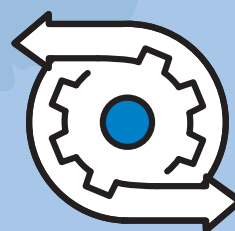
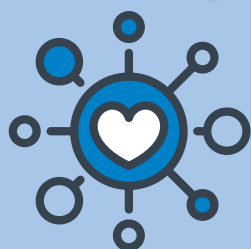
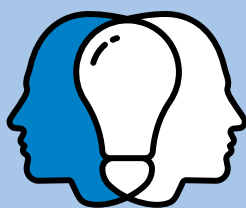
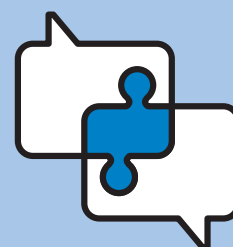
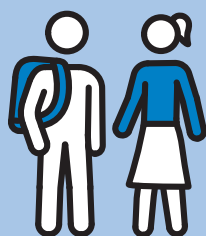


The Time Is Now



The Time Is Now 2021

The scale of the challenge that has been presented by COVID and Brexit has enabled us to demonstrate our capacity for radical change. Conflict is inevitable. Positive outcomes require us to navigate multiple complex relationships helping people find their 'new place.' Now is the time to highlight mediation as being a key opportunity to support this process.

These are some of the ways that we think a mediated approach can help bring about positive benefits for Scotland.



Mediation Supporting Inclusive Government

Mediation holds the key to unlocking the tensions which inhibit the development of people-focussed policies that Scotland needs to rebuild after Covid. We have seen that things can be done differently. The election in May 2021 offers the perfect opportunity for Scotland's leaders and policy makers to see that the next

Parliament can make the things that matter actually happen. Mediation has a key role to play to help Scotland constructively embrace the future.



A Way of Government

Mediation processes built into our public sector procedures will enable the people of Scotland to better engage in effective decision making.

By using mediation and a mediating approach changes that might be uncomfortable but which are necessary can be delivered in new ways that are regarded as effective and fair. In doing so we make Scotland's culture one of a confident, resilient society where people and communities have the ability to be part of positive progress. This will be central to the new elected representatives' understanding of what is required by the people who elected them.

Whether by using the skills of mediation or introducing mediators themselves into the debate there are opportunities to better handle areas where sensitivity and listening are key. This can help opposing interests create agreements about how things should proceed. Using these skills demonstrates a different way of doing this kind of cost-effective business.

Using a mediating approach helps to address inequalities and supports a way of doing things where fewer investigations and public enquiries are required for when things go wrong. We know that Denmark and the Netherlands have adopted these mediating approaches with proven success using an everyday application which seeks collaboration over conflict.



At the Centre of Justice

In Canada and India mediation is used in the justice system to allow parties to resolve disputes earlier, allowing people and businesses to move on and not become involved in drawn-out disputes. We believe Scotland has the opportunity to do the same and that there is a great opportunity to take this forward following the Justice Committee Review in 2019 and our report 'Bringing Mediation into the Mainstream'.

Our recent experience has shown us that there is a need to offer people opportunities for more flexible, accessible, and affordable ways to resolve disputes.

There are too many people with unresolved issues who consider their only recourse is to accept injustice or go to Court. The current design of our court system means that this is expensive and the system can get clogged up. But that can change. Mediation has been shown to address inequalities, helps level up the playing field, and enabling those who are often under-represented to voice their concerns and opinions. It can create the opportunity for discussion and consensual resolution that allows parties to resolve their differences themselves. The impact of offering mediation would be to increase access to justice.



For Our Young People

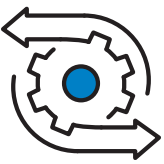
Peer Mediation is a programme of training pupils in Primary and Secondary Schools to become young mediators. It gives them a sense of responsibility and resilience, and it helps the continuing anti-bullying drive by increasing young people's confidence and competence, tolerance, care, and respect for each other. Our work in Scottish schools has shown that engaging with young people impacts positively on their self-esteem, their contribution in school and adds to their effectiveness in maintaining better relationships at home too. It also lays the foundation for mediation approaches in later life - what better learning for later life could we impart? It's time to scale up this activity and make it available right across Scotland.



In Our Communities

Covid has shown us that there are many aspects of life in Scotland where communities are making positive contributions to their areas and determining their own priorities. So when disagreements arise locally within communities it is important that people have support to help them through conflict. We know that at a neighbour level the better resolution of disagreements can make a real and positive difference to everyday life. In order to get support to people we need to make resources available to local communities.

How we take decisions to mitigate the impacts of climate change will also have massive impacts for communities across Scotland. Mediation can help in what may be contentious discussions by providing a creative space that allows for locally created solutions.



Helping Business

Across business there is a frustration that unresolved conflict can hamper the receipt of payment, damage relationships with suppliers and customers and within workforces the continuance of toxic relationships can do nothing but harm. All of this when businesses want to direct their energies towards recovery from Covid and growing their enterprises. The business community's priority is to have any disputes resolved in the simplest and most efficient way possible and, therefore, the creation of flexible options and processes are most important. Mediation can truly play its part in providing a solution by giving parties the opportunity to find creative and, importantly, often more constructive resolutions.



Joining Things Up

Scottish Government has, to its credit, developed positive uses of mediation in a number of areas. We in Scottish Mediation can provide further strategic oversight and help to enable learning about its benefits to be shared across government. A key improvement would be to broaden cross-departmental working, joined-up thinking and collaborative action, across government. Such an approach would need leadership and perhaps ministerial responsibility. We would advocate for "mediation leads" in every Department to enable the sharing of good practice across government. A way of demonstrating support for that approach would be for the Scottish Government to sign up to the Scottish Mediation Charter and for the Government to bring forward a Mediation Act in the next parliament.

Support our drive towards making Scotland more agile in responding to its citizens' disputes at their earliest opportunities in an effective, cost effective and informal way.

We would be happy to engage in discussion about how we might assist any interested party in influencing the changes that we see as being a key part of Scotland's 21st Century.

Contact us

If you have any queries or would like more information please contact:

Graham Boyack

Director

graham.boyack@scottishmediation.org.uk

www.scottishmediation.org.uk

0131 556 1221

 [@ScotMediation](https://twitter.com/ScotMediation)