

GCE

LAW: Civil Courts Alternative Dispute Resolution

SUGGESTED IDEAS FOR TEACHING/LEARNING



SUGGESTED IDEAS FOR TEACHING AND LEARNING

Teacher /Lecturer:	
Component:	Component 1
Ref. to specification:	The Nature of Law and the English Legal System

Course:	AS Level Law
Topic:	Civil Courts
Session:	Alternative Dispute Resolution

Aims & Objectives: At the end of these sessions the student will be able to:

- **Explain** the need for Alternative Dispute Resolution instead of litigation.
- **Explain** the four main types of Alternative Dispute Resolution: negotiation, mediation, arbitration and conciliation.
- **Discuss** the types of cases where each form of ADR may be used.
- **Evaluate** the advantages and disadvantages of the four different forms of alternative dispute resolution.

Main Teaching and Learning Activities

Teacher/Lecturer Activities:

- Introduce the topic with reference to the aims and objectives set out above.
- Recap the emphasis and increasing importance placed on ADR since the Woolf Reforms as outlined in Part 1 – the overriding objective.

Activity: Class Discussion – what are the problems with trying to resolve a dispute through the courts? Consider the neighbourhood dispute scenario on the PowerPoint.

- Explain that there are four main types of ADR: negotiation, mediation, conciliation, arbitration.
- Work through each form of ADR using the PowerPoint, and the activities as outlined in the PowerPoint
- Facilitate group work – advantages and disadvantage of ADR and key exam content on the explanation of each type of ADR.

Activity: ADR Summary Sheet – this could be given to learners as a blank table initially for learners to consolidate their knowledge.

- Lead group discussion on the use of ADR, impact of Woolf Reforms and the use of ADR in other countries – for example, USA, Australia.

Student Activities:

- Group work – discussion of the need for ADR and the problems with going to court.
 - Research – look at key Mediation services and their roles in resolving disputes.
 - Evaluation exercise – look at the advantages and disadvantage of mediation, arbitration and ADR in general.
 - Short essay writing on role of each of the four types of ADR.
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- Video exercise – role of ACAS and the idea that they adopt a prevention rather than cure approach to disputes.
 - Research exercise – current ACAS issues and a look at the role of ACAS in key industrial disputes.
 - Research exercise – role of the Court of Arbitration for Sport and recent issues involving key sporting figures, including Luis Suarez.
 - Exam Practice – 5 important things to include in an exam for each type of ADR.

Suggested links / resources:

- PowerPoint presentation
- Teacher Guide
- Useful links:
MIAMs, Compulsory Mediation
<https://www.theguardian.com/politics/2014/jan/07/justice-minister-supports-plans-mandatory-mediation-separating-couples>
ACAS
www.acas.org.uk
ACAS – video
<https://www.youtube.com/watch?v=1fOsYkxr-UI>
Court of Arbitration for Sport
<http://www.tas-cas.org/en/index.html>

Assessment

During the lesson

Group exercises and direct questioning show how much the students have understood the law relating to Alternative Dispute Resolution.