

Learning Outcomes

By the conclusion of this program, it is expected that you will be able to apply the Resolution Institute model of mediation and that you will have gained the knowledge, skills and ethical understandings at least to an introductory level as described by the National Mediator Accreditation System Part III Practice Standards, Section 10.1 and listed below.

A. KNOWLEDGE in areas including, but not limited to:	B. SKILLS including, but not limited to:	C. ETHICAL UNDERSTANDINGS in relation to:
<ul style="list-style-type: none"> ▪ The nature of conflict, including the dynamics of power and violence; ▪ The circumstances in which mediation may or may not be appropriate; ▪ Preparing for mediation; assessing suitability; preliminary conferencing or intake; ▪ Communication patterns in conflict and negotiation; ▪ Negotiation dynamics in mediation, including manipulative and intimidating tactics; ▪ Cultural issues; ▪ The principles, stages and functions of the mediation process; ▪ The roles and functions of mediators; ▪ The roles and functions of support persons, lawyers and other professionals in mediation; ▪ The law relevant to mediators and to the mediation process; 	<ul style="list-style-type: none"> ▪ Preparation for and dispute diagnosis in mediation; ▪ Intake and screening of participants and disputes to assess mediation suitability; ▪ The conduct and management of the mediation process; ▪ Communication skills, including listening, questioning, reflecting, reframing and summarising, as required for the conduct of mediation; ▪ Negotiation techniques and the mediator's role in facilitating negotiation and problem-solving; ▪ Ability to manage high emotion, power imbalances, impasses and violence; ▪ Use of separate meetings; ▪ Reality-testing proposed outcomes in light of participants' interests, issues, underlying needs and long-term viability; ▪ Facilitating the recording of the outcome of the mediation; 	<ul style="list-style-type: none"> ▪ Competence, integrity and accountability; ▪ Professional conduct; ▪ Self-determination; ▪ Informed consent; ▪ Safety, procedural fairness and equity in mediation including withdrawing from or terminating the mediation process; ▪ Impartiality including the avoidance of conflicts of interest; ▪ Confidentiality privacy and reporting obligations; ▪ Honesty in the marketing and advertising of mediation and the mediator's practice

Program

Over the 5 days the program will cover all the material listed. The workshop facilitators may vary the timing and the order to respond to the needs of participants, such as particular interests, concerns and questions, or to logistical issues such as participant numbers, catering and/or other venue requirements.

Participants are required to complete some self-directed learning and preparation tasks between days.

Day 1	Content
8.30 am	Welcome and introductions; name exercise <ul style="list-style-type: none"> • Goals and expectations • About Resolution Institute and the trainers
9.15 am	Negotiation exercise
9.45 am	Negotiation dynamics in mediation: introduction to interest-based negotiation
10.15 am	Introduction to mediation <ul style="list-style-type: none"> • The mediator's role and function, • Neutrality and impartiality The principles and functions of the mediation process
10.30 am	<i>Morning tea</i>
10.45am	Overview of stages in the mediation process <ul style="list-style-type: none"> • The first joint session • Parties' opening comments • Reflection and summary
11.30 am	Mediator skills <ul style="list-style-type: none"> • Active listening
12.15 pm	Overview of stages in the mediation process (continued) <ul style="list-style-type: none"> • Agenda setting – identifying the issues/topics • Issue exploration
1.00 pm	<i>Lunch</i>
1.45 pm	Overview of stages in the mediation process (continued) <ul style="list-style-type: none"> • Private sessions • Negotiation • Agreement and closure
2.45 pm	Preparation for mediation simulations
3.00 pm	<i>Afternoon tea</i>
3.15 pm	Mediation simulation 1
4.30 pm	Debrief - focus on agenda setting including use of the whiteboard
4.45 pm	Mediator's opening comments – participants to prepare by start of Day 2 Negotiating style profile – participants to complete by start of Day 3 Reflective Learning questions to be completed each day
5.30 pm	<i>Adjourn</i>

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Program (cont'd)

Day 2

8.30 am	Mediator process: focus on mediator's opening comments
8.50 am	Review of other items from previous day
9.30 am	Mediator skills: <ul style="list-style-type: none"> • Questioning/clarification • Reframing
10.30 am	<i>Morning tea</i>
10.45 am	Mediation simulation 2
12.00 noon	Debrief
12.15 pm	Mediator skills: <ul style="list-style-type: none"> • Reality testing • Option generation
1.00 pm	<i>Lunch</i>
1.45 pm	Mediation simulation 3
3.00 pm	Debrief
3.15 pm	<i>Afternoon tea</i>
3.30 pm	Issues in mediation: supporting fairness (including managing power dynamics)
4.15 pm	Mediation skills: responses to high emotion, power imbalances and violence Use of shuttle mediation
5.15 pm	Distribution of role plays – participants to prepare for Day 3 activities Reminder that reflective learning questions are to be completed each day
5.30 pm	<i>Adjourn</i>

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Program (cont'd)

Day 3

8.30 am	Review of the mediation process
10.15 am	<i>Morning tea</i>
	Issues in mediation – summary of cross cultural issues Preparation and dispute diagnosis Intake and screening for assessing suitability for mediation
10.30 am	Introduction of coaches
11.00 am	Mediation simulation 4 and debrief
12.45 pm	<i>Lunch</i>
1.30 pm	Mediation simulation 5 and debrief
3:15 pm	<i>Working afternoon tea served during the session</i>
3.30 pm	Mediation simulation 6
5.15 pm	Large group debrief Reminder that reflective learning questions are to be completed each day
5.30 pm	<i>Adjourn</i>

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Program (cont'd)

Day 4

8.30 am	<p>Mediation skills: negotiating style profile</p> <p>Application to understanding the impact of communication patterns in conflict and negotiation situations. Review of mediation process</p>
9.15 am	<p>Mediator skills: techniques for:</p> <ul style="list-style-type: none"> • Facilitating the parties' negotiation and problem solving • Facilitating the effective involvement of support persons, lawyers and other professionals in mediation
9.45 am	<p>Issues in mediation:</p> <ul style="list-style-type: none"> • Confidentiality • Party obligations • Reporting obligations • Liability of mediators
10.45am	<i>Morning tea</i>
11.00 am	Fishbowl or other consolidation activity
12.45 pm	<i>Lunch</i>
1.30 pm	Co-mediation
2.00 pm	Mediation simulation 7 – co-mediation
3.30 pm	<i>Afternoon tea</i>
3.45 pm	Debrief
4.00 pm	<p>Issues in mediation</p> <p>Ethical considerations:</p> <ul style="list-style-type: none"> • Impartiality and conflicts of interests • Appropriate marketing and advertising of mediation • Withdrawal from mediation • Charges for services <p>Cross cultural issues</p>
5.15 pm	<p>Distribution of role plays – participants to prepare for Day 5 activities</p> <p>Reminder that reflective learning questions are to be completed each day</p>
5.30 pm	<i>Adjourn</i>

Program (cont'd)

Day 5

8.30 am	Introduction of coaches
8.45 am	Mediation simulation 8
10.15 am	Debriefing with coach
10.45 am	<i>Morning tea</i>
11.00 am	Mediation simulation 9
12.30 pm	Debriefing with coach
1.00 pm	<i>Lunch</i>
1.45 pm	Mediation simulation 10
3.15 pm	Debriefing with coach
3.45 pm	Reflective learning questions to be completed and discussed Where to from here?
4.15 pm	Presentation of certificates Reflection Day 5 Evaluation form
5.00 pm	<i>Close and drinks</i>