

Kluwer Mediation Blog

Remembering to See the Wood for the Trees – A Mediator’s Reality Check

Sabine Walsh (Sabine Walsh Mediation) · Thursday, August 7th, 2014

“When you look into the abyss, the abyss looks into you.” (Nietzsche)

Relationship breakdown and the resulting fall-out is an abyss most people do not like to look into, even as they tumble into it. As family mediators, our job is to accompany and support people’s navigation into, through and, hopefully, out of the abyss again. This is not an easy task, and based on my discussions with fellow family mediators at a recent meeting, it is all too easy fall into the trap of either carrying, or pushing our clients back out of the abyss rather than helping them through it at a healthy distance.

The lines of the family mediation profession are blurry enough at the best of times. We step in and out of the roles of therapist, adviser, support worker and information provider without really being any of those. But more importantly we forget to easily who really has to do the work of mediation and risk, in systemic terms, “over functioning” (see below). We want so desperately for our clients to go away with a positive outcome, be that an agreement, a new communication strategy or at the very least a deeper understanding of their conflict, that we risk taking the work out of their hands and spend (as I have done) hours outside the mediation room analysing, wondering, or brainstorming the elusive solution.

This can happen out of performance anxiety, that is, wanting to be seen as a “good”, effective, competent mediator (admit it, we all have times when we feel like that) or also out of becoming triangulated and drawn into the clients dispute. As Wayne Regina, a Bowen Systems therapist with a keen interest in mediation, puts it “The danger is that the mediator will be swept up in the drama or begin to over-function or under-function out of anxiety.” (Regina, W. (2011) *Applying Family Systems Theory to Mediation* University Press of America Inc., p. 120.)

I would also wonder whether another factor in this happening is less the drama but the ordinariness of the problems our clients face. When mediating, for example, a commercial or a landlord and tenant dispute, it is easier to remain detached because it is less likely that we directly relate to or have experienced the problems the disputants face. In family mediation, on the other hand, the large majority of us will relate to, and experience, the same issues our couples are tackling – who goes to work, who looks after the children, how to pay for childcare? Does staying at home to look after the children have a higher “value” than running a business which supports the family? What school should the children go to? How do we deal with our teenage son breaking house rules? Without a high level of self-awareness it is extraordinarily easy to become triangulated into a dispute and thus become an unhelpful member of the conflict system without even realising it, such as, for example, making assumptions about the identity of the primary care giver for the children

based on our own environment.

It is also important to bear in mind that these issues, which form the subject matter of the mediation, are also often issues which at least contributed to the breakdown of the relationship. Mediators can easily therefore get drawn into trying to resolve issues that the couple have, either consciously or unconsciously decided they cannot resolve, hence leading one or both of them to call time on the relationship. If a pre break-up dynamic has been, for example, that the wife feels her husband does not recognise and value her decision to shelve her career ambitions to look after the children, it is unlikely this dynamic can be changed in mediation. This penny dropped for me after a number of sessions facilitating a couple in each expressing acknowledgment of the others' role in the partnership, but to no noticeable effect. It did not change their positions on how they felt the new family structure should look nor did it bring about any resolution or satisfaction on the part of the parties. It may well be that I needed to give them more time, use different tools or strategies, or that my intervention had just been inadequate, but it may also have been that I should have let go of the need to bring this particular issue to resolution and focus instead on what could be resolved, acknowledging that not all issues are fixable. Staying at a healthy distance can give the necessary focus.

And yet...many of the mediators I know chose their profession out of a genuine interest in and caring for people and the conflicts they face and will go beyond the strict limits of the profession, spending a Sunday, for example, trying to ensure an acutely distressed client received psychological assistance or even just revisiting their library of mediation texts in an effort to make sure that no strategy is left untested in order to resolve a particularly knotted situation. And is that not better than remaining so detached and rigidly process-focused that, as was related to me by a lawyer colleague of one of his clients, the mediator in question conducted the mediation in such a way that the client vomited on the street after the session out of stress?

As with most mediation related questions, Ken Cloke's "middle way" is probably the way to go. We are no good if we carry out clients dramas home and let them weigh us down. Nor, however, will we fulfil our function if we mediate mechanically, disconnected and uninterested in our clients. After all, no one said it was going to be easy...

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