



Never Stand Still

# The Science, Art & Alchemy of Mediated Spaces

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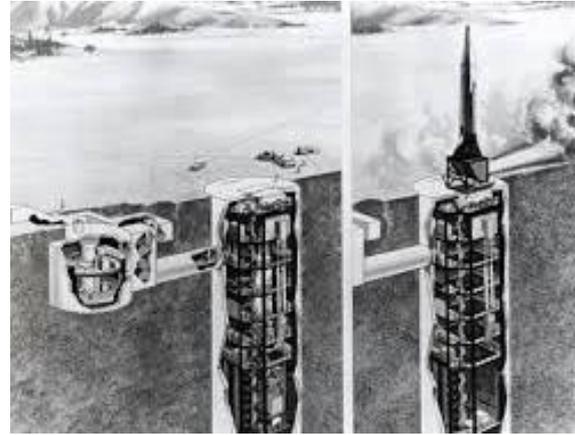
[Bledisloe Cup Wallabies vs All Blacks: Kiwis blame female PM for defeat](https://www.news.com.au/sport/rugby/reaction-to-.../e5a0e05d61f1580ff01dc29dc0d5f9ab)

[www.news.com.au/sport/rugby/reaction-to-.../e5a0e05d61f1580ff01dc29dc0d5f9ab](https://www.news.com.au/sport/rugby/reaction-to-.../e5a0e05d61f1580ff01dc29dc0d5f9ab)

3 days ago - So @nzherald is blaming Jacinda for the All Blacks losing a single game? ... Wonderful that the Kiwis have a female PM, for gender equality.



# Part 1: Silos



## Part 2: Facilitation as work

### Research design:

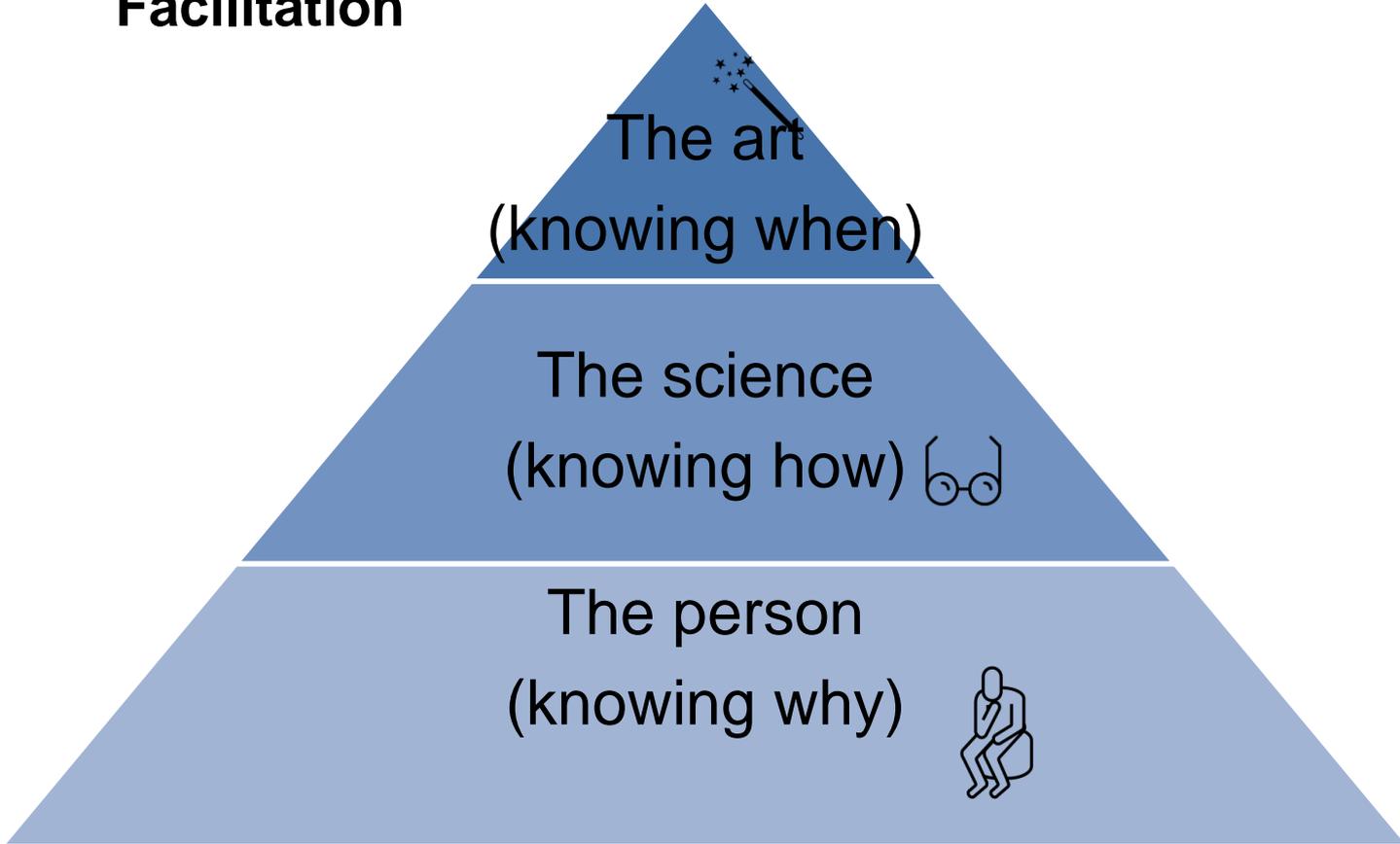
- In-depth interviews (n=129)
- Facilitators of Victim Offender Conferencing at the NSW Restorative Justice Unit, Corrective Services NSW

