

BY EMAIL ONLY

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Harvinder Singh Bhurji
Effective Dispute Solutions
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Dear Harvinder,

Thank you for allowing me to observe you mediate this dispute. In my opinion, you managed and led the whole mediation process with the highest level of professionalism.

The case was a perfect example of the challenges and limitations mediators might face sometimes. Despite the mediator's experience and best efforts, a solution to end the dispute may not be found. Nevertheless, it was a valuable lesson for me, in respect of any future mediations I may conduct.

The series of questions to the observers between sessions was also very valuable. It highlighted the differences between the training I received, and the reality of the process. This only could be pointed out, and corrected by a person with a professional background such as yourself. Personally, it was a reality check for my future career, and further development of my skills as a mediator.

You began the mediation, with a detailed introduction of the role of the mediator and the rules that would be applied during every step of the mediation. Followed by allowing both parties to present their opening statements, during which one of the parties had to be reminded of the non-interruption time. Finally, summarising each opening statement, you confirmed the outcomes they expected from the mediation which gave a clear indication that each party had been heard and understood.

The central topic of the dispute was very sensitive and both parties had not much hope to find any immediate or a long-term satisfying solution. Although, you did spend a great deal of time searching for possibilities to help solve the dispute. It appeared that the whole mediation process was bound to fail, due to the actual approach and a list of procedures which the service provider had to follow. They could not agree to anything without the agreement of several external committees. Which could not be done during the mediation.

Once you received the alternative options, you judged the situation according to your knowledge and experience by continuing caucus sessions in order to find out if any of the options would be suitable for each of the parties.

I hope I will have more opportunities in the near future, to observe your work and I would certainly encourage other newly qualified mediators to do the same.

Yours sincerely,

Ewa Babicka
Accredited Mediator, LLM in Laws
Restorative Justice Facilitator, Community Interpreter