearing impairment that he acquired from being on worksites without proper ear protection. Andrew and Bruce were able to agree on some actions with the aim of improving their neighbourly relationship.

# Living in the Community Program

The Living in the Community Program is a partnership between Housing ACT and the Conflict Resolution Service, designed partially as a response to anti-social behaviour within public housing. It also supports individuals and communities experiencing the normal stresses and strains of neighbourhood living.

The main beneficiaries of the program are:

- Individual tenants who are having problems with other tenants, and who may be the subject of formal complaints by other tenants or by private owners, including some whose tenancies may be at risk due to anti-social behaviour;

- Neighbours/communities who are affected by antisocial behaviour;
- Housing ACT personnel, mostly housing managers, who refer tenants to CRS for assistance in conflict management.

The CRS's Living in the Community Program (LiTC) has a presence at Housing ACT 1.5 days per week, and is located at a "hot desk" with similar services in the Central Access Point (CAP), all of which aim to support public housing tenants to gain and sustain tenancies.

Information about the program is provided to all housing managers through the regional staff meetings, Housing Initiatives Meetings and email communiques. Regular workshops are scheduled for housing managers, which are designed to give them strategies and techniques for working with challenging tenants. Two workshops were attended by 20 housing managers during this period. Opportunities for reflective practice are also scheduled. Regular reflective practice is a new concept for many Housing managers, and are included on the departmental Learning Management System.

The newsletter *Homefront* which is distributed to all public housing tenants, always includes an article written by the LitC worker.

## Achievements during the reporting period

- Assisted **89** Tenants and Housing Managers
- Provided **144** instances of client contact and **42** conflict coaching sessions for Tenants and Housing Managers

