Mock Mediation THE LAW SOCIETY OF NSW



2024 Mock Mediation Round 2 Scenario

BACKGROUND

Briggs, Stratton, Rogers and Hammerstein are in Year 8 at high school. They have known each other since about Year 5. Their school arranged for Year 8 to travel by coach to Camp Kokoda in Queensland. Camp Kokoda is an unforgettable expedition-style school camp experience! Nestled amidst the breathtaking natural beauty of the Scenic Rim, the camp is designed to ignite the spirit of adventure and curiosity in young minds. Camp Kokoda offers a unique blend of camping, hiking, and thrilling adventure activities that serve as the foundation for immersive experiential learning outcomes. In addition to the unique experience of Camp Kokoda, the Year 8 year advisor advised the students that if they satisfactorily completed all activities at camp, their efforts would be acknowledged at school assembly with the presentation of an award, and further credit to the school's reward system, which at the end of Year 10, means students who have reached the sufficient level are able to go on a bonus excursion.

After the long coach ride, the students got to Camp Kokoda excited, and ready to see what activities they could do. Before they got into the itinerary, the students were divided into groups of four by the teachers. The students would stay in the group of four together for the entire trip. The group needed to work together for each of the activities, needed to cook meals together and needed to sleep together each night and at all times, work together to complete all tasks. There was a points system and for each activity, groups were scored out of 10, by the camp staff on their skill, commitment and ability of the students to work together. The winning group at the end of the camp would receive a Nintendo Switch.

Briggs, Stratton, Rogers and Hammerstein were grouped together. The students were pleased with their group and thought they were in for a fair chance to win the Nintendo.

The first 5 days of Camp Kokoda were amazing, the students enjoyed learning how to tie knots and orientate a map, went kayaking and white-water rafting, and pushed themselves physically hiking up and abseiling down many hills and cliffs.

It was clear to the group the Briggs was the best at the physical activities and they excelled at activities such as hiking and abseiling. Stratton was an all-rounder and was pretty good at most actives. It turned out Rogers was naturally gifted at the more technical exercises such as the knot tying and map orientation. Hammerstein wasn't so good at the physical activities, and didn't particularly enjoy the technical activities, but he was the glue that held the group together and encouraged all the students to try their hardest.

The group worked great together and by the second-last day of the camp they were on top of the leaderboard for the Nintendo Switch. There was another group in 2nd position that only had two points less than Briggs, Stratton, Rogers and Hammerstein's group. The students were determined to stay on top and win the Nintendo.



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INCIDENT

The last activity for the students to complete was the most important. Not only was it the last chance for students to score points for the Nintendo Switch, the activity involved pitching a canvas tent to sleep in for their final night. Each group had their own tent to pitch and students needed to use their skills learned over the prior five days to erect their tent correctly.

Given the tent was large and heavy Briggs took the lead. It was a psychical exercise and Briggs felt he was best equipped for the task. Rogers tried to assist Briggs as much as he could with the technique of the knots and lashings but found it difficult as the knots that won them the knot-tying competition days before were different, and although he was great at identifying the knots, he didn't know which knots or lashings were best for pitching a tent.

A couple of hours passed and some students already had their tents erected and were setting up their sleeping bags. Briggs had completed one of the lashings and was trying to remember what he did for first lashing, but he was getting frustrated and tired. Hammerstein could see their group getting irritable with each other and was starting to get worried himself that they may not win the Nintendo Switch after all. Hammerstein offered to take over from Briggs but Briggs snapped back and refused any assistance.

It was starting to get dark and the weather was turning bad which only made things more stressful for the group. Most of the other groups had already erected their tents, except for the group that was coming 2nd on the leaderboard. Stratton thought he had learned enough about knots and lashings at the camp to go undo the lashing that Briggs did successfully before to see where Briggs started his clove-hitch so he could help Briggs with the 2nd lashing. Unfortunately, when Stratton undid the first knot on the first lashing, it unravelled quickly and he could not stop it. The crossbeam and the upright pole broke away and Briggs, Rogers and Hammerstein realised what happened and were furious.

Briggs yelled at Stratton and said 'are you serious what were you thinking'. Rogers was too annoyed and simply walked away. Hammerstein angrily approached Stratton and pushed him to the chest saying 'you cost me that Nintendo'. Stratton fell to the ground and fell onto his arm, and the students heard a breaking sound. Stratton got up to fight back with Hammerstein. Rogers came running back to group yelling 'teacher, we need a teacher'.

The Year 8 year advisor came running over and broke up the fight. The group were given one of the teacher's popup tents and the four of them slept whilst listening to the rain, none of the talking with each other.



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AFTERMATH

The next day Briggs, Stratton, Rogers and Hammerstein were named 2nd on the leaderboard, missing out on the Nintendo Switch by only 6 points. The students sat separately on the bus and didn't talk to each other on the way home.

At school on the following Monday morning, the year advisor called the students into a meeting. The year advisor was frustrated, but worse, was disappointed with the students' behaviour at the end of the camp. The year advisor was going to recommend to the school principal that Hammerstein be suspended for pushing Briggs, that neither Briggs, Stratton, Rogers or Hammerstein were to receive the participation award at the school assembly, and that none of them receive any points on the schools points reward system.

Instead of making the recommendation to the principal straight away, the year advisor wanted to give the students one last chance to work together. Before the incident on the 2nd last day at camp, the student had demonstrated that they were able to work together effectively.

The year advisor asked the students to participate in a mediation to try and come up with a resolution that the student felt the principal was accept as an appropriate outcome.

