

Overview of the Australian National Mediator Accreditation System

NMAS REVIEW 2020-22




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NMAS Review 2020-22 Hub

www.nmasreview.com.au

NMAS REVIEW 2020-22 HUB




RESOLUTION RESOURCES
ADVISORS | PRACTITIONERS | EDUCATORS

HOMEABOUT THE REVIEWFINDINGS ✓FAQS ✓NEWS

AN INDEPENDENT REVIEW OF AUSTRALIA'S NATIONAL MEDIATOR ACCREDITATION SYSTEM

Thank you to the 800+ mediators and industry,
training & accreditation representatives who
contributed to the NMAS Review.

READ THE FINDINGS, RECOMMENDATIONS AND
PROPOSED REVISIONS SUBMITTED TO THE MSB HERE



WELCOME TO THE NMAS REVIEW HUB

Australian Context

WHY DID AUSTRALIA MOVE TOWARDS ACCREDITATION & HOW HAS IT EVOLVED OVER TIME?

Purpose & Scope

WHY CONDUCT THE NMAS REVIEW 2022?

Consultation Process

ENGAGING IMPORTANT STAKEHOLDERS

Developing Professional Standards

HARNESSING PROFESSIONAL EXPERTISE

Developing Professional Standards

INTRODUCING BIG DATA

Training and Accreditation Framework

MEDIATORS, FDRPS, CONCILIATORS AND OTHER SPECIALIST PRACTITIONERS

Tiered Accreditation Model

FOUR LEVELS OF RECOGNITION

What is your primary interest?

Australian Context

WHY DID AUSTRALIA MOVE TOWARDS ACCREDITATION &
HOW HAS IT EVOLVED OVER TIME?

Rationale for Mediator Accreditation in Australia

- Perceived need to ensure:
 - Quality
 - Consistency
 - Public confidence
- Three key drivers shaped this perception

1. Professional Credibility & Consumer Confidence

- The early 2000s saw concerns about the variability of mediator qualifications across sectors.
- NADRAC's 2001 report emphasised that consistent standards were essential for building public trust.
- Accreditation provides assurance that mediators meet core competencies, especially in sensitive or high-stakes disputes.

2. Recognition of Mediation's Growing Role

- As mediation became embedded in legal and community processes (e.g., family law, court-connected mediation), there was a need to formalise expectations of competence and ethical practice.
- Accreditation helped ensure that mediators were not only skilled but also prepared to operate within diverse legal and cultural contexts.

3. Voluntary but Coordinated Industry Regulation

- Rather than a top-down regulatory framework, the system was designed to be voluntary, industry-led, and self-regulated, thus allowing flexibility while maintaining high standards.
- It responded to the diversity of practice styles, sectors, and mediator backgrounds.

Key Milestones

- 2001: NADRAC recommends national standards
- 2004–2006: Boule-led consultations
- 2008: NMAS launched with Sourdin-led framework
- 2015: Revised NMAS standards released
- 2020–2022: Independent NMAS Review (Hutchinson & Litchfield)
- 2024: Transition to AMDRAS begins

From NMAS to AMDRAS

- Why change?
 - Better reflect evolving practice
 - Expand recognition beyond traditional mediation
 - Address diversity and accessibility
- Key Changes:
 - Tiered accreditation
 - Inclusive, flexible standards
 - Support for broader DR roles

Purpose & Scope

WHY CONDUCT THE NMAS REVIEW 2022?

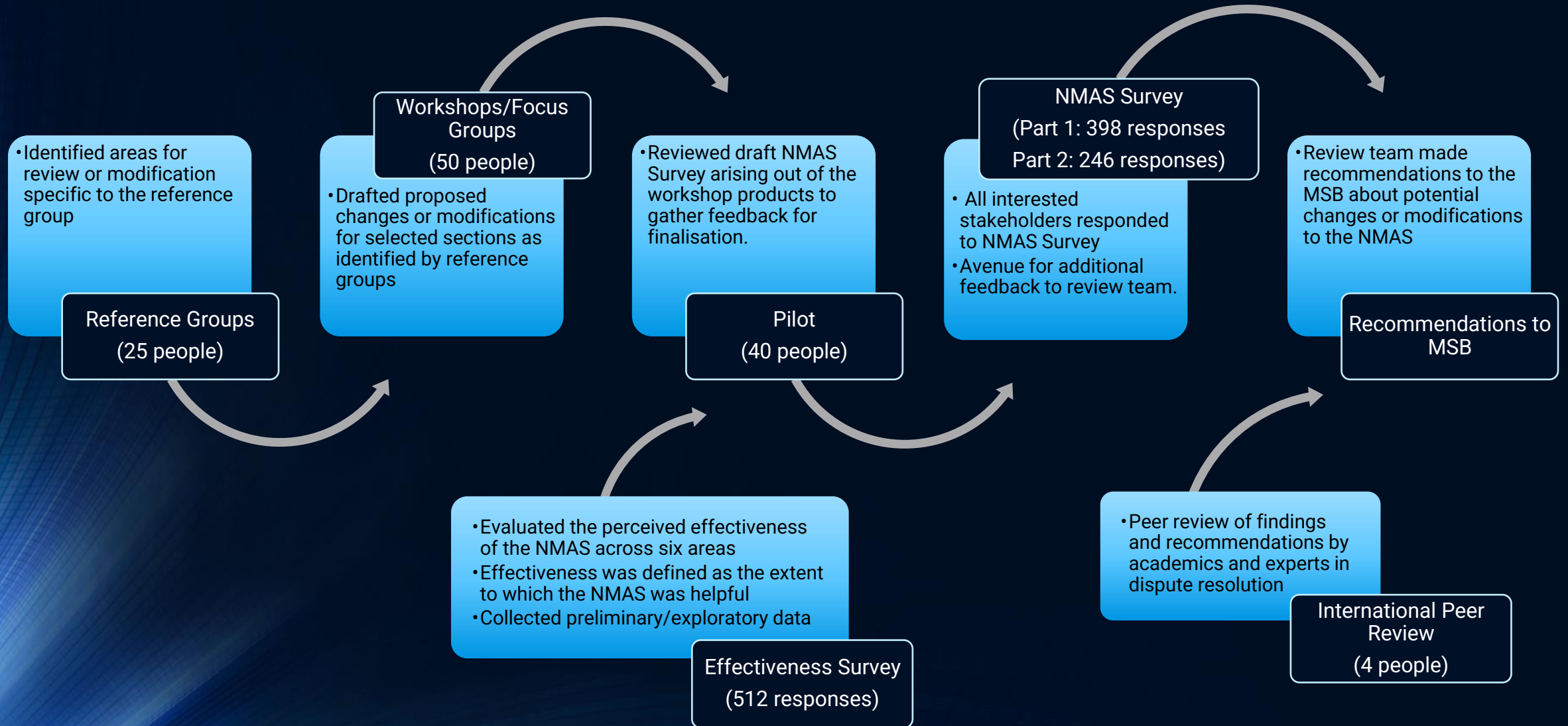
NMAS Review 2020-22



MEDIATOR
STANDARDS
BOARD

- ✓ Evaluate the effectiveness of the National Mediator Accreditation System (NMAS)
- ✓ Consider what changes and additions need to be made to it. For example, changes and additions may include (subject to the feedback received):
 - Consideration of the inclusion of conciliation, family dispute resolution (FDR) or other non-determinative dispute resolution processes (NDR) into the NMAS; and
 - Provisions that take account of First Nations mediator needs and requirements.
- ✓ Situate the NMAS in a domestic and international context, including a review of comparative international regulatory dispute systems

Stages of the Review Process



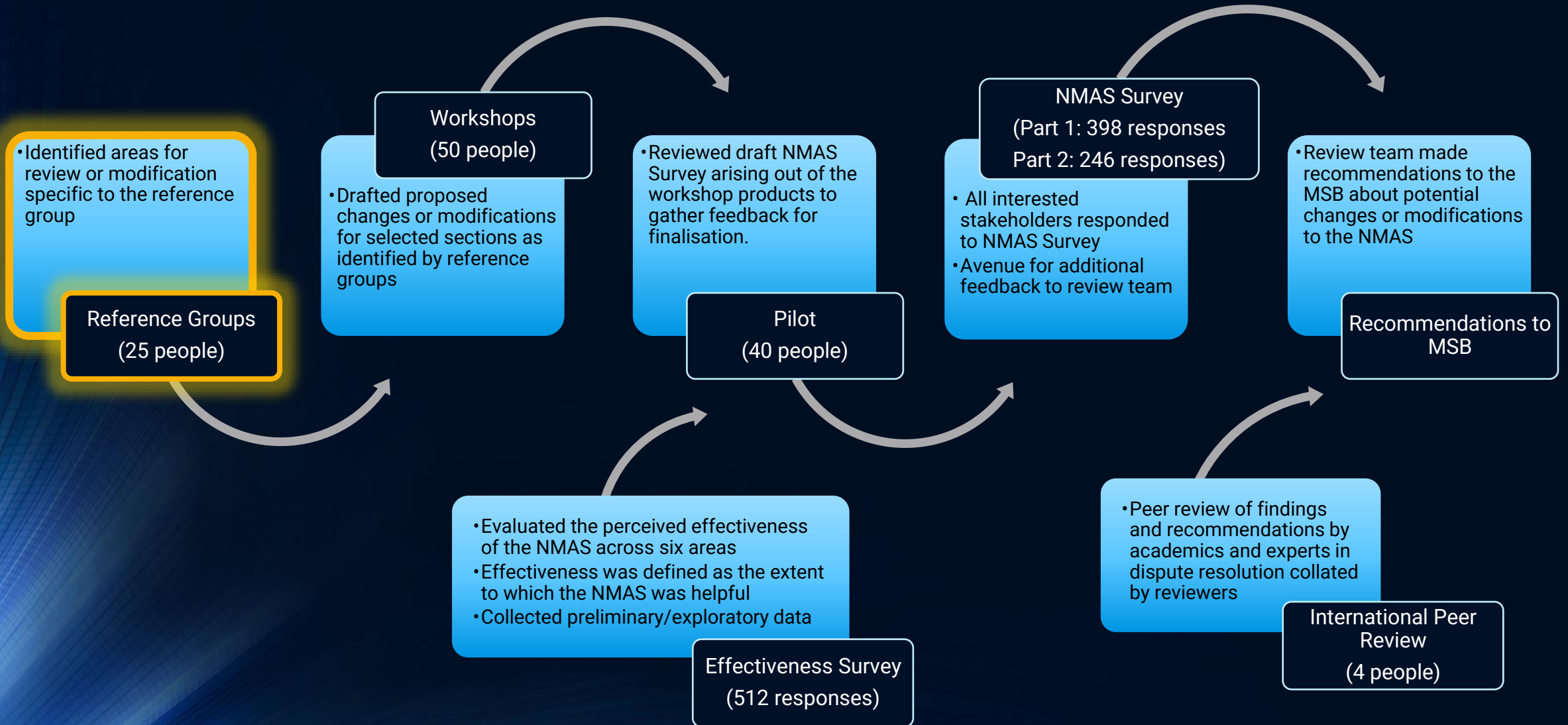
Consultation Process

ENGAGING IMPORTANT STAKEHOLDERS



Reference Groups

Stages of the Review Process





Reference Groups

Purpose

The purpose of the reference groups is to gather representatives from identified stakeholder groups and peak bodies to provide targeted expert insight into potential areas for change or modification of the standards.

Participation is by invitation and in consultation with peak bodies and/or stakeholders.

There is scope for 6-8 representatives across 4 to 5 reference groups. While the time commitment may vary from group to group, the typical commitment for each representative is equivalent to approximately 2 days.