N=10	General interviews, one with each facilitator employed by the Restorative Justice Unit (1999-2014)
N=74	60 facilitator interviews concerning cases completed 1999-2010, 14 facilitator interviews concerning cases completed directly after the VOC ie during research period 2011-2014
N= 45	Interviews with victims / offenders (1999-2014)

Bolitho, J., & Bruce, J. (2017). Science, art and alchemy: best practice in facilitating restorative justice, *Contemporary Justice Review, Issues in Criminal, Social, and Restorative Justice* 20 (3), p336-362. <http://dx.doi.org/10.1080/10282580.2017.1348896>



# Facilitation



“You need to be able to sit with distress and trauma and sadness and horror. You need to be able to sit with that and keep it in perspective and be respectful toward the responses that people are having” (Facilitator 2)

“what stands out is that this was a conference involving two knockabout young men -it was short and sweet and to the point. Hands were shaken, nods were given and it was kind of done and dusted...They saw it as a conversation that needed to happen between the two of them” (Facilitator 2).

“a good understanding of people and to do that you’ve got to have a good understanding of yourself” (Facilitator 7)

“having good boundaries” (Facilitator 10)

“having ‘resilience’” (Facilitator 5).

(On the role) “a shaman is a person who takes you into the chaos and takes you out again. We go ‘look you don’t know what you’re about to face but you’re going to have to trust me to know that people have been there before’...” (Facilitator 6)

“If you’re are naturally optimistic or can kid yourself to be optimistic I think that’s really important” (Facilitator 1)

“you’ve got to believe, you’ve got to have that passion and belief in the process” (Facilitator 9).

The person  
(knowing why)



(On Preparation)

“intense and diligent” (Facilitator 1)

“aggressive, careful and precise” (Facilitator 9)

“It is, sitting in people’s lounge room, having cups of tea, looking at photo albums of the deceased; talking about when the police knocked on the door at three in the morning; hearing about their immense suffering and how it destroyed a family and what they’ve been through; what the criminal justice system was like for them” and what they’re hopeful of, why they would come into RJ” (Facilitator 6).

“The golden rule...colourless” (Facilitator 1)

“beige” (Facilitator 4)

“an ultimate poker-face and un-shockable”  
(Facilitator 6)

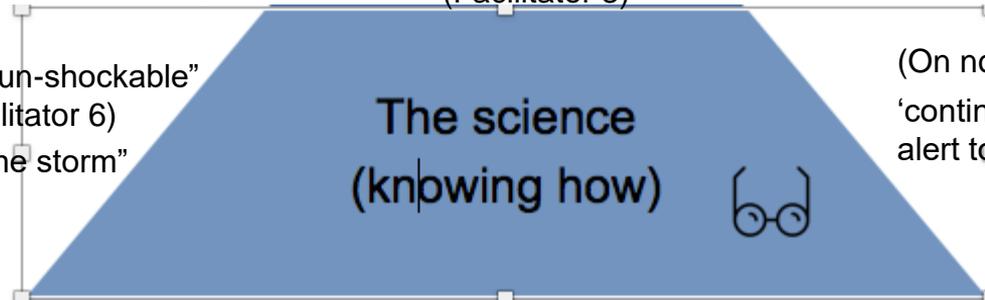
“akin to being in the eye of the storm”  
(Facilitators 1, 2, 4)

