
Kluwer Mediation Blog

Mediation Awareness Week In Ireland

Sabine Walsh (Sabine Walsh Mediation) · Friday, October 9th, 2015

Mediation Awareness Week in Ireland!
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In most jurisdictions, when people find themselves dispute, they think “I’ll phone my lawyer”. This is certainly the case in Ireland. When faced with marriage breakdown, a breach of contract, an employment issue, the default port of call is still legal proceedings, and people make an appointments with their lawyers before considering other options. The planned mediation legislation, if it ever moves off the bottom of the secondary list on which it has been languishing for three years now, attempts to address this by imposing requirements on lawyers, and offering mechanisms for judges to divert cases into alternative processes like mediation.

In the absence of these obligations and, I’m sure many of you will agree, even if such provisions were in place, our focus should be on raising awareness and understanding of mediation, if we are ever to have any hope of it becoming a main stream, first choice dispute resolution process. At present there appears to be a sort of superficial awareness that something called mediation exists, but little understanding of how it works and how it might apply to one’s own situation. Ireland’s first National Mediation Awareness Week aims to address this situation. The brainchild of Austin Kenny of the Irish Commercial Mediation Association, MAW is a week of events and information aimed at spreading the word about mediation and de-mystifying the process. Almost every body, institution and agency involved in mediation is participating by holding events and engaging with local and national media.

The week, among other things, will see the launch of a new court-based pilot scheme, presentations in university law faculties, an open day at one of the State Family Mediation Service’s offices, mediation clinics, community mediation in action and more. The week will culminate with the Mediators’ Institute of Ireland’s annual conference in Dublin, which will feature Professor Nadja Alexander, Tammy Lenski, Aled Davies and Judge Avi Schneebalg, alongside Irish presenters. This will be followed by a dinner addressed by the President of the District Court. (Conference report to follow!) Alongside all this a news and radio media campaign will endeavour to bring mediation to the general public, and encourage them to attend some of these events, in an effort to make the process real to potential users.

What strikes me as unique and really rather brilliant about this endeavour is two-fold. First of all, the awareness raising is genuinely aimed at users of mediation, the general public, businesspeople and families. There have been awareness raising efforts in the past but they have been aimed at gatekeepers such as legal professionals, human resource managers and similar. In MAW the information is directed at those that might be in conflict, or know someone who is, and facilitates them in accessing mediation. Secondly, this event has seen and will see unprecedented collaboration by the various bodies and agencies involved in mediation – private providers, professional institutions, legal and courts serviced, the legal profession and academic institutions. Those not familiar with the inner politics of the mediation world might take such collaboration for granted but in my experience in a number of jurisdictions, getting mediators to a place where they agree on strategy is no easy task. And then to get the legal profession on board too? It will be interesting to see how Mediation Awareness Week is received and what dialogue and interest it generates, but as an initiative, in plain English, it rocks. For more information see www.mediationawarenessweek.ie

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