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graph TD; A[Reference Groups] --- B[Aboriginal & Torres Strait Islander]; A --- C[Diversity & Inclusion]; A --- D[MSB Member Organisations]; A --- E[Non-NMAS Processes]; A --- F[Institutions with an interest in NMAS];
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Reference Groups

Aboriginal & Torres
Strait Islander

Diversity &
Inclusion

MSB Member
Organisations

Non-NMAS
Processes

Institutions with an
interest in NMAS

Reference Groups

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graph TD; RG[Reference Groups] --- A[Aboriginal & Torres Strait Islander]; RG --- DI[Diversity & Inclusion]; RG --- MSB[MSB Member Organisations]; RG --- NNP[Non-NMAS Processes]; RG --- IIN[Institutions with an interest in NMAS]; A --- AC[As determined by community];
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Aboriginal & Torres
Strait Islander

Diversity &
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MSB Member
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Institutions with an
interest in NMAS

As determined by
community



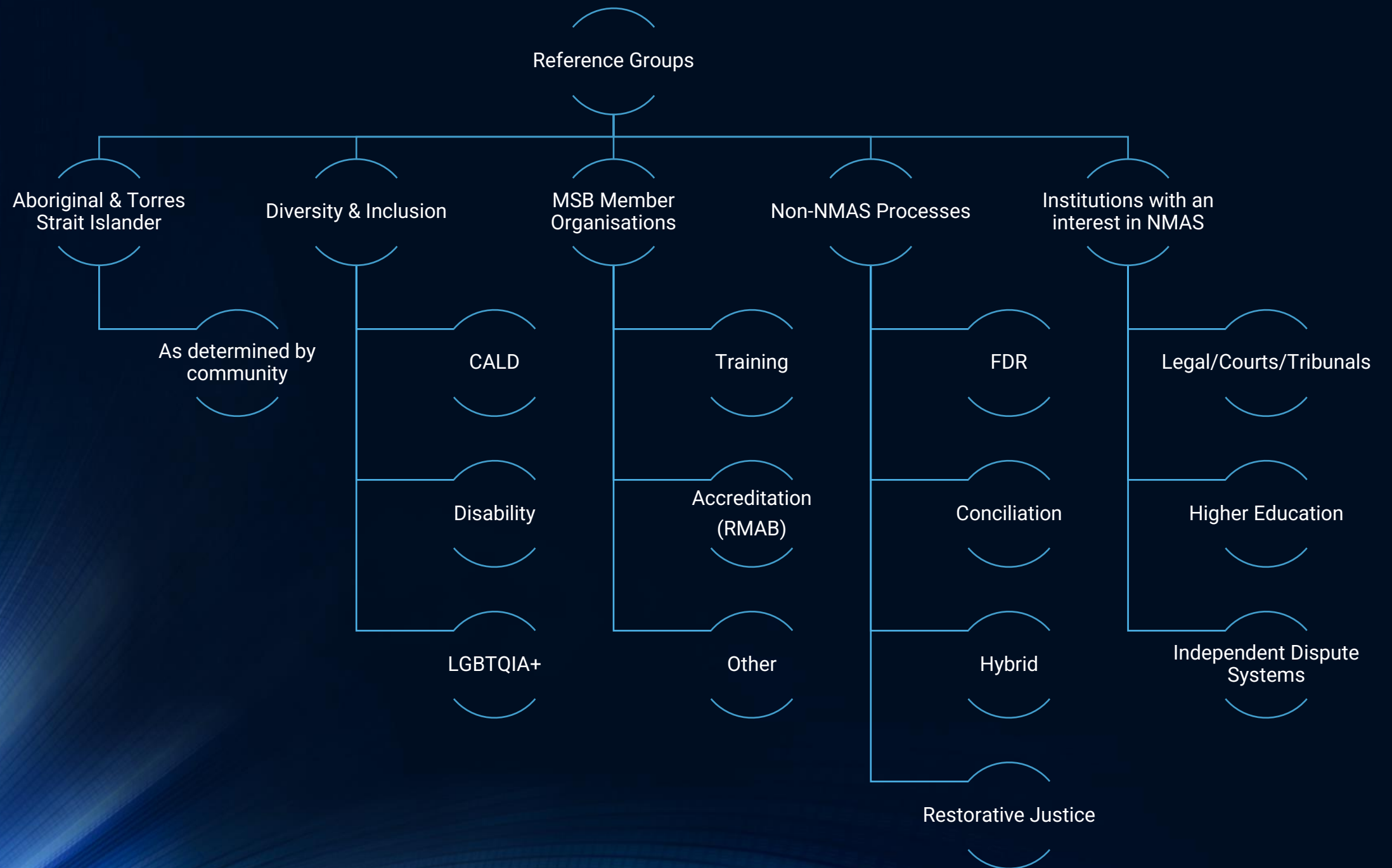
Reference Groups

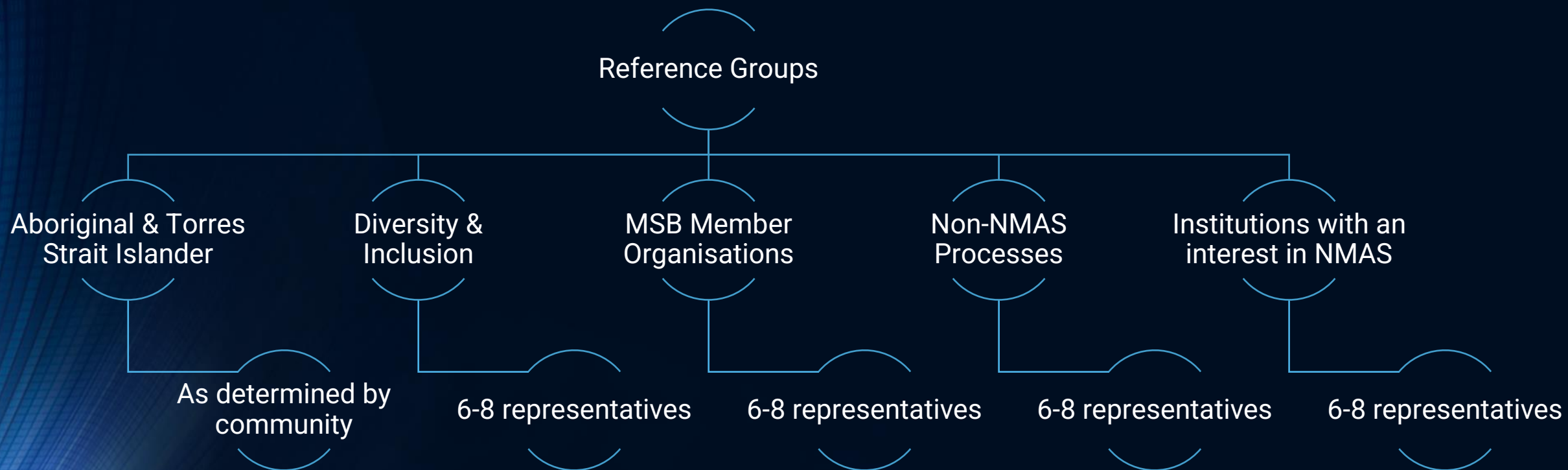
Aboriginal & Torres Strait Islander

The NMAS Review 2020-21 acknowledges and supports the right of Aboriginal and Torres Strait Islander people to self-determination.

The review team are seeking input from First Nations people and organisations to find out if they mediators and dispute resolvers would like to contribute to the review, and if so, in what form.

The review team are committed to listening carefully to this feedback and, where it is culturally appropriate, supporting First Nations mediators and dispute resolvers to have their say about their relationship (or not) to the NMAS.

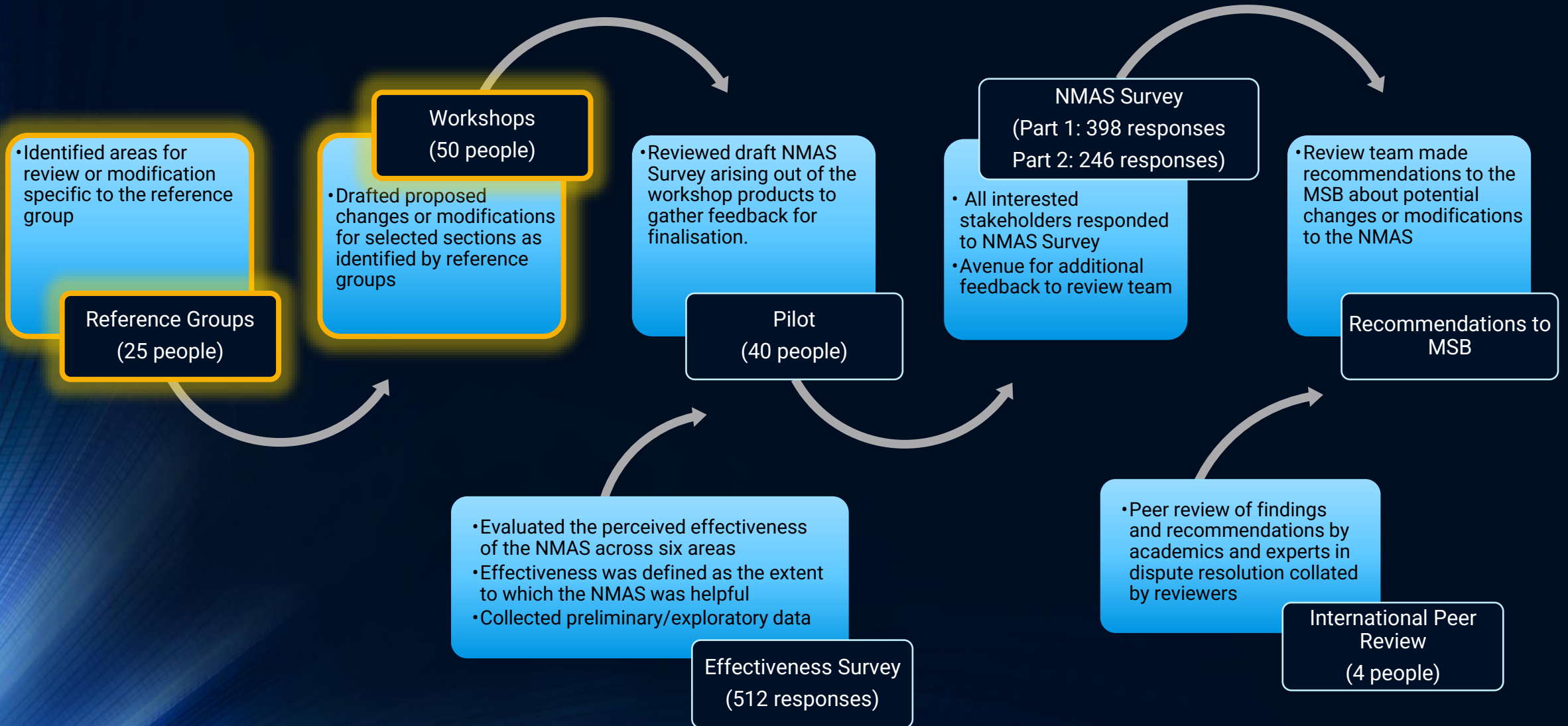






Workshops

Stages of the Review Process





Workshops

Purpose

The purpose of the workshops is to gather expert practitioners and interested parties to collectively review selected sections of the standards as informed by recommendations from the reference groups. The information generated from these workshops will form the basis of the NMAS Survey.

Participation is by invitation and representatives will be selected in collaboration with stakeholders.

There is room for up to 92 participants (46 MSB Members & 46 non-Members) across 4 workshops.