# Healthy Neighbourhood Program

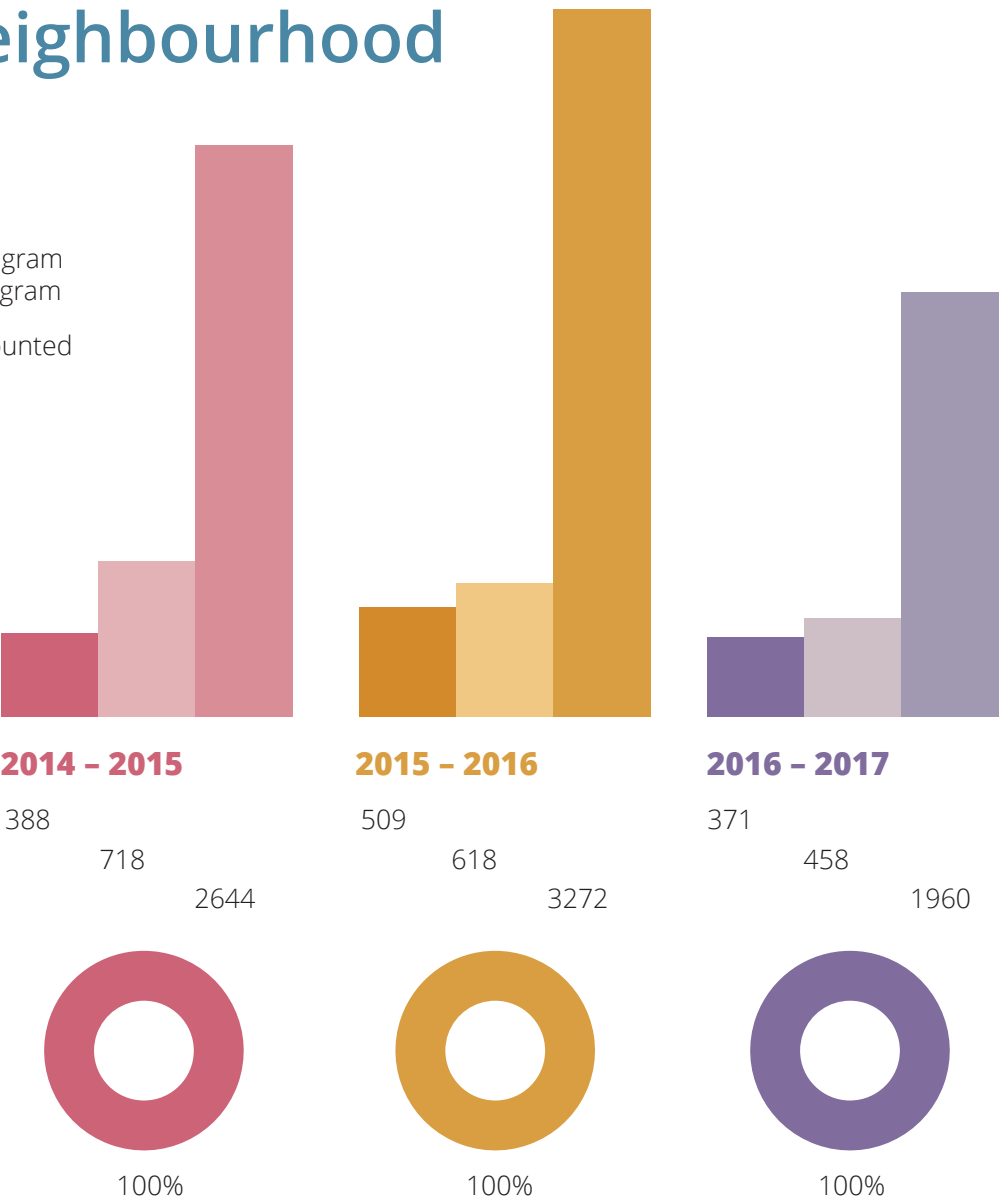
## Programs

- Neighbourhood Dispute Program
- Living in the Community Program

Neighbourhood disputes accounted for **28.5%** of total disputes.

## Activity

New Enquiries  
Number of Clients  
Actions Recorded







# Family Tree House Program

## Funding:

National Affordable Housing Agreement (NAHA), and National Partnership Agreement on Homelessness, which are jointly funded by the ACT and Australian Governments.

The Family Tree House (FTH) program supports young people aged between 12–20 years of age who are homeless or at risk of homelessness due to family conflict. The FTH takes a holistic approach to working with the entire family, not just the young person; that is supporting parents, siblings, extended family and natural supports.

The Family Tree House program has two main aims:

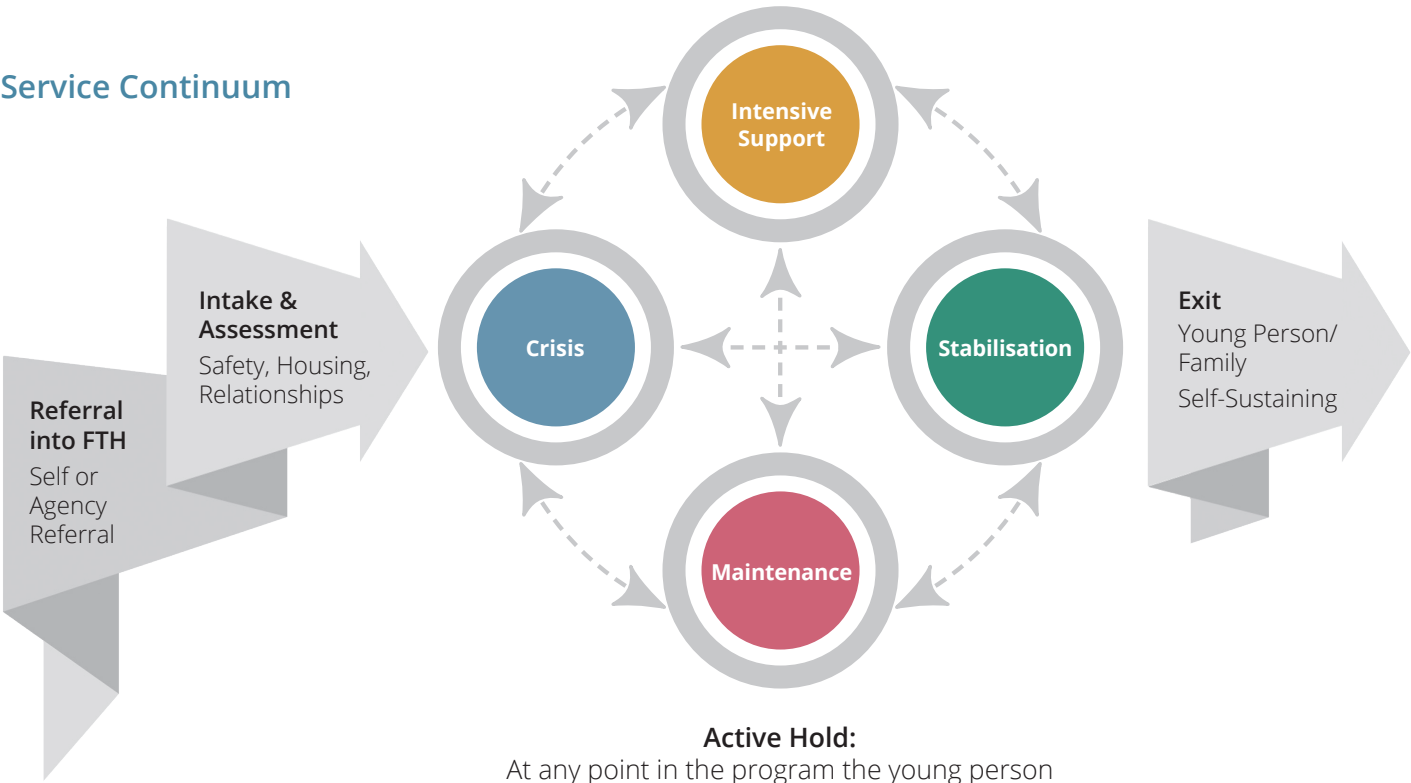
## 1. Crisis Intervention

- Work with young people and their families intensively, at the point of crisis, with a focus of ensuring safety and security of accommodation
- Support the young person to access emergency accommodation as a last resort
- Facilitate communication & negotiations between family members to support short term goals

## 2. Intensive Support Program

- Support and work with young person, their families &/or significant others – from the initial time of crisis onwards – to rebuild sustainable and positive relationships within the family unit.
- Strategic and intensive interventions will be utilised to ensure the family members are supported to work through the issues within the family for management and resolution of current and future conflict.

## Service Continuum



### Active Hold:

At any point in the program the young person &/or their family may disengage for periods of time; the FTH program keeps in contact with all parties to ensure the program is available when parties are ready to re-engage.

# Family Tree House Achievements in 2016-17

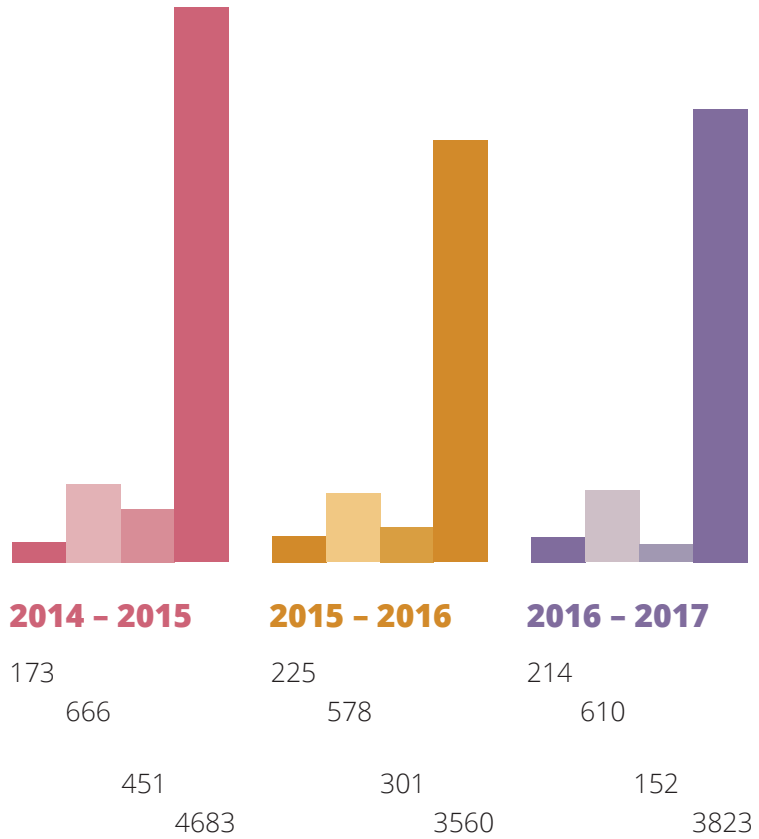
## Activity

### New Enquiries

### Number of Clients

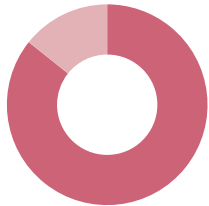
### Client Coaching Sessions (face-to-face only)

