Kluwer Mediation Blog

Hazards of the Job: good listening and mental health

Nadja Alexander (Editor) (Singapore International Dispute Resolution Academy) · Monday, December 21st, 2015

To the extent that a mediator's job involves listening to people complain and engage in negative behaviour, mediators face a serious mental health hazard.

Research shows that listening to ongoing negativity impairs the brain function of the listener. Yes! Listening can be bad for you if you have a whinging party in the room, and it's even worse if you have two or more.

Trevor Blake writes about this phenomenon in his book, Three Simple Steps: A Map to Success in Business and Life. While Blake is not specifically thinking about mediators, the potential implications for the mental health of mediation professionals is alarming.

Apparently being exposed to too much complaining can have a dumbing down effect. Exposure to 30 minutes or more of complaining destroys neurons in the brain's hippocampus – a part of the brain that is used in problem-solving and decision-making. In other words, our capacity for problem-solving decreases the more we are exposed to complaining and conflict. Yet, as mediators, our job is to listen to exactly this type of non-productive negative blah blah in order to support parties to make a shift towards positive problem-solving. Could it be that while we are enhancing their capacity for problem-solving, we are decreasing ours? What sort of impact could this potentially have on our mediation style and even our professional abilities over time?

You may laugh. Yes, perhaps it's seems an unlikely scenario now. But science is moving much faster than most of us realize. As neuro-scientific findings become more accessible, there will be implications for all aspects of our professional and personal lives. Scientific findings such as these may even affect our professional indemnity insurance premiums.

So what can we as mediators do to inhibit the depletion of neurons by complaining parties and in doing so protect our problem-solving capacity? For it's not exposure to conflict that is potentially detrimental to our brains but the lack of constructive engagement with it.

Here are three thoughts:
1. Introducing some distance between the mediator and the parties can be helpful. For example, factoring in breaks for our own mental health is important. Often we are so focussed on the parties that we forget about ourselves and our own ability to be influenced, especially on an unconscious level. So breaks, food, water, and fresh air – not just for the parties and their lawyers but also for mediators – are an essential component of designing the structure of mediation processes.

2. Move from ADR to ODR. Now some of you might be cleverly thinking that you can create some distance by introducing online aspects into your practice and placing the parties at the other end of a cyberlink. Yes, an interesting idea. Does it make a difference? Possibly … but probably not. The research shows that exposure to negativity via TV is just as bad.

3. Charge more money for whinging clients. So even if your brain is the worse for wear, your wallet will be better off.

Now, that made you smile, right?

On that note, let me say thank you for staying tuned in 2015. Stay posted for exciting things in 2016 at the Kluwer Mediation Blog.

_____

To make sure you do not miss out on regular updates from the Kluwer Mediation Blog, please subscribe here.

Profile Navigator and Relationship Indicator
Includes 7,300+ profiles of arbitrators, expert witnesses, counsels & 13,500+ relationships to uncover potential conflicts of interest.

Learn how **Kluwer Arbitration** can support you.

This entry was posted on Monday, December 21st, 2015 at 9:58 pm and is filed under ADR, Communication, Conflict, Decision making, Humorous Pieces, Neuroscience, Online Dispute

Resolution (ODR), Online Mediation, Skills, Tactics, Tips, Uncategorized, Understanding mediation
You can follow any responses to this entry through the Comments (RSS) feed. You can leave a response, or trackback from your own site.