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MODULE DESCRIPTOR

Module Title

Mediation in Context

Reference	BSM693	Version	2
Created	February 2017	SCQF Level	SCQF 11
Approved	June 2016	SCQF Points	15
Amended	August 2017	ECTS Points	7.5

Aims of Module

Understand the importance of government policy and processes and their impact on mediation. Demonstrate an understanding of the relationship between mediation and the law. Demonstrate a knowledge of the professional ethics of mediation.

Learning Outcomes for Module

On completion of this module, students are expected to be able to:

- 1 Demonstrate a critical understanding of the legal and policy context for mediation in the United Kingdom
- 2 Demonstrate an understanding of the professional ethics of mediation
- 3 Demonstrate an understanding of disputing theory and literature
- 4 Demonstrate an understanding of the contexts in which mediation is used, including commercial, family, workplace and community mediation

Indicative Module Content

This course examines the relationship between mediation and the law, in particular mediation's place in the hierarchy of dispute resolution. Students will learn about mediation's history and its origins as an 'access to justice' movement, and its current applications within the justice system. The course considers recent reviews of civil and administrative justice and employment practice and their impact on mediation, as well as critiques of mediation's 'institutionalisation' from the United Kingdom and abroad. It also provides an introduction to the Scottish legal system. The different fields which mediation operate within will be considered.

Module Delivery

This module is primarily taught online although some of the teaching and the assessment will be partly carried out at on-campus sessions with the students.

Indicative Student Workload

	Full Time	Part Time
Contact Hours	50	50
Non-Contact Hours	100	100
Placement/Work-Based Learning Experience [Notional] Hours	N/A	N/A
TOTAL	150	150
Actual Placement hours for professional, statutory or regulatory body		

ASSESSMENT PLAN

If a major/minor model is used and box is ticked, % weightings below are indicative only.

Component 1

Type:	Coursework	Weighting:	30%	Outcomes Assessed:	1, 4
Description:	Written essay (approx 1500 words) covering the broad areas highlighted in the indicative content worth 30% of overall Mark				

Component 2

Type:	Coursework	Weighting:	70%	Outcomes Assessed:	2, 3
Description:	Mediation exercise(role play)whereby student undertakes a practical mediation session with other participants worth 70% of overall mark				

MODULE PERFORMANCE DESCRIPTOR**Explanatory Text**

The Module is assessed by two components: C1 - Coursework - 30% weighting. C2 - Coursework - 70% weighting. Module Pass Mark = Grade D (40%)

Module Grade	Minimum Requirements to achieve Module Grade:
A	At least 70% on weighted aggregate and at least 35% in each component
B	At least 60% on weighted aggregate and at least 35% in each component
C	At least 50% on weighted aggregate and at least 35% in each component
D	At least 40% on weighted aggregate and at least 35% in each component
E	At least 35% on weighted aggregate
F	Less than 35% on weighted aggregate
NS	Non-submission of work by published deadline or non-attendance for examination

Module Requirements

Prerequisites for Module	None.
Corequisites for module	None.
Precluded Modules	None.

INDICATIVE BIBLIOGRAPHY

- 1 CLARK, B., 2008. Institutionalising mediation in Scotland. *Juridical Review*, 3, p.193.
- 2 CLARK, B., 2009. Mediation and Scots lawyers. *Edinburgh Law Review*, May, p.252.
- 3 LIEBMANN, M., 2011. *Mediation in context*. London: Jessica Kingsley.
- 4 PARKINSON, L., 2014. *Family mediation*. Bristol: Family Law.
- 5 RELIS, T., 2009. *Perceptions in litigation and mediation*. Cambridge: Cambridge University Press.
- 6 ROBERTS, S. and PALMER, M., 2005. *Dispute processes: ADR and the primary forms of decision making*. 2nd ed. Cambridge: Cambridge University Press.