Certificate in Mediation
Level 8, QQI (Special Purpose Award)

Module 1:   Introduction to Mediation and Conflict

Stage	1
Semester	
Module Title	Introduction to Mediation and Conflict
Module Number	1
Module Status	Mandatory
Module ECTS Credits	5
Module NFQ level	8
Pre-Requisite Module Titles	
Co-Requisite Module Titles	
Capstone Module?	
List of Module Teaching Personnel	

Contact Hours						Non-contact Hours			Total Effort (hours)
14						86			100
Lecture	Lecture - Remote	Practical	Tutorial - Remote	Seminar	Assignment	Placement	Independent Work		
14					30		56		100

Allocation of Marks (Within the Module)					
	Continuous Assessment	**Project**	**Practical**	**Final Examination**	**Total**
Percentage Contribution	100%				**100%**

Intended Module Learning Outcomes

On successful completion of this module the learner will be able to:

1. Recognise and explain how the position that parties take in a mediation is driven by their unconscious and/or unstated underlying interests;
2. Demonstrate knowledge of the principles governing mediation;
3. Explain the impact the principles of mediation and the mediation process can have in resolving conflict;
4. Describe the different models and styles of mediation;
5. Evaluate his or her own approach to conflict including their own triggers and conflict behaviours and the skills that are utilised in managing interpersonal conflict;
6. Have detailed knowledge of the impact of interpersonal conflict on the mediation process.

Module Objectives

This module will familiarise the learner with the fundamentals of mediation. It provides knowledge of the principles of mediation and the mediation process. This learning will be practised by the learners in their development towards performing as a mediator in more elaborate role-plays in later modules.

This module will also give learners an awareness of the impact of conflict behaviour on mediation, both from the perspective of the mediator themselves, and also from the parties to the mediation. The module emphasises the necessity of inherent emotional intelligence on the part of the mediator in this regard. It is sought to achieve this by introducing the learner to both academic reading and self-reflection on the area.

The module further aims to enable learners gain an in-depth understanding of the theories, concepts and methods underlying the development and use of conflict management skills and to acquire the skills of competent conflict management of parties undergoing mediation.

Module Curriculum

a) Mediation:

1. Definition of Mediation;
2. Introduction to the mediation process;
3. An introduction to interests-based mediation: Positions versus underlying interests;
4. Mediation Principles;
5. Ladder of inference;
6. Models of mediation and different styles of mediation (transformative/facilitative);
7. Discussion of mediation video which learners watched prior to Module 1;
8. Role Play;
9. Overview of assignment work to be done in preparation for Module 3.

b) Conflict:

The subject of conflict and its relevance to the study and practice of Mediation will be learned under the headings of The Nature of Conflict; The Path of Conflict; Conflict Dynamics Profiling and Conflict Competence.

Learners will be introduced to the subject of conflict, its definitions and dimensions. The sources (including a discussion of Values, Needs and Identity) and competences surrounding conflict are explored, with particular emphasis on considerations surrounding conflict triggers and the importance of recognising these in a mediation environment. The CDP 360 tool is introduced as a useful tool for a mediator in personal profiling and self-reflection on the impact of the conflict triggers one's self and others on mediation.

Reading lists and other learning materials

Primary Reading

(Mediation)

- Beer, J.E., Packard, C.C. & Stief, E., *The mediator's handbook*, [Gabriola, B.C.]: New Society Pub., 2012
- Moore, C., *The Mediation Process*, 3rd ed. San Francisco: Jossey-Bass Publishers, 2003
- Madigan, Josepha, *'Appropriate Dispute Resolution (ADR) in Ireland',* Jordan Publishing Ltd, 2012
- Fisher, Roger, William Ury, and Bruce Patton, *Getting to Yes: Negotiating Agreements Without Giving In,* 2nd ed., Boston: Houghton Mifflin Company, 1991

(Conflict)

- Noble, C. *Conflict Management Coaching; The CINERGY ™ Model.* CINERGY™ Coaching
- Hannaway, M. et al. *Co-Mediation: Using a psychological, paired approach to resolving conflict.* Corporate Harmony, 2012

Secondary Reading

(Mediation)

- Barrett, J. and O'Dowd, J., *Interest-Based Bargaining*, Trafford Publishing, 2005
- Benjamin, Robert D., "Managing the Natural Energy of Conflict: Tricksters, Mediators and the Constructive Uses of Deception," in *Bringing Peace Into the Room: How the Personal Qualities of the Mediator Impact the Process of Conflict Resolution,* Bowling, D., Hoffman, D., eds. Jossey-Bass, Inc, 2003

