

CHANGING PLACES

Continued from page 21

— it stood over a fountain in the City Square.

The lazy pint at Shenannigans on a Saturday afternoon has been replaced by a round of golf, an early preoccupation of mine in Alice Springs. Unfortunately, I recently injured my shoulder which has put me out of action for the time being. The golf course doubles up as a housing estate. Modern, smartly designed houses line the fairways and greens. It is the posh side of town. People can sit on their balcony and watch you putt for a birdie, or in the case of my golfing partners, quadruple bogeys.

Getting out of town is the real attraction of living in Alice Springs. This usually means four or five kilometres in any direction from Casa Nostra. The further out you venture, the more impressive the landscape becomes. Recently I camped with a group of others on a creek bed in the Finke Gorge National Park. We camped beside a water hole, had a swim and feasted on a BBQ. We were visited by the biggest King Brown snake I have seen outside of captivity. It boldly slithered past the camp site, perhaps attracted by the aroma of chilly sausages and a respectable red wine. As a result, one happy but nervous camper decided to sleep on the roof of the Hilux. I won't tell you his name, lest he be laughed out of the desert.

Alice itself is small with few trappings of larger cities — major roads that have the appearance of parking lots at peak hour, baton charges by police etc. Like Darwin, it is not without some serious social and racial problems. But fortunately, the Lord Mayor of Alice has not called upon the police to 'harass, harass, harass!' When I returned to Darwin in September for the Law Society meeting, there was a comfortable familiarity about the place, but it was so much bigger than when I left in June and as always, full of little surprises. I suspect that the longer one stays in Alice the bigger Darwin will become. But there is much to recommend the place.

Cartoons provided by Chris Howse.

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ALTERNATIVE DISPUTE RESOLUTION GROWS UP

Alternative dispute resolution in Australia has grown up and is facing a bright future says Chief Executive Peter Condliffe of peak industry body, the Institute of Arbitrators and Mediators which celebrated its 25th anniversary in October.

To accommodate the changing needs of business, alternative dispute resolution offers a non-confrontational process that is more cost and time effective and less complex than more traditional processes.

Peter Condliffe says that as the volume of litigation increases in Australia, the desire for parties to seek out alternatives to costly fees and long legal battles grows.

"The past 25 years of the Institute have been spent largely promoting and demonstrating the value of arbitration and mediation in Australia," said Mr Condliffe, "most noticeably in the construction industry."

Although big business and government are recognising the benefits that alternative dispute resolution presents, recent surveys show that only five per cent of small businesses are using the process.

The work of the Institute is significant in that it helps the legal system cope with the flow of litigation by removing a large

volume of cases that would otherwise go before the courts.

"Of course society is constantly changing, and in our 25th year it is timely that we take a look at where we've come from and where we're going," Peter Condliffe said. "It is absolutely critical that we continue to be relevant to Australian society and that we are able to offer the right services to meet community needs."

A step forward is the introduction of new industry based schemes that will allow ready access to dispute resolution services across a range of sectors including banking and insurance, sale and repair of motor vehicles, retail trading, the furniture industry, computer retailing and manufacturing.

"The schemes will markedly expand the current provision of resolution services nationally," said Mr Condliffe. "We recognise that there is strong demand for a range of services and the initiative will ensure there is a means of prompt, cost effective dispute resolution available where it is needed."

Organisations like Standards Australia and the Australian Competition and Consumer Commission have published guidelines to further facilitate these initiatives.

SEASONS GREETINGS FROM *BALANCE*

Balance wishes all readers a safe and merry Christmas season.

We look forward to a sharing the news and views of the Territory and national legal profession with you when we return in January 2001.