



Interaction

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pour le règlement des conflits

Mediation B.C. to certify mediators

Interim standards for mediator certification established by the Board of the Mediation Development Association of B.C. were announced in June 1993 by Mediation B.C. president, Jim Toogood.

Mediators may be certified by Mediation B.C. if they have 180 hours of training "and have been observed mediating by, and/or co-mediated with, a certifying mediator who has approved their certification." Equivalent experience may also be accepted as an alternative to the training and co-mediation requirements.

Family mediators would be required to be certified by a panel of three certifying mediators, and would require training, experience and skill in separation and divorce stages, family law, family economics and financial planning, child development, family systems theory, handling emotions and high conflict situations, family violence and abuse, and knowledge of relevant community resources.

The standards also establish criteria for the training and experience required of certifying mediators.

"The process certifies mediators rather than granting licenses to mediate, and is not intended to restrict the use of mediation or the ability of persons to be mediators," says the preamble to the standards.

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Draft policy on mediation and spouse abuse developed

In March, 35 representatives from major North American mediation associations met in Toronto to work on a draft policy statement on mediation in the context of spousal abuse. Such a policy could provide guidance to family mediators when dealing with couples in abusive relationships.

The meeting was organized by Barbara Landau on behalf of the Ontario Association for Family Mediation (OAFM) and included representation from Family Mediation Canada, the Academy of Family Mediators, the Association of Family and Conciliation Courts, the Society of Professionals in Dispute Resolution, and various women's

advocacy groups.

The draft policy statement will be presented to each of their memberships for consideration, comment and eventual adoption. It will include guidelines for mediator screening, training and standards of practice that will ensure adequate protection for victims of spousal assault.

The March meeting built upon an earlier initiative in May 1992, in which OAFM brought together family mediators and women's advocates in a Forum to discuss concerns about mediation in cases of abuse to women and children. Both meetings received support from the Fund for Dispute Resolution.

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Progress report on the Chartered Mediator designation

by Joanne H. Goss, Chairperson
National Chartered Mediator
Committee, Arbitration and Mediation
Institute of Canada

The Arbitration and Mediation Institute of Canada Inc. (AMIC) has been granted the designation "C.Med." (Chartered Mediator) and "Med.C." (Mediator Certife) by the Trade Marks Office of the Consumer and Corporate Affairs Department in Ottawa. AMIC also holds the designation "C. Arb." (Chartered Arbitrator). The Institute is currently developing criteria and a process for awarding the Chartered Mediator designation with the assistance of and, hopefully, with the approval of mediators and dispute resolution organizations across North America.

AMIC intends initially that the Chartered Mediator designation be awarded for recognized competence and expertise as a mediator. AMIC does not intend to require the designation of mediators prior to enabling them to practice or appointing them as mediators.

A Canada-wide committee was struck to develop the criteria and process for awarding the Chartered Mediator designation. The initial draft of the criteria for the designation requires the following:

1. At least five years experience as a practising mediator, with a minimum of 300 hours of mediation in each year;
2. Completion of at least 100 hours of mediation training, and apprenticeship with a recognized mediation training program over the past five years;
3. Demonstrated knowledge and skill in mediation as determined through an interview between the applicant and the Regional Accreditation Committee, and through written submissions;
4. A positive recommendation for receipt of the "Chartered Mediator"

designation by three references and a majority of the Regional Accreditation Committee and the National Chartered Mediator Committee.

This initial draft of the proposed criteria was forwarded to many organizations and individuals across Canada for comments. Much input has been received. In response to these comments the criteria will be reviewed and rewritten by the National Chartered Mediator Committee and resubmitted to the individuals and organizations for further comment. It is also intended that the second draft of the criteria be publicly discussed at the National AMIC Conference, the national Family Mediation Canada conference, and, hopefully, at the Society for Professionals in Dispute Resolution (SPIDR) Conference, all of which are taking place in October in Toronto and Banff.

Comments received on the draft criteria to date seem to indicate a consensus that the proposed standards may have been set unattainably high. Many individuals and organizations have commented that 300 hours of mediation in a year is a level attainable only by mediators who are mediating with the government or an established mediation program. Accordingly, this requirement may be reduced significantly.

Furthermore, much criticism has been received concerning the proposed assessment of an applicant's knowledge and skill in mediation in terms of three references. It may be more appropriate that the applicant send in a video of a mediation, which can then be reviewed by the Accreditation Committee.

Another overriding concern voiced by those who have reviewed the criteria is that the awarding of a "Chartered Mediator" designation is somehow elitist and will prevent

a large majority of mediators from continuing to practice. This perception is unfortunate and by no means intended. The designation is intended to recognize demonstrated competence and experience as a mediator. It is not intended for mediators who have recently completed a certification training program in mediation. Some practical experience in mediation will be required to obtain the designation. At present the issue is the level of experience that will be required, and this will clearly be reduced from the level at which it currently stands. Mediators without the designation can continue to practice in the same manner in which they have always practised.

The designation is intended only as a recognition of excellence. Nothing more is intended.

The National Chartered Mediator Committee would be very pleased to hear your comments, questions or concerns. Please forward your comments to Joanne H. Goss, Chairperson, Chartered Mediator Designation Committee, Arbitration and Mediation Institute of Canada, Inc. c/o Cook Duke Cox, Barristers and Solicitors, 1900 Scotia Place, 10060 Jasper Avenue, Edmonton, Alberta T5J 3V4.

Mediation B.C.

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"The increasing use of mediation and the interest of government bodies in using mediators to assist in resolving disputes, has resulted in a need for standards for selecting mediators. It is desirable that the public have a means of identifying those professional mediators who have met an established minimum level of standards of training, practice and continuing education."

Mediation B.C. members will vote on the standards at the Annual General Meeting held in the fall.