- Bush, R.A.B. and J. P. Folger, *The Promise of Mediation*, San Francisco, Jossey-Bass Publishers, 1994
- Kolb, Deborah, *When Talk Works: Profile of Mediators*, San Francisco: Jossey-Bass Publishers, 1994
- Lang, Michael D. and Taylor, Alison, *The Making of a Mediator,* San Franscisco: Jossey-Bass, Publishers, Inc., 2000
- Nesic, M. and Boulle, L., *Mediation: Principles, Process, Practice*, LexisNexis Butterworths 2005

(Conflict)

- Ross Brinkert and Tricia S. Jones , Conflict Coaching: Conflict Management Strategies for the Individual (Los Angeles, 2008)
- Capobianco, S.,Davis, M.,and Kraus, L. *Conflict Dynamics Profile.* St. Petersburg, Fla: Eckerd College Leadership Development Institute, 1999
- Capobianco, S., Davis, M. H., & Kraus, L., A. (2001). *Conflict dynamics profile technical guide*
- Mayer, B. *The Dynamics of Conflict Resolution.* San Francisco: Jossey-Bass, 2000
- Weiss, J., and Hughes, J. "Want Collaboration? Accept - and Actively Manage-Conflict". *Harvard Business Review,* Mar. 2005, pp. 93-101

Journals (non-exhaustive list of journals available to students via some of the numerous Griffith College database subscriptions)

- *Journal of Dispute Resolution*, University of Missouri School of Law. (accessible through Heinonline)
- *Arbitration,* (accessible through Westlaw.co.uk)
- *Conflict Resolution Quarterly,* Association for Conflict Resolution, Jossey-Bass Publishers. (Business Source Premier)
- *Negotiation Journal,* Plenum Press. (Business Source Premier)
- *Dispute Resolution Journal*, Ohio State University School of Law. (Business Source Premier)
- *Dispute Resolution Magazine*,   American Bar Association (Heinonline)

Module Learning Environment

Accommodation

A base classroom is used for teaching purposes for the delivery of the module. Learners also have access to online teaching resources and Moodle[1]. The use of guest speakers from practice will allow for discussion around real issues encountered in the field.

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[1] Moodle is Griffith College's current Virtual Learning Environment (VLE)

Library

All learners have access to an extensive range of "actual" and "remote access" library resources. The library monitors and updates its resources on an on-going basis, in line with the College's Library Acquisition Policy. Lecturers update reading lists for this programme on an annual basis as is the norm with all programmes run by Griffith College.

Module Teaching and Learning Strategy

This module will be delivered through a series of tutor-led discussions, group-work sessions and exercises, and will be supplemented by structured web-based resources and reading materials. Formative assessment and feedback will underpin all elements of the teaching and learning strategy in this module. Self- and peer-assessment will be used as key formative tools.

The teaching and learning strategies will be chosen for their ability to instil high levels of participant engagement and development. Each teaching session will have a highly participative and practical element, fostered by encouragement of class interaction and interspersed with chances for students to practice skills learned. The conflict materials provided would necessarily require the sharing of experiences in group discussion.

Pre-readings will be forwarded to all participants prior to commencement of this module. These readings will equip participants with the basic outline of the module, including answering relevant self-evaluation questionnaires, thereby saving time where the tutor is available for more valuable analysis.

Finally, structured web-based resources will be available for learners to enable them to interact with the tutor and each other between modules in the online learning environment, reducing the isolation any learner may feel in the space of time between modules on a block release course of this nature.

Module Assessment Strategy

The module will be assessed by way of one 1500 - 2000 word essay assignment which will examine the curriculum areas that require examination in order to achieve the learning outcomes set. An assessment of this nature has been selected as the most appropriate medium to measure the level of learning achieved on this module. Applying theories of conflict to a problem-based scenario is an ideal method of assessing the conflict aspect of the module, while composing an initial letter and opening statement to parties will enable learners to demonstrate their understanding of the basics of initial contact with clients together with the fundamentals of mediation.

Element No	Weighting	Type	Description	Module Learning Outcomes
1	100%	Assignment	This assignment will be based on a problem scenario assessing both mediation and conflict. The learner will be expected to produce a written assessment bearing reference to mediation principles, the nature of conflict, conflict dynamics, underlying interests and their own self-reflection. The submission should also call upon the ability of the learner to correspond with potential mediation clients and compose an appropriate opening statement.	1-8