

Choosing a Mediator

Look for these essential qualities in a Mediator:

Experience: Look for a Mediator who has taken the lead, rather than be a co-mediator or been an observer. Ideally a Mediator will have mediated a wide range of disputes & therefore is confident to facilitate many different types of discussion. Training to be a Mediator involves a great deal of role play facilitating discussions, & honing their skills by observing more experienced mediators.

Empathetic Listening: Trust in a Mediator is essential. This comes through their experience in hearing all your concerns & protecting themselves from subjectivity within a toolkit of advanced communication techniques. Good Mediators listen very carefully without setting their own agenda. They understand & reflect points made without you knowing how the Mediator feels about your comments. A good Mediator will be flexible in their approach to each mediation & responds to the nuances of verbal & non-verbal responses enabling a discussion to progress towards resolution.

Creating a calm environment: Experienced Mediators know when to allow a free flow of exchanges, when to intervene, when to focus on process & when to focus on substance. When emotions run high, a good Mediator remains unflappable.

Positive Encouragement: A Mediator provides the means & the pace to encourage parties to progress positively through the issues of contention.

Subject Knowledge: Understanding the areas of concern & ensuring these are discussed fully is critical to a good Mediator's facilitation of a dispute. You can receive legal advice from your solicitor. Mediators **do not advise** parties & therefore do not need to be experts in the subject in dispute. Remember whilst you may need or want legal advice, other factors go beyond fitting legal points, so do not let other important elements such as interests, common goals, interdependence, power, impact on other parties, etc., get lost. A good Mediator will not miss these other elements.

Important - a Mediator is appointed to facilitate discussions to resolve conflict & settle the dispute.

Enquiries: Tap into Gillian Hall's vast mediation experience. She will answer any questions you may have about mediation – she has been involved in commercial mediation since 1999. Gillian cannot advise or comment on a particular dispute.

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Communication with Lucent Talking is confidential.