

Principles of Mediation

1. Any agreement has to be to the satisfaction of the parties concerned

The responsibility for defining the problem, setting the agenda and agreeing the solution rests with the people in the dispute.

2. The content of the mediation is confidential

Within the mediation itself - the mediator must not divulge any confidences that are shared with them unless given permission to do so. Unless someone shares a criminal intent or act that involves harm to self or other.

- In respect of further proceedings (except with the express permission of both sides)
- In order for people to feel safe to explore their fears and anxieties the process must be perceived to be entirely confidential.

3. The mediator is impartial and has to be seen as such throughout the proceedings

This principle affects the people in the dispute, the mediator and the conduct of the session. People will perceive bias in different ways. Some characteristics of the mediators might affect how the parties view the mediator(s), for example their gender, race or age.

The mediator needs to ensure that they themselves have no bias or conflicts of interest. In effect that means the mediator has:

- No prior knowledge of the dispute or the parties concerned.
- No investment in achieving any specific outcome (including reaching an agreement).
- No personal or emotional involvement in the issue.

They are likely to perceive bias if they observe the mediator -

- Relating more comfortably with 'the other side' i.e. more nods, smiles, eye contact.
- Summarising the other side of the case more fully.
- Taking more account of the welfare of one person than another.
- Using one person's name more.
- Showing that they have common activities or interests outside the mediation.

4. The process is voluntary

People will cooperate more fully if they know they are free to leave at any point. This engages their own free will and sense of purpose and enables them to drive the process towards agreement rather than to be led to an understanding by a third party. If they drive the process they are more committed to the outcome.

5. Mediation is 'without prejudice' to other procedures

It is important that people reserve the right to invoke other measures. If the mediation were seen as an enforced procedure or one that removes an individual's rights it would constrict the creativity and increases the potential for resistance.

6. People in the mediation must have the authority to settle the issue

When undertaking a mediation it is important to ensure that you have access to the people empowered to make the necessary changes and that they are either party to the mediation process, or fully sanction people to agree the necessary changes.

7. The people in the mediation agree a resolution is needed

Often when there is a high degree of conflict over a period of time it is because one person believes that any adaptation or change has to come from elsewhere. In mediation people have to agree that there is a problem which needs resolving and that they are committed to exploring the issues jointly.

Rhizome is a co-operative of experienced facilitators, trainers and mediators. We work with co-ops, and campaigning and community groups across the UK, and with those national organisations that support activism and participation in all its forms.

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