

## CO-MEDIATING

Most but not all community mediators work in pairs, both in initial visits to clients and particularly in mediation meetings. It is very rare in a community mediation context to have only one mediator conducting a mediation meeting. There are no laws or rules to say co-mediating is the "right" way to do things and the issue is sometimes hotly debated. In intergenerational mediation for instance, many people feel that having two adult mediators present at an initial meeting with a young person can be overwhelming or intimidating for them; other mediators feel that it is a necessary safeguard for all concerned. In some types of mediation such as commercial or workplace mediation, it is the norm for one mediator to conduct the case from beginning to end.

Below are some possible strengths and hazards of co-mediating. It is important that mediation services are clear about their policy on co-mediating and working singly.

### Advantages of co-mediating.

- > People bring different strengths, skills and experience to the mediation process. Co-mediators can share each other's resources, give an opportunity to consult and lessen mediator fatigue
- > Two mediators are twice as likely to match some of the characteristics of the parties, potentially making the process feel more balanced and accessible. Matching may occur with regard to race, gender, age or other characteristics. For instance a young single mother who has a dispute with a middle-aged male may be more comfortable and confident if one mediator is also female, rather than two middle-aged male mediators
- > Co-mediators can model co-operative and constructive communication. This may provide an example for the parties to follow
- > Co-mediation provides a check on mediator bias, for instance through undue client influence
- > Co-mediation can ease the burden of responsibility and tension on the mediator. Two mediators can share tasks and give each other breathing space
- > Co-mediating can be used for training and developing less experienced mediators in a less exposed environment and encourages self-learning and development of existing skills. All mediators should be able to learn from the approach of others.

### Hazards of co-mediating

- > If the co-mediators model bad communication (e.g. disagreeing, contradicting, speaking over each other) this will affect the whole process adversely
- > If the co-mediators are too closely matched to the parties then this has a danger of the parties seeing their "representative" mediator as an ally. This may create a problematic imbalance in the process even if the mediator concerned does not accept or want that role
- > If the mediation is being paid for by the clients then using two mediators obviously increases the cost. For most community services this will not be a major consideration.

## The co-mediation process

### Before visits/mediation meeting

- > discuss personal styles, strengths and where you need support
- > plan how you will share roles and tasks such as who will introduce the meeting, go over ground rules and Health and Safety etc, or whether there will be a "lead" mediator taking overall responsibility
- > Discuss signals – some mediators use pre-arranged signals to communicate some things
- > Predict – what might come up that is positive or negative and how you can support one another
- > get a feel for one another – and think how you can use your combined experience constructively.

### During visits/mediation meeting

- > talk to each other
- > listen – if your co-mediator is speaking, listen carefully to what is being said and try to work out in what direction she/he is trying to go
- > monitor how things are going – do your best to check with your partner and the parties what is going on, how people are feeling, what progress they think is being made
- > watch while your co-mediator is speaking – your job is also to watch what is happening
- > ask questions – it is OK to openly consult with your partner in front of the parties, for example, checking whether he/she has finished before you ask some supplementary questions.

## After mediating

- > take time to debrief, get and give feedback and evaluate the mediation, perhaps using a structured process such as the Mediator Feedback Form included in "*Community Mediation: Ensuring Best Practice*" (see Publications section below)
- > allocate the administrative tasks associated with the visit/mediation session.

## General

- > Support and assist without taking over
- > Be clear about what you are good at and where you think your skills will be used best
- > Be open to different styles of working
- > Spend time working through any differences with your partner which have a negative effect on you
- > Seek and give positive feedback
- > Even if the partnership between you and your co-mediator is not working, do not undermine him/her in front of clients
- > Be honest if you do not think you can work with someone.

## Further Reading

"*Mediation – principles, process, practice*" Laurence Boulle/Miryana Nestic (Butterworths 2001).

"*Community Mediation – "Ensuring Good Practice"* Sacro Community Mediation Consultancy 2003.