Each workshop:

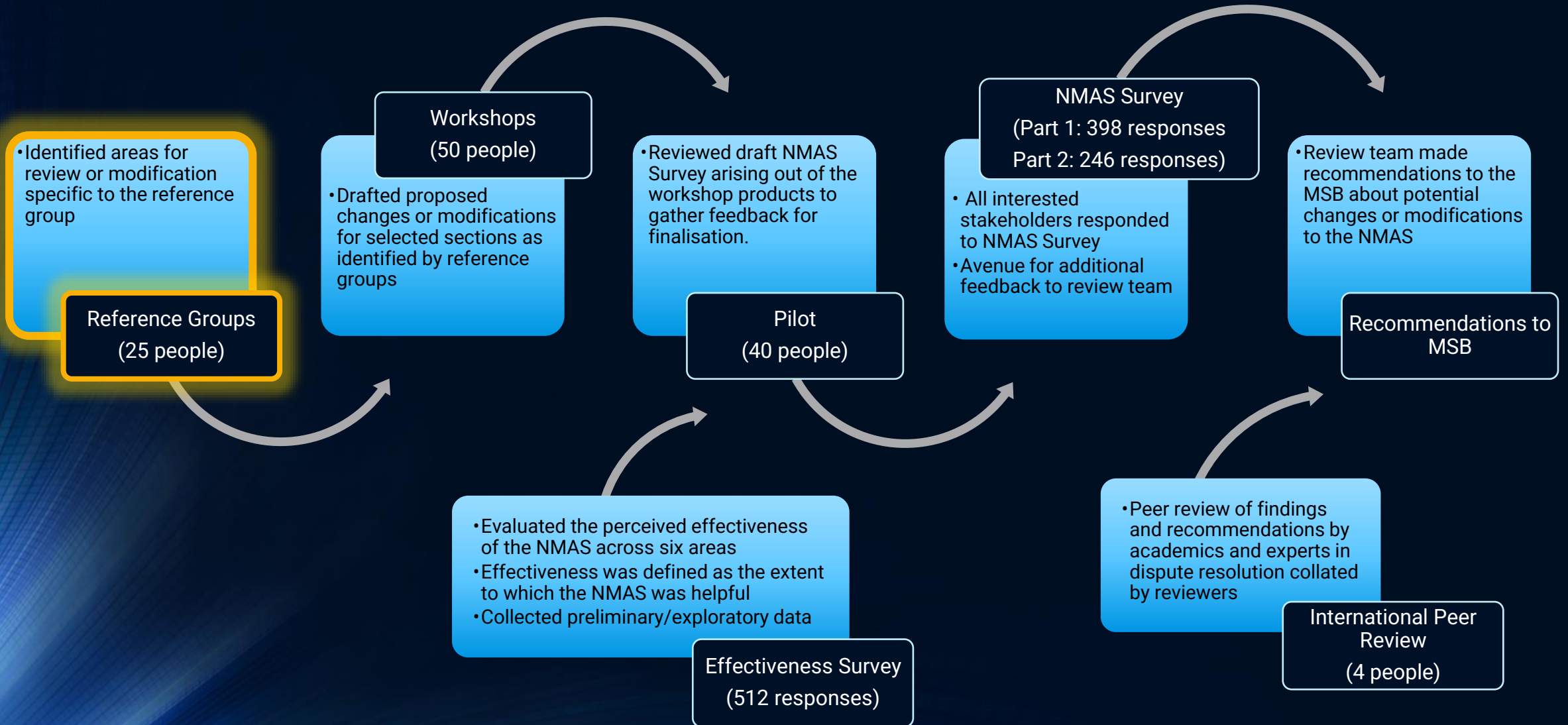
- 23 participants
- Virtual participation
- 1 day group work
- 2 hours pre-reading



Developing Professional Standards

HARNESSING PROFESSIONAL EXPERTISE





Stages of the Review Process



Identify the essential attributes

1. *What are the attributes (knowledge, skills, ethics etc) that are essential for mediators – i.e., what makes someone a professional mediator vs professional dentist?*

Professional Attributes

DOMAINS		Number of Attributes
	1. PROFESSIONAL KNOWLEDGE	7
	2. PROFESSIONAL SKILLS	7
	3. PROFESSIONAL ETHICS & RESPONSIBILITIES	7
	4. PROFESSIONAL DEVELOPMENT	4

Professional Attributes



DOMAIN 1 – PROFESSIONAL KNOWLEDGE

Mediators and specialist practitioners accredited under the Code draw on a body of knowledge and research to inform their practice. The professional knowledge domain is comprised of seven (7) attributes. This means the public can feel confident that a mediator or specialist practitioner accredited under the Code:

1. Understands conflict and the way people behave when they are in it
 2. Understands the factors that play a role in conflict and dispute resolution
 3. Knows the principles and models for mediation and the roles or functions of the people involved
 4. Knows a range of strategies or techniques for resolving conflict and when to use them
 5. Understands the requirement for fairness, safety and protecting against misuse of the process
 6. Understands the ethical, professional and legal obligations of a mediator
 7. Understands the scope and types of guidance or advice offered by mediators
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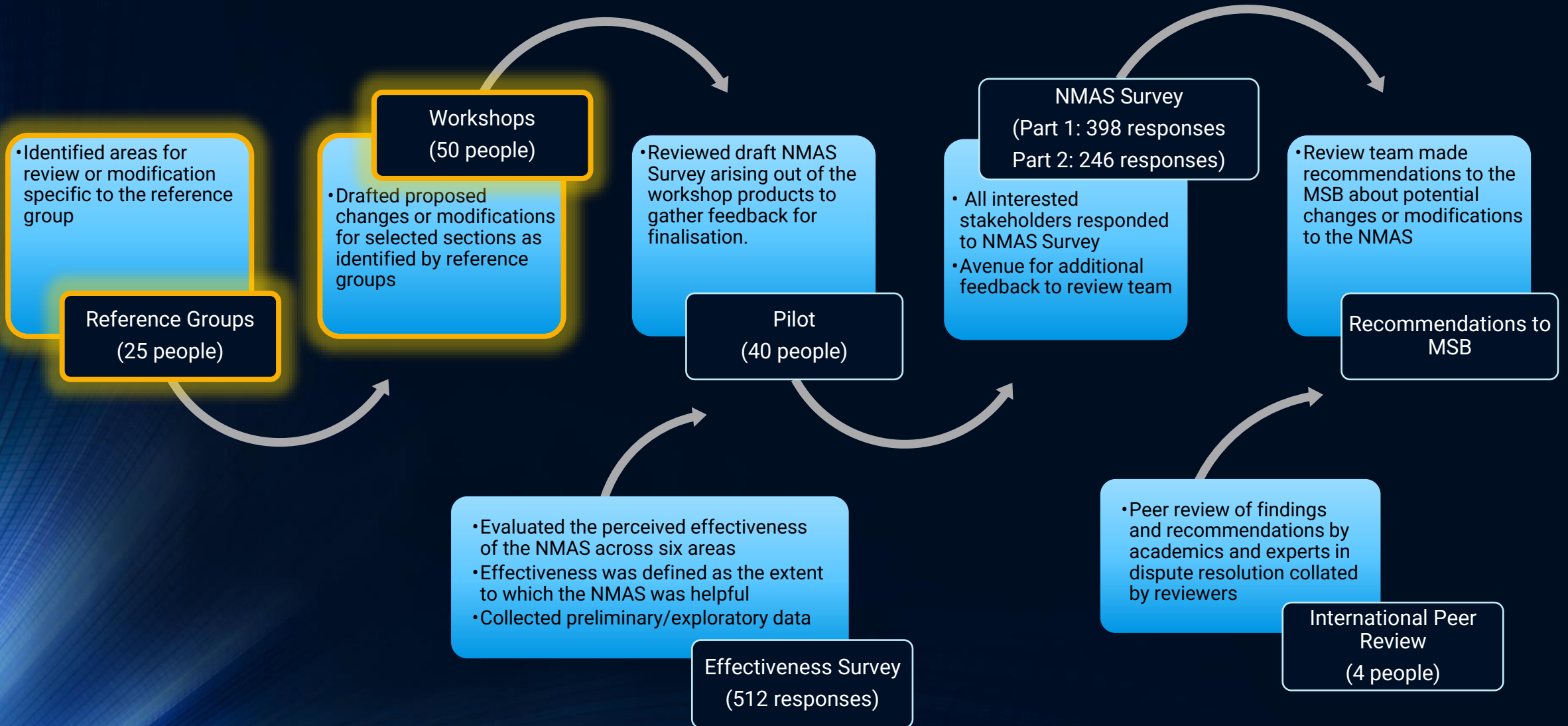
Developing Professional Standards

INTRODUCING BIG DATA

Methodology



Stages of the Review Process



How do attributes evolve over time?

1. *What are the attributes (knowledge, skills, ethics etc) that are essential for mediators – i.e., what makes someone a professional mediator vs professional dentist?*
2. *How these attributes might evolve over time e.g., early career mediator vs experienced mediator*

Professional Attributes



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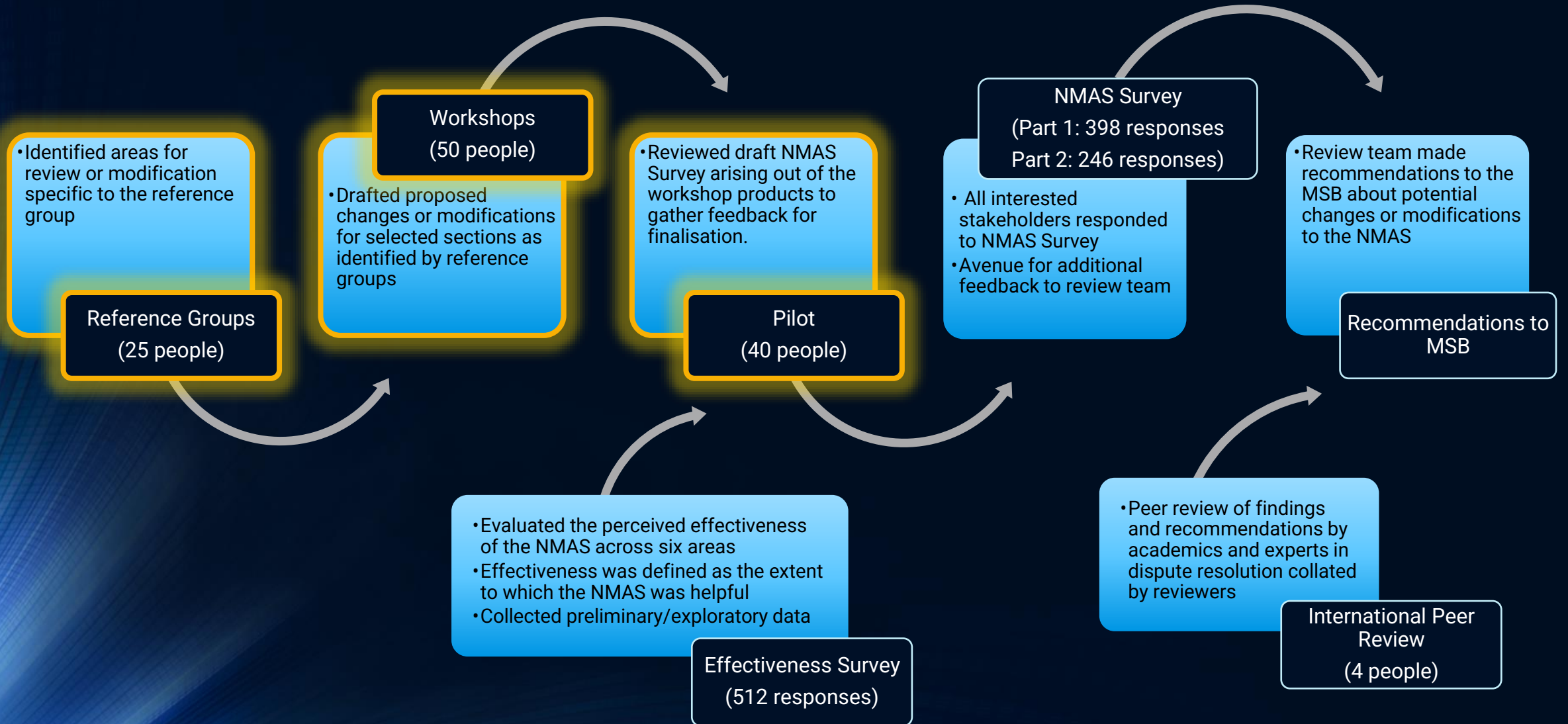
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Experts

