

RESOLVE CONFLICT:

EVERYONE CAN WIN

Skill 11: Introduction to mediation –
Part II. Navigating the tough stuff

Extra study materials

See also Extra study materials for “Introduction to mediation – Part I”



Navigating the tough stuff

Conflict antidotes

Negatives, generalities, judgements and 'it can't be done' can hold conflict participants back from finding solutions to their problems. Whenever you hear these, consider a mediating intervention to help turn the conversation towards the positive, towards possibilities and particular examples that can be directly addressed.

Phrase such an intervention as a neutral question. The purpose is not to attack or blame, but to open up the issue to more thoughtful analysis. Here are some examples:



<i>They say:</i>	<i>You ask:</i>
I'm right. They're wrong.	So, your point of view differs from theirs?
I won't ...	What would make you willing?
It's a failure.	How could it work? What would save it or make it better?
I should/ought/must/have to ...	Try: Do you really want to?
They always ...	Always? Are there any circumstances where they don't? Or 'Can you give an example of when it really mattered to you?
I don't want ...	What do you want to happen?
I can't ...	You can't? Or you just can't see a way to? What happens if you do?
She would never ...	How can we find ways?
It's impossible.	If it <i>were</i> possible, what would it take?



Mediating interventions

- Know when a particular issue is out of your league and someone with more expertise in the area should be called in. Stay away from disputes that could end up in the hands of the police or the court. Steer them towards a professional.
- If they start focusing on who was to blame, remind them that this meeting is all about how to make things work better in the future.
- If they can't see past their difficulties perhaps ask them to create a vision of the future with outcomes they do want. Or ask them: 'Where do we go from here?'
- If one person is more powerful and the other is very intimidated, make sure both get to speak and police sneering or name-calling. If that's not working, consider seriously whether the meeting ought to be adjourned and extra help brought in.
- If they don't seem to be considering all the options, you might throw in a suggestion. Just make sure they know it's as an option, not an instruction.
- If someone's making sweeping generalisations, ask for one or two specific examples.
- Use interventions that turn the conversation towards the positive, towards possibilities and away from the negative and away from judgements and closed doors. (*See Conflict antidotes*)
- If no one is talking, allow the silence. But if the situation becomes intolerable, offer to meet each of them separately.
- If they can't stop stirring each other up, remind them to attack the problem, not the person. Try mapping.
- If they don't seem to be hearing each other, try having each of them in turn 'mirror' back what they hear the other person say, and check with the speaker if that is what they said.
- Remember the value of a timely tea break.
- People don't have to be on the same page about everything. Encourage them to understand and respect the other person's point of view.
- If despite best efforts, the solutions they come up with are pretty uninviting, perhaps the only fair result is that both sides are *equally* dissatisfied.
- If time's almost up, and you are nowhere near an agreement, perhaps set another meeting date and give them each some 'homework' to do in the meantime.
- Maybe they've got to some sort of agreement, but to you it seems a bit bland. Can you get them to add yardsticks that are specific, do-able and measurable?



As you begin to practise these support skills, after steering a mediation or a conflict counselling, debrief to care for yourself emotionally and to improve your skills. Analyse what you've done after the event, alone or with a friend or colleague who is also skilled in this area; just be strictly aware of confidentiality issues by cloaking the specifics.

Care for yourself emotionally.

While sharing the emotional load, the angry, scary and sad, don't forget the funny. A good laugh really helps burn off excess emotion. Remember that it was their problem, not yours. You don't have that problem, you just helped them.

If you are feeling any deeper disturbance, look at the skills material in Willingness to Resolve. Did something in the people or issues resonate for you personally? Make yourself a clear and conscious statement about it. If you still need more support, be sure to get it.

Improve your skills

Use these questions to consolidate what you did well and notice what you missed.

1. How well did you listen and hold the space for them to work out their problems together? I did well ☐ I could improve ☐

2. Did you help participants identify the following:

Needs and concerns of the participants. What were they?

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The central issues they needed to negotiate. What were they?

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Areas of common ground shared by the participants. What were these?

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Did negotiating solutions evolve smoothly or did you need to encourage it? How? What did they offer to do or exchange with each other.

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Were agreements made? Do you think they were fair? How strong were they? Written? Measurable? A review process included?

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3. How well did you help people handle their emotions?

Did you need to remind them to attack the problem, not the person?

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Did you help them identify what they needed to change in order to improve the situation?

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Did you help them turn their attacking 'You should/didn't/were...etc' statements into 'I' statements?

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Were strong emotions or reactions on display? How did you help?

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3. What mediating interventions were needed?

