

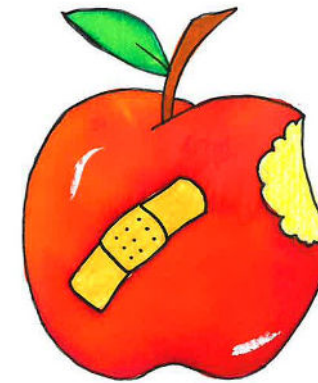
Mediation

Geertruid van Wassenaer



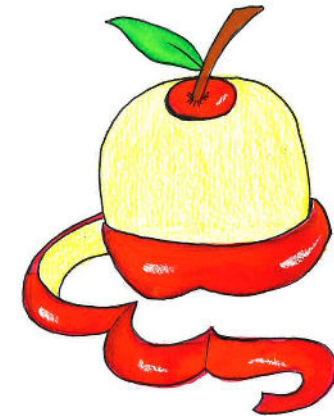
story

- The story of this apple
- Two sides to each story



What is mediation?

Form of guidance in conflicts in which a neutral expert, the mediator, guides the communication and negotiations between parties in order to arrive at a jointly supported and optimal decision-making for each of them based on their real interests.



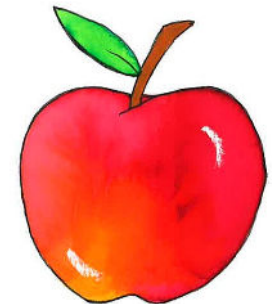
4 styles of mediation

- Facilitating
- Evaluative
- Narrative!!!!
- Transformative



When could a mediation be considered?

- No certificate of incapacity
- Complex cases that have taken too long
- Cases with a chronic character
- Cases with a lot of emotion
- Only for cases with principled character?



mediator's role

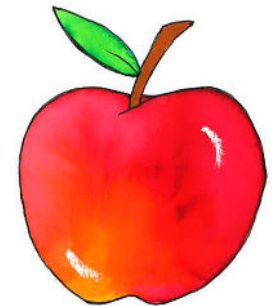
- Mediator does not solve it
- Parties have to do the job
- Together!
- Core values:
 - Autonomy
 - confidentiality
 - commitment
 - Voluntariness

*"Everyone you meet
is fighting a battle
you know nothing
about. Be kind.
Always."*

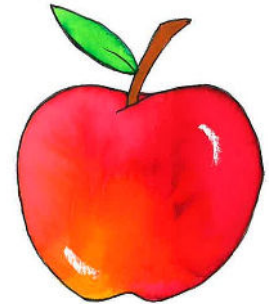


What is the added value?

- Equal participation and influence
- mutual respect
- good atmosphere
- personal engagement
- **Listening**
- **Arguments become interests and or desires**



Most people do not
listen with the intent
to understand; they
listen with the intent
to reply.



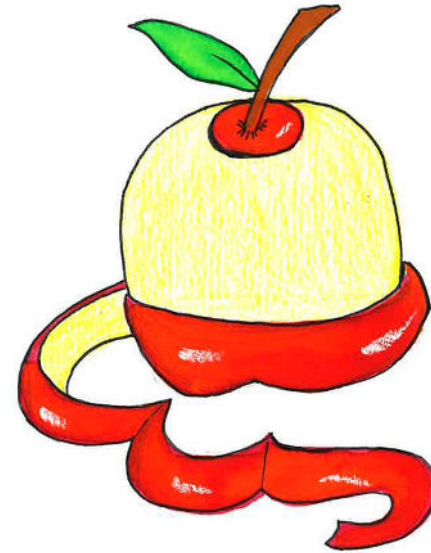
Recognition how?

- Listening without opinion
- Reflect what you heard
- Can we solve some parts?
- Can we make problems smaller?
- Can we change something?
- Are we willing to do so?



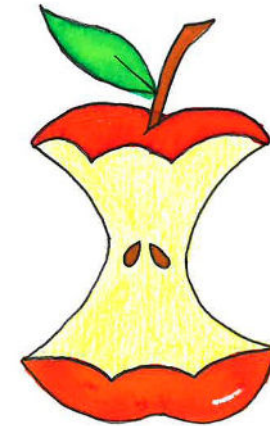
Transformation in thinking

- Arguments can form a problem (i am entitled to 100%)
- Interests define the problem (my child needs care)
- Perspective influence the problem (I am victim, or..)
- The problem should not define the interest (go on a search)

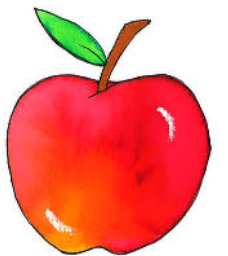


Different types of interest

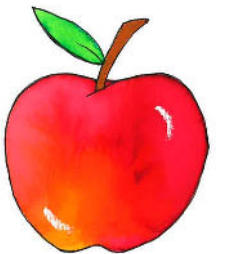
- What is the problem. What is someone fighting for, why, what does he want or need?
- Can we find mutual interests?
- If interests are different, is there a way to bridge the gap?



