

THE  
*Essential*

# PEER MEDIATOR

HANDBOOK



**COOL**   
**SCHOOLS**

PEER MEDIATION  
PROGRAMME

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GLOSSARY

# Congratulations!

on being a Cool Schools Peer Mediator

## Mediator Profile

NAME:

SCHOOL:

CLASS LEVEL:

DESCRIPTION:

*Strengths/things I am good at:*

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*Place your photo here*



*Why I chose to be a peer mediator:*

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*What I want to improve on:*

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# Being a Peer Mediator

Being a Peer Mediator is an important job.

You will learn the skills necessary to help your friends and other peers to solve their conflicts peacefully.

## A mediator is...

*A good listener*

_____	_____
_____	_____
_____	_____
_____	_____

## A mediator is not...

*A police officer*

_____	_____
_____	_____
_____	_____
_____	_____

# Qualities of an Owl

Brainstorm all the qualities needed for a person to be an effective mediator.



## SKILLS

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## QUALITIES

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## ATTITUDES

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## BEHAVIOUR

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# Dealing with conflict

What is conflict?

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Brainstorm **constructive** vs. **destructive** ways of dealing with conflict.

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What are the benefits of dealing with conflict constructively?

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**NOTE: VIOLENCE**— *When you force yourself over another person and cause harm to get your way.*

*A violent act can be physical, verbal or emotional.*

*Violence is NOT THE SAME as conflict.*

*Violence is a negative way to deal with conflict.*

**Conflict** is part of everyday life, **how we deal with it** is what makes the difference

What influences the way we might respond in a conflict situation?

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## Healthy resolved conflict

- *Builds relationships.*
- *We learn and grow from it.*
- *Develops self respect and respect for others.*
- *Creates a problem solving, positive outlook.*
- *No 'history' of unresolved conflict to interfere with the new problem solving.*

# How do people deal with conflict?

## Teddy Bear

SUPPRESSION, ACCOMMODATING, LOSE-WIN SITUATION

- *Act as though nothing is the matter*
- *Peace-keepers—like to preserve harmony and peacefulness*
- *Often say 'yes' to preserve the relationship*
- *Stay cheerful, but refuse to talk about the problem*
- *Often be cross with yourself afterwards (suppressed feelings of anger and frustration)*

## Shark

(ASSERTIVE, POWER, IN CONTROL, AGGRESSIVE, WIN-LOSE SITUATION)

- *Action focussed*
- *Challenging (may set out to prove the other person wrong)*
- *Refuse to take NO for an answer*
- *Shout them down*
- *Outsmart them*
- *Lay down the law*

## Turtle

DENIAL, AVOID, WITHDRAWAL, LOSE-LOSE SITUATION

- *Stop talking, punish with silence*
- *Walk away*
- *Sulk*
- *Ignore the important issue*
- *Become resentful*





## Owl

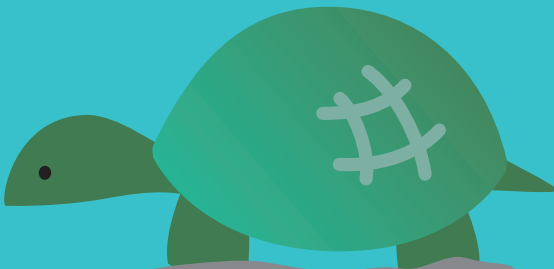
COLLABORATIVE, COOPERATIVE, WORKING WITH,  
PROBLEM SOLVING, WIN/WIN SITUATION

- *I want to win but I want you to win too*
- *I will state my feelings and needs and listen to yours too*
- *The relationship/friendship is important and needs to be nurtured*
- *Brainstorming ideas together to solve the problem*
- *Non threatening communication to find a mutually acceptable solution (reflective questioning and listening)*

## Fox

COMPROMISING, NEGOTIATING,  
WIN SOME — LOSE SOME SITUATION

- *Do what's fair*
- *Divide equally*
- *I'll give if you give — trade off*
- *'Split the difference' to keep a friendship*
- *Gain something for yourself*
- *Finding the middle ground*



# Responding to conflict

When I have an argument with my sister/brother/cousin, I tend to...

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What is your conflict style tendency? How do you react?

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## CONSEQUENCES

CONSTRUCTIVE (POSITIVE)

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DESTRUCTIVE (NEGATIVE)

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How could I improve?

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# What is mediation?

Mediation is...

