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## MSB NEWSLETTER – APRIL 2020

This newsletter is circulated to our member organisations, current and former MSB Directors, and to NMAS trainers/coaches/assessors who have expressed an interest in receiving them. The newsletter is also uploaded onto the MSB website.

We recommend that our member organisations share this with their administrative and training teams. Organisations are also welcome to include a link to this newsletter in their own communications with members.

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## REMAINING FLEXIBLE AND CONNECTED DURING CoVID-19

We hope you are healthy, supported and connected during this challenging time. If there is anything the MSB can do to support the NMAS community during this period of uncertainty, please reach out to us.

For the foreseeable future the MSB will be moving its board meetings to an online platform, so that we can remain productive in progressing projects and the development of resources for you. We have been busy, and some of our projects and resources are referred to in this newsletter.

The MSB is committed to creating opportunities for our members to come together in 2020. For the time being we will support social distancing practices and avoid unnecessary travel.

We acknowledge that NMAS mediators may be impacted in achieving the mediation and CPD hours required for renewal of accreditation. We will work with RMABs with an open and flexible approach. We also encourage mediators to look at the [Calendar Hub](#) on our website to find all of the online CPD options offered by various member organisations. We strongly encourage our members to keep this Calendar updated to support online learning options.

Online options for role-playing, CPD and mediation work will all likely increase over the coming months. The MSB is currently considering ways to support this. Please reach out with any ideas or initiatives that we might be able to assist with.

Early suggestions from mediator colleagues for online mediations include use of [Zoom](#), [Modron](#), and [Immediation](#).

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## NMAS REVIEW

On 3rd March 2020 the MSB released a [Request for Tender](#) to review the NMAS. Applications are due 30th April 2020.

Included in the MSB objectives is the responsibility to develop, maintain and amend the National Mediator Accreditation System (NMAS) and to support, complement and encourage members in their efforts to meet their objectives in relation to the NMAS. In other words, the MSB is obligated to ensure that the NMAS evolves with the times. It is over 6 years since the last review was instigated and almost 5 years since the launch of the revised NMAS.

Feedback from NMAS members and mediators supports the revised version of the NMAS as an improvement on its predecessor. Further improvement is the goal of this review.

It is important to understand that the proposed review does not equate to a re-write. Over the past 2-3 years in particular, the MSB has facilitated forums in which members and mediators have highlighted some of the drafting shortfalls of the current NMAS. The MSB has tried to overcome these via the FAQ section of our website and the creation of guidelines for our member organisations. Part of this current process will involve reviewing the NMAS so that it is consistent with these FAQs and guidelines.

Over the past 5-6 years there has been much development in conciliation, restorative justice, and other dispute resolution practices. We see the NMAS as the essential foundation for a variety of dispute resolution practices and it is important for the NMAS to recognise and include this variety.

We encourage you to take advantage of this opportunity to address any shortcomings or gaps in implementation of the current standards, to create consistency across MSB communications and common practice, and to be inclusive of other dispute resolution practices that incorporate the skills, knowledge and ethical principles of the NMAS.

Part of this review will involve consultation with our member organisations; however, we would like consultation to be broader than this. We therefore encourage our members to create opportunities for their member mediators to provide feedback on the questions raised.

The review will be conducted by an external consultant. It will involve a six-step process. The timelines for this process will be finalised with the external consultant once appointed and they will be notified to members when available. We want member organisations and accredited mediators to be as engaged in this process as much as possible. The final step in the process will be a review of the external consultant's recommendations by the MSB.

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## NATIONAL MEDIATION CONFERENCE – SAVE THE DATE

The next National Mediation Conference (NMC) promises to be unique and memorable. It will be hosted by the Desert Knowledge Precinct Partners (Centre for Appropriate Technology, Bachelor Institute of Indigenous Tertiary Education, Desert Knowledge Australia and the Desert Peoples Centre) at their [facilities in Alice Springs](#).

The Welcome Reception for the conference will be on the evening of Wednesday 1st September 2021 and the event will run over the following three days, namely 2nd – 4th September 2021. The timing of the NMC lines up nicely with the timetable of The Ghan train from Adelaide to Alice Springs and return.

The board members look forward to working with the NMC Design Committee. We hope to connect with the mediator community, our member organisations, and those training/coaching/assessing in accordance with NMAS at the Conference.

