

Workshop Notes

Date: 4 June 2025

Speaker: Cameron Cross

Co-facilitator: Louise Storie

Topic: Equity vs. Equality

Learning Points

N.B this was a discussion-based, reflective workshop which focussed on small group discussions. To maintain confidentiality of the participants' experiences, only Cameron's plenary summary was noted.

There is a difference between treating people with equity and equality in mediation, and it is important to recognize when a Neurodivergent person may need special accommodations in order to allow them to access mediation in the same way that a Neurotypical person would.

Equity: Giving everyone what they need in order to level the playing field – whether this be more opportunity, resources or time.

Equality: Giving all parties the same level of resource, regardless of their individual circumstances.

Non-Neurodiverse parties may feel that they are not being treated with equality because they are being treated with equity. However, this does not mean that we should stop treating parties with equity.

- Each neurodiverse person is unique, with their own set of circumstances. What works for one Neurodivergent person will not necessarily work for another.
- It is a case-by-case basis for both the individual person and the process. Adjustments are, ultimately, tools in your toolbox. If one process isn't working, then you should reassess it.
- What makes equity-based adjustments so powerful is not the adjustment itself, but rather the relationship formed with the mediator when adjustments are discussed, respected and implemented. This is easy to overlook.
- A strong relationship with the parties you are mediating is vital – and so is the ability to meet parties where they are at. You must ensure that the relationship is established enough to facilitate accommodations for Neurodivergent people.
- When listening to those who are Neurodivergent, you should let them guide you, allowing them to show you how to best meet their needs and facilitate successful mediation. Have faith in your Neurodivergent parties.

- 'Reasonable adjustments' are inherently ethical unless harmful to another party – there is nothing to lose in accommodating those who are Neurodivergent. To that extent, equity is always impartial, and should be treated as such when talking to Non-Neurodivergent parties who may feel a sense of inequality (e.g., by explaining that this achieves equity).