

Kluwer Mediation Blog - February Digest

Kluwer Arbitration Blog

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Brexit, biases, workplace mediation, the wisdom of uncertainty, profound apologies: these are just a handful of the topics addressed by writers at the Kluwer Mediation Blog last month. Below are a few words on, and a link to, each post.

In [A Mediator's Pitch](#), John Sturrock explores how, as we look ahead in an uncertain world, we might identify and communicate our micro-niche, our particular speciality. John invites us to consider what is unique about us, our story, about our ideas and our brand.

In [The Wisdom of Uncertainty: On Grey Zones in Mediation](#), Ian Macduff explores uncertainty both within and about mediation and asks the challenging and powerful question: "What are the areas of doubt and uncertainty that we have?"

In [A Little Friendliness Goes a Long Way in Workplace Mediation With Teams](#), Greg Bond shares his experience of team mediation inside companies and organisations and identifies some of the particular challenges of this type of mediation.

In [The Profound Apology](#), Greg Rooney considers the essential ingredients of a profound apology and examines how a mediator might facilitate the process of giving a profound apology.

In [The Mediator Who Planted Trees](#), Martin Svatos shares an allegorical tale of how destruction and adversity can be defied by single-handed, persistent effort and identifies how this tale captures the essence of a mediator's work.

In [Mediation Act 2017](#), Rafal Morek considers the recent Irish Mediation Bill, with a focus on two duties in this Bill: (i) lawyers' duty to advise on mediation, and (ii) parties' obligation to consider mediation and the associated cost sanctions for failing to do so.

In [How to Mutually Gain Experience in Mediation? Mentoring Young Mediators: A Win-Win Situation](#), Daphne D'Hennezel interviews the highly regarded French mediator, Claude Amar, on his experience of mentoring young mediators.

In [What Can Mediators Do To Help Parties Overcome Their Biases](#), Catherine Brys explores some of the perception and cognitive biases relevant to conflict as well as the interaction between biases and conflict. Catherine identifies how mediators might help parties to overcome their biases and use a problem-solving conflict resolution approach.

Given the high level of interest in our [posts which address Brexit](#), Maria Kendrick (Visiting lecturer and

PhD candidate at King's College London) prepared a [detailed analysis](#) of the Supreme Court's decision on the Brexit process.

Finally, Maryam Salehijam, a PhD researcher at the Transnational Law Centre of the University of Ghent, is undertaking research on the familiarity of legal professionals (including lawyers and third-party neutrals) with dispute resolution clauses which provide for non-binding ADR mechanisms such as mediation and conciliation. A short description of Maryam's research and a link to her survey can be found [here](#).