



Hon. Robert McClelland MP
Attorney-General

MEDIA RELEASE

Friday, 18th March 2011

IMPROVING ALTERNATIVE DISPUTE RESOLUTION

Attorney-General Robert McClelland today welcomed a report from the National Alternative Dispute Resolution Advisory Council (NADRAC) which provides valuable advice to Government on improving the integrity of alternative dispute resolutions.

Mr McClelland commissioned NADRAC to recommend any legislative changes that may be required maintain the integrity of different alternative dispute resolution (ADR) processes given the increasing use of ADR.

The report - *Maintaining and Enhancing the Integrity of ADR Processes: From Principles to Practice Through People* - identifies:

- issues that affect the integrity of ADR processes, including conduct obligations, rules about confidentiality and inadmissibility, and immunity of ADR practitioners from being sued; and
- other options to enhance the integrity of ADR, such as developing professional standards, providing education and training for ADR practitioners, participants and the community generally and developing guiding materials to enhance the participants' understanding of ADR processes.

"We have an evolving culture in Australia of resolving disputes outside of the court system," Mr McClelland said.

"More and more people are choosing this option. Alternative dispute resolution is becoming an increasingly prominent feature of the way Australians access justice, and it is important to ensure the services that support them are consistent.

Mr McClelland said the NADRAC report discusses issues around about confidentiality, inadmissibility, immunity and conduct obligations of those involved in alternative dispute resolution.

"I want to thank NADRAC for the valuable work it has done in producing this report. It contains important information and recommendations for strengthening the reputation and credibility of alternative dispute resolution in Australia," he said.

"NADRAC consulted extensively in developing this report through extensive discussions with family law experts and two public consultation processes which resulted in more than 40 submissions

"NADRAC's report will encourage greater use of alternative dispute resolution as an effective mechanism to resolve disputes."

NADRAC is an independent non-statutory body that provides policy advice to the Attorney General on ways of resolving or managing disputes without the need for judicial determination.

NADRAC's report is publicly available by visiting www.nadrac.gov.au

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