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## Research Task

1. Go online to find a definition of mediation.
2. Research mediation and how it can be used in the following areas:
  - ▶ Community mediation
  - ▶ Mediation and the law
  - ▶ Diplomatic mediation
  - ▶ Making mediation a profession
3. Give a brief report of your findings

**Mediation is voluntary.**  
Students are encouraged to make **this choice** when they have a **problem** with someone.

# Benefits of Mediation

*Increased  
self esteem*



**Students**

*Learn that conflict is  
something that we can  
deal with positively and  
learn from.*

# Identify the benefits of mediation

*Teachers have less  
conflict to deal with*



*Peer mediation can  
be used at home*

# The Mediation Process

## The Primary Mediation Process

### INTRODUCTION AND RULES

1. Mediators introduce themselves.
2. Ask the disputants *'Do you want help to solve this problem?'*  
If they agree to mediation — move to a quiet area.
3. Get agreement to four rules of mediation:
  - ▶ No interrupting — you'll each get a turn
  - ▶ No put-downs.
  - ▶ Be honest.
  - ▶ Try to solve the problem together.

### DEFINING THE PROBLEM (this step may need repeating)

4. Decide who will talk first. Value the student who is going second *'You will get your turn and... thanks for your patience.'*
5. Ask person (1) what happened?
6. Ask person (1) how do you feel? Retell the feelings and facts.  
*'So I'm hearing that you are feeling... because...'*
7. Ask person (2) what happened?
8. Ask person (2) how do you feel? Retell the feelings and facts.  
*'So I'm hearing that you are feeling... because...'*
9. Ask *'Do you have anything you would like to add?'*



## SUMMARISING

10. Mediator: *'So I am hearing the problem is about...'* (one sentence)... *'is that correct?'*  
Check the disputants agree.

## FINDING SOLUTIONS

11. Ask person (2) to suggest solutions. Examples of questions to ask:
  - *What could you do to solve the problem?*
  - *What could you do differently next time so that you don't have this problem happening again?*
  - *What do you need to solve this problem?*
12. Ask person (1) to comment on person (2)'s solutions and to add any improvements and/or other suggestions.
13. Work with the suggestions until they develop one they are both happy with. There may be more than one problem. Ensure all problems are solved.
14. Check: *Are you both happy now?*

## REACHING AGREEMENT

15. Write down solution/s agreed upon on the Mediation Agreement Form. Disputants are required to sign this form.
16. Mediators congratulate both parties on reaching an agreement to solve their problem. Shake hands with disputants (optional).

## CLOSURE

17. Arrange a 'check back' e.g. *'We would like to meet you outside the library tomorrow at 1.30pm to check that your agreement has worked out.'*
18. Mediators ask disputants to affirm each other (optional). *'I appreciate you because...'*

# The Mediation Process

What are conflicts often about at your school?

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Write two common conflict scenarios.

**1.**

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**2.**

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## Task

In groups of 4 (two mediators and two disputants), choose a scenario and role-play the mediation process.

Swap over so everyone gets a turn at being a mediator and a disputant.

See page 18  
for an example  
of a mediator  
introductory  
statement

## IN A SUCCESSFUL MEDIATION

- *There is not a winner and a loser.*
- *Both are happy with the outcome they have agreed upon.*
- *The relationship is maintained or improved.*
- *People learn a problem-solving approach to conflict.*



# My role as a mediator is to...

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## Keys to a Successful Mediation

1. During the 'story telling' stage, disputants tell their story to the mediators, not each other. This can help calm the situation as disputants may still be upset or angry.  
Make sure disputants have told all of their story. Ask each disputant 'Is there anything else you want to say?'
2. If the first person speaks too long, stop them and reflect back the information, then allow the other disputant to tell their story. Come back to the first person and ask them to finish their story.
3. If disputants are struggling to come up with solutions, ask them 'what could you do differently next time to get a better outcome?' Get them to think about the future rather than the present.
4. Keep your language neutral. Sometimes a disputant will offer a solution, which you agree with. Instead of saying 'that's a good idea' and therefore giving your opinion, keep impartial by reflecting the solution to the other disputant and ask if they agree or if they wish to suggest another option.
5. Be aware of where you sit or stand when preparing for mediation. Crouch down or sit when mediating for junior students, eye level is best.  
If disputants are feeling emotional (angry or upset) you may need to stand or sit between them during the mediation process.  
Remember that calm disputants are easier to mediate!

# The stages of mediation

## Key points to remember

As you learn and practice the mediation process, record any notes or key things to remember below.

