

# Kluwer Mediation Blog

## World Conflict Resolution Day – Mediation in Stafford and Beyond...

Sabine Walsh (Sabine Walsh Mediation) · Monday, November 5th, 2012

The location was the Old Post House in Stafford, a traditional English, allegedly haunted, building with excellent conference facilities, good food and awful coffee. The occasion was World Conflict Resolution Day, this year on 18th October. About 45 mediators from around the world had gathered for a day of lectures on workshops on mediation.

The day began with the keynote address by Dr. Mohammed Keshavee, a specialist in cross-cultural mediation, due to publish his book on mediation among diasporic Muslim communities shortly. In a truly inspirational lecture, entitled “Gandhi, Mandela and Martin Luther King – Precursors to Transformative Mediation, he reminded us of why many of us got into conflict resolution in the first place – to change the world, in however small a way we might manage. Personally, his lecture reinvigorated me and my attitude to my chosen profession, and drew attention to the transformative potential of any mediatory interventions, whether one might subscribe to a transformative theory of mediation or not.

I also gained further inspiration from the demonstration role play in which I had the opportunity to co-mediate a dispute with Dr. Keshavee. Our “clients” were a first- and second generation Muslim couple, in conflict about their marriage, their children, and some other culturally specific issues such as the “mahr” (dowry) and “talaq” (Islamic divorce). Despite being somewhat constrained by time, we were able to get into the dispute, and illustrate to the audience some of the differences and – very importantly – similarities that mediators encounter when dealing with cross cultural disputes. These included, to highlight just some, acculturation of the parties, and their children, and the tension that this can create when parties are at different stages in the process, the communitarian nature of decision making in some cultures, the influence of Sharia law and Islamic Institutions and community figures such as the local Imam, who, in this scenario, had advised the couple to go to mediation, and many more. It was an invaluable learning opportunity, not just for the audience but also for all of us who participated in the role play.

The international dimension to the day was further explored by means of a round table session on developments in mediation internationally, which focused on the significant developments, and the main challenges in mediation in a total of 11 different jurisdictions. Though an entire day could have been spent gathering and exchanging this information, even the limited time was enough to draw out some trends and themes in the challenges, in particular, that are being faced by members of the mediation community in different countries. Very helpfully, members of the round table also provided a written resume of the status of family mediation in their own countries, which, for those of us who also work in the cross border mediation field, will be a valuable resource. Turning again

to my personal experience what I gained most from the round table discussion was reassurance. Reassurance that Ireland is not the only country with contradictory legislation, lack of consensus among mediation organisations, insufficient resources for promoting mediation, lack of funding for services and an endless debate about mediator certification. Reassurance also that if the mediators are committed, experienced and inspired enough, all of this is not a barrier providing an excellent and badly needed service.

The day continued with a choice of workshops, either on professional practice consultancy or mediating with parents from different countries. Even within these relatively narrow topics, we were able to draw on a wealth of experience, particularly due to the differences in experience and training in different countries. We were amused to discover that even the use of the term “supervision” in the context of mediation had very different meanings depending on the country and the professional background different mediators come from. While used routinely, and seen as an absolutely integrated part of family mediation practice in Germany, Irish lawyer-mediators, for example, associate the term supervision with a sanction imposed upon misbehaving solicitors by the Law Society and are therefore much more comfortable with concepts such as mentoring or practice consultancy.

The day highlighted to me once more how important it is for mediators to meet up regularly and talk about issues relating to our practice and our work. We can be so busy mediating and developing our practices that we forget how much we can learn from other people’s experiences. This learning can be maximised if we look outside our immediate professional circles and draw on experiences in other countries and couples. Many of the skills that Mohammed and I used in the demonstration roleplay, for example, are just as relevant when dealing with couples from different parts of Europe, or indeed from different sides of the border between the Republic and Northern Ireland. Finding out how mediation organisations in other countries secure government funding, for example, can provide us with valuable avenues to consider when struggling with similar issues in our own countries. The more broad a view we can take on our practices, the more sources of inspiration and support we can find. As a colleague and friend of mine once said, mediation can be a lonely profession. Events like that in Stafford remind us that we are not alone and provide us with inspiration to continue our work.

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