
Kluwer Arbitration Blog

Kluwer Mediation Blog – December Digest

Anna Howard (Centre for Commercial Law Studies, Queen Mary University of London) · Saturday, January 6th, 2018

The last month of 2017 offered up a rich assortment of posts on the Kluwer Mediation Blog. These include Sabine Walsh's very useful summary of the European Parliament's recent resolution on the implementation of the European Mediation Directive, and an interview by Bill Marsh with Michael McIlwrath on what users really want from mediators and mediators. The festive season also brought a host of particularly reflective posts, including Martin Svatos' post on the Christmas Truce during the Christmas of 1914 and Greg Bond's personal Christmas story. Below you will find a brief summary of each post on the Kluwer Mediation Blog last month. We wish all of our readers a very happy new year.

In [What The Parties Really Want – Interview 2 – Mike McIlwrath](#), in the second in a short series of blogs interviewing regular users of mediation about what they really want from mediators and from mediation, Bill Marsh interviews Michael McIlwrath. Michael has been the head of litigation for GE Oil & Gas since 1999. The topics explored in the interview include: what in-house counsel want from providers of dispute resolution services; the key attributes, approaches and mind-sets Michael looks for in a mediator; and the key change which Michael would make to the way mediation is practised around the world.

In [Have You Heard The One About The Talking Toad](#), Charlie Woods draws on James Robertson's novel *To Be Continued* to highlight the value of "other shoes" thinking and the opportunities which mediation offers to explore all sorts of possibilities. Charlie also explains Edward De Bono's "six thinking hats" approach to achieving more creative and productive thinking.

In [A Useful Little Resolution – The EU Parliament Resolution On The Implementation Of The Mediation Directive, September 2017](#), Sabine Walsh provides a very helpful summary of this recent European Parliament resolution which makes a number of findings in relation to what has, and has not worked in the European Mediation Directive, and makes recommendations in this regard. Sabine explores a number of the recommendations identified in the resolution including: the provision of mediation information in order to increase the uptake of mediation; the value of mediation information sessions; and ensuring the free circulation of mediation settlement agreements.

In [A Magical Mediation Metaphor](#), Joel Lee shares a recording from the Singapore Institute of Dispute Resolution Academy's Symposium on "Rethinking Diversity in Conflict". The video shows Joel drawing on his skills as a former semi-professional magician to illustrate the

contribution of peacemakers.

In [The Christmas Truce](#), Martin Svatos notes the impact of the Christmas spirit and, in particular, provides a detailed account of the truce in the trenches at Christmas 1914 during World War 1. This post certainly gives much food for thought.

In [The Lost Smartphone: A Christmas Story](#), Greg Bond shares a recent experience through which he explores the borders between trust and suspicion. The story illustrates issues which are pertinent to mediation such as: establishing trust; embarking on a path without knowing the outcome; not giving in or up; interpreting between languages; being open for surprises; moving between worlds; being available for the parties; and many more ...

In [Mediating Minimally](#), John Sturrock draws on a recent mediation to remind mediators of a couple of central features of what they do. John notes that the reminder is timely as, as we move into another year, it may enable mediators to achieve even more than they do already in their work.

Finally, in [I've Heard That One Before, I](#) (Anna Howard) challenge the perception that mediators are tree-huggers and I consider how the quality of boldness is relevant to both mediators and mediation.

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