### Stage 1: Introduction and rules

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### Stage 2: Defining the problem (story telling)

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**Mediation** is an empowering process

### Stage 3: Summarising

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### Stage 4: Finding solutions

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### Stage 5: Reaching agreement and closure

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# 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 and sort things out to avoid this problem happening again.

## **We, the mediators:**

- Will not tell you what to do.
- Will help you to find your own solutions to your problem.
- Will not take sides.
- Won't tell anyone else about it 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 four rules of mediation:**

- No interrupting — you will each get a turn.
- No put-downs.
- Be honest.
- Agree to solve the problem together.

# Mediation Agreement Form

Date: \_\_\_\_\_

Mediator's name/s: \_\_\_\_\_

Disputants' names: \_\_\_\_\_

Identify what caused the conflict: (please tick)

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Accident       | <input type="checkbox"/> Misunderstanding | <input type="checkbox"/> Game rules            |
| <input type="checkbox"/> Taking turns   | <input type="checkbox"/> Teasing          | <input type="checkbox"/> Possessions/Ownership |
| <input type="checkbox"/> Name calling   | <input type="checkbox"/> Friendship issue | <input type="checkbox"/> Exclusion             |
| <input type="checkbox"/> Rumours/Gossip | <input type="checkbox"/> Other: _____     |  |

How did you come to mediate the conflict? (please tick)

- |   |  |
|---|--|
| <input type="checkbox"/> You offered to mediate       | <input type="checkbox"/> A teacher suggested it  |
| <input type="checkbox"/> Another student suggested it | <input type="checkbox"/> Disputants asked you to |
| <input type="checkbox"/> Other: _____                 |  |

Was the mediation referred to a teacher? Yes/No

Was a good resolution found? Yes/No

## RESOLUTION/AGREEMENT:

(name) \_\_\_\_\_

agrees to: \_\_\_\_\_

\_\_\_\_\_

Signed: \_\_\_\_\_

(name) \_\_\_\_\_

agrees to: \_\_\_\_\_

\_\_\_\_\_

Signed: \_\_\_\_\_

Check back time: \_\_\_\_\_

# Active listening

Active listening is essential to the mediation process.

- A mediator needs to be a very good listener.
- Active listening helps create an atmosphere where people feel comfortable speaking.

## Keys to Good Listening:

*Use eye contact where possible.*

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# Useful phrases to show you are actively listening

Here are some examples. Write some more of your own...

*What I am hearing you say is that you feel upset when...*

*Can you help me understand what you mean when you say...*

*Can you give me an example of...*

*It sounds like both of you are concerned about ...*

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# Paraphrasing

Paraphrasing is summarising in your own words what has been said.

## Paraphrasing...

- Shows you are listening.
- Makes sure you have heard what they wanted you to.
- Gives the speaker a chance to hear back what they have said.
- Gives the other person a chance to hear too.
- Calms people down.
- Indicates that you understand the problem and have empathy for the person with the problem.

## How to paraphrase:

1. Focus on the speaker and listen carefully.
2. Repeat in a non-judgemental way the content and feelings you have heard using your own words.
3. Begin with 'so what you are saying is...'

## FOR EXAMPLE:

1. 'So what you are saying is that you are feeling frustrated that he didn't let you have a turn and kept telling you what to do.'



2. 'So what you are saying is that you are feeling upset because she started spreading rumours about you in school.'
3. 'So what you are saying is that you are feeling confused and didn't mean to cause trouble during the game'.

**REMEMBER:**

Do not offer your opinions or try to fix the problem.

**Paraphrasing Practice:**

In pairs, practice your paraphrasing skills.

1. Person A (storyteller) tells Person B (listener) a problem they have (you can make it up).
2. After one minute, Person A stops talking. Person B reflects back the facts and feelings to Person A.
3. Person A then answers the following questions: What good listening skills was your partner showing? How did it feel to be listened to this way?
4. Swap roles. Person B becomes the storyteller and Person A the listener. Repeat process.

**'SECRET' OBSERVERS**

1 or 2 students can be selected to observe their peers doing this practice. At the end they report back on all the good listening skills they have observed.

# Feelings

## Feelings are important!

Feelings are the things that can often cause conflict. However, when shared they are also the things that help to resolve it. Being able to identify our feelings is an important part of the mediation process.

### Feelings inventory

*Improving our feelings vocabulary*

The following words are used to express emotional states and physical sensations when people are unhappy about something or not satisfied.

Brainstorm other words that have a similar meaning.