### Actions Recorded



## Activity

### Resolution Rate/Dispute



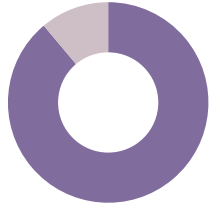
2014 – 2015

85.71%



2015 – 2016

100%



2016 – 2017

90%

# Conflict coaching with parents to support family cohesion

## Case Study

**Note:** these case scenarios are a based upon a compilation of actual case studies and also include other changes to ensure no identifying information.

## Youth Crisis Mediation Service (FTH)

14-year-old Lonnie was second-generation Australian, being born in Australia to Tongan parents. Lonnie was referred to Family Tree House after the school psychologist learnt that Lonnie had been regularly staying with a 20-year-old female friend, who was not known by Lonnie's parents. Lonnie told the school psychologist and the CRS Family Support Worker (FSW) that she was tired of being "bossed around" by her parents and not having a say in what she was allowed to do. She also wanted to change schools. When the FSW first contacted Lonnie's parents, Avoca and Lakepi, they were keen to be involved in the program. They were frustrated by what they saw as Lonnie's secretive and disrespectful behaviour. They didn't want her to be a "wild" girl so they tried to enforce more rules and boundaries to control her but this only made her more rebellious. Avoca and Lakepi were also worried – because they had heard of other girls who had gone through a period of keeping bad company and drug use – and they did not want this to happen to Lonnie.

Both parents and Lonnie attended their initial intake interviews in May, and continued for several weeks to receive coaching sessions from their Family Support Worker. Both parents felt that they had worked hard to provide a good environment for their children. They just wanted

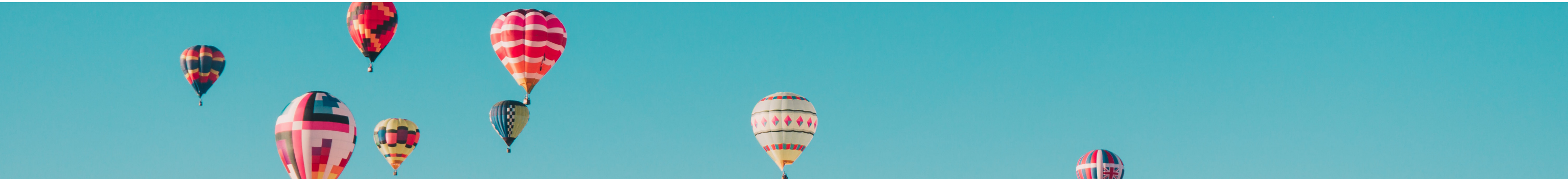
Lonnie to study and behave well. They had both studied hard for their professions and were supported by a close-knit Tongan community. However, both parents worked long hours leaving Lonnie to her own resources frequently. They were time-poor and the mother especially was exhausted emotionally creating a situation where it hard for her to attend to Lonnie's adolescent needs.

The Family Support Worker supplied the parents with information on adolescent development apart from coaching on parenting styles and various ways of communicating in ways that reduce conflict. A parenting course at PCYC was also recommended. Mum, at the last minute, declined to attend stating that she couldn't fit it in.

Lonnie attended several sessions with the Support Worker, sometimes with another member of the community. She was able to communicate to the Support Worker that she stayed with her older friend sometimes as she needed a break from the chaos and the narrow expectations at home. She felt that her father was trying to create a closer relationship and she was grateful that he was making the effort. The father also readily agreed to her change of schooling and the Support Worker assisted the family to work together to best ensure that Lonnie was successful in her school transfer.

Lonnie and her parents are continuing contact with the Family Tree House and Lonnie has responded well to her parents' greater interest and involvement.