Draft survey items



Stages of the Review Process



1. PROFESSIONAL KNOWLEDGE

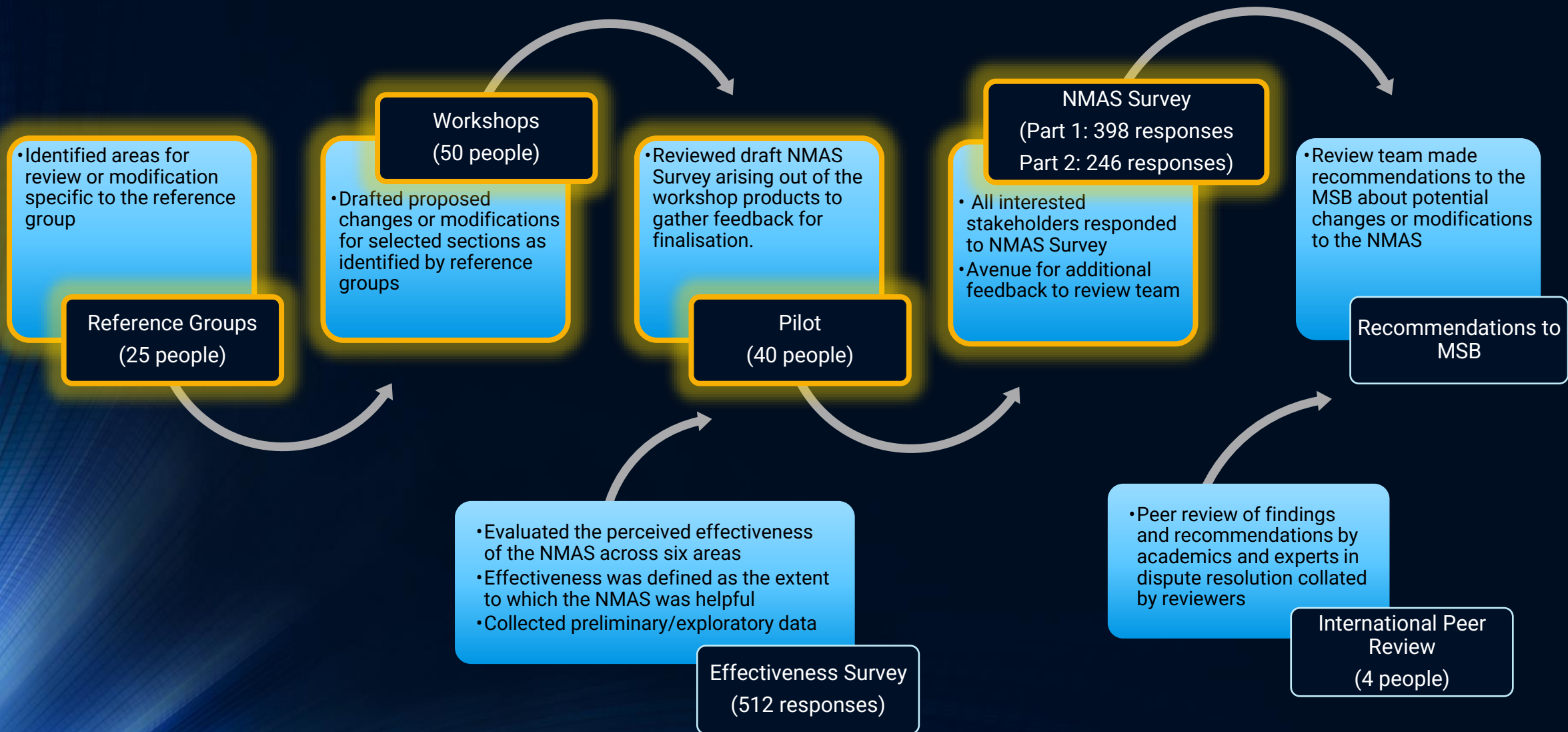
ATTRIBUTE: 1.1 Understands conflict and the way people behave when they are in it

Q1 (KA1101)

Understands the characteristics of conflict

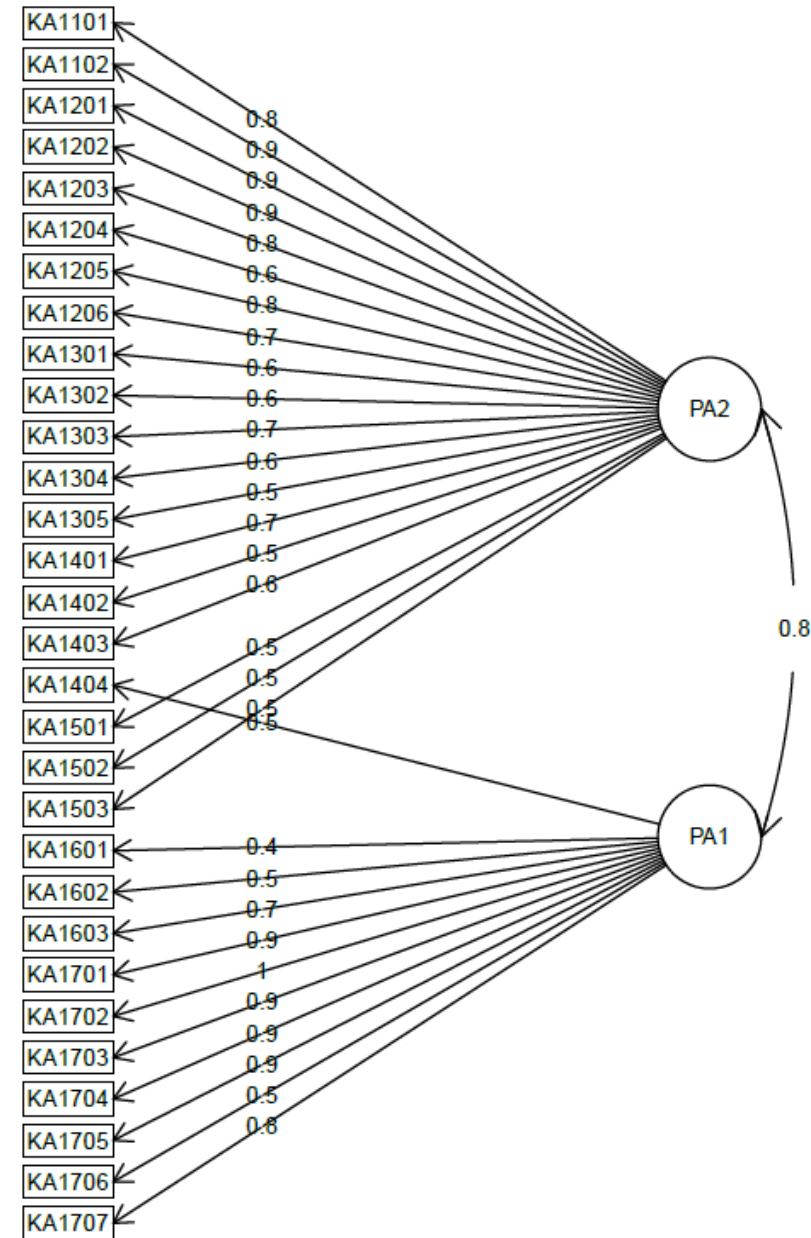
1. I can list types of conflict that typically arise between individuals or within groups, including the possible sources for each.
2. I can compare constructive and unconstructive characteristics of conflict to identify the elements which tend to form the basis of disputes (e.g. constructive conflict may feature collaboration and problem-solving to generate new ideas or important change, whereas unconstructive conflict may dehumanise people or attribute motives to cast the 'other' as inherently bad or lesser).
3. I can analyse the patterns of conflict to inform a strategy for diagnosing conflict and formulating priorities for preventing escalation or promoting resolution.
4. I can synthesise interdisciplinary knowledge to generate new insights or original ideas on the characteristics of conflict.
5. I haven't reached any of these levels yet OR this focus area is not relevant to my practice.

