INTRODUCTION

Mediation as an alternative dispute resolution mechanism is quickly gaining momentum as a means of settling disputes and conflicts and access to justice for individuals, groups and organizations the world over. This rings true in the public sector in Kenya as the Kenyan Judiciary seeks to establish a court-annexed mediation program, allowing parties to first attempt mediation before filing for litigation. The private sector has not been left behind. Several industry associations and regulators and private companies have introduced mediation within the workplace and in the broader industry. All these have been as a result of the realization and appreciation of mediation as an efficient, cheap (both financially and timely) and party-focused nature of mediation as compared to other forms of dispute resolution.

As a result of this growing uptake of mediation in Kenya and the world over, there is an increasing demand for qualified mediators who have undergone recognized 40-Hour mediation trainings and received subsequent accreditation.

Heeding to this demand, the Strathmore Dispute Resolution Centre (SDRC), a leading mediation centre in East Africa continues to partner with Facilit8 UK, an established mediation organization based in the United Kingdom, to offer comprehensive 40-Hour Mediation Training and accreditation. This year’s training will take place over 5 days in July 2017.

This training is drawn out to give a concrete understanding for aspiring mediators and build their skills and knowledge to practice in the field of mediation. It is designed for professionals, leaders,
business people and all individuals who are interested in offering mediation services within and outside the legal spectrum.

**EXPECTED OUTPUT**

The main goal of the training is to adequately train aspiring mediators and accredit the successful ones. To this end the training will cover the following specific aspects:

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<th>Topic</th>
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<tr>
<td>Introduction to Mediation</td>
<td>• This will include the nature of and stages in mediation. The trainers will also compare Mediation and other dispute resolution mechanisms with a view to demonstrating the opportunities available in mediation.</td>
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<td>Key Mediation Skills</td>
<td>• In order to be an effective mediator, an individual needs an excellent and practical grasp of certain key skills in mediation. These are questions and listening, trust and rapport, negotiating, conveying offers, summarizing and reframing.</td>
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<td>The role of a mediator.</td>
<td>• The participants will be given a comprehensive training on the different roles of a mediator before, during and after the mediation and also the role of a mediator in different practical scenarios.</td>
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<td>Case management and mediation</td>
<td>• This will be taught both within the context of mainstream dispute resolution and also with specific reference to mediation practice. The question, how does a mediator manage numerous disputes submitted to him is one that will be discussed during the training.</td>
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<td>Personality theories and conflict styles.</td>
<td>• To be excellent mediators, individuals need to understand their personalities and those of the parties and the different conflict styles. There exist different theories on personalities and conflict styles. These will be taught practically to the participants.</td>
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• The Mediator’s main role is to guide the process of mediation. To do this effectively, the mediator will require to understand and put to use skills of presence and leadership.

• More often parties at mediation have unequal influencing powers. The mediator is in this case expected to ensure adequate power symmetry so the process can be effective for all the parties.

• Parties to mediation usually come from different backgrounds and are this has an effect on their expectations and conduct of mediation. Managing these cross-cultural expectations and conduct is an important skill a mediator should understand during the training.

• To ensure that mediation is adequately utilized by the parties, the mediator needs to understand and adopt certain strategies prior, during and after the conclusion of mediation.

• For mediation to be effective, the parties need to be encouraged to generate more than one option as a solution to the dispute. To guide the parties towards an effective solution among these options, a mediator needs a solid understanding of the basic psychology behind decision making.

• The world over, mediators are expected to maintain certain standards of conduct. In Kenya, the Judiciary has recently published its code of conduct for mediators. The core standards of conduct expected of any mediator across different regions will be taught in this training.
TRAINING ACTIVITIES

The participants of this training enjoy the instruction and guidance of at least three international mediation trainers and several experienced practicing mediators. Their teaching will involve different approaches including;

- Role plays of mediation processes and subsequent guidance and coaching
- Post-training coaching and guidance including an opportunity to attend various continuous professional development sessions organized by SDRC and other key partners
- Innovative classroom-based teaching methods such as case studies, group exercises, and instructor presentations
- Practical and online assessment at the end of the training
- Open forum for participants
- Post-training coaching and guidance including an opportunity to attend various continuous professional development sessions organized by SDRC and other key partners

ASSESSMENT

There will be two levels of assessment; practical and online. The practical assessment will involve each participant playing the role of a mediator in a role play session created to reflect real life
disputes. The second level of assessment is done online where individuals respond online to simulated mediations. Participants will be tested at both levels by senior practicing mediators in Kenya and the UK.

**ACCREDIATION**

Participants who successfully complete the course, sit and pass both the practical and online assessments will be accredited as mediators by SDRC and Facilit8, UK and as such may practice locally and internationally. Accreditation is normally within a few weeks of successfully completing the assessment.

**POST-ACCREDITATION**

Mediators who are successfully accredited by SDRC enjoy the following post-accreditation opportunities;

- Continuous Professional Development sessions with the aim of ensuring continuous improvement of skills. These are both online and classroom-based.

- Accredited mediators may apply to join the Mediation Accreditation Committee’s list of accredited mediators and may practice within the court-annexed mediation scheme. They may also apply to join organizations that maintain a Panel of Mediators.

- All accredited individuals will join the Strathmore List of Mediators. It is from this list that we recommend mediators to our partners including Federation of Women Lawyers (FIDA) Kenya.

- Accredited individuals may also practice their skills within their workplace or establish private practice with SDRC providing all the necessary professional support