(On questions) So tell me what you did? *Well I was on drugs, I’d stolen a gun, I did an armed rob and the guy was standing in front of me and the gun went off and then I ran off.* I would ask him a whole lot more questions. I would ask him do you remember what you said to him? *Yeah I said get out of the fuckin’ way.* Do you remember what he said? *Oh yeah he said mate just take the money and go.* Then I would say oh okay so you said that and he said that. It might be important at the conference that you talk about what you said. It might be important at the conference that you talk about what other people said” (Facilitator 5)

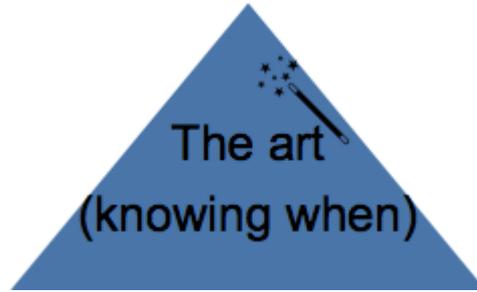
(On rapport) “When you do an assessment with an offender and he’s got to talk about how he killed somebody ...you try and make them feel okay about it, about telling me about the worst thing they ever did in their life. It’s hard. As well - I talk to someone on the way out, so they don’t go back to their cell and self-harm”  
(Facilitator 3)

(On non verbals)

‘continuously ‘read’ the room, being alert to cues’ (Facilitator 1)



“Knowing when to bring parties together is the million dollar question”  
(Facilitator 2)



“an art to it...which is something more subtle” (Facilitator 4)

“loose hold on the reins during the conference” (Facilitator 10)

“It’s like any job, you come along and you’ve got to learn and make mistakes as you go along. I got manipulated by the best of them to start with. These days I just respond differently to that stuff..... You’d get to ask the hard questions, you’d get to learn how to dig, you’d get to understand people’s emotions and what’s happening for them; when to dig further, maybe when to just leave it” (Facilitator 3)

‘almost playing poker knowing the two hands’ (Facilitator 3)

## Similarly in mediation....

‘a skill, a vocation, a profession and a cause’  
(Mayer, 2012, p.vii)

‘a way of thinking, a set of values, an array of analytical and interpersonal skills, and a clear focus’ (ibid)



# Job satisfaction

“it was on an emotional level profoundly satisfying to see someone who had been terrorised for years redress & shift the balance of power” (Facilitator 1)

“the most impactful job I’ve ever done” (Facilitator 10)

“to actually be able to bring people together who are at war and have them at the end of the day having a cup of tea and having shifted and gone away happier and more peaceful within themselves, is an amazingly rewarding occupation” (Facilitator 9)



# Emotional rollercoaster

- ‘On the emotional side it’s the layers and layers of complications...I felt like slugging through wet sand in the preparation for it” (Facilitator 1)
- ‘for six hours it was just full on, the anger and the hatred. The sadness, the guilt. Hearing about the trauma of the crime. Drinking, drug use, withdrawing from the world and hurting yourselves because you hurt so much. There was a lot of self-harm going on in the victim's family that was really upsetting to hear about...I had to work really hard internally to not get involved -that was about me and my anxiety to their stuff. So that was a hard conference, that was an exhausting conference and that would be one of the ones that I was totally drained afterwards, empty’ (Facilitator 2).

# Impact of the work & coping

“the risk of burnout is very, very strong” (Facilitator 4)

“over time there was a traumatic effect” (Facilitator 10)

“it was not uncommon to feel ‘teary’ during a conference...  
I dreamt about cases for years” (Facilitator 9)

.....***Strategies for coping***



## Part 3: Where does this leave us?

- The pragmatics
- The big picture
  - “learning about many things does not produce understanding” (Heraclitus 25 in Nussbaum, 1997 p144).
  - “A **sympathetic imagination** enables us to comprehend the motives and choices of people different to ourselves, seeing them not as forbiddingly alien and other, but as sharing many problems and possibilities with us” (Nussbaum, 1997 pg 144)
  - Value of stories → ‘sympathetic imagination’ --> compassion → humility





“(conflict resolution) is the practice of continually, persistently, appreciating the complexity and beauty of people, and continually and persistently constructing them so, with them, about them, with others. It is in fact an artistic project” (Cobb, 2012,. p. 284).

“mediation is such beautiful work that is just a little bit beyond all of us. Or as Oscar Wilde would say “we can’t live up to our Blue China” – so we practice to improve ourselves as instruments of the process”. (Ken Cloke 2016)