

## **JOANNA KALOWSKI**

### **Professional background**

**JOANNA KALOWSKI** is an Australian mediator and management consultant with wide experience in the settlement of commercial, industrial and environmental disputes, and Native Title land claims. She has been working with groups as a mediator and facilitator for over twenty years in sensitive inter-racial and political settings. In her role as director of Community Relations for the NSW Anti- Discrimination Board between 1984 and 1988, she designed, led and debriefed some of the earliest public discussions of racism and discrimination, newly addressed under the Act.

As a Member of Australia's Federal National Native Title Tribunal from 1996 to 1999, Joanna managed a number of Queensland claims and, in often volatile situations, facilitated meetings between parties to claims, including indigenous groups, local farmers and pastoralists, shire councils, government representatives, environmentalists, industry bodies and utilities companies.

In 2001 she was Chairman of LEADR, Australia's largest non-profit dispute resolution organisation, and has held a number of other significant advisory posts: on Macquarie University Senate Ethics Review Committee for ten years, on the National Population Council advising the Minister for Immigration, and the NSW Board of Adult Education. She was a Director of Sydney Dance Company for three years and foundation Chair of the first Australian Foodbank from 1992 to 1995.

Joanna also spent eight years as a Member of the Federal Administrative Appeals Tribunal. She is a Director of the Public Interest Advocacy Centre, serves on the advisory council of the Indigenous Law Centre of the University of New South Wales and is a member of the Police Ethnic Communities Advisory Council.

Jo is a fluent speaker of French, German and Italian who works both nationally and internationally, and she writes and lectures widely on cross-cultural communication and other aspects of her work. As a mediator and facilitator, her special interest is in cross-cultural and public issues matters, where disparate groups come together to make decisions and resolve contentious issues through dialogue

## **Training experience**

Joanna has been an accredited mediator since 1989, and has since then undertaken further mediation training by Harvard University Law School, LEADR Australia, CDR Associates, Colorado, and in 2000, was accredited by CEDR (UK).

In 2001, Joanna became the first non-lawyer to chair LEADR, Australia's largest ADR membership organisation, for whom over the past ten years she has co-led all LEADR mediation accreditation workshops across Australia and New Zealand, as well as in Hong Kong (1996), Singapore (1998 and 1999), Thailand (1999 and 2000) and India (1998) – some 450 workshops in all.

Joanna's experience as a mediation trainer is underpinned by years of training practice. An adult educator and instructional designer by background, Joanna also runs a consultancy, JOK Pty Ltd, which provides advice and training to the private sector and government organisations in areas ranging from strategic planning to team building, negotiation and communication.

She is also involved in judicial education, and has facilitated workshops for judges of the High Court of New Zealand, the Family Court of Australia and, in October 2001, for the Australian Institute of Judicial Administration's National Judicial Education Program. As part of her work with LEADR, Joanna has co-led workshops for judges in Thailand and India.

### **Typical mediations and facilitations include:**

- Successful settlement of a seven-figure contractual dispute between a medical specialist and his employer, a State government health authority. All parties represented by counsel.
- Disposal by a state government of submarine site HMAS Platypus, a multi-party process involving community representatives, Federal Department of Defence, a local Council and architectural consultants. In consultation with the parties, Joanna designed and led a public partnering process over a period of one year, whose outcome was agreement on a set of principles to be incorporated into the development control guidelines for the site. The only alternative to

mediation of this kind would have been a costly legal battle before the Land and Environment Court.

- Breach of contract claim by consortium of architects and engineers against land developer, who alleged that the failed project was “speculative” and that all parties had implicitly agreed to “speculate together” pending outcome of state government approval to proceed to development stage. All parties represented by counsel. As part of successful settlement, payment was made and new agreements entered into by the parties concerning future work.
- Allegations of sexual harassment by senior woman in a financial institution, leading to forced retirement and serious health consequences. The matter, at first vigorously contested by employer and counsel, was settled for a sum including payment for health effects, and an undertaking to develop policies and practices governing workplace behaviour.
- Numerous Native Title claims by Queensland Aboriginal communities to lands and waters associated with their kin groups. Mining interests worth millions of dollars are affected by several of the claims, as are pastoral and tourist businesses. A history of denial and hostility impacts on all claims, and all require the establishment of relations, both legal and interpersonal. All parties, include state and federal governments, local authorities, indigenous groups and industries are represented by counsel.(Ongoing)

### **Commercial experience**

With clients including major law firms, publishing houses, universities and financial institutions, Joanna consults on strategy formulation to organisations still facing major change. She believes staying abreast of current thinking in management and leadership underpins her ability to provide relevant support and coaching to senior executives, design and deliver workshops and design effective dispute systems. She is committed to continuing professional development for herself, and is currently undergoing accreditation as a user of the US-based Management Research Group’s Leadership Effectiveness Analysis –Strategic Leadership Development tools.