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Contribute to Collaborate

SMN publishes Collaborate monthly, and we encourage you to contribute.

For submission guidelines contact Toni Freitas at:

collaborate@scottishmediation.org.uk

The submission deadline for the next issue is:
Tues. 27th November.

The Scottish Mediation Network has as its purpose the promotion of mediation of all forms in Scotland. We believe that mediation is an underused option. SMN's longer-term vision is to embed mediation in to the way conflicts of all kinds are resolved in Scotland.

Peer Mediators from Scotland and Sri Lanka Meet

On Friday 26th October, the British Council Scotland and British Council Sri Lanka sponsored a video conference call between five Scottish and eight Sri Lankan secondary school pupils. The video link gave the young people the opportunity to share their experiences of peer mediation in their respective countries and to discuss best practice. This is the first time such an event has taken place in the UK. The five Scottish peer mediators are pupils from Whitburn Academy in West Lothian and are supported by Mary Sutherland, the teacher responsible for the peer mediation service.

Peer mediators use their skills to help these students find a way of working out their difficulties and mediation provides a safe opportunity for pupils to tell their side of the story and be taken seriously. Both pupils and teachers benefit from improved behaviour and attendance. Teachers further benefit through more time for teaching, rather than that time being spent resolving disputes between pupils.

The students led the discussion, with questions from both Sri Lanka and Scotland sent ahead of the video conference. Carol Hope, of the Scottish Mediation Network, was responsible for organising the call.

Carol said, "The video conference was a fantastic opportunity for these young people to hear how peer mediation is developing in Scotland and Sri Lanka. It was wonderful to see two groups of young people so far apart on a map, but so close in the way that they practice mediation." Carol continued, "Many of the issues young people are bringing to mediation are the same around the world."

Both groups of young people said that they often use the skills they have learned through mediation outside of the school setting. They also agreed mediation

should be used throughout a school, and that it would be great if there were teacher mediators to mediate disputes that can happen between teaching staff. This is an issue often discussed in Scottish schools and the students at the video conference also posed the question that if mediation is so successful then why should it not be used to resolve conflicts between teachers and pupils?

The Scottish pupils learned that the Sri Lankan students used a different model of mediation where there are three peer mediators for each mediation session, instead of two peer mediators as used in Scottish schools.

Other topics the pupils discussed included:

- How do you encourage students to come for peer mediation?
- How do you popularise the concept of mediation in the community?
- Do you find conflicts that happen in the community are brought into school?
- What kinds of issues do young people bring to mediation?

The Scottish Mediation Network believes that work to integrate peer mediation into schools in Scotland will develop a culture shift toward a more collaborative way of handling conflict. When peer mediation is brought to a school, it not only teaches students vital skills (including speaking and listening skills, negotiating and teamwork), but also raises awareness of mediation with parents, families and friends of students, teachers, school staff, and local authorities.

SMN Director Ewan Malcolm said: "The Scottish Mediation Network aims to give more young people the opportunity to learn how to use valuable mediation skills."



Scottish Mediation Register Now Live

The Scottish Mediation Register is now open for mediators to apply to be registered: www.scottishmediationregister.org.uk. The aim is to launch the Register to the public in the coming months when a sufficient number of mediators have registered.

The Scottish Mediation Register is a web-based listing of mediators who self certify that they meet minimum standards. These standards are for training, co-mediation and continuing practice development as well as adherence to an appropriate code of practice, complaints handling procedure and appropriate indemnity insurance.

It will be possible for mediators certified by an independent regulatory body, such as Family Mediation Scotland and the Scottish Community Mediation Network, to have their 'badge' or 'icon' on the mediator's entry to demonstrate these higher standards of practice.

BENEFITS TO MEDIATORS

- The SMR will be a highly visible and trusted place to find mediators. Mediator's listings can show either their service's contact details or their direct contact information. The SMR will become another source of direct referrals to mediators and mediation services.
- The SMR gives independent recognition of mediation practice standards which provides greater reassurance to our users, our funders and other organisations.
- A SMR mediator will be allowed to call themselves a "Scottish Mediation Registered Mediator" and use the logo

which is expected to develop as a brand that signifies quality in all forms of mediation in Scotland.