## Referrals and Collaboration

CRS has worked with the following agencies during the reporting period (referrals were made TO or FROM these services):

ACCC	Dept Industry, Innovation, Climate Change, Science and Tertiary Education	Menslink
Acquaintance		Not Stated
ACT Administrative & Civil Appeals Tribunal	Directions ACT	NSW Family and Community Services
ACT Health	Doctor	OneLink
ACT Magistrates Court	Domestic Animal Services	Other Media
ACT Planning and Land Authority	Domestic Violence Crisis Service	ParentLine
ADACAS	Education and Training – DET	ParentLink
Barnardos	Environment ACT	Phone Book
Belconnen Community Services	Everyman	Police (not Supportlink)
Brochure	Family	Previous contact with CRS
CAMHS	Family Court of Australia	Relationships Australia
Canberra Connect	Family Relationship Centre	Solicitor/Lawyer
Canberra PCYC	Family Relationships Advice Line/Website	Supportlink
Canberra Youth Refuge	Federal Magistrates Court	Ted Noffs Foundation
CARE Financial Counselling Service	First Point	Territory and Municipal Services – TAMS
Catholicare (Centrecare)	Friend	The Cottage
Centrelink	Gateway Services	Victims of Crime
Child & Youth Protection Services	Government School	Volunteering and Contact ACT
Child Youth and Family Gateway Services	Headspace	Walk-in
Community Services Directorate (DHCS)	Housing ACT	Welfare Rights and Legal Service
Companion House	Housing Industry Association (HIA)	Woden Community Service
Contact Book	Justice and Community Safety – JACS	Women's Information and Referral Centre
Counsellor, Psychologist or Social Worker	Law Society	
CRS Staff, Community Development	Legal Aid	Women's Legal Centre
CRS Website	Legal Aid ACT	Workmate
Defence Community Organisation	Marymead	Youth Refuge

## Client Feedback

Feedback is sought from all clients post their mediation. A range of questions are canvassed with clients to assess how well CRS met their needs and/or if there are areas of CRS service delivery which need improvement.

Service delivery:

4.45	Contact with office staff
4.23	Venue and facilities
4.11	Brochures and Referrals
3.84	Waiting time in comparison to other services
4.08	CRS assistance during waiting time

Mediators:

4.48	Were impartial
4.20	Made things clearer
4.34	Helped discussion
4.15	Assisted with resolution
4.43	Listened

The respondents felt that mediation:

3.57	Improved situation
------	--------------------

Each year approximately 25% of clients return questionnaires and provided feedback on their mediations.

Below is an average of all responses.  
1 = Poor and 5 = Excellent.

If agreement was reached it was considered to be:

3.89	Fair/balanced
3.92	Workable
3.78	Met client needs

If agreement was not reached during mediation, a later agreement was:

3.15	Agreement likely later
------	------------------------

Overall satisfaction with the Service:

3.85	CRS helped me to resolve all or part of my dispute
3.91	CRS delivers on what it claims

Other:

4.09	I would recommend CRS
------	-----------------------

“Facilitators were great at keeping the focus forward.”

CLIENT FEEDBACK/COMMENT





# CRS as Educator and Modeler of Conflict Resolution processes

One of CRS's aims is to play an educative role within the ACT community and seeks feedback about whether clients were able to attain or further expand their conflict resolution skills and knowledge through their contact with the CRS.

During the reporting period, parties who responded to the questionnaire identified over 250 areas of learning or an improvement in their interpersonal skills and knowledge.

The skills surveyed as follows:

22	Not all disputes can be resolved but they can be managed
20	Resolving differences in the future
14	It's OK to disagree
13	How to work towards a win/win situation
13	How to speak up for myself
13	Different ideas are OK
13	My knowledge of dispute resolution techniques has increased/broadened
13	How to communicate with my neighbour/ex-partner/kids/co-worker/manager
13	Awareness about how my communication style affects others

12	People have the right to express their opinions, which differ to my own and I can respect their right to do so
12	How to put my views forward
12	How to listen
11	How to talk about differences positively
11	How to compromise without giving in
11	Different ways of communicating
10	How to show respect for other people's views
8	Better negotiation skills
8	How to understand other people's perspectives

"I found it helpful to be told when my communication was causing conflict and given ways to improve on that so we can keep moving forward."

CLIENT FEEDBACK/COMMENT

# What clients said they liked most about the Service

"Useful to bring parties together."

**"It gave us a safe venue to express and explain ourselves to each other. In the CRS context with two independent mediators calm and sense can prevail far more easily."**

"Clarification of which behaviours are problematic and techniques for altering/adapting behaviours"

**"The mutual understanding of goodwill between us regardless of what might go wrong in future."**

"Staff were easy to talk to expressed concern and compassion for my situation. Shorter timeframe than other mediation services."