*Example:*

#### **EMBARRASSED**

*ashamed, chagrined, flustered, guilty, mortified, self-conscious.*

**DISCONNECTED**

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**AFRAID**

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**VULNERABLE**

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**ANNOYED**

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**TENSE**

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**FATIGUED**

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**CONFUSED**

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# Useful discussion questions:

How can you tell how someone is feeling?

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What sorts of things do people do with their bodies that may express their emotions?

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Do you think there might be differences in the way people from different cultures express their feelings? Different ages?

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What about voice? It's not just what you say but how you say it (tone, volume, inflection). Is the tone of voice you use important?

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# 'I' statements

'I' statements communicate our feelings to others.

'I' statements are a tool that mediators can use to guide disputants to express their feelings in a non-threatening way.

## How to construct an 'I' statement

### LEVEL 1:

- a) **I feel...** [state the feeling]      **When...** [describe what happened]
- b) **when...** [describe what happened]      **OR**      **I feel...** [state feeling]
- c) **because...** [explain why]      **because...** [explain why]

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**STOP AND WAIT FOR AN ANSWER.**

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*If you don't get the answer you want, try level two:*

### LEVEL 2: ASK FOR WHAT YOU WANT

Say: "I would like you to..."

Or: "I need you to..."

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**IF PROBLEM CONTINUES TRY LEVEL 3.**

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### LEVEL 3:

Go and get help from

- **A teacher**

# 'I' Statement example

**LEVEL 1:** *I feel frustrated*  
*When you constantly interrupt*  
*Because you are breaking the mediation rules.*  
(if there is a negative response, go to next level...)

**LEVEL 2:** Can you please wait for your turn to speak.  
(if there is a negative response, go to next level...)

**LEVEL 3:** Go and get help from a teacher.

## 'I' statement practice

You are a mediator and you suspect one or both of the disputants are not telling the truth.

*When... I feel... because...*

(create your own scenario...)

*I feel... when... because...*

You are a mediator and the two disputants keep nudging each other.

*I feel... when... because...*

(create your own scenario...)

*When... I feel... because...*

Write 2 questions to prompt disputants to use an 'I' statement.

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# Asking effective questions

The mediation process is a series of open and closed questions. The key to success is knowing which to ask when.

During the introduction stage of mediation use closed questions:

e.g. *What is your name?*

*Do you agree to the four rules?*

In the actual mediation use open questions:

e.g. *What happened?*

*How can we solve this problem?*

## The 5 essential questions for a mediator to ask

1. What happened?
2. How are you feeling?
3. How could you solve this problem?
4. What do you need right now to make it better?
5. What could you do differently next time to stop this problem happening again?

Mediators  
are good  
questioners

# Clarifying, focusing and affirming questions

Sometimes mediators have to ask questions to clarify the situation. Here are two examples, add two more of your own.

*What do you mean by 'he bullied you'?*

*What exactly does Blake do to annoy you?*

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Mediators often have to ask focussing questions to help the disputants find their own solutions. Write two more.

*How do you feel right now?*

*Are you both happy now?*

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At the end of mediation, an affirming question asked to each of the disputants can help with closing the mediation in a positive way (this is an optional part of the process). Write two more.

*What is one thing you appreciate about Rebecca?*

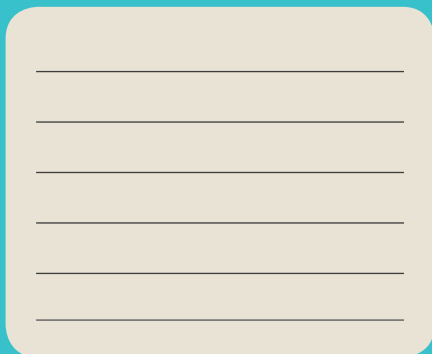
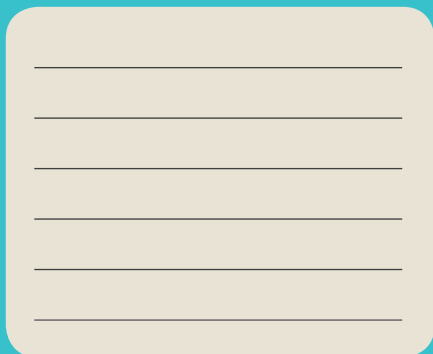
*What is one thing Tyra is good at?*