- The SMR will demonstrate publicly that being a mediator in Scotland is to be part of a coherent and valued occupation.
- With the requirement for annual updating of CPD records, the Register will encourage the systematic maintenance and development of mediation skills.

ANNUAL REGISTRATION FEE

Mediators will be able to apply to be registered on line at www.scottishmediationregister.org.uk when the website is launched. The standard registration fee for the first year is £70. For mediators working only for UK voluntary sector organisations the fee is reduced to £40. Mediators will be able to apply to be registered under one or more kinds of mediation.

The information about each mediator will be certified as accurate by that mediator and will not be checked, vetted, monitored or verified by the Scottish Mediation Register. If this were to be done, there would be a considerably higher

cost. Users of the website will be deemed to accept that the Scottish Mediation Register is not responsible for the accuracy of information about any registered mediator.

Mediators will be responsible for maintaining a record of their own compliance with the SMR guidelines so that they can produce evidence if required to do so. Mediators will also be responsible for keeping their SMR entry accurate and up to date.

There is a process for handing a concern or complaint about the registration of a mediator who cannot show that they comply with the Benchmark Standards. The SMR can only address concerns that a Scottish Mediation Registered mediator has not shown that they comply with the Benchmark Standards.

It is hoped that funders of mediation services which are free to the public will help with the cost of registering mediators to demonstrate their compliance with nationally accepted Benchmark Standards.

[Click here](#) to start your registration. If you have any questions, email: admin@scottishmediationregister.org.uk



Scottish Mediation Register

Scottish Mediation Week: Community Mediation on National Television

Scottish Mediation Week started well on Monday, 15 October with a brief item about Community Mediation on national BBC One. The programme was 'Homes Live' which was broadcast live daily at 10.00am from Port Glasgow during the month of October. Matt Allwright and Beverley Turner are the hosts of this programme which offers advice on making property pay—from buying, selling, renovation and style tips.

On 15 October there was a short item on 'nuisance neighbours'. SMN Board Member Morag Steven from East Lothian Community

Mediation appeared live to talk about mediation and its potential benefits in resolving disagreements between neighbours, along with Mike Dailly, Principal Solicitor from the Govan Law Centre who talked about legal remedies available in Scotland.

"The whole experience was very interesting but extremely nerve-racking, especially when Beverley didn't ask me the questions I was expecting!" said Morag.

Perhaps the most significant and heartening aspect of this story is that BBC One actively

sought out Sacro and other mediation services, including SMN, to contribute to the programme—one more sign that mediation is becoming embedded as a positive way of resolving disputes in Scotland and the UK.

The Scottish Mediation Network would like to wholeheartedly thank all those that participated in Scottish Mediation Week. There were awareness raising activities throughout Scotland, and we look forward to making Scottish Mediation Week an annual event!

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The European Mediation Network Initiative

In Europe today, an area with a population of about 725 million, there are many strong organisations working to promote mediation. In some parts of Europe the work of mediation is only starting and in others it is well developed. However, until now, there has been no strong Europe-wide network for all kinds of mediation.

Discussions in Switzerland at the World Mediation Forum in 2005 and then in Finland at the Nordic Mediation Forum in 2006 led to a working group being set up. It proposed a constitution of a new network to be called the European Mediation Network Initiative (EMNI).

On 29 September 2007, during the European Mediation Conference in Vienna, the organisation held its inaugural general assembly. Twenty board members from as many different European countries and organisations were elected as board members. Nearly 120 organisations, institutions, companies and individuals became founding members of EMNI during

the conference. Anyone who would like to participate in the building of this network and enjoy the benefits is invited to join them.

Gøsta Thommesen from Norway (chair@mediationeurope.net) was elected as the first President/Chairman of the board of EMNI. Linda Reijerkerk from the Netherlands (vice-chair@mediationeurope.net) will serve as Vice-President/Vice-Chair. The Scottish Mediation Network's Ewan Malcolm is the Secretary and Andrew McCracken from Mediation Northern Ireland is the Treasurer.

When fully developed, the Board believes that EMNI will draw substantial benefits from a collaboration which will contribute to the development of mediation across Europe. EMNI is not meant to compete with existing organisations. EMNI aims to become a network for networks, organisations, institutions and companies—not an umbrella organisation.