**"I believe my mediators did the best they could. Thank you."**

"Near the end though when I believed a resolution could be met unfortunately people were too tired to continue."

**"The service is a useful intermediary tool enabling progress and resolution without the necessity to attend court."**

"Safe environment lovely people."

**"Staff very supportive – particularly intake staff."**

"Mediation people were also very good."

**"Heard both sides. Returned us to topic. Broke arguments before they escalated."**

"I appreciated multiple meetings with the mediator."

**"The mediator was highly professional and supportive."**

"I enjoyed learning more about mediation."

**"The environment for the mediation was good; neutral and professional."**

"I appreciated understanding more about what mediation could and could not achieve."

**"Independent forum."**

"All the staff there have been very helpful in trying to resolve our situation especially the mediators on the day."

**"The ability to meet with the other party and communicate."**

"The communication with the mediators and how they take their time to explain things. They were very helpful with everything."

**"Someone to listen."**

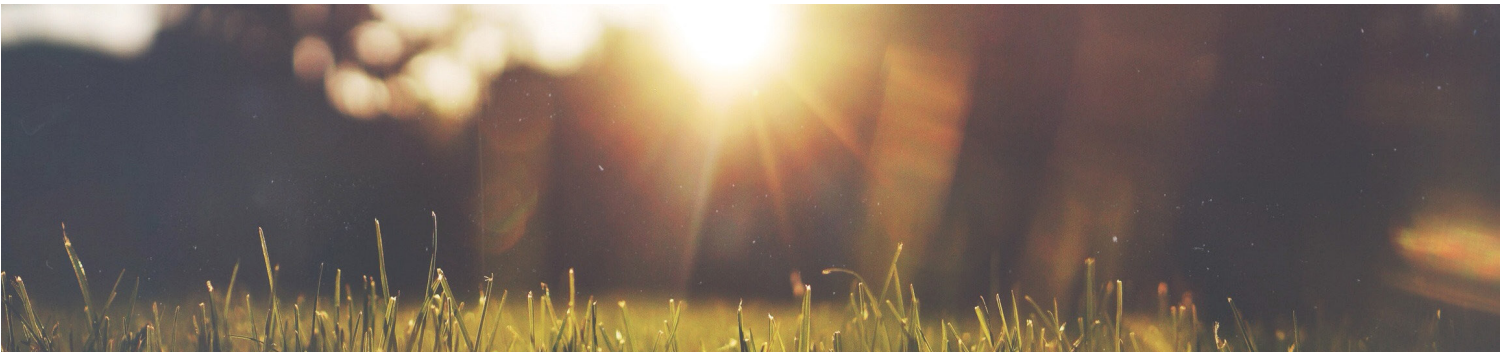
"Mediators very skilful in managing a discussion that was very heated."

**"My ex and I did talk."**

"Able to understand my ex-husband's issues."

**"I found the before and after services provided by CRS to be very responsive and helpful."**





# Training & Community Education

CRS delivers many training courses throughout any reporting period to government, private and community sector organisations.

The majority of courses which CRS delivers are tailored to the needs of the client group to ensure that course content is familiar and has practical applications when they transfer their learnings back into their workplace, families and other relationships and situations.

The types of courses CRS delivers, and can build upon, include but are not limited to:

Introduction to Conflict	Communication Skills	Building Respectful Relationships
Advanced Conflict Resolution	Ethics & Professionalism	Workplace Effectiveness
Perspective, Objectivity & Impartiality	Giving & Receiving Feedback	Negotiation Skills
Facilitation Skills	Effective Customer Service	Developing Effective Teamwork
Managing Emotions	Dealing with Difficult Behaviours/Situations	Dealing with Aggressive Behaviours
Introduction to Mediation (3hrs)	Basic Mediation Training (22.5hrs)	Mediation Training – Accredited (60-70hr program)

## Nationally Accredited Mediation Training

CRS's Mediation Training course meets and exceeds the Training and Education Requirements of the Australian National Mediator Accreditation Standards and the *Mediation Act 1997* (ACT), since repealed.

