

The Commonwealth Lawyers Association presents a 6 part Mediation Guest Lecture series

Episode 1: “Mediators; Not Judges, Not Arbitrators, Not Decision makers. What, really, is mediation?”

19th September 2024

Brian Speers

[Register here](#)

As mediation in civil justice has evolved over the past 25-30 years its relevance and process and core values have changed. What was once a voluntary process may now be mandated. What was essentially a facilitative process can now be highly evaluative. And that may be in response to client expectation or preference. But has mediation evolved well? The mediation process should be adaptable – but has it become adapted to something which is no longer mediation? This lecture will consider how mediation has evolved, particularly in the UK, and will propose that a recognised mediation profession should be the next stage of the evolution.

Episode 2: “Can ADR transform a Society? The Jamaican Experience”

3rd October 2024, 1pm BST

John Bassie

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The various forms of ADR mechanisms are touching global societies and groups. Jamaica has been experiencing growth with ADR for over 30 years. This will provide a review of ADR’s effect on the Youth, communities, the Legal system and Private Sector and a peak into the future expectations.

Episode 3: “Mediation - The Changing face of Access to Justice”

17th October 2024, 1pm BST

René M. Baptiste CMG

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Referring different matters to Mediation is growing in importance allowing parties more freedom to be actively engaged in resolving their issues. Is it the alternative for Smaller States and their citizens?

Episode 4: “Peace jurisprudence and constitutional reform- incorporating Mediation Principles into Supreme Law”

31st October 2024, 1pm GMT

Justice Vasheist V Kokaram JA

[Register here](#)

Constitutions must respond to developing norms of shared regional and international values of human rights and the rule of law. It is a visioning of a community of human beings collaborating to create an optimum environment for the celebration of our human dignity, flourishing of our human potential, sustainability of our human development and preservation of our specie. But what all of our aspirations involved in constitutionalism cannot avoid is conflict which inevitably emerges in whatever political systems are designed. In my presentation I explore our baseline jurisprudential approach to the management of conflict and demonstrate the relevance of the DNA of mediation to develop new constitutional values and our instincts for peace. Can positive peace outcomes be achieved, reinforced and sustained when we reorient our constitutional frameworks to a “mediative” and positive approach to conflict? What approaches to peacebuilding can be embedded within our task of constitutional reform to avoid conflict, minimise its occurrence and harness its positive lessons?

Episode 5: “Mediation Advocacy: The Ignored Middle Child?”

7th November 2024, 1pm GMT

Gregory Vijayendran SC

[Register here](#)

Opportunities abound these days to pursue a credentials and career as a mediator. As the “eldest child” in the room, mediators guide, facilitate, nurture and set the agenda and pace of mediation. Clients new to mediation or relatively inexperienced are the “youngest child” who often need handholding and careful navigation about the process and practice of mediation. But what of the advocates themselves? Are they the proverbial “ignored middle children”? The speaker will touch on culture, language, ethos, principles and best practices of mediation advocacy – a topic sometimes understated but mostly forgotten. He will contend that mediation advocacy plays a vital and overlooked role in mediation’s success

Episode 6: “Interplay of Psychology, Neuroscience and Conflict in Mediation”

14th November 2024, 1pm GMT

A. J. Jawad

[Register here](#)

Mediation operates on a paradigm of conflict resolution unlike litigation or arbitration that operate on the paradigm of dispute adjudication. Mediation perceives conflict as a problem arising from the different perspectives and perceptions of the parties to the conflict and the emotions that get triggered due to such differing perceptions. It is therefore important for a mediator to understand these drivers of the conflict and move the parties to a position of understanding each others perspective. Therefore understanding the interplay of psychology, neuroscience and conflict in mediation forms an integral part of mediation training.

- Free to all to attend irrespective of CLA Membership
- Certificates of Attendance given on request
- Each episode will be recorded for the use of CLA Members only