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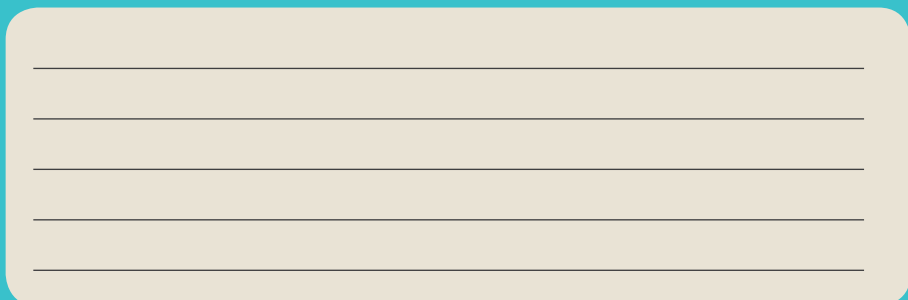
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# Helping disputants to generate solutions

What is a solution? What is a compromise?



Which is more suitable when in mediation?



Useful clarifying and motivating questions for mediators to ask:

- What would be a fair way to handle this?
- What would you like to happen next?
- Why is that important to you?
- What could you do next time to prevent this problem from happening again?



# Tips for mediators

- ▶ Allow disputants to talk and negotiate with each other as long as it is productive. Remind them of the following points:
  - They agreed to the mediation rule: ‘Agree to solve the problem together’.
  - If a solution is not reached during the mediation, teacher involvement will mean that the solution will be provided for them.
  
- ▶ If disputants get stuck, ask a focussing question:  
*What upsets you about this?*  
*What do you need to feel better?*
  
- ▶ Evaluate options — reality test by asking questions like:  
*What do you think will happen if...?*  
*Are you both happy with this solution?*  
*How can we make this solution fair for you both?*
  
- ▶ In the process of solution finding, mediators must understand that their role is to organise and manage the process. Help the disputants stay focused on one issue at a time until they reach closure.
  
- ▶ **Remember:** *Sorry is a ‘sticky plaster’ — a sorry acknowledges feelings but does not solve the problem long term. Seek long-term solutions that disputants can act upon.*

## Role play Activity:

You have two disputants who are ‘stuck’ and having trouble coming up with solutions. Role-play the mediation process and practice asking effective questions to generate solutions that will work for both disputants.

# Generating solutions

Complete the following task (either individually or in pairs).

ISSUE	POSSIBLE SOLUTIONS	BEST SOLUTION	QUESTIONS TO PROMPT BEST SOLUTION

# Creating effective agreements

An effective agreement is...

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## Checklist for Good Agreements

- Who is going to do what?
- Keep it specific and balanced.
- Can each disputant carry out their agreement? It won't work if it is something they cannot do.
- Are both happy with the outcome? Make sure one is not just agreeing just to keep the peace. Each mediator can talk to disputants separately to check the agreement.
- Remember a sorry or apology is a 'sticking plaster' (not a tangible, long term solution).

## Activity

In groups of four (two mediators and two disputants), role-play a mediation.

One mediator fills out the Mediation Agreement Form as the mediation progresses (either use the example in your booklet or ask the teacher for an Agreement Form). The other mediator facilitates the mediation.

Change roles. Fill out a second Mediation Agreement Form as well.

Swap Mediation Agreement Forms with another group. Decide whether it is a good agreement or not and be prepared to share your reasons why.

# Handling difficult situations

In pairs discuss...

*You are a newly trained peer mediator ready to do your first duty in the playground. So that you feel confident and safe on duty, what do you need to be aware of? What sort of challenges/problems may arise? Think about 'What if...'*

## Helpful tips for possible difficult situations

### Lying

If you think the disputants may not be telling the truth, possible things to say are:

*'Remember you both agreed to tell the truth'.*

*'I find it difficult to mediate when your stories are quite different.'*

Other tips include:

- Mediators could also talk to disputants separately.
- Look the person right in the eye.
- Check for witnesses.
- Stop the mediation. Tell the disputants to go away and think about what happened and come back if they really want to solve the problem.

### Lack of Cooperation

If disputants are not cooperating e.g. will not answer questions or suggest solutions, possible things to do are:

- Demonstrate an "I" statement: *"I can't help you if you won't tell me what the problem is."*
- Check the reason for their lack of co-operation, fear or confusion. Ask disputants if they wish to continue with mediation.
- Give encouragement. Remind disputants that this is their chance to solve the problem themselves without involving a teacher.

### More than one issue or problem

If there is more than one problem or the disputants have different problems it is best to solve one problem at a time.

Identify each problem. Select a problem to be discussed first and ask the disputants if they agree to generate solutions for one issue at a time.

