

**“What is an effective or good mediator: Exploring empirical research on mediator
attributes and behaviours”**

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STATEMENT OF ORIGINALITY

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Abstract

At present, in Australia, mediation is widely available through a range of publicly funded and supported mediation programs and services, most visibly in the court-connected context, and it is also available through industry programs as well as privately. The process has statutory acknowledgement in all jurisdictions, and mediators can be accessed through their membership of mediation panels, and of tribunals, or they can be appointed privately by disputants. Mediation enjoys a strong reputation for its dispute resolution efficacy, resting on at least forty years of research.

The purpose of the research supporting this thesis was to establish what is known about mediator effectiveness and what makes a “good” mediator. The research analysed a selection of influential empirical studies of mediation and was conducted using a metaresearch framework, an approach that enables system-wide analysis and is uncommon in mediation research. Four research methodologies were applied: two thematic reviews, a systematic appraisal, a targeted review, and an online survey of professional mediators.

The thesis argues that very little is known about mediator effectiveness, or about the role, actions, contributions, and influence of the mediator, because these remain largely unexplored. It argues further that very little can be known unless steps are taken to address the constraints on mediation research, including changes to publishing practices and the adoption of alternative research approaches and methods.

This thesis contributes to mediation research, in particular empirical studies of mediation, by filling two knowledge gaps. It establishes that very little is known about mediator effectiveness and, taking a system-wide approach, it confirms reported constraints on mediation research.

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