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## RESOURCES FOR MEMBERS & NMAS ACCREDITED MEDIATORS

### **Certification Trademark:**

We would like to remind you of this value-add for mediators and member organisations. Members can download relevant versions of the trademark on the member section of the website to release to mediators as they re-accredit. NMAS mediators are welcome to use the trademark during their period of accreditation to promote their services. There is also a version of the trademark for member usage – to advertise training and accreditation services under the NMAS. If member organisations have any problem accessing the certification trademark, please do not hesitate to contact our Secretariat. NMAS mediators wishing to access the certification trademark should get in contact with their RMAB.

### **Training & Assessment Guidelines:**

On 14 October 2019, we circulated guidelines to our member organisations. These were designed to assist our members in fulfilling their obligations under NMAS and to achieve greater consistency. If you have not already done so, we encourage members to share these guidelines with trainers, coaches and assessors. We are currently working on guidelines for coaches and a foundation document for assessment. We will be releasing these over the coming months.

In addition, we are planning to offer a webinar to our member organisations and to their trainers/coaches/assessors this year. We will be in contact regarding this opportunity as it develops.

### **Member Checklists:**

We want to be as supportive as possible and create go-to resources for administrative staff. We are in the process of creating a checklist for our members. If there is anything that our members would like us to cover, please contact our Secretariat.

### **Research:**

The MSB has been connecting with researchers so that it can provide some support to them. Research will be connected with the NMAS, its evolution, and its implementation. We will update you with progress.

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## **OUR COMMITMENT TO DIVERSITY**

After each AGM the MSB considers diversity in Board representation, including but not limited to background, experience and knowledge. In the past we have made 12-month appointments of directors in accordance with our Constitution to address this.

In 2020 we are trying a different approach to encourage and include input from the Northern Territory via a Reference Group. This approach allows us to go beyond the 12-month period of a director appointment and also provides space for the inclusion of more than one voice. It is our hope that this groups evolves and grows over time to provide us with greater feedback from community mediators and indigenous conflict managers.

This is new for us and we welcome any suggestions that might support this.

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## **MARKETING NMAS**

In 2020 we are committed to increasing awareness of the National Mediator Accreditation System – with emphasis on the importance of selecting mediators who are adequately trained and experienced, and the consumer protection that is available via complaints handling mechanisms under the NMAS.

We have a team of contributing writers who will write articles that will be shared on the MSB website and with various industry publications.

We are also working on a marketing campaign to raise awareness of the certification trademark with a view to assisting and promoting accredited mediators.

The MSB welcomes any help that member organisations might be able to offer, in placing materials in newsletters and publications. Please reach out to us if you are able to assist.

Anecdotally, we are aware that more and more organisations require NMAS accreditation for those managing dispute resolution processes. This is wonderful. It would be useful for us to build a list of those that are requiring NMAS accreditation and potentially identify and reach out to those that are not aware of NMAS and its benefits.

We would be grateful for your assistance in developing this list. Please send any that you are aware of to our Secretariat so that we can create one centralised list.

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## MSB RESPONSES TO DISCUSSION PAPERS

Over the past several months the MSB has considered and responded to a number of discussion papers and other initiatives. Our goals are to promote the requirement that DR practitioners be NMAS accredited and to uphold both the integrity of the system and its consumer protection aspects.

We have responded to the Joint Select Committee on Australia's Family Law System (to the extent that the use of mediators is referred to), ADRAC's Conciliation Discussion Paper, the WA Mediation Act Proposal, and to a recalled Law Council of Australia Proposal. Despite its recall we felt it important to raise awareness of the role and functions of the NMAS and the MSB.

We have also become a signatory (following correspondence from DFAT) to the "Charter establishing a Network of ADR Centers of IORA Countries".

If our member organisations would like more information on any of the above, please do not hesitate to make contact with us.

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## HAVE YOU GOT A QUESTION?

Have you or one of your members got a question for us?

You may well find the answer in the FAQ section of our website. We continue to develop this so that it is a helpful resource for all.

Be sure to take a look, and feel free to share this link with your members:

<https://msb.org.au/resources/faqs>

If you can't find what you need, please don't hesitate to contact our Secretariat, Jenny Watson at [coordinator@msb.org.au](mailto:coordinator@msb.org.au) or start a conversation with any of our directors:

Bianca Keys (Chair) – NSW  
Andrew Bickerdike (Deputy Chair)– VIC  
Doug Murphy QC (Hon Treasurer) - QLD  
Linda Kochanski (Hon Secretary) - QLD  
Peter Condliffe - VIC  
Greg Rooney – SA  
Christopher Boyle – WA  
Stephen Dickinson - SA

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