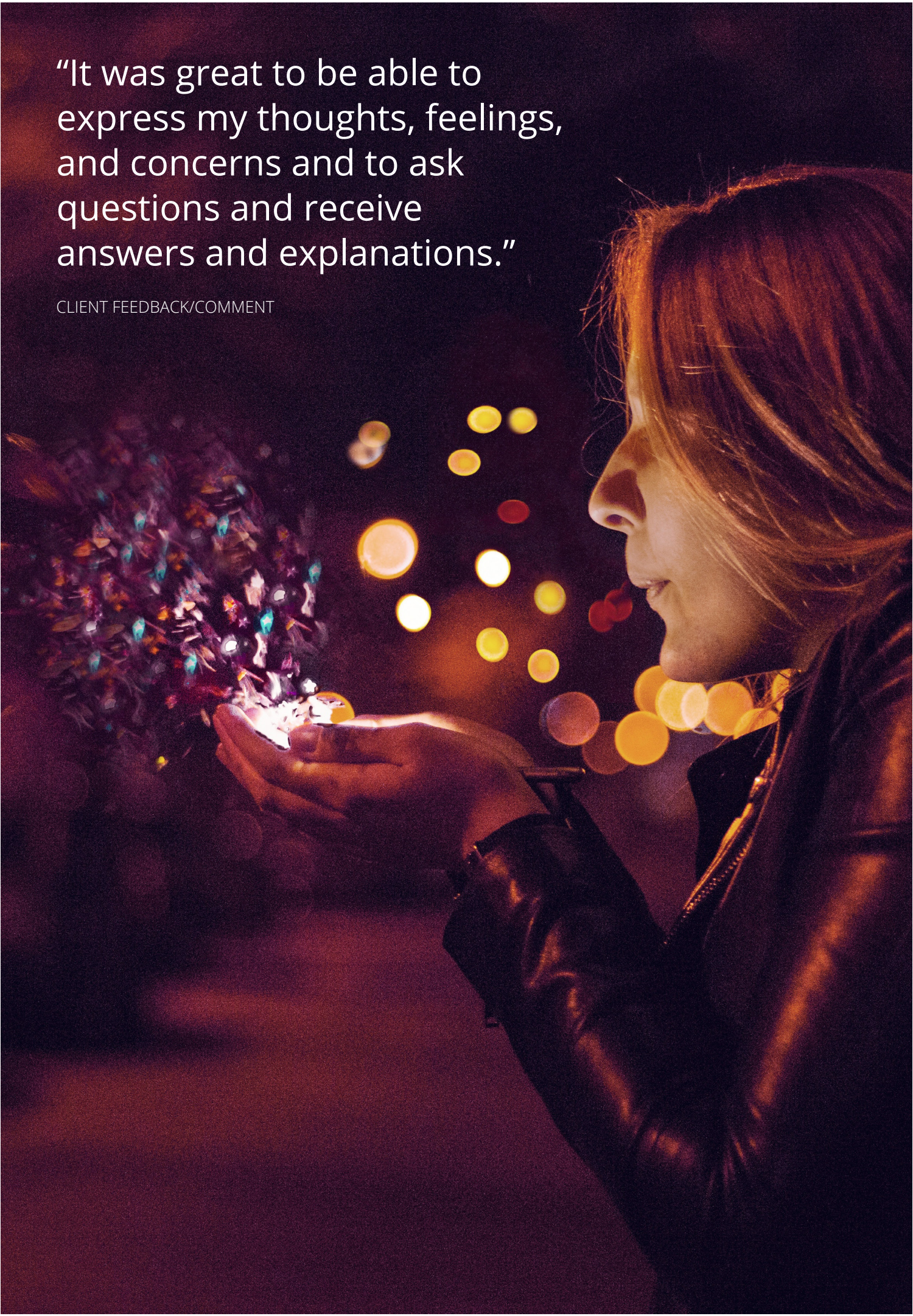
Three Mediation Training Courses were delivered during the reporting period.

