



APPLICATION TO BECOME ACCREDITED UNDER THE VOLUNTARY AUSTRALIAN NATIONAL MEDIATOR ACCREDITATION SYSTEMⁱ AS AN EXPERIENCED QUALIFIED MEDIATOR

PERSONAL DETAILS

NAME	
ADDRESS	
PHONE	
FAX	
EMAIL	

Do you hold a current practicing certificate? Yes No

Do you have at least five years experience as a legal practitioner? Yes No

Have you ever been disqualified from practising by a professional body?

If so, provide details? _____

Have you ever been removed or suspended from acting as a mediator by any accrediting body? Yes No

If so, provide details. _____

Do you have the experience, training and education that equip you with the skills knowledge and understanding set out in the core competencies referred to in the Australian National Mediator Practice Standards.ⁱⁱ Yes No

If so, provide details. _____

Have you conducted at least 25 hours of mediation, co-mediation or conciliation in the last two years prior to the date of this application? Yes No

Have you completed 20 hours Continuing Professional Development in mediation in the two years prior to the date of this application.ⁱⁱⁱ Yes No



I have read and understand my obligations under:

- the Australian National Mediator Standards, Approval Standards, for mediators seeking approval under the national mediator accreditation system, September 2007 (“Approval Standards”); and
- the Australian National Mediator Standards, Practice Standards, for mediators seeking approval under the national mediator accreditation system, September 2007 (“Practice Standards”)

I undertake to comply with the Approved Standards, the Practice Standards and any relevant legislation

I certify that the contents of this Application are true and correct to the best of my knowledge.

SIGNATURE _____ **DATE:** _____

(Endnotes)

i www.wadra.law.ecu.edu.au/pdf/Final%20%20Approval%20Standards_200907.pdf.

ii **7 Competence**

Mediators must be competent and have relevant skills and knowledge.

- (1) Mediators should seek regular professional debriefing. The purpose of debriefing is to address matters relating to skills development, conceptual and professional issues, ethical dilemmas, and to ensure the ongoing emotional health of mediators. Debriefing can take place following a solo mediation, a co-mediation, in groups or through independent sessions with another experienced mediator.
- (2) Mediators should also participate in continuing professional development training. Where possible, mediators should also participate in programs of peer consultation and should help train and mentor the work of less experienced mediators.
- (3) Mediators should be competent and have the capacity to apply knowledge, skills and an ethical understanding and commitment in the areas listed below. Mediators demonstrate competence by showing that they have the requisite knowledge and skills and can apply them. Mediators are required to ensure that ongoing professional development is focused on achieving and maintaining competencies including:

a) **KNOWLEDGE**

In areas including, but not limited to:

- i) The nature of conflict, including the dynamics of power and violence.
- ii) The appropriateness or inappropriateness of mediation.
- iii) Pre-mediation preparation, screening and intake.
- iv) Communication patterns in conflict and negotiation situations.
- v) Negotiation dynamics in mediation.
- vi) Cross-cultural issues in mediation and dispute resolution.
- vii) The principles, stages and functions of a mediation process.
- viii) The roles and functions of mediators.
- ix) The roles and functions of support persons, lawyers and other professionals in mediation.
- x) The law of mediation on confidentiality, enforceability of mediated agreements and liability of mediators.

b) **SKILLS**, including, but not limited to:

- i) Preparation and dispute diagnosis in mediation.
- ii) Intake and screening of both the parties and the dispute to assess suitability for mediation.
- iii) Conduct and management of the mediation process.
- iv) Appropriate communication skills, including listening, questioning, reflecting and summarising, required for the conduct of mediation.
- v) Negotiation techniques and the mediator's role in facilitating negotiation and problem-solving.
- vi) Mediator interventions appropriate for standard difficulties in mediation
- vii) Potential responses to high emotion, power imbalances and violence.
- viii) Use of separate meetings and shuttle mediation.
- ix) Asking questions about or in appropriate circumstances, drafting of mediated agreements.

c) **ETHICAL UNDERSTANDINGS** in relation to:

- i) The avoidance of conflicts of interest.
- ii) Marketing and advertising of mediation.
- iii) Confidentiality, privacy and reporting obligations.
- iv) Neutrality and impartiality.
- v) Fiduciary obligations.
- vi) Supporting fairness and equity in mediation.
- vii) Withdrawal from and termination of the mediation process.

iii http://www.wadra.law.ecu.edu.au/pdf/Final%20%20Practice%20Standards_200907.pdf.

The Standards require that a mediator must have completed at least 20 hours of Continuing Professional Development in every two year cycle that can be made up as follows:

- (i) attendance at continuing professional development courses, educational programs, seminars or workshops on mediation or related skill areas as referred to in the Competencies (see the Practice Standards (up to 20 hours);
- (ii) external supervision or auditing of the clinical practice (up to 15 hours);
- (iii) presentations at mediation or ADR seminars or workshops including 2 hours of preparation time for each hour delivered (up to 16 hours);
- (iv) representing clients in four mediations (up to a maximum of 8 hours);
- (v) coaching, instructing or mentoring of trainee and/or less experienced mediators (up to 10 hours);
- (vi) role playing for trainee mediators and candidates for mediation assessment or observing mediations (up to 8 hours);
- (vii) mentoring of less experienced mediators and enabling observational opportunities (up to 10 hours).