EMNI is also open for individual membership. Individual members may join our work and

efforts and share the benefits of membership, but do not vote at the general assembly.

When becoming member of EMNI you will:

- Have access to a growing network and be informed about the multitude of other organisations throughout Europe
- Be informed of events, news and developments
- Have possibilities to exchange ideas and learning
- Be involved in future European conferences
- Become visible on the coming EMNI website
- Shape the priorities for the work plan of EMNI
- Support work to highlight the efforts of others across Europe

For a Membership application, [click here](#).

An EMNI website has been established and will be updated with more information in the coming months. Go to: www.mediationeurope.net.

Conciliation and Arbitration in South America, by Hew Dundas

Hew Dundas, as President of the Chartered Institute of Arbitrators, visited Ecuador, Colombia, and Bolivia in July 2007 and found thriving arbitration and conciliation communities in each country. But conciliation in these countries is rather different from what we consider mediation in the UK.

Generally a single statute, typically "Law of Arbitration and Conciliation" covers both, reflecting the Latin American norm that the two processes are much closer than elsewhere. In certain circumstances a conciliator must be a lawyer. Conciliation proceedings must be conducted orally without any documentary or written evidence save only the conciliator's notes which must be destroyed at the time of execution of the final agreement, unless

expressly stipulated to the contrary by the relevant Conciliation Rules.

A key difference between our approach to mediation and Latin American conciliation is that a conciliator may at any stage decide the merits of the dispute although, as I am informed, this is used only as a backstop option. Most importantly, a conciliation is closed by the parties' signing a document called the Act of Conciliation incorporating the settlement agreement. This document has the same legal effect as a court judgment and will be enforced accordingly.

In most civil cases there is no access to the Court until conciliation has been attempted. Conciliation is "big business", the Conciliation

and Arbitration Centre in Bogotá alone processing more cases annually than the combined private dispute resolution caseload of the entire UK. We should learn from the highly-successful Latin American approach to dispute resolution.



Hew Dundas with the President of the Supreme Court of Ecuador.

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CEDR Re-launches its Website

In September, the Centre for Effective Dispute Resolution re-launched its website. The website now encompasses each of CEDR's services: CEDR Solve—CEDR's Dispute Resolution Services, Conflict Management Consultancy, Training and Events and Civil Justice development for the first time under one banner: www.cedr.com.

With the new look website, the access rights of CEDR Members and Exchange participants have been extended. These now include premium access to articles and downloadable white papers. General users can also now register on the website for free e-bulletins and white papers. To sign-in or register click here www.cedr.com/sign-in.

Scottish Mediation Network Launches Re-Designed Website

The Scottish Mediation Network was delighted to launch its newly re-designed website during Scottish Mediation Week, 15 to 19 October. We hope that you will find even more resources about mediation on this new website.

The Scottish Mediation Network's website is designed to offer the public and public service

providers vital information about mediation and mediation services in Scotland. This site will also help you to find out more about the different kinds of mediation available. To find mediation services or trainers in your area, [click here](#).

If you are a mediator or a mediation service provider, you will find a list of events and

resources to assist you in developing your services. In the coming months, we will be adding more resources as they become available.

We welcome your feedback on the usability, look, and feel of the new website. Contact us on website@scottishmediation.org.uk if you have any comments, questions, or concerns.

The Soul of the Great Agreement: Capable Process and Durable Solutions

The Scottish Mediation Network and Children in Scotland, RESOLVE: ASL are pleased to have sponsored USA environmental mediator, Dr Peter Adler, at Scottish Parliament on 19 September. This event was sponsored at the Parliament by Robin Harper, MSP. The event allowed attendees an opportunity to discuss Dr Adler's international body of work, and how his experiences can apply to planning and environmental conflicts in Scotland.

Dr Adler's has worked extensively on water management and resource planning problems and mediates, writes, trains, and teaches in diverse areas of conflict management. He has worked on cases ranging from the siting of a 25-megawatt geothermal energy production facility to the resolution of construction and product liability claims involving a multi-million dollar stadium. He has extensive experience in land planning issues, water problems, marine and coastal affairs, and strategic resource management.

