

# BOOK REVIEW

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***Mieke Brandon and Leigh Robertson, Conflict and  
Dispute Resolution – A Guide for Practice (Oxford  
University Press, Melbourne 2007)  
280 pp***

*Conflict and Dispute Resolution – A Guide for Practice* is a new and significant contribution to the dispute resolution literature in Australia. Written by two highly experienced practitioners and dispute resolution trainers, Mieke Brandon and Leigh Robertson, the text is focused on good practice in the management and resolution of workplace disputes.

The fundamental aim of the text is to educate and assist to empower those in the workplace (managers, employees and volunteer workers, for example) ‘to deal with disputes differently and act as dispute resolution practitioners’ in their own right, on a day-to-day basis. In my view, the text will most certainly make a positive contribution to dispute resolution practice in this way. A notable additional benefit of the work, however, is its scope and potential for an even broader impact. This is because the material presented on conflict and its causes, dispute resolution processes and practices, and the importance of reflective and integrated practice, is relevant and applicable to students of dispute resolution at large, trainers in a variety of dispute resolution contexts, and of course practitioners and professionals in the varied and various fields of dispute resolution.

The genesis of the book can be found in the authors’ two key personal and professional goals. The first goal concerns their desire to share their own world view on conflict, and the philosophy of their own practice, with a broad audience. They identify their view as being that ‘an understanding of conflict, its sources, meaning and possible purpose is an essential prerequisite for effectively handling and, where possible, resolving’ conflict.<sup>1</sup> The second goal relates to addressing an identified ‘gap between the provision of initial training for dispute resolution practitioners, and the ability to put what is retained from

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<sup>1</sup> M Brandon and L Robertson, *Conflict and Dispute Resolution – A Guide for Practice* (Oxford University Press, 2007) xiii.

these courses directly into practice'.<sup>2</sup> In my view, these two goals are well achieved, with the book providing a clear guide and resource on positive dispute resolution practice. A further goal is also achieved. That is, through the explication of the authors' own professional philosophy and commitment to positive practice, and through providing such a clear manual for putting this approach into action, the book encourages a higher order level of professional artistry through linking good practice with reflective and integrated approaches.

An important characteristic of the text that is immediately apparent to the reader is the clear and logical structure of material, with the layout of the text making it very easy to navigate. The work is written in plain English and is easy to read whilst not oversimplifying concepts, or the depth in which issues are covered. Each chapter begins with a thought provoking quotation that is readily usable for reflective practice. This approach complements the inclusion in every chapter of relevant case studies and reflection points, along with suggestions for further reading.

The layout of the contents page reflects the clear order and structure of the text. Part 1 is titled 'Setting the Scene: Conflict and Its Influences' consisting of three chapters that provide a thorough consideration of: first, understanding what creates conflict, second, issues relating to conflict specifically in the workplace context, and third, some positive perspectives on moving beyond a concept of conflict as a catastrophe towards seeing it as a potential catalyst for change.

Part 2 is devoted to mediation and other dispute resolution processes that are particularly constructive in workplace contexts. Chapter 4 provides an overview of the range of processes available for handling conflict in the workplace, and the most appropriate circumstances for their use. The processes canvassed range from self-help processes, to counseling and conflict coaching, to mediation and then to the more formal approaches of arbitration or an Ombudsman. An important inclusion in this chapter is recognition of the hybrid processes such as med-arb and arb-med which can be useful for some workplace disputes but perhaps, as the authors acknowledge, need further research and consideration as to the circumstances in which they can be most successful. Chapter 5 explains a facilitative model of mediation and its application to workplace disputes. Importantly, the chapter emphasises the usefulness of thorough pre-mediation preparation and helpfully takes the reader through all the stages of a mediation and the key process issues to consider. Also helpful are the examples of what a mediator might say in their welcoming address, in inviting the parties to make their opening statements, or in using the parties' statements to develop a neutrally expressed agenda. Diagrams illustrate some of the typical flow of communications within the process. Chapter 6 explores some alternative approaches to dispute resolution in the workplace context, such as co-mediation, phone and online mediation, and also shuttle mediation. With each alternative the advantages and disadvantages and key competencies are also discussed.

Chapter 7 of Part 2 then moves into discussion of critical skills for managing conflict – both in general terms for the workplace but also in dispute resolution processes. For example, active listening is explored from a range of perspectives, the issue of dealing

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<sup>2</sup> Ibid.

with emotions is discussed, and specific communication skills to facilitate the exploration of the parties' needs and interests are canvassed.

The value of summarising, mutualising, and building and testing a hypothesis is also covered. The material of this chapter, along with the reflection points and case-studies, scaffold very effectively into Chapter 9 which is focused on collaborative problem solving strategies. This chapter identifies reframing, chunking, the use of humour and reality testing as key ways to move parties forward from an impasse. Importantly, these sophisticated interventions are explained in clear and easy to understand language.

Part 3 of the text provides an important perspective on developing an integrated approach to professional practice that includes reflection. Chapter 10 works through some of the challenges for practice such as the idea of mediator neutrality and bias, the importance of trust and apology, and issues of power. Again the reflection points and case studies are very useful in providing depth and clarity to the coverage of these issues. Chapter 11 offers some practice considerations with a focus on the importance of mediator self-knowledge and mindfulness. This chapter then leads into the final chapter of the work, Chapter 12, which explores how reflecting in and on practice can help dispute resolution practitioners to achieve a level of artistry in their practice. The chapter also explores some important ethical issues for practice as well as the importance of coaching and professional supervision. As a result, the authors have created that important bridge for the beginner towards becoming a competent dispute resolution practitioner.

Mieke Brandon and Leigh Robertson have both been practising in the field of conflict resolution since 1989. Both have worked as practitioner, coach and trainer, and each is committed to contributing positively to the development of the dispute resolution profession. In this work they achieve a major contribution through providing a guide to practice which will assist students, lecturers, trainers and practitioners alike to further develop their knowledge, and most certainly will improve how disputes in the workplace are understood, managed and resolved.