Different perceptions

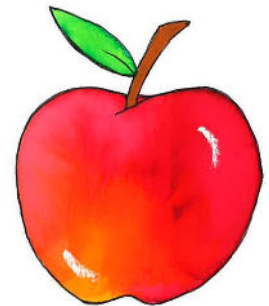


Perception



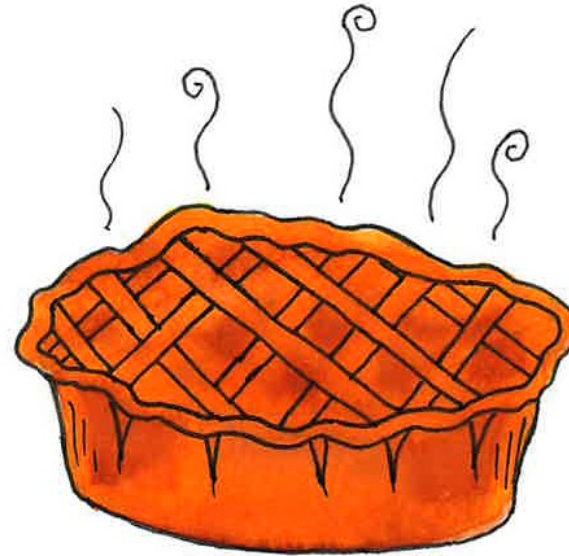
A day with the mediator

- Introduction, formal part, essential values
- Exchanging information: listening, understanding, feeling heard
- Caucus
- Seperate session with professionals
- Feedback (peacedove)
- Plenary session
- Completion, agreement?



Pass or fail

- Wat is your definition?
- At least you have made a serious effort
- Have you been able to reach partial agreements?



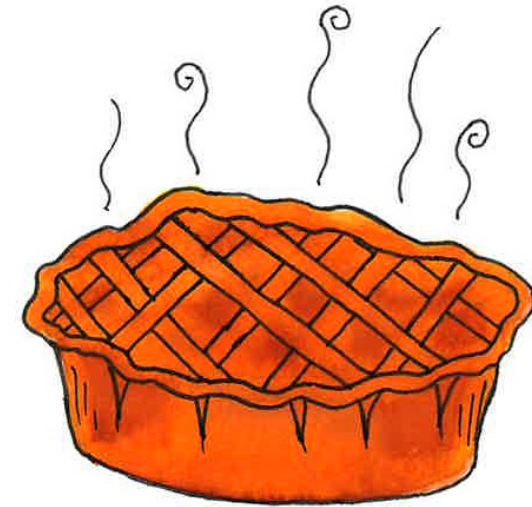
Taking a stand

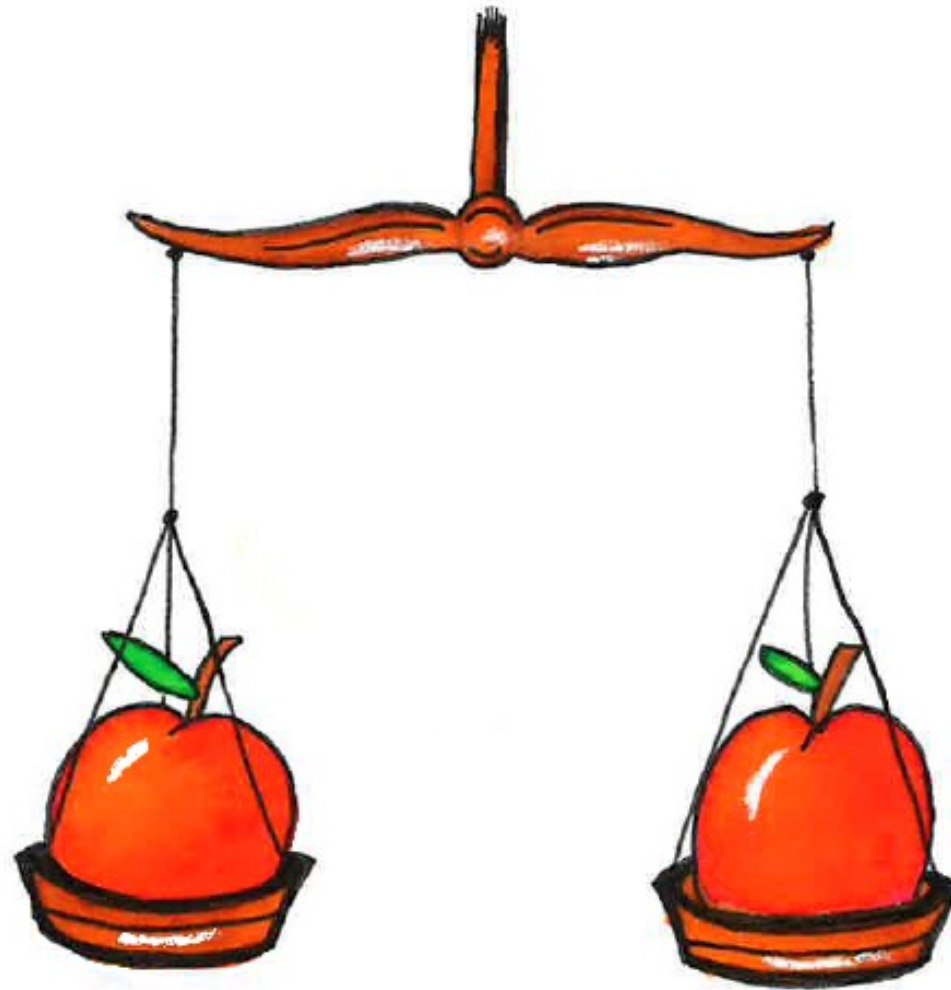
- We can not solve personal interest cases without
- Psychological insight
- And personal skills



Lessons learned

- Stick to what you have promised
- Set goals together about what to achieve, how and when
- What should be done to reach the goals
- Think in terms of recovery
- Recognize future risks (such a psychiatric element)





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