

The Australian Dispute Resolution Research Network

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Co-creating mediation models to meet cultural needs: two trainers' perspectives

Posted on 26/09/2016 by Dr Olivia Rundle

This post has been contributed by Judith Herrmann and Claire Holland, who are both lecturers in the Conflict Management and Resolution program at James Cook University (JCU).



Judith and Claire presented at this year's National Mediation Conference. They discussed their personal experiences with developing training for mediators in different cultural settings overseas, including the Thailand-Burma border and the Central African Republic (CAR). Claire and Judith reflected on how their studies in conflict management and resolution as well as their mediation training in Australia had assisted them in developing training modules in these different settings. They evaluated which skills and procedural features of the Australian facilitative mediation model they found to be of greatest use and which procedures needed to be modified to be applicable to the specific locations in which they worked.

The Australian mediation standards are based on a "Western" approach to dispute resolution, such as maintaining confidentiality, managing power imbalances, maximising self-determination, etc. and not all of them necessarily find exact application in other cultural settings. The concept of creating a 'safe space' to talk, for example, has a different meaning in a refugee camp compared to the Australian context. Also, the idea of having a third party with 'no vested interest in the outcome' is unrealistic in remote villages, such as in CAR, where village chiefs are often the accepted providers of all conflict resolution processes. Additionally, maintaining confidentiality can be both impractical and undesirable in particular contexts. When discussing how mediation could work for culturally specific conflicts, such as adultery or witchcraft, mediation practices taught in the western mediation models are especially challenged.

Ideally, mediation training and conflict resolution tools are developed with the needs of the recipients of the service in mind. When creating training resources that meet local needs it is important to consider how far the definition of 'mediation' can be stretched and what innovations can be adapted within the process that are supported by literature and informed by practice.

Judith and Claire highlighted challenges for practitioners who are trained in a "Western" mediation model and who are working in culturally diverse settings where the client's prior experience and expectations of 'mediation' may differ greatly from the views of the practitioner/trainer. Judith and Claire flagged the importance of being flexible in one's approach to meet the needs of the participants of a process, and to innovatively and creatively adapt one's knowledge and skills to different contexts. The presentation also highlighted the benefits of sharing experiences with practitioners and academics to contribute to the conversation of the evolving nature of mediation practice.

Judith and Claire concluded that their postgraduate studies in Conflict Management and Resolution were invaluable in developing their ability to analyse and respond creatively to issues in various cultural settings. Judith completed her studies at JCU, where she is now the Director of the Conflict Management and Resolution program. This program builds students' knowledge and skills in analysing, managing and resolving conflict, with subjects such as negotiation, mediation, facilitation, group conferencing and conflict coaching. Courses on offer include a Masters, a Graduate Certificate as well as Professional Development options. JCU offers flexible study with online subjects and optional weekend block-mode classes. If you are interested in doing any further study in Conflict Management and Resolution, check out the JCU program at www.jcu.edu.au/conflictresolution (<http://www.jcu.edu.au/conflictresolution>)



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johnjwoodward says:

[on 26/09/2016 at 10:49 pm](#)

I suspect that, sometimes, despite our best efforts, the definition of mediation cannot be stretched very far within the Western zone of influence in dispute resolution. Indeed there are some who are reluctant to allow it to stray beyond “the range” of outcomes which might be achieved in a rights based determination of disputes. I think this post is an excellent report of very positive and imaginative work being carried out by two energetic and innovative possibility thinkers. I congratulate them for their work.

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Dr Rosemary Howell says:

[on 27/09/2016 at 3:56 pm](#)

Wonderful to see our students become our teachers – enhancing our learning and continuing the development of mediation as a work in progress.

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