

## MEDIATOR INTRODUCTION AND RULES STATEMENT

Thank you for choosing mediation as a way of solving your problem together.

My name is \_\_\_\_\_ (mediator)

And this is \_\_\_\_\_ (co-mediator)

Here is what will happen – you will both have a chance to tell your stories and explain how you are feeling. We will then see if you can agree on a way forward to sort things out to avoid this problem happening again.

We, the mediators:

- Will not take sides
- Will not tell you what to do
- Will help you to find your own solutions to your problem
- Won't tell anyone else about your problem unless you share with us something that is against the school rules or which could be harmful to you or someone else

Would you please both agree to the five rules of mediation:

- Listen to each other – you'll each get a turn
- One person speaks at a time
- Be respectful
- Be honest – tell the truth
- Agree to solve the problem together

## THE PRIMARY MEDIATION PROCESS

(Detailed Guideline Sheet for Mediators)

### Stage 1: Introduction and Rules

Introduce yourselves. Both disputants must agree to mediation. Move to a quiet area. Explain the purpose and rules of mediation. Get agreement to the five rules.

- Listen to each other – you'll each get a turn
- One person speaks at a time
- Be respectful
- Be honest – tell the truth
- Agree to solve the problem together

### Stage 2: Defining the Problem

*"Who would like to speak first?"*

**Disputant going 2<sup>nd</sup>:** *"You will get your turn and thanks for waiting."*

Ask 1<sup>st</sup> disputant... ***"Please tell us what happened. How you are feeling about it?"***

Mediator summarises... Example: *"So you are feeling... because..."*

Ask 2<sup>nd</sup> disputant.... ***"Please tell us what happened. How you are feeling about it?"***

Mediator summarises.

Ask 1<sup>st</sup> disputant.... Then ask the 2<sup>nd</sup> disputant:

***"Do you have anything to add about what happened?"*** Summarise after each response.

Unpack - keep repeating the above question to both disputants until they have nothing else to add.

### Stage 3: Summarising

***"So my understanding is that the problem is about... Is that correct?"***

Summarise what you think the problem is about in one sentence. Check this is correct.

Make sure both disputants agree what the problem is about. There may be more than one problem.

### Stage 4: Generating Solutions

Ask 2<sup>nd</sup> disputant:

***"What can you do to help solve this problem?"*** .... Or ....

*"What can you do differently next time so that this problem does not happen again?"*

Ask 1<sup>st</sup> disputant:

***"What do you think about that idea?"***

*"Is there anything else you could do to help solve this problem?"*

Ask 2<sup>nd</sup> disputant:

*"What do you think of that idea?"*

Mediator elicits responses from each disputant until an agreement is reached.

**Mediator summarises the agreement reached by disputants.** Check this is correct.

### Stage 5: Reaching an Agreement

Ask both disputants:

***"Do you think the agreement solves the problem? Are you both happy now?"***

Write up the Agreement on the Mediation Report Form and ask disputants to sign it.

Arrange a check back date and time.

**Congratulate disputants on reaching an agreement.**