Stages of the Review Process



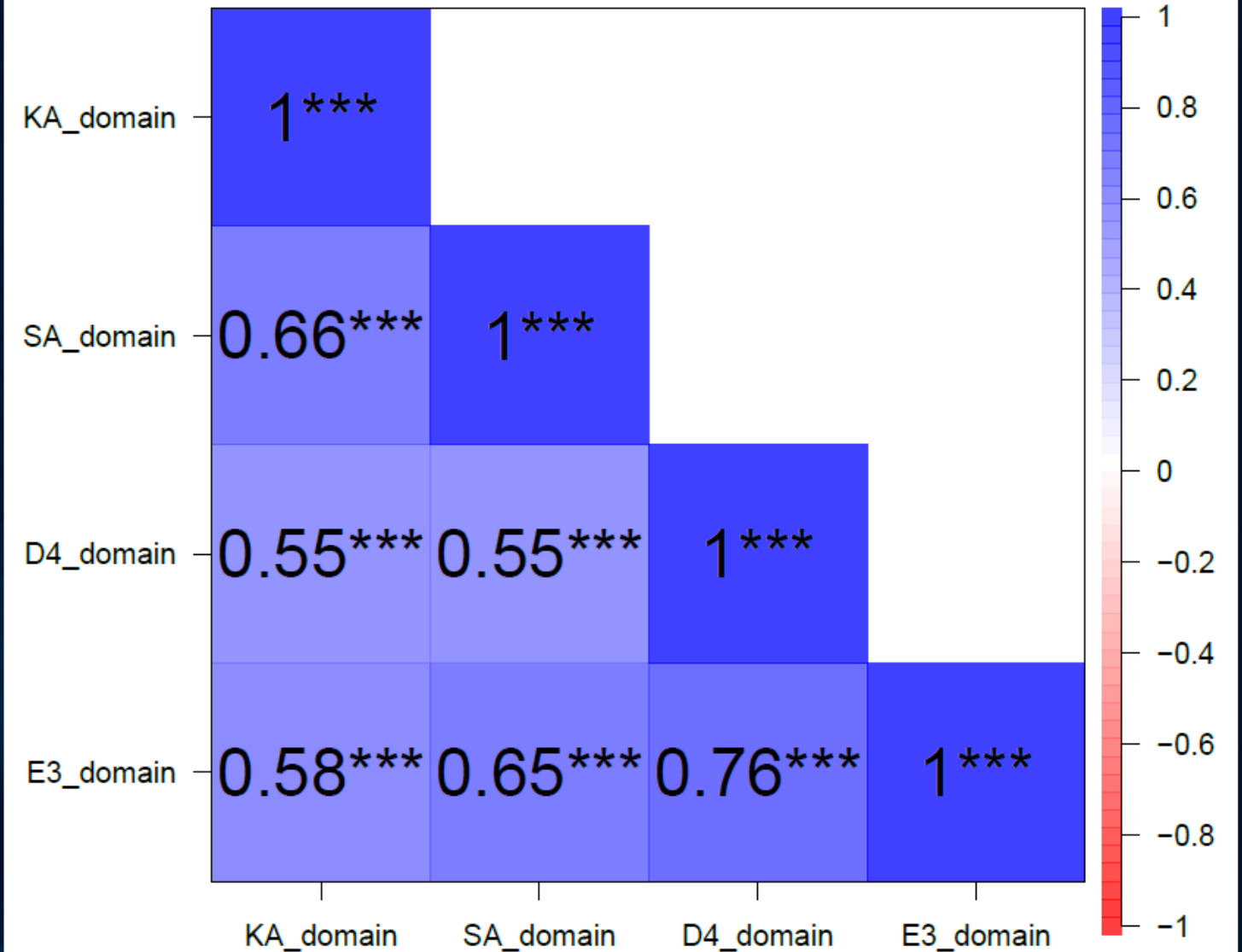
Professional Knowledge

Factor Analysis



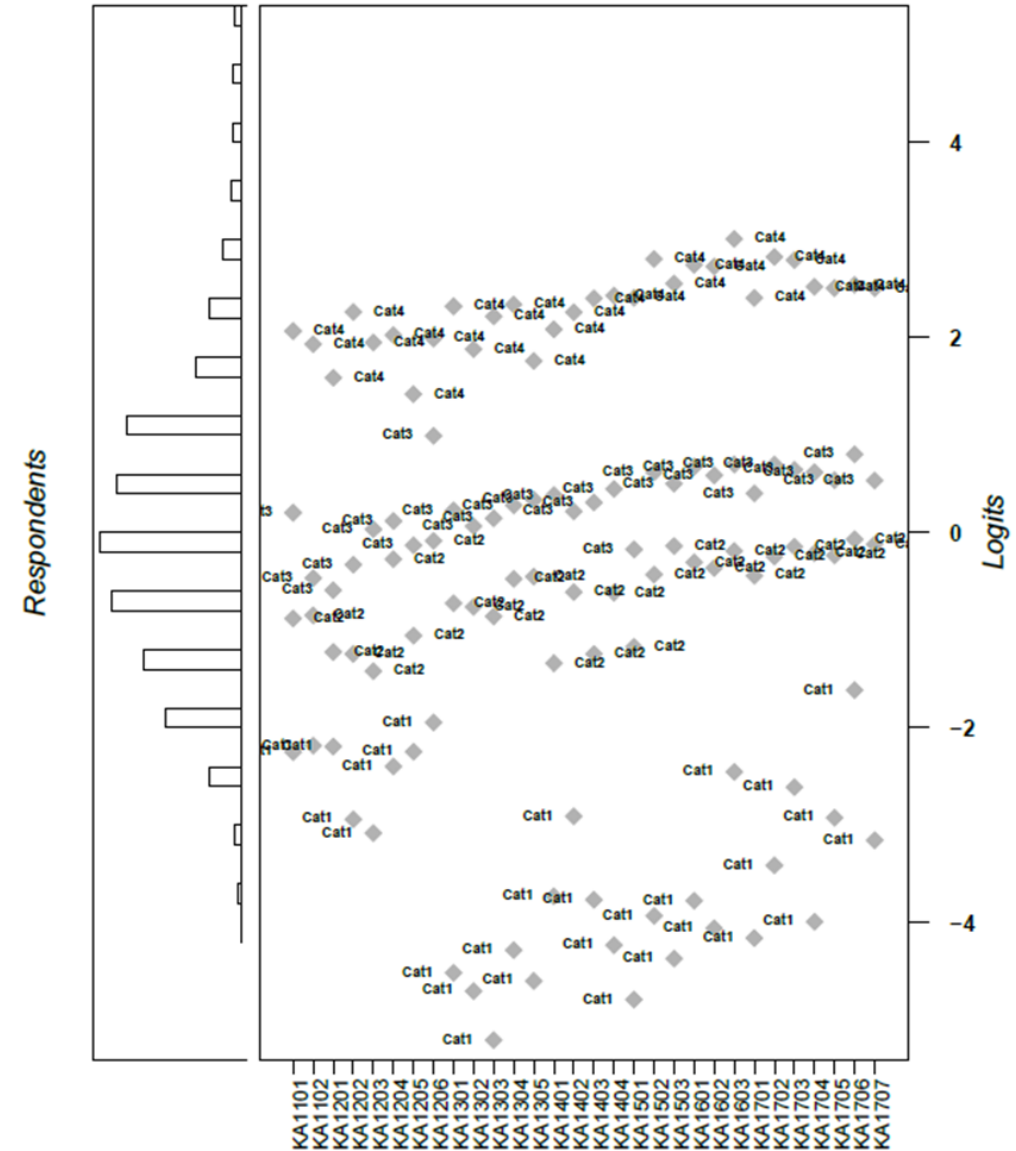
Professional Knowledge

Domain Correlations



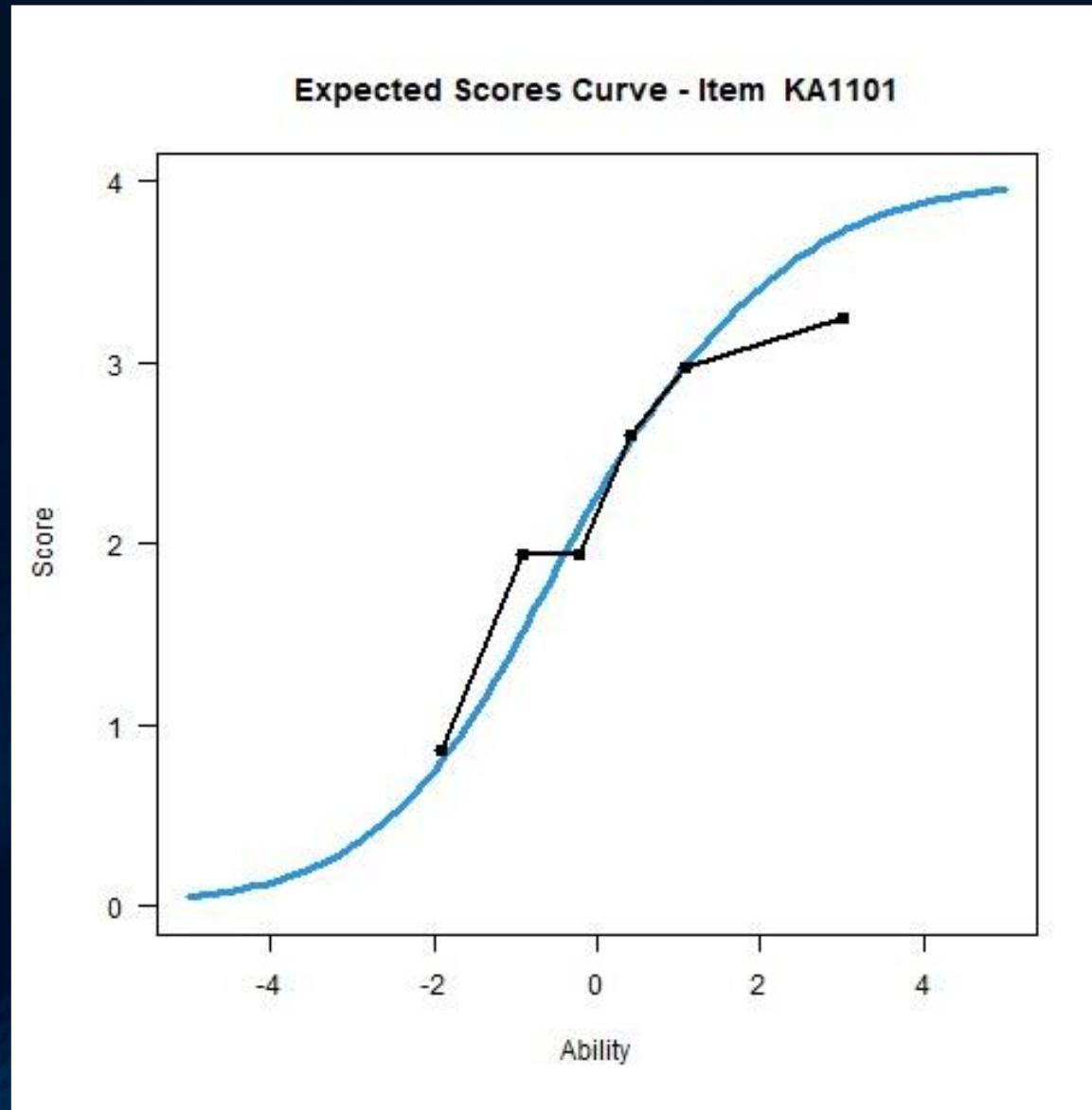
Professional Knowledge

Wright Map



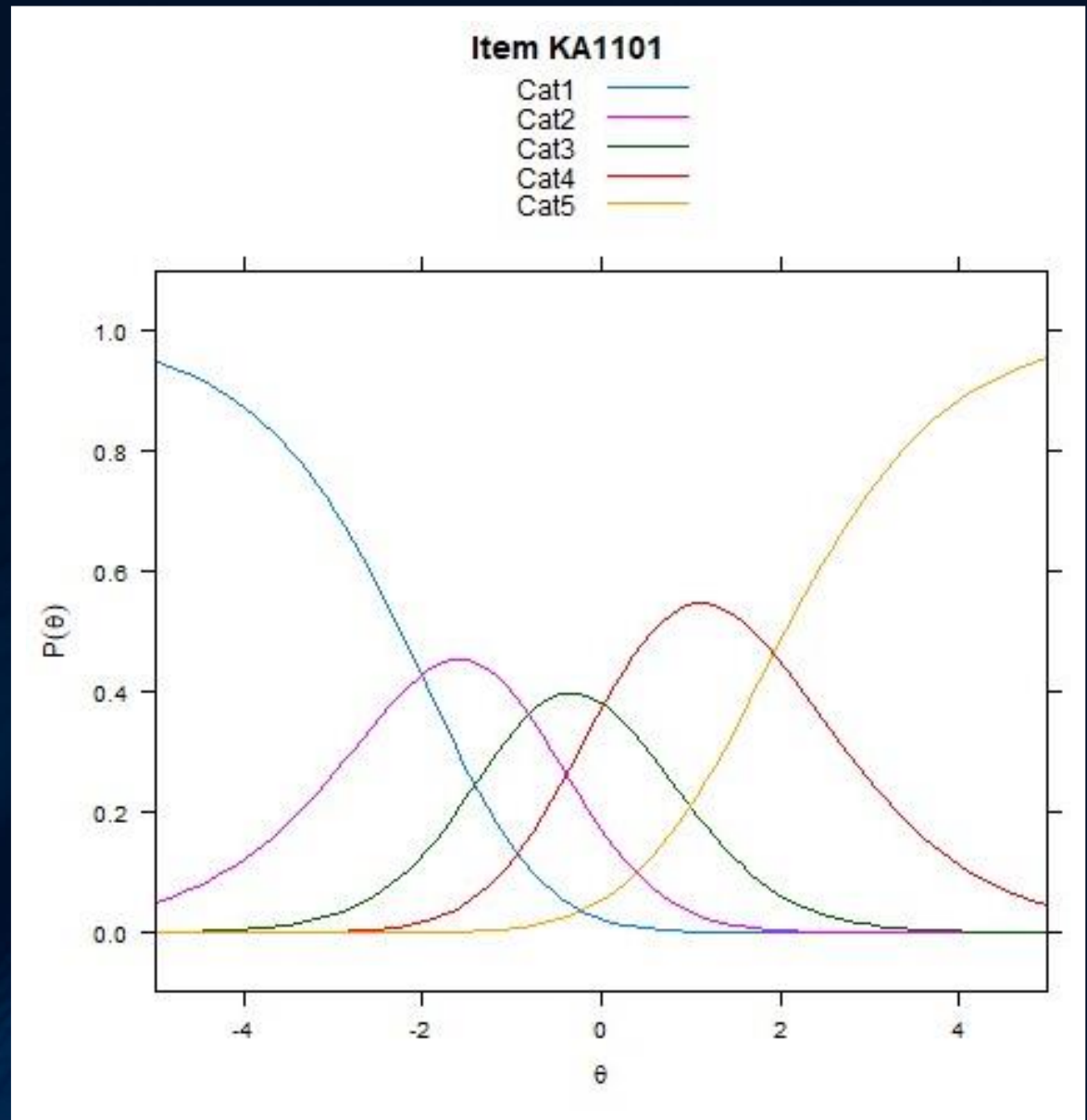
Professional Knowledge

Item Characteristic Curves



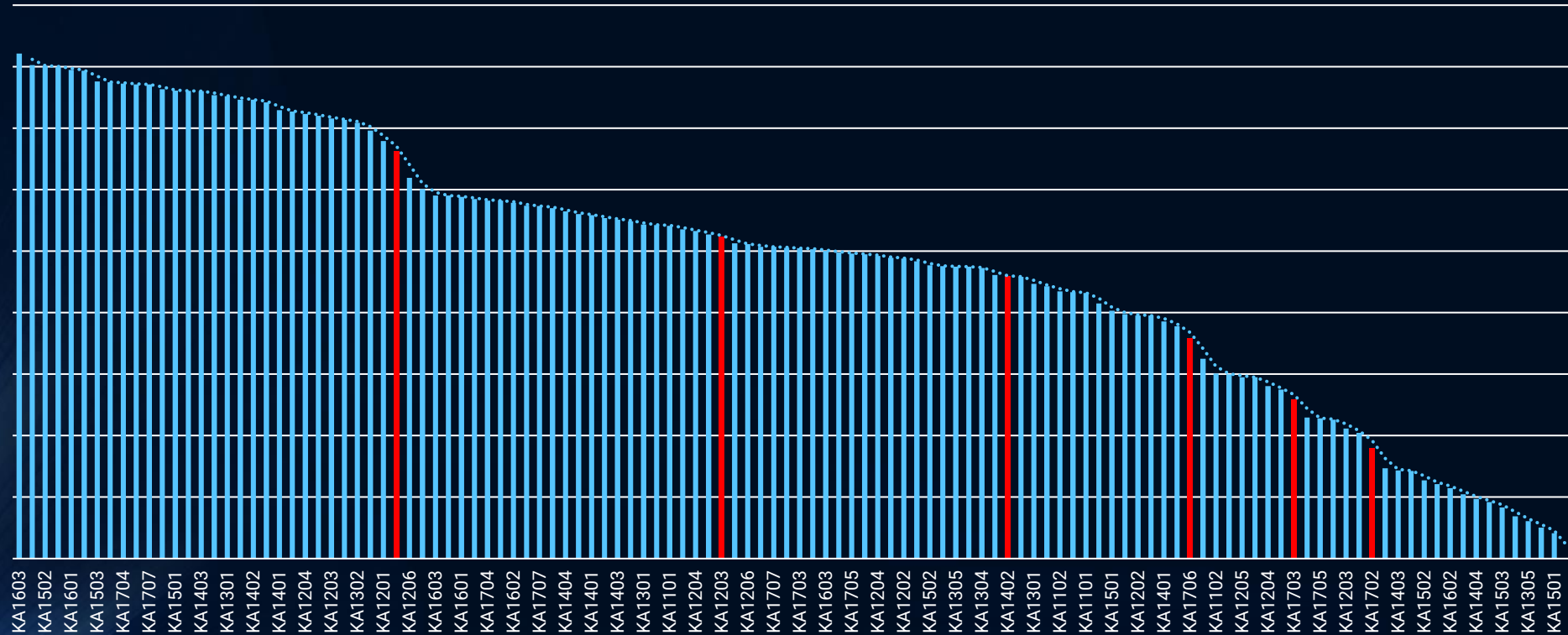
Professional Knowledge

