

LARGE GROUP MEDIATIONS

Large group mediations are becoming more frequent as the number of mediation services grows and the range of disputes they are prepared to get involved in expands. Community mediators now regularly handle cases which are different from the standard neighbour to neighbour situations – these can be issues between a number of residents in a tenement stair, disputes affecting a whole street, or situations which are district-wide and involve a hundred or more people.

In some situations that involve several issues, a large number of people, or several 'interest' groups, techniques, which lie outside the normal mediation process, such as consensus building, may be the most appropriate. An example of this type of dispute might be a conflict about the proposed use of an area of wilderness, involving charities, government departments, pressure groups and commercial interests. Information on consensus building is provided at the end of this paper. For many other situations, however, the same mediation techniques as are used in two-party disputes will be appropriate and effective. The logistics will obviously be different as there are more people involved, the communication process is more complex and needs to be meticulously planned and structured, but the basic process remains as follows:

- > Decide that referral is appropriate/possible for service (as well as looking at the nature of the conflict, this will involve deciding if your service has the necessary resources/experience)
- > Come to agreement as to who the relevant parties are
- > Contact the relevant parties
- > Agree the terms of the service/mediator involvement
- > Meet the parties separately (this may involve meetings with individuals, groups, or representatives of groups/organisations)
- > Define the issues
- > Generate options
- > Test the options
- > Bring participants together as appropriate
- > Agree and define appropriate next steps
- > Construct an action plan/agreement
- > Agree a review process

Issues which are likely to require particular attention at the outset, and which will require clear agreement from all parties, including the referring agency are as follows:

- > Lack of coercion. As in any mediation process, participation must be voluntary
- > The mediators' role - this is to facilitate communication and uphold the mediation process, not to push people into an agreement
- > The purpose of the mediation process - this is for all parties to speak and be heard, to hear and be able to understand the concerns of others and come to a workable, mutually beneficial agreement for the future.
- > Autonomy - participants must have the autonomy to come to an agreement that will be acknowledged and accepted by the referrer

Planning Large Group Mediation Meetings

Large group mediation meetings take considerably longer to set up than their standard two-party equivalents, and are much more resource-intensive on mediator time. Detailed planning and preparation helps people feel included and promotes confidence in the mediators and the process. This is particularly important where the current situation has existed for a long time and participants may have become increasingly frustrated at their lack of success in resolving the situation themselves.

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The following points are important to consider prior to a meeting:

- 1) How confident/experienced are the mediators? – Whether a single mediator or a team of mediators is facilitating the process it is important that each mediator knows their strengths and their limitations. If you are not comfortable staging a meeting for 30 or more people break the task down into manageable smaller 'bite sized' chunks and arrange a series of smaller meetings and/or get help from co-workers.
- 2) Is there a clear meeting plan? – Different situations will require different plans, but you should consider whether it is clear who will be present, who will be able to speak and when, whether there are preliminary discussions/meetings before an open forum is introduced, and how you will recognise when a workable consensus has been achieved (majority or total agreement?) Clear ground rules at the outset will be vital.
- 3) How will dissent be managed? – When there are several parties and issues involved the opportunity for dissent will increase. It is often the case that, where the rights and lifestyles of a group appear to be threatened, strong emotions will need to be expressed. Mediators may have to be more assertive and directive than usual to curtail unhelpful, irrelevant and repetitive contributions so that everyone has the opportunity to speak and be heard. Clarity, patience and firmness are needed and flexibility as it is often necessary to change tack many times en route to meet the needs of the participants.

Practicalities

Careful organisation will help make the meeting run smoothly. Make sure the following are decided and organised:

- > Who is coming to the meeting, who will invite them, and the most effective form of invitation. It is important that the process is as inclusive as possible, as exclusion may jeopardise the success of the mediation process.
- > When and where to meet. The venue must be local, available and accessible. Transport may be a consideration.
- > Who will publicise the meeting, signpost the meeting, provide reception and if necessary, refreshments
- > What back up the mediators require e.g. support staff to take minutes, circulate papers etc. In some very rare cases, security personnel may be a practical consideration.
- > What physical resources are required e.g. labels or name badges, seating plan, flip chart paper and stand(s), marker pens, coloured pens, paper, visual aids, microphone/PA system, sufficient seats.
- > Other issues may include seating arrangements, side rooms for separate meetings, facilities available e.g. photocopying facilities, toilets, baby changing facilities, crèche.

Facilitating large group events requires confidence and specific skills to create a safe place where people feel able to say what they need and suggest ways that these needs can be achieved. Group mediations may require more planning and resources, but they can be a hugely successful way of resolving major conflicts and are an excellent opportunity to illustrate to large numbers of people that conflict can be resolved through mediation in a peaceful and constructive way.

Consensus building

Consensus building is a form of group decision making based on core principles of consent — 'a negotiation in which the parties devise a solution from which they all benefit' (Sidaway, 1998). Decisions are reached through mutual consent rather than by majority vote, with each participant given the power of veto. Everyone with an interest and who is prepared to co-operate is entitled to participate in the process and is encouraged to do so by the facilitators. The process of decision making, like mediation, is aimed at fostering and maintaining consensus, based on principles of fairness, openness and trust.



Sources: *Keeping It In The Community, Chapter 8*
The Nuffield Trust published by the Stationary Office
PO Box 29, Norwich NR3 1GN. ISBN 0-11-702553-4
Sidaway, R (1998) '*Consensus building*' *Good practice in rural development No. 5*, Scottish National Rural Partnership.