Stages	What did you do that worked well?	What else might have been helpful?
Open	<p>.....</p> <p>.....</p> <p>.....</p>	<p>.....</p> <p>.....</p> <p>.....</p>
Establish	<p>.....</p> <p>.....</p> <p>.....</p>	<p>.....</p> <p>.....</p> <p>.....</p>
Move	<p>.....</p> <p>.....</p> <p>.....</p>	<p>.....</p> <p>.....</p> <p>.....</p>
Close	<p>.....</p> <p>.....</p> <p>.....</p>	<p>.....</p> <p>.....</p> <p>.....</p>

4. Rate yourself... kindly!

How would you rate your performance? How well do you honestly think you did this time?

(Tick one)

- ☐ **Excellent:** I think my support really made a big difference.
- ☐ **Very good:** I helped them to discuss the real issues and make some positive moves.
- ☐ **Good enough:** What interventions I did make were helpful to everyone.
- ☐ **Satisfactory:** I didn't inflame the situation and I may have made a positive difference
- ☐ **Unsatisfactory:** I was judgemental, I took sides. I couldn't help them to negotiate fairly.



Mediation training for children and teenagers

A simplified form of Mediation can be taught to children. Teaching all children how to resolve conflict with each other and how to mediate disputes can vastly improve the whole school atmosphere. It's particularly helpful in schools with mixed communities of different cultural, ethnic and social backgrounds.

There's less bickering, threatening, teasing and violence. It empowers the students themselves to handle most of their inevitable clashes without having to resort to an authority figure, such as a teacher, to settle disputes.

Many schools regularly use whole school programs focused on teaching children how to be helpful members of their school and the wider community. Schools have found a significant boost in morale and a corresponding drop in disciplinary problems by introducing conflict resolution and mediation training as part of these programs. All students should be well grounded in the skills of conflict resolution before mediation training is introduced.

Such programs have also been found to reduce incidents of bullying. However, bullying itself however is not a suitable situation for peer mediation. When children experience ongoing threats, taunts, violence, exclusion or cyberbullying they need to be encouraged to speak to an adult, repeatedly if necessary. Disputes over drugs, weapons, severe racism, highly emotional fights and issues between adults and children are also beyond a young person's scope as a mediator. They can do very well however on such matters as playground territories, rules for games, rumours, dirty looks and sharing fairly.

Can you support a training program in a school you're associated with? Such programs need:

- a supportive principal and
- a skilled teacher or counsellor to act as co-ordinator
- training materials, suitable to the age group (see Bibliography)

We need to train our children to become good conflict resolving citizens.

The Fighting Fair poster (on the following page) is a very simple guide. Use it for both children and adults. It explains simple rules for negotiating and mediating well. Have it visible during a mediation. It's a great resource for your workplace, the family noticeboard and the classroom wall.



Fighting Fair

How you both can win

**Be willing to fix
the problem...**

**Say what the problem
is for you...**

**Listen to what the
problem is for them...**

**Attack the problem,
not the person...**

**Look for answers
so everyone gets what
they need...**

Fouls

**Name Calling
Put Downs
Sneering – Blaming
Threats – Hitting
Bring up the past
Making Excuses
Not Listening
Getting Even**



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Introduction to mediation

Recommended

Books

A Sudden Outbreak of Common Sense: Managing Conflict Through Mediation by Andrew Floyer Acland

Bringing Peace into the Room: How the Personal Qualities of the Mediator Impact the Process of Conflict Resolution by Daniel Bowling and David Hoffman

Conflict Management: A Practical Guide by Peter Condliffe

Everyone can win: Responding to conflict constructively by Helena Cornelius and Shoshana Faire

The Mediation Process: Practical Strategies for Resolving Conflict by Christopher W. Moore

The Mediator's Handbook: Revised & Expanded fourth edition by Dr. Jennifer E. Beer PhD, Caroline C. Packard JD, et al.

The Mediator's Handbook, 3rd Edition by Ruth Charlton and Micheline Dewdney

The Promise of Mediation: The Transformative Approach to Conflict by Robert A. Baruch Bush and Joseph P. Folger

Peer Mediation & CR training for young people

The Conscious Parent: Transforming Ourselves, Empowering Our Children by Dr. Shefali Tsabary

How to Do Restorative Peer Mediation in Your School: A Quick Start Kit by Christie-Lee and Thorsborne Bill and Hansberry Hansberry

Peer Mediation in Primary Schools by Jerry Tyrell

Peer mediation in the UK: a guide for schools by William Baginsky

Untangled: Guiding Teenage Girls Through the Seven Transitions into Adulthood by Lisa Damour Ph.D.

We Can Work It Out: Conflict resolution for young people by Clare Heaton and Maureen Lynch. Targets age groups 10-15 and includes activities on how to deal with cyberbullying. Based on 12 skills approach. See www.crnhq.org.

Responding to bullying – website links

Bullying. No way! Australian government website with resources for creating safe and supportive learning environments.

Don't Rely on Peer Mediation to Resolve Bullying in Schools : article by Charity Burke

Parenting Practices, Children's Peer Relationships and Being Bullied at School by Karyn L. Healy
StopBullying.gov : an official website of the US Government.

