Mediation

The Attitude

Objective

Your goal is for all parties to win. Work towards win/win. Your role is to be a facilitator of the resolution process, not judge who is right.

By being accepting and non-judgemental, you will create a non-threatening atmosphere in which people will open up and be willing to shift, give, share, examine, reconsider and jointly solve problems.

Co-operation

Encouraging co-operation rather than an adversarial mode of communication.

Empathy

Demonstrate that you care about each party.

The Skills

‘The skills’ are the skills of good communication, especially active listening and encouraging the parties to actively listen to each other. Use ‘I’ statements instead of blaming statements, ie, ‘you’.

The Process

Step A

Seat both people side by side, not opposite, each other. You sit opposite them, possibly near a blackboard or butcher’s paper to chart issues, needs etc. Before commencing you might want to ask each person to agree that they will:

- work to solve the problem
- not be abusive
- not interrupt each other
- tell the truth as they see it.

You may want to make clear to them some of the points under ‘attitude’ above. You may also clarify your role as a mediator.
Step B

Explain the procedure you will follow which is outlined in Steps C-I.

Step C

Decide who will speak first (person A) and have them tell what the problem is while the other person (person B) listens with you. Encourage the use of ‘I’ type statements and discourage blaming statements, ie, ‘she made me feel’, by gently rephrasing.

Step D

At certain times in the mediation it is valuable to have person B repeat his/her understanding of what person A said. Check with person A for accuracy. Repeat until person A is satisfied that person B has understood fully.

Ask person A how he/she feels about the problem. This may need to be the first step if emotions are high or it can be slotted in wherever is most appropriate in the process.

Step E

Repeat Steps C and D with the roles reversed.

Step F

Identify and prioritise the issues in terms of both parties’ needs. Check with them for accuracy. At times, you may like to do a mapping process on butchers paper for them.

Step G

Find points of agreement, eg they both have the problem.

Step H

Ask both sides for suggestions on how they can both get most of their needs met. Help evaluate. Solutions are best coming from participants rather than the mediator.

Step I

Help them come to a fair agreement that both can live with. Help them build in a set feedback time. Congratulate them.

Remember, looking to place blame leads nowhere.
Material is this article has been taken from:

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