Item Characteristic Curves

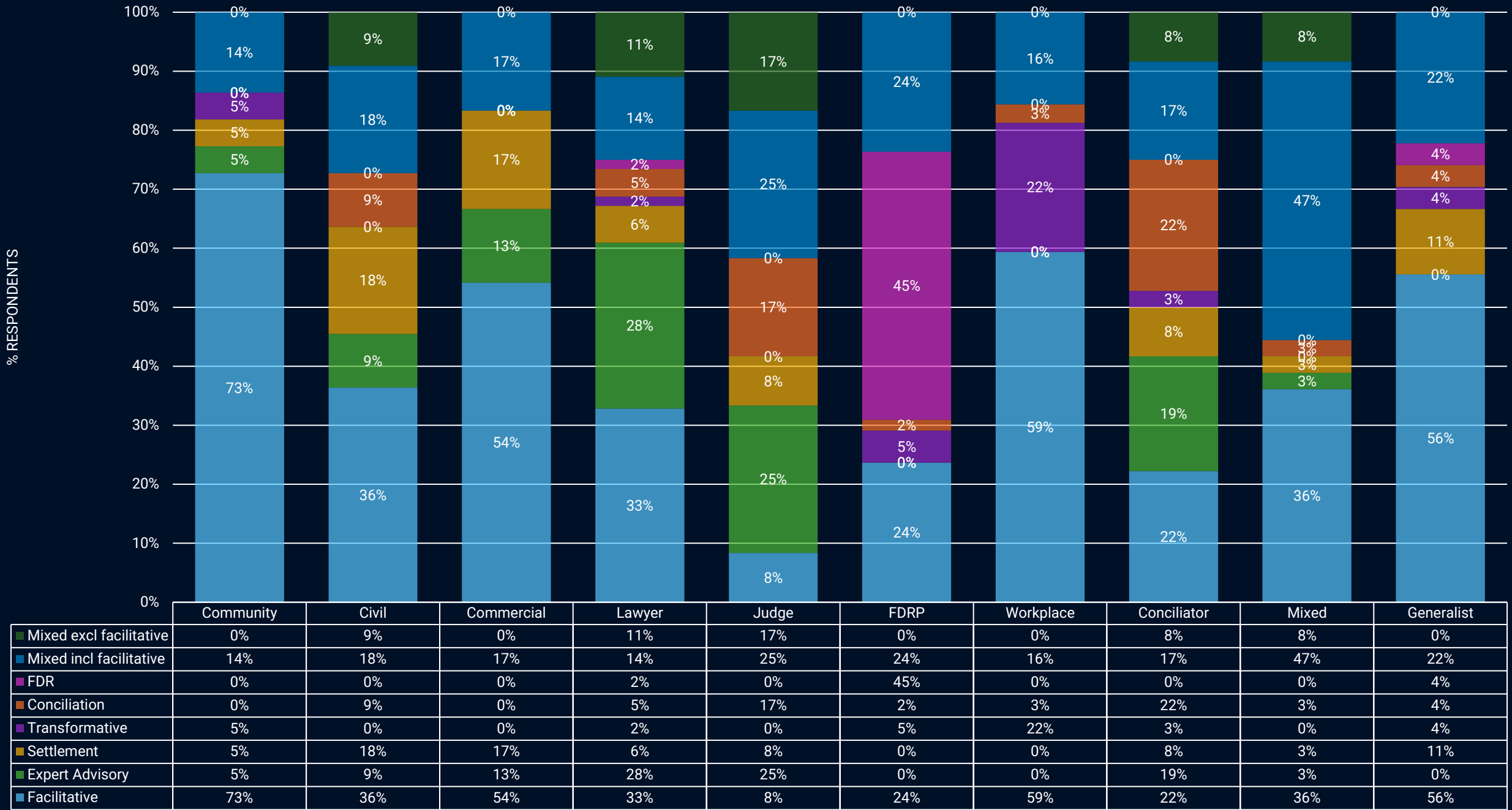


Professional Knowledge

KA Cut Points

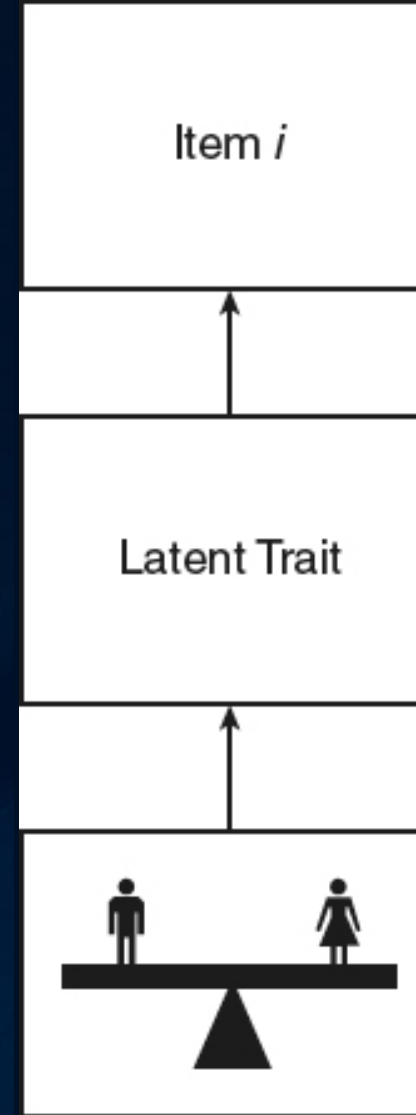


APPROACH TO PRACTICE VS MEDIATOR TYPE



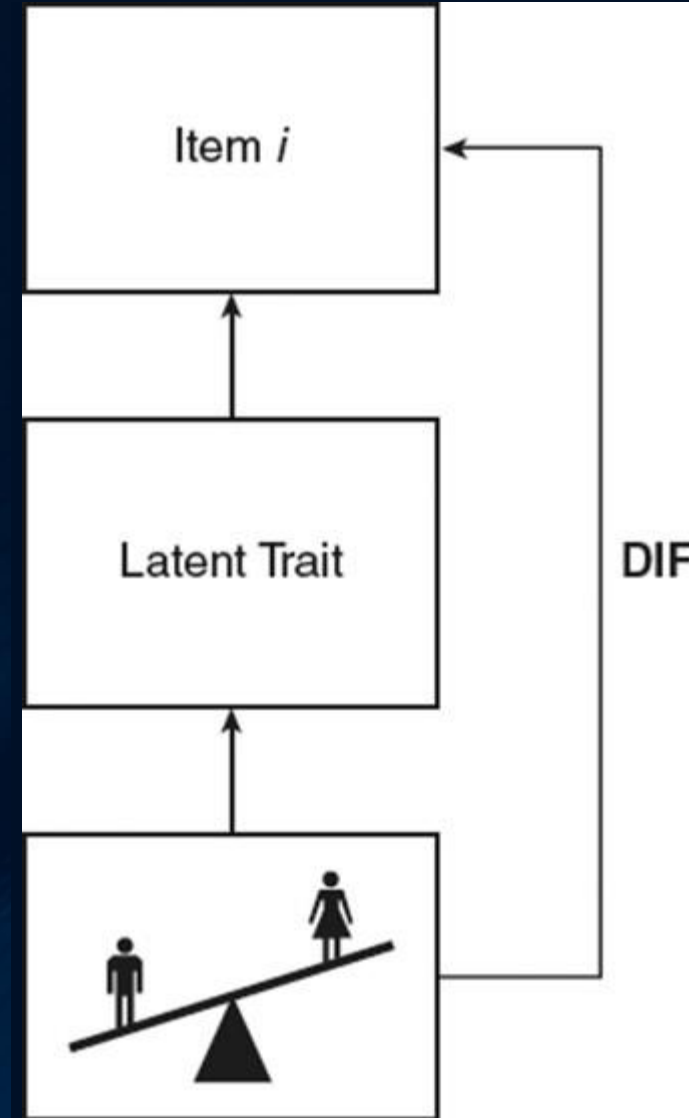
Specialist Practices

Differential Item Functioning



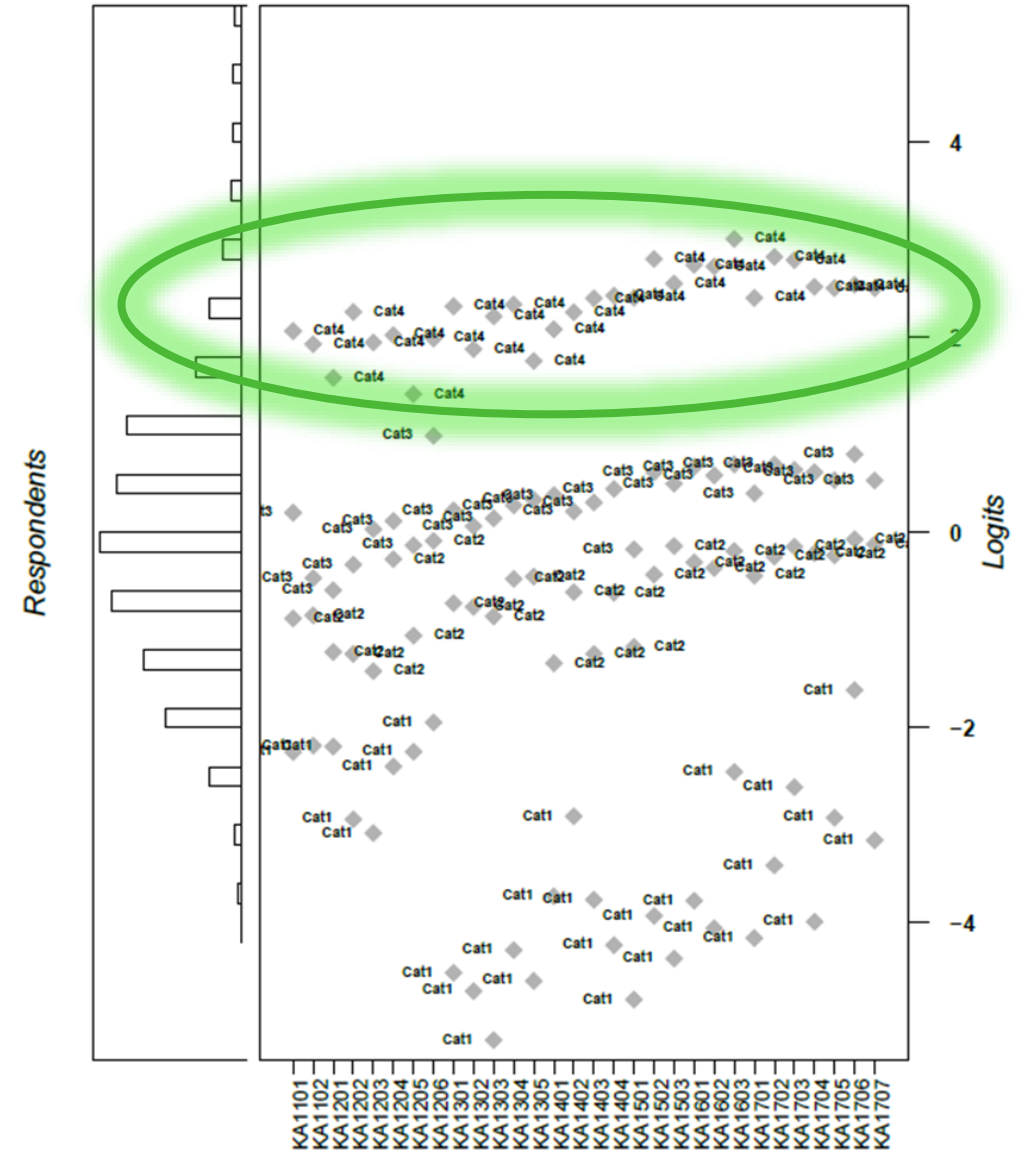
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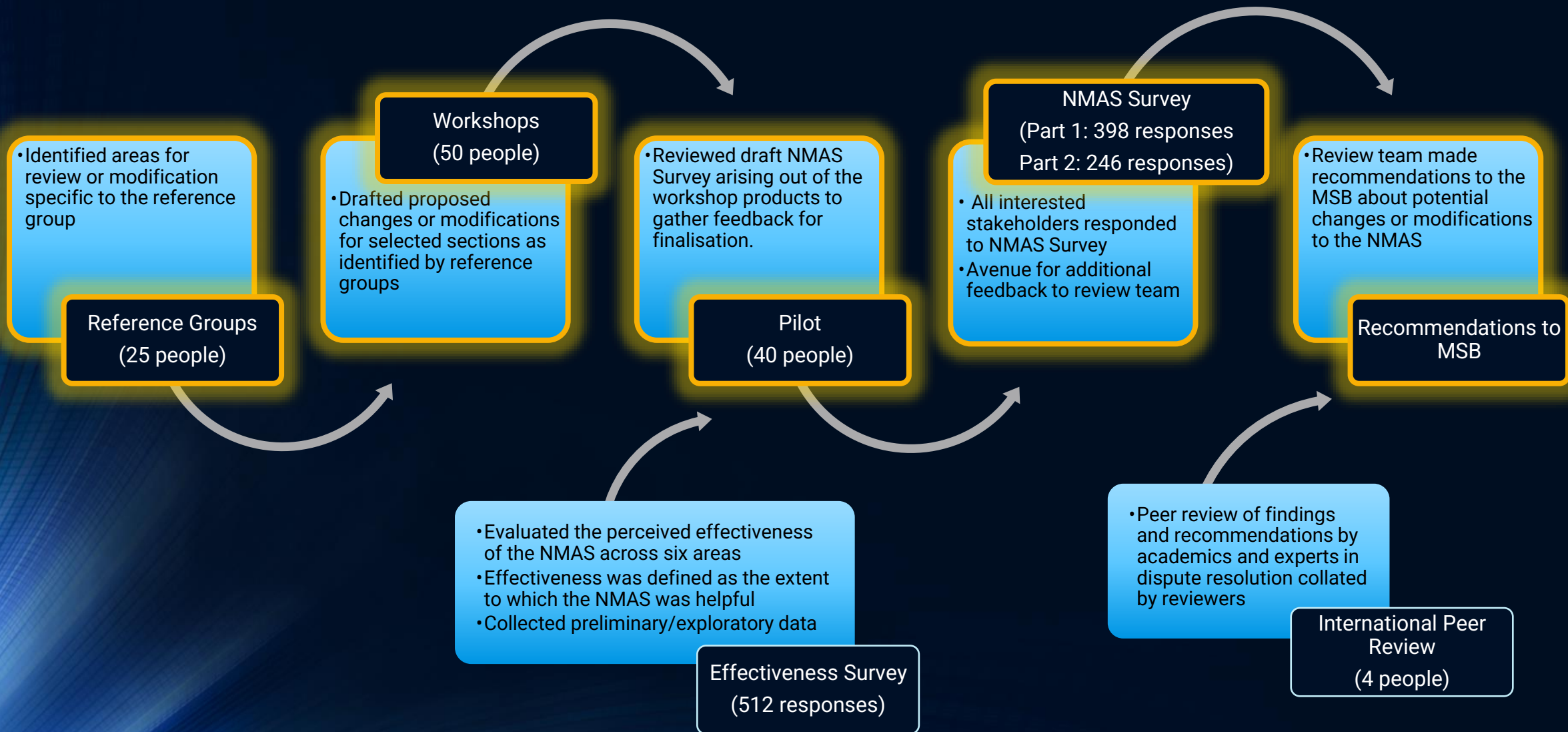


Professional Knowledge