## Maintaining Control

If the disputants become very disruptive and/or abusive:

- Be assertive and use hand signals e.g. “Shh” or “Stop” signal.
- Give an “I” statement — *“I find it difficult to hear when you both talk at once.”*
- Separate disputants and ask if they want to continue.
- Review rules — get agreement to follow them.
- ‘Cool-off’ period, then continue.

## Power imbalance

If one disputant has more power than the other mediation can be very difficult e.g. one disputant is more shy than the other and they find it difficult to have their say:

- Stand closer to the less dominant disputant and make sure they have their say.
- Reinforce the rules with the powerful disputant. *“No interrupting — you will get your turn.”*
- Remind the less dominant disputant that the mediation process is fair and confidential.
- Change the volume levels of your voice —speak louder to the more dominant disputant, use a quieter voice with the less dominant disputant.

## Information that is from the past or off the topic

Sometimes when people are angry or upset they bring up information that is from the past or off topic. This information might not be helpful in resolving the dispute. At times like this you could say:

*‘We need to talk about what is happening right now. So let’s get back to what would help to solve the problem’*

## Disputants do not want to talk

If the disputants are wanting to solve their problem using mediation, however are reluctant to talk, you could try:

- Asking open-ended questions.
- If one is more reluctant to talk, stand close to this person.
- Remind disputants that the process is confidential.
- Offer disputants the opportunity to work out this problem with someone else.

## An ESOL student wants mediation

A disputant who is not strong in speaking English (e.g. refugee or new immigrant) may ask a support person to do the speaking for them during mediation. It is important to ask the second disputant if they would also like a support person. This person would be present but not involved in the mediation itself.

# Handling difficult situations

## What might you do in this situation?

1. If disputants are breaking the rules during mediation, what are possible ways the mediator can enforce the rules without appearing like a police officer?

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2. What could you do if there appears to be a power imbalance and one disputant is so dominant there might not be a fair outcome?

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3. If you are in a situation where there appears to be more than one problem, what questions would you ask to find out all the parts of the problem are shared?

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4. If there are two problems, how could the mediators maintain an orderly structured mediation process?

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## Group activity

In a small group, select and role-play a possible difficult situation. Create a short presentation showing tips on how to handle this situation. This can be organised into a 'Handling difficult situations' showcase, where each group presents on a different situation. You can even present your showcase to school staff.

# Glossary

**AGREEMENT** A plan to solve a problem between you and someone else.

**ACTIVE LISTENING** To pay close attention to the speaker, ask questions, summarise their story.

**BIASED** To be on one person's side (not open to change).

**BULLYING** A repeated pattern or serious incident of attack which causes distress — an on going power imbalance.

**CHECK BACK** Revisit disputants to make sure agreement has been followed.

**CLARIFY** To make clear or easy to understand.

**COLLABORATE** Work with others to complete a task or achieve a goal.

**COMPROMISE** A settlement of differences where each person gives up something to progress forward together.

**CONFIDENTIAL** Private. You won't talk about what goes on in the meeting to anyone else.

**CONFLICT** A disagreement, fight or war.

**DENIAL** Pretending nothing is wrong when you are angry, sad or upset.

**DISPUTE** Another word for conflict.

**DISPUTANT** A person having an argument or fight with another.

**EMPATHISE** To feel as another person is feeling.

**EMPOWER** Give authority to somebody and enable them to be more confident and assertive.

**GROUND RULE** One of several basic rules for peer mediation — agreed to by disputants.

**MEDIATION** A process in which two impartial persons (the mediators) help the people in a conflict situation to come up with their own solutions towards a positive, win/win outcome which solves the problem.

**MEDIATOR** A neutral person who is trained to use special skills to help others solve their own problems.

**NEGOTIATE** To discuss options and ideas with another in order to reach an agreement.

**NEUTRAL** Not taking sides.

**PARAPHRASE** Rephrase and simplify.

**RESENTFUL** Feel annoyed.

**RESOLUTION** A course of action decided upon to solve a problem.

**ROLE-PLAY** To pretend to be someone or something else and act as they might behave.

**VALUE** A principle, standard or quality which is worthwhile to regard highly.

**WIN/WIN** Where a solution satisfies the need of all parties.

*“I feel that being a mediator is a privilege. It helps me be more mature and sensible. It also gives me confidence to help out where there are problems in our classroom or the school”*

PEER MEDIATOR, YEAR 8, MANGERE CENTRAL SCHOOL

