

Tuesday, 24th March 2015

## **An Urgent Need for Regulation of the Mediation Profession by David Liddle**

I have been mediating for 20 years and in that time I have sat on the committees of several mediation bodies including the now obsolete Mediation UK; The Civil Mediation Council (CMC); several mediation charities as well as regional mediation bodies. I set up and was director of a large mediation centre delivering community mediation, peer mediation and restorative justice services. I set up and chaired the Midlands Mediation Network and in 2001, I set up and am now CEO of one of Europe's largest private sector mediation providers – The TCM Group. I guess you could say that I know a thing or two about mediation and the structures and the processes within which mediation operates.

In all of that time, I have been left with a profound feeling that the professional mediation community urgently needs access to a well organised and coherent professional body. A body that can act as an accountable body and one that delivers a reasonable level of self regulation. Some mediators believe that they should be able to operate as 'free agent' and should operate free from the constraints of a regulatory environment. However, I believe that, for mediation and mediators to be taken seriously at the board room of every business in the UK, we need to act and behave like a professional community. Professional communities have rules, guidelines and standards.

### **It is time for a mediation professional body to emerge which will:**

1. Deliver a set of coherent practice standards for Professional Mediators;
2. Demonstrate that its members operate in a way which is accountable;
3. Develop an accreditation scheme for its members;
4. Actively promote mediation to policy makers and to users and purchasers of mediation;
5. Collect, collate and publish evidence relating to the use, impact and benefits of mediation;
6. Celebrate mediators achievements and raise their profile;
7. Create forums for professional mediators and mediation organisations to exchange ideas and to develop best practice; and
8. Deliver high quality CPD and other professional development opportunities for our members.

I'm not known as someone who will sit back and wait for others to do things. Driven on by an increasing sense of frustration that opportunities were being missed, in 2007, I set up a new professional organisation called the **Professional Mediators' Association** (PMA).

For several years, the PMA operated as part of The TCM Group ([www.thetcmgroup.com](http://www.thetcmgroup.com)). This provided the PMA with a resource rich environment in which it could evolve and develop. I invested substantial time and money into growing the PMA. My vision was that, one-day, The PMA would become a recognised professional Association in its own right.

In summer 2013, the PMA was sufficiently well developed that it could begin to stand on its own two feet. I set up a not for profit company structure for the PMA to operate within. Over the next 12 months, along with a number of key partners, I implemented a programme which would see the PMA become an independent legal entity. As a result, the PMA is now an independent trade association operating within a not for profit company structure. The PMA has also recently appointed a General Manager to oversee the day to day running of the organisation- her name is Mercedes Brown

### **The PMA offers its members unrivalled benefits**

Here are just a few of the ways that the members of the PMA have benefited from their membership of the PMA:

- We published the UK's first ever Mediation Professional Standards **available by [clicking here](#)**
- We continue to deliver on our 4 core values
  1. Transparency – we are actively promoting our work via newsletters and social media
  2. Informing – we are running events and activities
  3. Excellence – quality assurance sub group and new accreditation scheme
  4. Collaboration – working with bodies such as PARN, IMI, LGA and others
- We published a Joint Local Government Association/PMA report, entitled WIN/WIN, which examined the role and impact of mediation within Local Government. This has led to a series of regional workshops to promote mediation within Local Government in partnership with the LGA

- We have a full time General Manager Mercedes Brown whose job it is to drive the PMA forward, to deliver on our strategic priorities and to look after the interests of our members, partners and customers.
- We have built a relationship with **PARN** and contributed to the PARN annual review 2014.
- We publish a regular newsletter, blogs and digests
- We offer an enhanced programme of events and CPD:
- PMA discourse (debate about professionalization of mediation- intellectual and academic).
- Mediation meet ups (social, relaxed and networking sessions).
- PMA brunch and learns (employability and skills based sessions to enhance your skills as a mediator).
- CPD – professional mediator development events
- National Forums – sector specific, case study run events and webinars.
- We are now into the 4th year of the **National Mediation Awards**. The 2015 Awards are looking bigger and better than ever.
- In 2014, we launched the international mediator article and video competition.
- We have secured Michael Gibbons. Author of the famous Gibbons review of dispute resolution as Honorary Patron of the PMA

This is not bad for a small organisation. But we now need more members and more partners to help us to move the PMA to the next level.

### **The future of the PMA - a three year plan**

The PMA will continue to deliver outstanding benefits to its members and we will continue to engage with our members in a positive and supportive way. We have a unique opportunity to enhance the profile of the PMA and I would like to take this opportunity to now look ahead and set out my vision for the PMA for the next three years.

1. We will put more emphasis into PR and external communications to raise the profile of the PMA and to promote the amazing work that our members are doing.
2. The PMA will become the central place for Government officials, policy makers and other social partners to engage with to get insights and updates from the professional mediation community.

3. The PMA will actively engage with the research community and seek research funding and research partnerships to generate evidence relating to the use and benefits of mediation
4. The PMA and TCM will continue to co-exist in a symbiotic relationship. However, over the next 3 years, the PMA will actively engage with a growing number of ADR providers to generate enhanced levels of support and activity that benefits everyone.
5. The PMA will deliver an exciting programme of continuing professional development for mediators.
6. The PMA will run an enhanced range of events using the best of online as well as traditional mechanisms.
7. The PMA will actively encourage the business community to become part of the organisation and benefit by being part of the PMA.
8. The PMA will actively seek partnerships with all stakeholders and social partners who have a responsibility for policy making in the areas of justice, conflict management and dispute resolution.
9. The PMA will extend its accreditation scheme and make sure that PMA accreditation is seen as the benchmark standard for all professional mediators.

### **Concluding comments**

The PMA is rapidly becoming the professional body for all mediators cross the UK and further afield. We are committed to developing a professional network of members, all of whom are singularly focused on driving up standards.

The support that we offer to corporate bodies, internal mediators, consultant mediators and to mediation providers is unrivalled. The PMA's plans for the next 3 years are as ambitious as they are exciting. However, we need more people to join the PMA: to work with us and to drive the agenda forward.

Mediation happens behind closed doors, it doesn't happen in a vacuum. Mediators need to consider how their mediation profession is perceived by the users and the purchasers of mediation. Mediation has now entered the mainstream and is playing an increasing important role in public policy, justice and business growth. A level of self-regulation is an important next step in the development of a professional mediation industry. The PMA can act as a catalyst for this and I look forward to working with you to achieve our exciting plans.

PROFESSIONAL  
MEDIATORS  
ASSOCIATION

**PMA** 

### **How to join the PMA**

If you would like to join the PMA or to simply find out more, please visit our website [www.professionalmediator.org](http://www.professionalmediator.org)