In recent years course participants ranged from private self-funded individuals to commercial organisations and government departments, including:

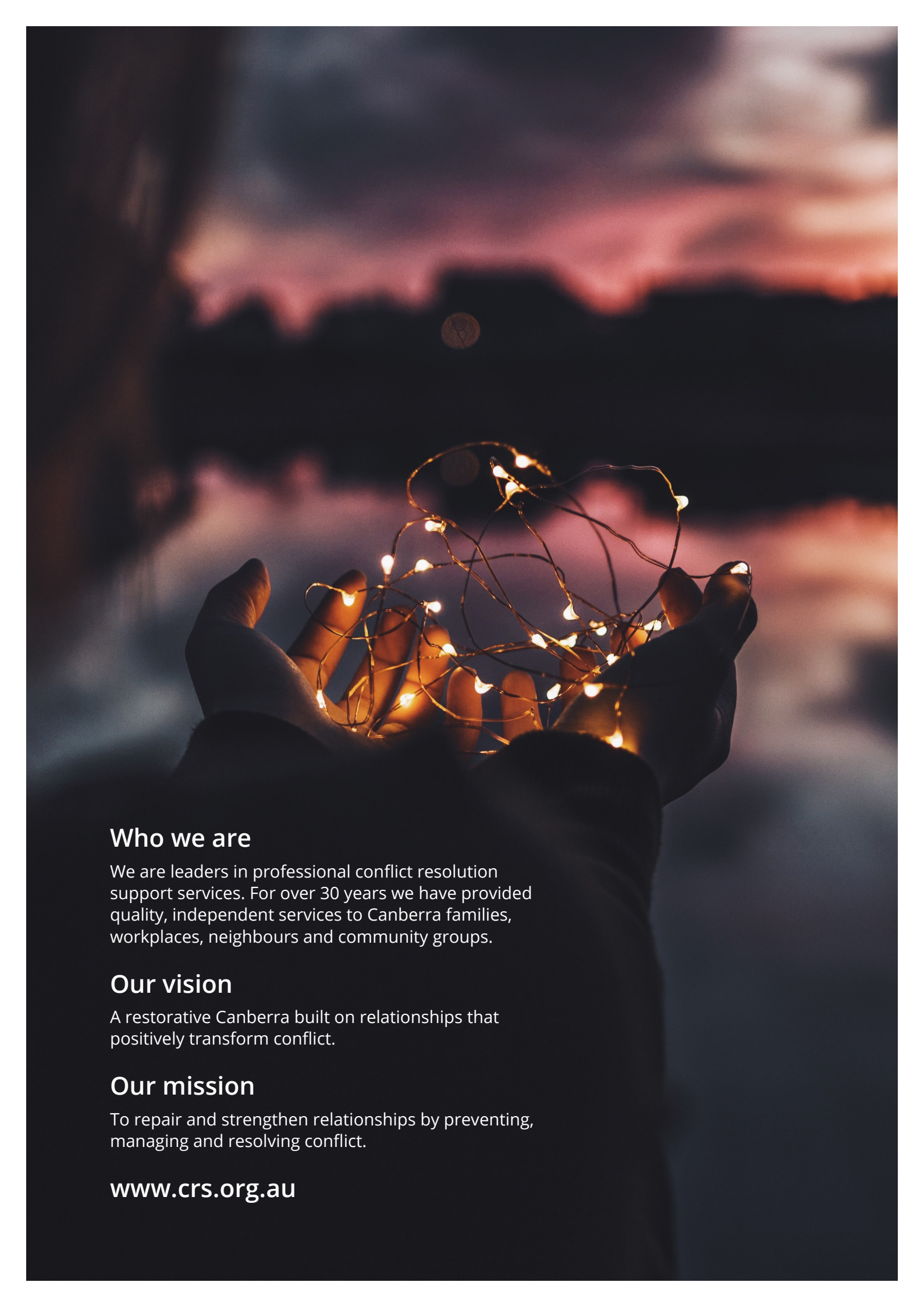
- ACT Magistrates Court
  - ACT Civil and Administrative Tribunal
  - Australian Federal Police
  - Attorney Generals Department
  - Construction Companies
- Department of Defence
  - Community Organisations
  - Community Services Directorate
  - Justice and Community Safety
  - Solicitors

“It was great to be able to express my thoughts, feelings, and concerns and to ask questions and receive answers and explanations.”

CLIENT FEEDBACK/COMMENT







## Who we are

We are leaders in professional conflict resolution support services. For over 30 years we have provided quality, independent services to Canberra families, workplaces, neighbours and community groups.

## Our vision

A restorative Canberra built on relationships that positively transform conflict.

## Our mission

To repair and strengthen relationships by preventing, managing and resolving conflict.

[www.crs.org.au](http://www.crs.org.au)