

THE MEDIATION PROCESS

1. INTRODUCE YOURSELVES:

Hi, I'm _____ and this is _____ and we are Mediators. We'd like to help you solve your problem.

2. SET OUT RULES:

First we need to agree to five basic rules:

- to keep everything confidential. Do you agree?
- to not interrupt. Do you agree?
- no name calling. Do you agree?
- to tell the truth. Do you agree?
- to try to solve the problem. Do you agree?



3. YOU WILL EACH HAVE A TURN TO TELL YOUR STORY:

Decide which disputant will talk first.

4. Using active listening, ask the first disputant what happened and how feels:

TELL ME WHAT HAPPENED AND HOW YOU FEEL

5. REPEAT WHAT THE PERSON SAID, INCLUDING FEELINGS

6. REPEAT THIS STEP WITH THE SECOND DISPUTANT.

7. ASK BOTH DISPUTANTS FOR IDEAS FOR A SOLUTION:

This is a brainstorming stage - any ideas are acceptable.

8. GO THROUGH ALL THE IDEAS - TRY TO DETERMINE IF THEY ARE CLEAR, FAIR AND REALISTIC.

9. HELP THEM TO COME TO A MUTUALLY AGREEABLE SOLUTION.

10. RESTATE THE SOLUTION AND AGREEMENT. CONGRATULATE BOTH DISPUTANTS:

Congratulations, you have solved your problem!

ACTIVE LISTENING TECHNIQUES



Active listening is a difficult skill. You have to pay close attention to what is being said and remain objective in a situation that may often be very emotional. Active listening includes body language and facial expressions.

STATEMENT	PURPOSE	HOW TO...
ENCOURAGING	to show interest	don't agree or disagree. Use neutral words and vary the tone of your voice
CLARIFYING	to help you become clear about what is said	ask questions, restate wrong interpretations
RESTATING	to show you are listening and understanding	restate basic ideas and facts
REFLECTING	to show you understand how the person feels	reflect the speaker's feelings
SUMMARISING	to review progress to pull together important ideas	restate major ideas
VALIDATING	to acknowledge the worthiness of the other person	show appreciation for efforts





ASKING NEUTRAL OR OPEN-ENDED QUESTIONS



By asking the right questions, a mediator will be able to encourage the disputants to open up and speak freely, enabling both parties to reach an agreement more efficiently.

The following statements have been made by mediators during sessions. How would you rephrase them to make them neutral and open-ended?

1. I know that if someone shouted at you for no reason, you would feel angry. So can you just be polite next time?
2. Are you jealous because she's so popular and has more friends than you?
3. Don't you feel bad about what you did?
4. Why can't you just replace the broken CD and she'll forget the whole thing?
5. I think that one of you is lying?
6. I think that if you don't apologise for gossiping about her, this problem will never be resolved.
7. Why did you make that stupid comment?