Recent projects include:

- Negotiations at the Ok Tedi Mine in Papua New Guinea involving the mine owners and representatives of 50,000 people living in the Western Province.
- Analysis of potential stakeholding strat-

egies, consultation, process design, and facilitation of dialogues for various projects of the National Aeronautics and Space Administration (NASA).

- At the request of 6 U.S. Senators, convened and facilitated a six month multi-sector dialogue aimed at improving the critical habitat provisions of the Endangered Species Act.

Mark Eckstein, an Associate with Sustainable Finance Ltd, had this to say about the event: "The main interest for me in Peter's presentation was the way in which he has successfully used mediation in the context of large extractive projects in emerging markets. I have spent the past 15 years working on environmental and social issues with the public and private sector largely in Africa and Latin America, and it is abundantly clear that mediation and facilitation skills are critical to establishing a 'social licence to operate' for a variety of activities which can affect the health, welfare and human rights of local communities. There are real financial and economic costs for companies that get this wrong (see [this article](#) for more information), and increasingly the benefits of mediated agreements between communities

and company's are being recognised."

Mark went on to say, "I mentioned the Keystone Center's work to one of the OK Tedi mine's major investors after the presentation and was told that the Center had done a remarkable job in extremely difficult circumstances, so there is recognition of the value and impact of Peter's work and broader utility of mediation within an increasingly important stakeholder group (the financial community). I'm aware of several financial institutions which are now using mediators and facilitators to test the waters of 'Broad Community Support' before investing or lending to private sector company's in emerging markets—and this trend seems set to grow."

Peter S. Adler, Ph.D. is President of The Keystone Center, in Colorado, USA, which applies consensus-building and cutting-edge scientific information to energy, environmental, and health-related policy problems. The Keystone Center also offers extensive training and professional education programs to educators and business leaders and runs the Keystone Science School in the Rocky Mountains. Adler's specialty is multi-party negotiation and problem solving. [Click here](#) for more information.

New Mediation Network in Wales

A new mediation networking opportunity has been started in Wales. Sheilagh Gunston and Graham Rutson have started Coral, a network for mediators and allied practitioners in South Wales.

Since the end of Mediation UK and Mediation Wales there is a lack of networking opportunities and affordable training available to Welsh mediation practitioners and those

wishing to develop conflict resolution skills. Sheilagh and Graham are particularly concerned about opportunities for Continuing Professional Development for themselves and for colleagues in Wales, so they have started putting together a list of people and organisations to explore ideas on future developments in Wales.

They will be happy to add your name and/or

organisation to their list if you are interested. Contact 0292.019.1184 or email:

coral.mediation@ntlworld.com

You are also welcome to join the online dialogue on the [message board](#).

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Events

**Mediation Institute Ireland
16 to 18 November 2007**

Cork

The theme of this year's conference is "Mediation in the 21st Century: Embracing the Future?" and will feature a number of International and Irish speakers presenting and showcasing a wide range of topics and skills fundamental to the Mediation and Conflict Resolution Profession.

Guest speakers include Bernie Mayer, Dr Julie MacFarlane and Cinnie Noble.

For further information about booking a place, contact:

Mediation Institute Ireland
Montana House, Whitechurch
Dublin 16
Tel. 00353.120.17526
info@mediatorsinstituteireland.ie

**A Network and Training Day
19 November 2007
10.00 to 16.15
Friends House, London**

The Peer Mediation Network invites everyone—practitioners, trainers, coordinators—to a networking and training day.

There will be opportunities to:

- participate in Open Space workshops
- attend workshops
- participate in a discussion on the future/direction of the PMN.

Cost (incl. vegetarian lunch): Early Bird (received by 21 Sept) £25 single, £40 joint booking. Standard booking (received after 21 Sept) £35.

To ensure a place, registration must be received by Friday 29th October.

For more information and a booking form, contact:

Jaci Smith
JaciS@quaker.org.uk
0207.663.1087

**Civil Justice: Modernising the System
26 November 2007
Edinburgh**

This conference will feature experts from across the civil justice system and will provide a platform for informed debate on the main issues and a chance to question representatives from key organisations. It is an opportunity to deepen our understanding of the civil justice system and to input into the review process.

