

The 'What if's' of mediation (a guide to handling different issues that may arise while mediating)



... someone starts crying?

- Mediation can bring out a lot of emotions. Anger, sadness, frustration. So it's not uncommon that people cry.. when someone cries it's important to acknowledge their emotions and ask them if they are okay to continue. If you notice they are too upset to mediate, you may choose to stop the mediation and continue at a later point. But don't make a fuss, and don't make the other person (who isn't crying) feel like you are favouring the party who is crying. You must remain neutral, yet respectful and mindful of people's emotions.

... the disputants get violent?

- The thing about violence is that it is usually preceded by a lot of emotion, usually anger or frustration. It is important for mediators to watch out for these signs of intense emotions, to recognise them, and to take action if someone is getting too worked up or upset to mediate. At this point, the mediator should suggest taking a break, or stopping the mediation all together. The mediators always need to consider their own safety and if a situation is threatening that safety they need to stop the mediation. It is always important to have an adult nearby when mediating as well, in case the mediators need support in a situation.

... the disputants break the rules?

- Anytime the disputants break the rules, firmly remind them that they have agreed to the rules and that if they keep breaking them you will have to stop the mediation. If it happens a few times – stop the mediation.

... the disputants give the mediator abuse?

- Again, anytime the disputants break the rules, firmly remind them that they have agreed to the rules and that if they keep breaking them you will have to stop the mediation. If it happens a few times – stop the mediation.
- You as a mediator are giving up your precious time, and sticking to the rules, so you should not accept the disputants not doing the same.

... disputants are not taking the process seriously?

- Help the mediators know when to stop a mediation on these grounds
- Mediators make sure they have agreement from both parties to keep to the rules and mediators can remind them of the rules
- The mediators must know at all times that it is the disputants responsibility to sort out a problem - mediators are just there to assist the process, but are not responsible for the outcome
- Whole school reminders of disputants' responsibility to behave appropriately and appreciate mediators as volunteers giving up their time. Again adult support will be needed for this.
- Mediators may decide to talk to each party separately to see if something else needs to be looked at before mediation may go forward. Adults may need to be involved in supporting this.

.. pupils are making up problems?

- If mediators suspect this is the case they may need to ask the disputants if this is so
- If confirmed they can appreciate their sense of curiosity and ask they would like the mediators to answer their questions or tell them about mediation
- If there are others waiting for mediation they can offer the above but at a time when they do not have clients
- They may need to see if some other form of intervention is more appropriate e.g. a lonely young person may come for some company, or need some counselling
- They may need adult support in explaining or demonstrating to pupils (and perhaps to whole school) what mediation is actually for, and when to not use
- Peer mediators may need supporting adult to be around for peer mediation to help deal with these situation and to give a sense of gravity to peer mediation

... the same disputants comes all the time?

- If the same pupils come to mediation all the same there may be different reasons for it, and a teacher should be notified. There may be a bigger, on-going problem that is at the root of smaller disputes. It may also be that the pupils in question are unhappy about something specific and are using mediation as a way out. Again, in this situation a teacher should be notified.

... the disputants don't want to agree?

- If the disputants don't want to agree then there is nothing you can or should do as a mediator to make them agree. All you can do is to go back to step four (exploring options) and see if there may be other options to explore that they want to agree on. Try to focus on what common ground has been found, and what options may be available as a result of that. Keep exploring.
- Sometimes an agreement simply isn't reached, and it's not your job as a mediator to 'fix' the situation, only to help the parties decide themselves what they want to do.. and if they don't want to agree you will have to finish the mediation without an agreement.
- If the disputants are too attached to the conflict and breaking rules as a result then the mediator can choose to stop the mediation
- Mediators may also decide to talk to each party separately to see if something else needs to be looked at e.g. imbalance of power before the mediation can continue successfully

... the mediation gets interrupted?

- If the mediation gets interrupted then apologise to the disputants and continue if possible, or reschedule the mediation.

... one of the disputants walk out?

- If one of the disputants walks out then one of the mediators should stay in the room with the other disputant, and the other mediator should go check if the person who walked out is okay (unless they are too angry to be approached in which case a teacher should be notified straight away).

.. the mediators forget what to say?

- If one mediator forgets what to say, the other mediator should be ready to step in and support them. That is why it is useful to have two mediators. They should be working together as a team to help each other.
- Some mediation services have the rules and stages up on the walls or on a board in the mediation room.

... one person doesn't want to come to mediation but the other one does?

- Since mediation is a voluntary process, we can never force someone to come to mediation. However if one person has an issue that is really bothering them, then you can offer them 'Mediation for 1'. This simply means you go through the steps of mediation, but with just one person – you find out what the issue is, get some more information, explore potential options for resolving it or making it better etc. It may not be ideal, but it can be very useful for people, just to get things off their chest and think about what they can do about it.

... no one comes to mediation?

- If no one comes to mediation you may have to think about a number of different factors.. it may be that pupils don't know about it, or they know about it and are too shy to use it, or they don't trust the process of mediation. In any case, there are different solutions to these issues and they are all under the document 'Common Challenges'.
- Simply put, you'll have to think about how to spread the word about the mediation service in the best way, and how to gain the trust of the pupils.
- Some quick suggestions:
 - Reminder to school –conduct whole school assembly demonstration, with the help of pupils and teachers!
 - Adults (e.g. teachers, guidance or pastoral care) proactive in referring students to mediation
 - Form a committee of mediators for publicity and promotion (they can be in charge of assembly demonstration, posters, talking in classrooms, doing workshops for pupils etc.)
 - Check out if there are issues preventing people from going to mediation – get support from Young Talk or other peer mediation network
 - Link in with other schools/youth groups and Young Talk
 - Form a support network
 - Offer a drop in service to pupils to talk about conflict
 - Do conflict workshops
 - Have peer mediators train younger years (with support from Young Talk and teachers) or even primary school if they are in secondary school.

... your best friends come?

- When mediating in a school chances are high that your friends will come to mediation.. however if your very best friends come and you feel it may not be

appropriate that you mediate (as you might find it extra difficult to be impartial) then you should check with the responsible teacher and see if you can reschedule the mediation with another mediation pair, or if another mediator could stand in.

..too many pupils come at once to the peer mediators?

- Supervision may be needed to support the mediators (adult supervision can be from teachers, staff, maintenance and janitorial staff, parents etc.)
- You may need a booking system
- You may need a contingency plan worked out with the mediators e.g a reserve pair who can work at short notice for each shift.
- You may need to train more mediators (peer mediators assisted by a trained adult can do this training)

... more than two people are involved in the conflict?

- Decide who are the two principal disputants and work with them
- If necessary do a number of smaller separate mediations
- It may in some cases be possible to work with say 2 disputants and 1 disputant but you may have to balance the power in the room e.g. by bringing a friend as support, so this is not recommended.

...there are problems outside the scope of mediation?

If anything in the list below is brought up then peer mediation must come to an end and adults must be informed! At this point, the peer mediators may inform the disputants that the mediation will be brought to an end because they are concerned about the issue at hand and the wellbeing of the pupils involved, and may then speak to the relevant party separately about their concerns and the need to discuss it with an adult.

- Fights, any serious physical violence
- Persistent bullying
- Serious breach of school rules
- Dispute involving outside parties
- Family issues/issues at home