

# Redesigning the mediation curriculum

Vassiliki Koumpli MCIArb makes the case for multidisciplinary

**T**he theme of the 2020 CIArb Mediation Symposium, held on 7 December, was 'Mediation as a multidisciplinary practice'. Throughout the event, speakers and participants explored the variety of skills a mediator should ideally have and which disciplines are best placed to provide those skills. The workshop 'Redesigning the mediation curriculum' examined how the mediation curriculum relates, and may contribute, to multidisciplinary in mediation.

Mediators engage with people's thoughts, emotions, projections, biases and prejudices, attempting to shed light on the root causes of the conflict. A mediator, therefore, should ideally possess a variety of skills requiring the combination of multiple disciplines. How can mediators acquire such skills and how can this be attested?

Over the past few decades there has been a significant growth in institutional schemes for mediator training and accreditation, provided by either legislation or soft law. Such schemes set uniform standards and training requirements for the formal recognition of professional mediators, preparing them to mediate interpersonal disputes effectively in a variety of settings.

The vast majority of the mediation curricula cover not only mediation concepts, principles and law, but also basic



skills and techniques (e.g. conflict analysis and management skills, negotiation strategies, effective communication, emotions management, the importance of cultural differences, etc.), seeking insight from the areas of study that deal with human behaviour. These include psychology, decision sciences, political science, economics, anthropology and neuroscience.

The increasing amount of online mediation training during the COVID-19 pandemic has added an additional element to the mediation curriculum: the technical and interpersonal skills necessary for the conduct of online mediations.

The multidisciplinary of the mediation curriculum, while undeniable, has not removed the close connection of the mediation

practice with the legal profession. A background in law, as a student or practising lawyer, provides a mediator with a thorough understanding of the legal aspects of a case. Also, for the time being, mediation in most jurisdictions remains – as a matter of law or perception – interconnected with the legal resolution of the dispute, associated with traditional litigation and arbitration. This adequately justifies the predominance of legal mediators worldwide.

To change this, a new culture is needed where mediation is properly applied as a real alternative to legal processes. In pursuit of this goal, the role of the lawyer remains of paramount importance.

The evolution of mediation advocacy skills, through either experience or formalised and institutionalised mediation advocacy training for lawyers, will be a key factor in creating the multidisciplinary mediation practice of tomorrow for the benefit of both its users and society.



## ABOUT THE AUTHOR

Vassiliki Koumpli MCIArb is a Supreme Court Lawyer and Mediator MCIArb at V Koumpli Law & ADR, Coordinator of Mediation Training Activities and Mediation Trainer at Panteion University of Social and Political Sciences, Senior Legal Expert at the Hellenic Institute of International and Foreign Law, and Board Member (Treasurer) of the Hellenic Union of Mediators. Vassiliki participated in the CIArb Mediation Symposium 2020, leading the workshop 'Redesigning the mediation curriculum'.

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