

Tuesday 8 July 11.30am to 1.00pm

Regulation of Mediation Training and Education ... Thin End of the Wedge or Just a Wedge?

Sean Johnson

James Cook University

Abstract

With the introduction of the National Mediator Approval and Accreditation Standards this year the training and education sector of the dispute resolution market has prescribed a number of quantitative standards that must be met to produce participants eligible to become accredited. The Standards prescribe the number of role plays that students should participate in and the minimum number of hours for the course/subject.

Questions considered in this presentation include:

- Whether quantitative prescription is an appropriate approach and whether the proposed standards are effective in achieving the objectives of the regulation of entry into the mediation profession.
- Is it appropriate that the regulatory agency prescribe teaching approaches and what implications this has for the pedagogy/andragogy of dispute and conflict resolution subjects beyond the scope of the mediation program?
- How do the standards reconcile the accreditation standards with the educational standards?
- Are the education requirements sufficiently clear to ensure that objectives of the regulatory model are met and if not are the grounds for the vagueness justified?

The presentation will explore issues of self-regulation and professionalization of the mediation profession and implications for the broader conflict management and dispute resolution fields beyond court annexed mediation.

How Do the New National Mediator Standards Impact on the Teaching of Conflict Resolution?

Dr Samantha Hardy

Australian Centre for Peace and Conflict Studies, University of Queensland

Abstract

The University of Queensland's Postgraduate Coursework Programs in Mediation and Conflict Resolution commenced in 2008 in response to growing demands both within Australia and internationally for quality higher education programs in the heavily skills-based conflict resolution area.

The dramatic increase in the demand for this kind of training has also occurred in response to the National Mediator Approval and Accreditation Standards that were implemented this year. In order to be accredited under the new scheme, a person must undertake threshold training with particular requirements, including that the person must participate in at least nine simulations (and in three of these must perform the role of mediator) and the person must also receive written, debriefing coaching feedback in respect of two of those simulated mediations by different members of the coaching team. The person must also undertake a skills assessment in the form of a simulated mediation with role players. (Approval Standards 2007, Clause 5). Many of the universities that provide mediation courses are taking steps to ensure that they meet the new national standards. This presentation discusses some of the particular issues for university programs that aim to comply with the standards, in particular:

- Incorporating key competencies into the curriculum;
 - Developing appropriate assessment, particularly of skills;
 - Ensuring that staff meet accreditation requirements.
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