



The Directive from the Mediator's perspective and some thoughts on the problems surrounding mediation confidentiality

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The Invitation to Mediate from the Judge under Article 5

An invitation you cannot refuse?

Should the Judge have had the power to order the parties to mediate?

Article 6

The single most useful provision for users?

A consent judgement enforceable throughout the community

Article 7

Why is confidentiality so important?

What is the effect of the arrangements in the Directive?

Is the Directive enough and what do we need to guard against?

Article 7

What do the parties need?

Should the Court override the parties confidentiality and in what circumstances?

How do we avoid satellite litigation on confidentiality?

Should we create mediation confidentiality as a matter of public policy?

The Future

Increasing training variety and rising standards?

Regulation?

A harmonious relationship between mediation and the Courts?

Increasing numbers of mediations and varieties of ADR systems?

Considerable developments in mediation techniques?

Use of mediation in public sector disputes?

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