

# Mediation *Matters*

The newsletter of Mediation Hertfordshire, exploring conflict, its resolution and the uses of mediation

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## The Credit Crunch

### How a Mediation Service can Help!

- People are struggling with household bills, employment issues and uncertainty about the future and will be feeling more stressed. Stress is a major factor underlying conflict and there may be more need for mediators to help people cope with the effects of this by offering them the opportunity to talk about their concerns and identify ways of resolving them.
- Work situations could be more precarious as job losses become a reality for more of us. Those affected may feel more pressure to perform and may find the workplace becoming a more competitive environment. Workplace disputes can often be the result of poor communication and unstructured line management, and this could be exacerbated by feelings of insecurity. Mediators can be really key in helping those affected by such disputes to talk them through and find constructive outcomes, so that nobody loses their job.
- More people will consider using mediation rather than formal legal processes, because mediation is the cheaper, as well as the more effective, option. Mediation is used in a whole range of disputes, from those in the commercial and civil world, to helping families going through divorce – as well as in boundary disputes and eviction processes. A Mediation Service can help save a Local Authority thousands of pounds by offering tenants a way of working together to resolve their issues.
- Economists and social commentators believe that society may become less individualistic as economic circumstances worsen and we become more dependent on each other. This may mean that neighbours helping each other out becomes more common than in recent times. Having a local mediation service will contribute to the well-being of residents and improve the quality of life of all those living there.

### Challenges for the Mediation Service

- Funding for preventative services such as mediation may become more scarce as Local Authorities feel the pinch of cuts from central government. Funding from Trusts and other sources could be affected, as a number of charitable funders are Banks and other financial institutions.
- A move from grants to the commissioning of services will impact on the Voluntary Sector, as the tendering process is a long and complicated one and not all organisations will be in a position to prepare tenders.
- Mediation may come to be seen as a luxury, rather than a necessity, and could therefore be vulnerable to the changes in the economic and social climate.



## Restorative Approaches in Hertfordshire

Hertfordshire is a trailblazer amongst local authorities in terms of using restorative approaches in a whole range of different settings.

The Hertfordshire Anti Bullying Initiative (HABI) is key to encouraging the use of restorative justice in schools and supporting schemes such as peer mentoring and peer mediation. Our own organisation is now working closely with HABI to consider how best to offer our services and training of young mediators in all areas of the county and across a range of educational settings. Mediation Hertfordshire is an important partner in strategic meetings which are considering how to develop and expand this work.

Hertfordshire has also been involved in introducing restorative approaches in residential child care settings, and a recent report by Belinda Hopkins (published by the national children's bureau)\* describes the use of the restorative model and some research findings which are currently being evaluated.

The report concludes that high numbers of young people in residential child care end up in the criminal justice system because care staff often respond to disruptive behaviour by calling the police, who are obliged to respond by reporting the incident as a crime. By using a restorative model, staff may be able to divert these young people from the system by dealing with the incident so that the wrongdoer and those affected by the behaviour reach a mutually agreed way forward.

The formal process of restorative conferencing, whereby the 'victim' and 'offender' meet with others who have been directly affected, involves everyone giving their perspective on the situation, how they feel, what they need and how they think things can be put right. However, child care staff have found this formal process less useful because they need to respond quickly to situations which flare up suddenly and sometimes explosively.

Belinda Hopkins suggests that focusing on key restorative values and principles is the way to transform the punitive approach, in which punishments and rewards are used, to the restorative one. These values include; working together on the problem, expressing thoughts and feelings, acknowledging that harm has been done and the effects of this harm and encouraging everyone to take responsibility for ways forward that include the needs of all those affected.

For effective implementation, this approach needs to be owned and supported both within and beyond the residential setting, Senior Managers and all new staff need to be trained and on board and a culture change has to take place, which takes a long time and requires the commitment of everyone. This is not an easy option, but it is an approach which focuses on working with the young people by listening to their needs and ideas for resolution.

\*Hopkins, B (2008) Restorative approaches in residential child care. Highlight no. 242, national childrens bureau library & information service

## Partnership Working in Hertfordshire Schools

Mediation Hertfordshire and Parentline Plus are working together to offer parents and schools a mediation service where there have been unresolved bullying issues. We have undertaken joint training, produced a leaflet and the outreach work is now well under way. We are learning from each other and supporting all parties as cases begin to be referred to the service.

For further information, please call 01707-630100 or refer to the website [www.mediationherts.org.uk](http://www.mediationherts.org.uk) for regular updates.