Keynote Speakers:

- The Lord Justice Clerk, The Rt Hon Lord Gill, Chairman of the Civil Courts Review
- Martyn Evans, Director, Scottish Consumer Council
- Ewan Malcolm, Director, Scottish Mediation Network
- Professor Richard Moorhead, Head of Research and Deputy Head of School, Cardiff Law School, Cardiff University
- Valerie Stacey QC, Vice Dean, Faculty of Advocates

Lord Gill will give the keynote address at this conference following the publication of the civil court review's consultation document. He will speak about the review process, why reform is needed and the implications for the civil court system.

Other speakers will look at key aspects of the civil justice process; setting out the challenges and exploring the options for reforming and improving the current system.

For further information and to book [click here](#) or contact:

Holyrood Conferences
civiljustice@holyrood.com
Tel: 0131.272.2130

**European Mediation Conference
Building Relationships & Getting Results
10 to 12 April 2008
Belfast**

CONFERENCE REGISTRATION

From the third week in November, you will be able to register to attend the conference! Details on how to register will be available on the conference website:

www.mediationconference.eu

Stay tuned to the conference website for more information on workshops and keynote speakers. We will continue to update the website as soon as the information becomes available.



EUROPEAN MEDIATION CONFERENCE

Training

Mediation 4 Managers Course

14-15 November 2007

Edinburgh

This course is for the training of managers or supervisors in the skills of workplace mediation. This will help the participants develop a set of skills to intervene early into conflicts or grievances within their teams and workplaces. This course can be conducted internally and is also offered as a public course.

Cost: £299+VAT

For further information about both of these courses, contact:

ScotCoach
Abbey House
83 Princes Street
Edinburgh
Scotland EH2 2ER
Tel: 0131.247.6711
www.scotcoach.com

The following training courses are available this Autumn and Winter to the voluntary and statutory sectors:

Organisational Learning: 15 Nov 2007

Training for Trainers: 28 & 29 Nov 2007

Supervision Skills (Advanced): 14 Dec 07

Training is provided by John Gray and Bruce Britton who are members of Framework, which has provided ethical consultancy to the not-for-profit sector since 1985.

John is a former co-ordinator of Face to Face, York's community mediation service. He provides consultancy to voluntary and statutory organisations in York and across the UK. Recent clients include the University of York, Amnesty International UK and Friends of the Earth.

Please visit www.framework.org.uk to download complete descriptions of all the courses.

Costs: One-day courses: £150, two-day training for trainers: £250
10% discount off the total price when booking a delegate on more than one course.

All courses held in central York at a fully accessible venue. Lunch and refreshments included. Certificates provided for those completing each course.

For further information contact:

Framework
0190.462.7492
john@framework.org.uk

Mediation in an Educational Context

8, 11, 22, 28 & 29th February 2008

Edinburgh

A five-day mediation skills course for teachers, social workers and others working in an educational setting.

Tutors: Richard Hendry, Ian McDonough. Richard Hendry is Sacro's National Co-ordinator, Work with Schools and Ian McDonough is their Mediation Adviser. They have been responsible for designing and running training courses in mediation for more than ten years.

This course is designed to provide participants with essential knowledge of adult and peer mediation and the basic mediation skills necessary to facilitate the creative resolution of disputes. It is suited to service management and teaching staff who have responsibilities for dealing with parent/staff, staff/staff, pupil/staff or pupil/pupil conflict in the primary, secondary and special school sectors.

All participants who successfully complete the course will be issued with a Sacro Mediation Skills Certificate. This course shadows the Scottish Vocational Qualification in Mediation (level 4), for which Sacro is the first organisation in the UK to be an accredited provider.

Cost: £600 inclusive of course materials, publications, lunch and refreshments.

For further information and to book a place, contact:

Robert Lambden
Sacro Consultancy and Training Service
21 Abercromby Place, Edinburgh EH3 6QE
Tel 0131 624 9200
info@cmconsultancy.sacro.org.uk

Managing Conflict in Organisations:

Mediation Skills Training

12 – 15 November 2007

Optional Assessment Module:

5 – 7 December 2007

For managers, advisers, decision-makers and negotiators, Core's next mediation course will be led by our internationally recognised team of coaches and leading mediators, drawn from throughout the UK. Early Bird discount on this fee to those who sign up and pay for both modules before Thursday, 30 August 2007.

