1. **Title of the module**

LAWS6390 (LW639): Mediation

1. **School or partner institution which will be responsible for management of the module**

Kent Law School

1. **The level of the module (e.g. Level 4, Level 5, Level 6 or Level 7)**

Level 5

1. **The number of credits and the ECTS value which the module represents**

3 credits, these are non-contributory

1. **Which term(s) the module is to be taught in (or other teaching pattern)**

Spring

1. **Prerequisite and co-requisite modules**

None

1. **The programmes of study to which the module contributes**

All single and joint honours Law programmes. Not available to first year students.

1. **The intended subject specific learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Demonstrate detailed knowledge and understanding of the practice of mediation in the context of the legislation and legal concepts studied as part of the formal law degree programme;
   2. Demonstrate a sound grounding into various aspects of mediation and their relationship to the practice of law and other fields of employment;
   3. Demonstrate detailed knowledge and understanding of the techniques used in mediation;
2. **The intended generic learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Undertake mediations effectively and with confidence;
   2. Critically identify and analyse the issues involved in a dispute and to support the mediation of those issues;
   3. Recognise potential alternatives to litigation as appropriate to the dispute involved and to critically evaluate the appropriate approach;
   4. Accurately identify the issue(s) that require research;
   5. Demonstrate their oral skills with persuasion to support the parties involved in moving toward a successful resolution.
3. **A synopsis of the curriculum**

This non-contributory module provides an introduction to mediation and the skills required to resolve legal disputes without recourse to litigation. This will include an introduction to the concept of mediation, workshops on the skills required to prepare for it, and take part in mediation, leading to participation in an internal mediation competition using scenarios provided.

Students will be competing for the opportunity to participate in the South East Regional Heat of the National Mediation Competition, which takes place during the following Autumn term. Each university is allowed to send 2 teams (4 students) to compete in this event. This competition does not form part of the module however, it represents a goal for students to work towards in the internal competition.

1. **Reading list (Indicative list, current at time of publication. Reading lists will be published annually)**

Carr, H and Horsey, K, Skills for Law Students (Oxford University Press, 2009)

Finch E and Fafinski, S, Legal Skills (Oxford University Press, 2013)

Moore, CW, The Mediation Process: Practical Strategies for Resolving Conflict (Jossey Bass, 1986) Webb, J, Maughan, C (et al.), Lawyers' Skills (Legal Practice Course Guide) 15th Ed. (Oxford University Press, 2013)

Whateling, T, Mediation, Skills and Strategy (Jessica Kingsley Publishers, 2012)

1. **Learning and teaching methods**

This module will be taught by seminar/workshops and private study

Total study hours: 24

Contact hours: 12

Private study hours: 12

1. **Assessment methods.**

13.1 Main assessment methods

This module does not form part of the formal 240 credit diet at stages 2 & 3, therefore assessment do not formally ‘count’ for the degree. The module represents extra learning and an opportunity to gain transferable skills to enhance employability.

Students who attend and participate in the seminars/workshops and take part in the internal mediation competition will be deemed to have passed this module and will thus achieve the learning outcomes. The successful completion of this module is recognised on the students final Degree Transcripts.

13.2 Reassessment methods

This module does not form part of the formal 240 credit diet at stages 2 & 3, therefore assessment does not formally ‘count’ for the degree. The module represents extra learning and an opportunity to gain transferable skills to enhance employability. As such the module does not have a reassessment method.

1. ***Map of module learning outcomes (sections 8 & 9) to learning and teaching methods (section 12) and methods of assessment (section 13)***

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | | | 8.1 | 8.2 | 8.3 | 9.1 | 9.2 | 9.3 |
| **Learning / teaching method** |  | |  |  |  |  |  |  |
| Seminar/Workshops |  | | x | x | x |  | x | X |
| Private Study |  | | x | x | x | x | x | X |
| **Assessment method** | Specify word length, duration, individual or group work (as appropriate) | |  |  |  |  |  |  |
| Participation in Seminar/Workshops | As above contact | Completion of both elements will result in a pass | x | x | x |  | x | X |
| Competition | 1.5 hours |  |  |  | x | x | X |

1. The School recognises and has embedded the expectations of current equality legislation, by ensuring that the module is as accessible as possible by design. Additional alternative arrangements for students with Inclusive Learning Plans (ILPs)/declared disabilities will be made on an individual basis, in consultation with the relevant policies and support services.

The inclusive practices in the guidance (see Annex B Appendix A) have been considered in order to support all students in the following areas:

**a) Accessible resources and curriculum**

1. Preference will be given to electronic resources that meet minimum accessibility standards and support the use of assistive technologies.
2. Module outlines will be made accessible at least four weeks before the module starts.
3. Prioritised reading lists will be made available sufficiently in advance to accommodate the provision of alternative formats and support those with a slow reading speed.
4. Lecture/seminar slides/outlines will be made available in electronic format in advance to allow all students to prepare (particularly students with notetaking difficulties).
5. There are no lectures in this module, therefore the lecture capture policy does not apply.

**b) Learning, teaching and assessment methods**

The inclusive practices in the guidance (Annex B Appendix A, section b (1) and (2)) have all been considered in order to support all students in their assessments on this module.

1. **Campus(es) or centre(s) where module will be delivered:**

Canterbury

1. **Internationalisation**

This module makes comprehensive use of evolving International Alternative Dispute Resolution (ADR) concepts. The law school has a very high percentage of International Students who together with home students greatly benefit from learning how ADR is incorporated internationally in the legal pathway of dispute resolution. This module is taught through experiential learning which is conducive to inclusive cultural participation. The seminars/workshops encourage students to interact with each other and in doing so take advantage of their diversity and interpretations of social and ethical issues ultimately resulting in better communication and confidence skills. The most successful students represent the university nationally and internationally in ADR Competitions.

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**Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Date approved | Major/minor revision | Start date of the delivery of revised version | Section revised | Impacts PLOs (Q6 & 7 cover sheet) |
| 21/09/2017 | Minor | September 2018 | 11-13, 15, 17 | No |
|  |  |  |  |  |