

MODULE DESCRIPTOR

Module Title

Advanced Mediation Practice			
Reference	LLM227	Version	3
Created	July 2023	SCQF Level	SCQF 11
Approved	June 2020	SCQF Points	15
Amended	July 2023	ECTS Points	7.5

Aims of Module

To develop a reflective approach to mediation practice, including an understanding of the relationship between law, ethics, government policy and mediation. Understand and practice advanced mediation in a variety of contexts.

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 and internationally.
- 2 Demonstrate an understanding of the professional ethics of mediation.
- 3 Demonstrate and apply a critical understanding of the contexts in which mediation is used, for example commercial, family, employment and other workplace issues.
- 4 Apply advanced theories and principles of dispute resolution to mediation
- 5 Demonstrate advanced mediation skills by applying appropriate approaches to mediation in a variety of contexts and reflecting critically on practice.

Indicative Module Content

This course examines the relationship between mediation, ethics, law and policy, 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 also examines the development of a mediation profession and its regulation. The international nature of mediation will be analysed and its application at an international level will be considered. The course considers the 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. The different fields which mediation operate within will be considered. The module further develops students' mediation skills by encouraging the development of reflective practice. Students will practice preparing for and conducting mediation in a range of contexts. They will consider the role of culture, power and cognitive biases in conflict and be encouraged to develop a culturally appropriate approach to mediation in their own context.

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
<i>Actual Placement hours for professional, statutory or regulatory body</i>		

ASSESSMENT PLAN

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

Component 1

Type: Practical Exam Weighting: 100% Outcomes Assessed: 1, 2, 3, 4, 5

Description: Mediation exercise (role play) whereby student undertakes a practical mediation session with other participants

MODULE PERFORMANCE DESCRIPTOR

Explanatory Text

Component 1 comprises 100% of the module grade. To pass the module, a D grade is required.

Module Grade

Minimum Requirements to achieve Module Grade:

A

A

B

B

C

C

D

D

E

E

F

F

NS

Non-submission of work by published deadline or non-attendance for examination

Module Requirements

Prerequisites for Module	BSM692 Mediation in Practice must be completed earlier or taken together with this module
Corequisites for module	BSM692 Mediation in Practice (if not completed earlier)
Precluded Modules	None.

INDICATIVE BIBLIOGRAPHY

- 1 BOULLE, L. Mediation: principles, process, practice. (3rd ed., New South Wales: Butterworths, 2011).
- 2 HOWARD, ANNA. EU Cross-Border Commercial Mediation: Listening to Disputants - Changing the Frame; Framing the Changes, Global Trends in Dispute Resolution (Kluwer Law International, 2021).
- 3 GENN, H. Judging Civil Justice (Cambridge University Press, 2009).
- 4 GULLIVER, P. Disputes Negotiations: A Cross-Cultural Perspective. (New York, Academic Press, 1979).
- 5 MAYER, CLAUDE-HELENE. Intercultural Mediation and Conflict Management Training: A Guide for Professionals and Academics (Springer International Publishing, 2021).
- 6 LIEBMANN, M., ed. Mediation in Context. (Jessica Kingsley Publishers, 2000).
- 7 ROBERTS, S. and PALMER, M. Dispute processes: ADR and the primary forms of decision making. (3rd ed. Cambridge: Cambridge University Press, 2020).