
Kluwer Arbitration Blog

May Digest – Kluwer Mediation Blog

Anna Howard (Centre for Commercial Law Studies, Queen Mary University of London) · Thursday, June 1st, 2017

From making the case for understanding the mediator as co-creator, with the parties, of outcomes to exploring the argument that mediators need to be qualified lawyers, there has been much lively discussion on the blog this month. You will also find a post on the key findings of recent empirical research in New Zealand on users of commercial mediation. Scroll down for a brief summary of all the posts on the Mediation Blog in May.

In [Brexit, Trump and the Nash Trap](#). A loss of trust, Greg Rooney applies the Nash Trap to the recent events of Brexit and the election of Donald Trump. Greg then considers the relevance of the Nash Trap to mediation.

In [From Regulation to Resolution: Mediating Disputes in Regulated Sectors](#), Suzanne Rab explores the reasons why disputes in regulated sectors are suited to mediation. Suzanne then identifies which types of dispute in regulated sectors would be amenable to mediation and explains the relevance of sector insights for the effective conduct of mediations in these sectors.

In [That Daunting First Mediation](#), Alex Azarov reflects on his first mediation and identifies lessons he learnt from that experience. Alex's thoughtful guidance will be helpful to both those new to mediation and those with more experience.

In [The Mediator's Prayer 2](#), Joel Lee offers a sequel to [A Mediator's Prayer](#) as he succinctly captures how a mediator will assist disputants during the mediation process.

In [Confusions Between Good Mediation Skills and Legal Knowledge](#), Constantin Adi-Gavrila draws on a recent conversation with a lawyer to examine the view that mediators should be lawyers.

In [Who Are We Helping? The Mediator As Co-Creator](#), Charlie Irvine considers worries about mediation's approach to manifest injustice before making the case for understanding the mediator as co-creator, with the parties, of outcomes. Charlie argues that co-creation enhances the prospects for justice.

In [Mediation Cultures Are Relative: The Example Of Mediator-Lawyers, Caucus and Joint Session](#), Greg Bond responds to Constantin Adi-Gavrila's [earlier post](#) in which Constantin writes about a conversation with a friend who was convinced that all mediators need to be lawyers. Greg examines the argument that to mediate you need to be a qualified lawyer, have legal knowledge of

the disputed matter, and be able to evaluate it from a legal perspective.

In [Users Of Commercial Mediation In New Zealand: The First Empirical Study](#), Grant Morris outlines the key findings of his recent empirical research on the users of commercial mediation in New Zealand. Grant presented the findings of this research at the Auckland Global Pound Conference on 31 May 2017.

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The graphic features a black background with white text and a circular icon. The icon depicts a group of stylized human figures with a magnifying glass over one of them, set against a circular border with blue, green, and red segments. The Wolters Kluwer logo is positioned at the bottom left of the graphic.

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