Wright Map

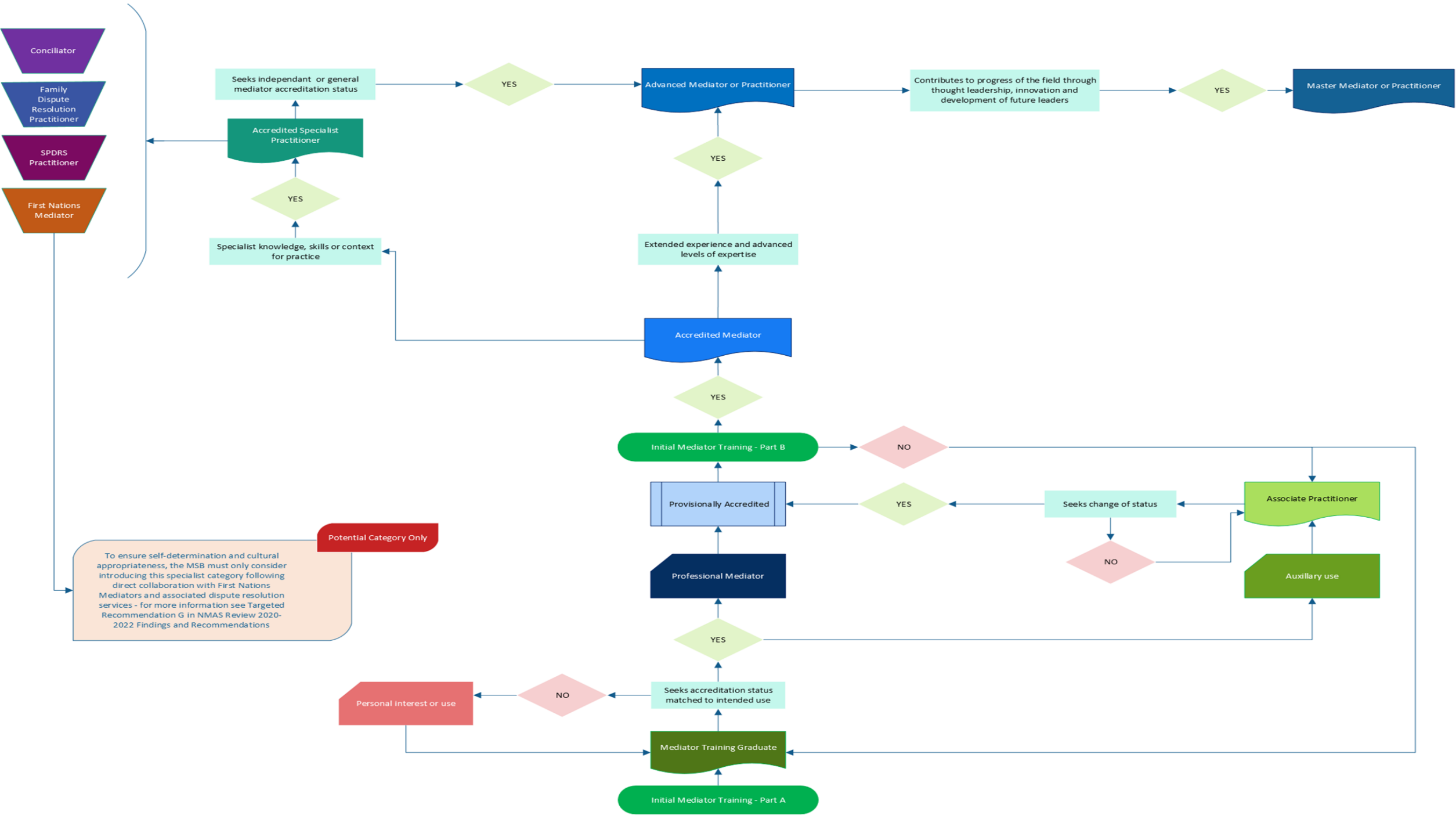


Stages of the Review Process



Training and Accreditation Framework

MEDIATORS, FDRPS, CONCILIATORS AND OTHER SPECIALIST
PRACTITIONERS



Tiered Accreditation Model

FOUR LEVELS OF RECOGNITION

Professional Attributes



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1. PROFESSIONAL KNOWLEDGE

ATTRIBUTE: 1.1 Understands conflict and the way people behave when they are in it