Cost: £3700 + VAT

Register online, or for more information, contact Laura Rutherford:

Core Solutions
Rutland House, 19 Rutland Square
Edinburgh EH1 2BB
0131.221.2520
laura.rutherford@core-solutions.com
www.core-solutions.com

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Training (cont.)

**Verbal Acupuncture
Are You Hitting the Spot?
20, 27 February & 5 March 2008
Glasgow**

This three-day course is designed for experienced mediators who wish to brush up on their existing skills and add new ones to their 'toolbox'. Throughout the course you will be encouraged to reflect on and share your own practice. The training will be creative and practical, using a range of dynamic techniques.

Participants will:

- Explore how to adapt your language and body language to suit your clients' needs
- Develop your ability to interpret your clients' words and gestures
- Heighten your capacity to deal with challenging clients
- Improve your skills of recognising the positive in client interactions

This course will see Louise Brown and Amy McDonald of Unlimited collaborate with Sacro mediators Ian McDonough and Eileen Schott.

Cost: £360. Deposit: £70. Balance due on completion of course.

For further information contact:

Robert Lambden
Sacro Consultancy and Training Service
21 Abercromby Place
Edinburgh EH3 6QE
Tel 0131 624 9200
info@cmconsultancy.sacro.org.uk

Advertise your event here!

Is your organisation putting on an event or training course that would be of interest to the mediation community? It is free to advertise in Collaborate, and there are over 800 direct recipients of Collaborate!

If you would like further information about how to advertise or contribute an article, contact Toni.

**Workplace Mediation Training Courses
25 – 27th Feb. (Unit One)
& 26- 28th March (Unit Two) 2008
Regents College Conference Centre
central London**

**19-21st May & 18- 20th June 2008
Residential in Derbyshire**

Do you want a long established and accredited training to carry out workplace mediation? Do you want highly effective conflict resolution skills to integrate into your present role? Then you may be interested in booking a place on the workplace mediation training course. Unit One can be done on its own as a very useful introduction and skills training. Both Units 1 and 2 need to be completed for the OCN National Certificate.

PMR Ltd can also run these courses either in-house at your organisation or as public courses which you can book a place on directly for yourself or for your staff.

Book your place on one of these courses now via our web page which also has a lot of useful information, articles, videos and books.

PMR Ltd
Tel: 0162.677.6857
www.workplacemediation.co.uk
admin@workplacemediation.co.uk

Mediation Awareness Workshops & Presentations

Don't miss out on your chance to move mediation forward in your area!

Are you curious how mediation works? Is your organisation looking for a new solution on how to resolve conflict? The Scottish Mediation Network is available to come to your area or place of work to deliver a workshop or a presentation on mediation. We are happy to discuss how we can tailor a session to help you and your colleagues learn more about the uses and benefits of mediation.

If you have wondered how mediation might be able to help in your community or your work, then don't hesitate to contact us. To arrange a FREE workshop or presentation, please email Toni for further information.

Previous attendees said, "The atmosphere was very friendly, and we got through a huge amount of work in a short time", "We need to move people from the perception that what matters is winning and move to what really matters—peace of mind!"

Sacro Mediation DVDs

Sacro have two free DVDs which have been recently produced with sponsorship from the Scottish Executive and North Ayrshire Council. The first is a brief (2-3 mins) general introduction to Community + Neighbour Mediation, and is suitable for playing in public waiting areas, staff meetings etc; the second is a training resource portraying the history of a neighbour dispute from its beginnings to its resolution through intervention by a mediation service.

If you require copies of these DVDs please do not hesitate to get in touch. Contact our service by e-mail:

info@cmconsultancy.sacro.org.uk

DIARY NOTE: The office of the Scottish Mediation Network will be closed for the holidays from 22 December 2007 to 6 January 2008.

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If you would like this newsletter to be sent to anyone else please contact us at:

Scottish Mediation Network, 18 York Place, Edinburgh, EH1 3EP
Tel: 0131 556 1221 | Email: collaborate@scottishmediation.org.uk | Website: www.scottishmediation.org.uk

If you would like your name to be removed from the mailing list, please let us know.