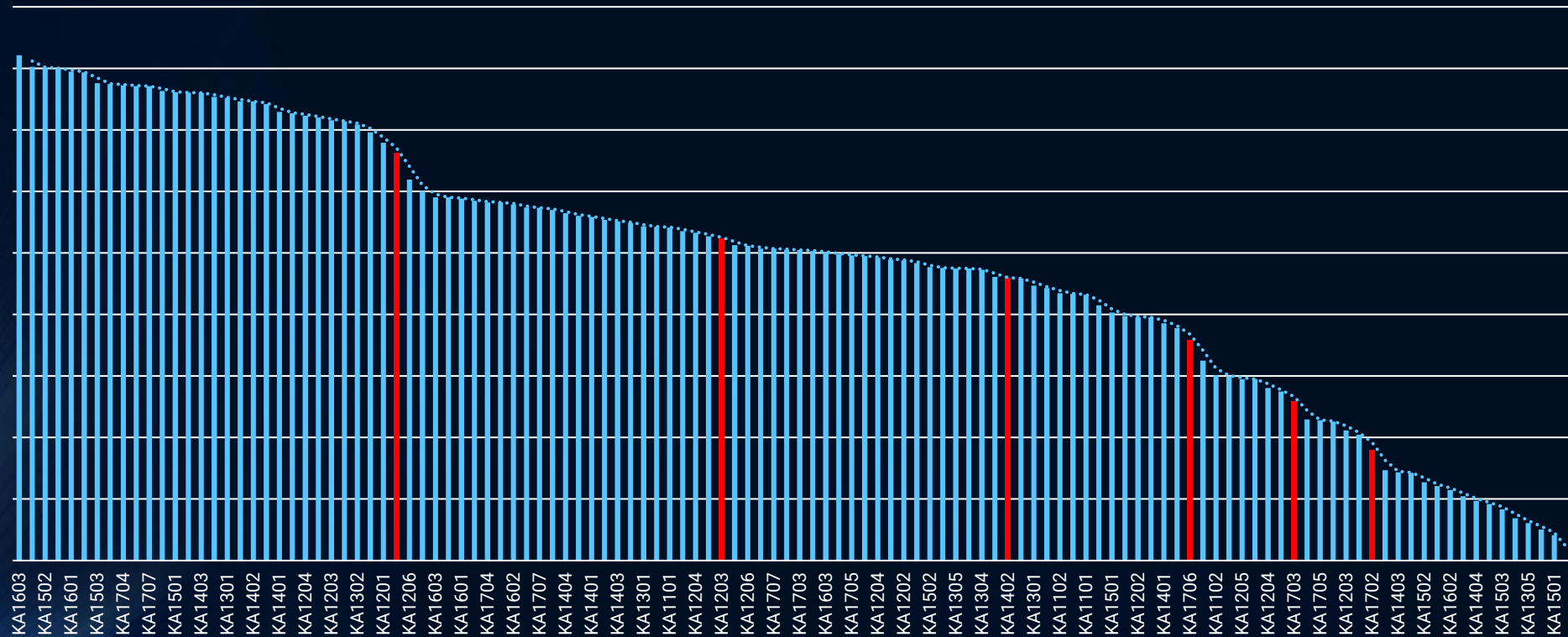
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Understands the characteristics of conflict

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4. I can synthesise interdisciplinary knowledge to generate new insights or original ideas on the characteristics of conflict.
5. I haven't reached any of these levels yet OR this focus area is not relevant to my practice.

Professional Knowledge

KA Cut Points



**ADDING
VALUE**

- Specialist, Advanced, Master Practitioners

IMPLEMENTING

- Accredited Mediator

GAINING EXPERIENCE

- Provisionally Accredited Mediator

LEARNING

- Graduate

LEVEL 4	<h3>Specialist Practitioner Profile</h3> <p>Specialist practitioners bring specialist or technical expertise to assist parties find mutually agreed solutions within a specific NDR context. In doing so they take a uniquely party-centric approach and meet the requirements of the Specialist practitioner equivalent of the Advanced Mediator Standard.</p> <p>Specialist practitioners typically operate in NDR services governed by legislative frameworks, or within recognised specialist providers of dispute resolution services (SPDRS), and this is the forum within which these practitioners obtain or are recognised for their specialist expertise.</p> <p>Practitioners that potentially fall within this standard include conciliators, family dispute resolution practitioners (FDRPs) and SPDRS practitioners. (MSB to adjust depending on the Code’s coverage)</p> <p>Specialist practitioners draw on their expertise to provide information, guidance or advice matched to their area of expertise and the NDR context in which they operate. At the most sophisticated level, these practitioners draw on specialist cultural, psychological or social expertise to ensure the process and outcomes account for those who are at risk of being disproportionately or adversely affected.</p> <p>Specialist practitioners must meet a range of requirements in order to obtain and renew their accreditation including the Code’s ongoing practice and CPD requirements and any co-existing requirements connected to their NDR context or their specialist expertise.</p>	<h3>Advanced Mediator Profile</h3> <p>Advanced mediators think strategically about conflict and the ways in which they can assist people to prevent, deescalate or find high-quality, mutually beneficial resolutions to their disputes.</p> <p>They think critically about the factors that play a role in the way that participants might conceptualise and experience conflict or engage with various forms of NDR. Drawing on this knowledge they proactively develop and curate their practice in a way that leverages their advanced expertise or technical skills and adds value beyond the use of a given NDR process. At its most sophisticated this includes working collaboratively with parties, support people and other professionals to prioritise a highly party-centric approach.</p> <p>It is within this context that advanced mediators discern the circumstances in which providing information, guidance or advice may enhance an NDR process or optimise participants’ experience or potential outcomes. This is particularly so where it promotes self-determination and informed decision-making, including the consideration of alternative strategies, NDR processes or practitioners.</p> <p>They draw on their experience to balance or reconcile co-existing priorities and obligations. This informs their ability to differentiate risk management strategies and take action in a manner that is both holistic and congruent with the context or scenario.</p> <p>Advanced mediators must meet a range of requirements in order to obtain or renew their accreditation including ongoing practice and CPD requirements to maintain their knowledge and skills.</p>	<h3>Master Mediator & Practitioner Profile</h3> <p>Master mediators and practitioners are focused on innovation and thought leadership related to a specific area or issue connected to NDR. They draw on their experience as specialist practitioners or advanced mediators to inform the rigorous and creative processes required to generate new hypotheses or evidence-based insights.</p> <p>Master mediators and practitioners are active contributors and take steps to share and disseminate their work for the benefit of future leaders and generations of practitioners. They also appreciate the importance of high-quality coaching and mentoring, and in doing so may strive to assist others to achieve levels of practice beyond those of the master mediator or practitioner.</p> <p>Master mediators and practitioners must meet a range of requirements in order to obtain or renew their accreditation, including ongoing practice and CPD requirements to maintain their knowledge and skills.</p>
	<h3>Accredited Mediator Profile</h3> <p>Accredited mediators see the mediation process holistically. They understand the factors that shape the way that parties might participate and can draw on established theoretical principles to make sense of, predict, or plan for accommodating this within a given context. Drawing on their knowledge and experience, they work with parties, support people and other professionals to support parties’ participation, manage the mediation process and account for risks to even-handedness, safety and the misuse or abuse of the process. Accredited mediators adopt an approach that is consistent with the principles of facilitative mediation and do not provide information, guidance or advice beyond matters relating to the facilitative mediation process or the types of options it might generate. However, accredited mediators, working towards advanced mediator status may offer information, guidance and advice when under the supervision of an advanced mediator and in accordance with the accredited mediator’s obligations under the Code of Ethics. Accredited mediators must meet a range of requirements in order to obtain or renew their accreditation including ongoing practice and CPD requirements to maintain their knowledge and skills.</p>		
LEVEL 2	<h3>Provisionally Accredited Mediator & Specialist Practitioner Profile</h3> <p>Provisionally accredited mediators have met the Graduate Standard and are working towards meeting the Accredited Mediator Standard. Their main focus is on consolidating their skills as facilitative mediators. In doing so, they are developing the experience upon which they will be expected to draw as an accredited mediator. Provisionally accredited mediators must meet the practice and CPD requirements in order to apply for accredited mediator status. Specialist practitioners may apply for provisional accreditation status while working within their specialist context. This provides a recognised pathway for these practitioners to seek specialist practitioner status.</p>	<h3>Associate Practitioner Profile</h3> <p>Associate practitioners are professionals who have met the Graduate Standard and who see the value of incorporating their understanding of conflict resolution and mediation into their work. This may include drawing on the principles learned to prevent or deescalate conflict within their environment, working alongside accredited mediators to assist people resolve conflict or maximising their own participation should the need arise. Associate practitioners must meet a range of requirements in order to obtain or renew their accreditation including ongoing practice and CPD requirements to maintain their knowledge and skills.</p>	
	<h3>Graduate Profile</h3> <p>Graduates understand the characteristics of conflict and are aware of the factors that influence the potential for people to come to mutually agreeable solutions. They understand the principles and models of mediation and specifically the roles and functions of people within a facilitative mediation context. Graduates are developing a repertoire of strategies and techniques for resolving disputes and are beginning to understand how to select strategies to achieve a specific goal. They have a growing appreciation for the responsibilities of an accredited mediator in relation to the way the process is conducted and the way they conduct themselves more broadly. Graduates understand that the scope for facilitative mediators to provide information, guidance or advice is limited to matters relating to the facilitative mediation process, including confirming that no other types of information, guidance or advice will be provided. Graduates have an emerging capacity to apply this knowledge within a simulated facilitative mediation, including taking on the role of mediator or co-mediator. Within this context, graduates typically follow the guidelines or protocols provided, only making minor adjustments to accommodate common or anticipated scenarios.</p>		

GRADUATE

- ✓ Graduates understand the characteristics of conflict and are aware of the factors that influence the potential for people to come to mutually agreeable solutions. They understand the principles and models of mediation and specifically the roles and functions of people within a facilitative mediation context.
- ✓ Graduates are developing a repertoire of strategies and techniques for resolving disputes and are beginning to understand how to select strategies to achieve a specific goal. They have a growing appreciation for the responsibilities of an accredited mediator in relation to the way the process is conducted and the way they conduct themselves more broadly.
- ✓ Graduates understand that the scope for facilitative mediators to provide information, guidance or advice is limited to matters relating to the facilitative mediation process, including confirming that no other types of information, guidance or advice will be provided.
- ✓ Graduates have an emerging capacity to apply this knowledge within a simulated facilitative mediation, including taking on the role of mediator or co-mediator. Within this context, graduates typically follow the guidelines or protocols provided, only making minor adjustments to accommodate common or anticipated scenarios.

PROVISIONALLY ACCREDITED

- ✓ Provisionally accredited mediators have met the Graduate Standard and are working towards meeting the Accredited Mediator Standard.
- ✓ Their main focus is on consolidating their skills as facilitative mediators. In doing so, they are developing the experience upon which they will be expected to draw as an accredited mediator.
- ✓ Provisionally accredited mediators must meet the practice and CPD requirements in order to apply for accredited mediator status.
- ✓ Specialist practitioners may apply for provisional accreditation status while working within their specialist context. This provides a recognised pathway for these practitioners to seek specialist practitioner status.

ACCREDITED

- ✓ Accredited mediators see the mediation process holistically. They understand the factors that shape the way that parties might participate and can draw on established theoretical principles to make sense of, predict, or plan for accommodating this within a given context.
- ✓ Drawing on their knowledge and experience, they work with parties, support people and other professionals to support parties' participation, manage the mediation process and account for risks to even-handedness, safety and the misuse or abuse of the process.
- ✓ Accredited mediators adopt an approach that is consistent with the principles of facilitative mediation and do not provide information, guidance or advice beyond matters relating to the facilitative mediation process or the types of options it might generate. However, accredited mediators, working towards advanced mediator status may offer information, guidance and advice when under the supervision of an advanced mediator and in accordance with the accredited mediator's obligations under the Code of Ethics.
- ✓ Accredited mediators must meet a range of requirements in order to obtain or renew their accreditation including ongoing practice and CPD requirements to maintain their knowledge and skills.

ADVANCED

- ✓ Advanced mediators think strategically about conflict and the ways in which they can assist people to prevent, de-escalate or find high-quality, mutually beneficial resolutions to their disputes.
- ✓ They think critically about the factors that play a role in the way that participants might conceptualise and experience conflict or engage with various forms of NDR. Drawing on this knowledge they proactively develop and curate their practice in a way that leverages their advanced expertise or technical skills and adds value beyond the use of a given NDR process. At its most sophisticated this includes working collaboratively with parties, support people and other professionals to prioritise a highly party-centric approach.
- ✓ It is within this context that advanced mediators discern the circumstances in which providing information, guidance or advice may enhance an NDR process or optimise participants' experience or potential outcomes. This is particularly so where it promotes self-determination and informed decision-making, including the consideration of alternative strategies, NDR processes or practitioners.
- ✓ They draw on their experience to balance or reconcile co-existing priorities and obligations. This informs their ability to differentiate risk management strategies and take action in a manner that is both holistic and congruent with the context or scenario.
- ✓ Advanced mediators must meet a range of requirements in order to obtain or renew their accreditation including ongoing practice and CPD requirements to maintain their knowledge and skills.



Questions



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