

THE POWER OF MEDIATION: *Simple but effective*

The outcome of this case hinged on an extremely simple but hugely effective solution. It transpired during the joint meeting that 'party one' had hearing issues which resulted in her watching the television at high volume. On the suggestion of 'party two', she agreed to visit her GP to ask for hearing aids.

The case had been on the verge of legal action only days before the joint meeting took place, with the referring ASB Officer feeling desperate for an alternative avenue but unsure whether the mediation would be of benefit.

The resounding success of the mediation came as a huge relief to the housing staff involved. The referrer praised the efforts of ADR for its 'excellent work'.

The housing officer responsible for the tenancies described the result as 'fantastic'. It had come as a surprise to her, as in her words the 'issues have been on and off for years.'

The agreement proved to be of lasting benefit. Feedback from both parties was 100 per cent positive. They both reported no further issues and party two was particularly pleased with the outcome saying things had been 'lovely and quiet'.

She was extremely grateful that the mediation had resolved the noise issues which had been having a negative impact on her mental health. She said she was finally getting a decent night's sleep every night which had significantly improved her overall wellbeing.

Case Overview

The dispute centred mainly on noise issues, with party two particularly unhappy with the television volume from party one. She was also unhappy with the behaviour of dogs belonging to party one and alleged that they were urinating in the communal hallway.

Party one acknowledged at her initial visit that she listened to the television at high volume but alleged that party two had been rude and offensive to her. She was happy to meet to try and reach a solution.

Party two was obviously very distressed by the situation and couldn't understand why party one listened to her television so loudly. She also reported that party one frequently slammed her doors on leaving and entering her flat. She felt her neighbour was rude and offensive and tried her best to avoid her.

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Why was the process successful?

It was clear to both mediators involved that neither party felt the process would be successful but they were willing to try.

They were both clearly very nervous about the prospect of coming together. Party two in particular was concerned about having to encounter party one in the reception area. She was re-assured that the first to arrive would be taken straight to the meeting room so there would be no waiting around.

Within a short time, tensions at the joint meeting eased and both parties were readily talking and exploring solutions to the issues between them. Party two had no idea that party one suffered with hearing difficulties and so immediately understood why the television had been so loud.

She suggested a visit to the GP to help the situation. She also asked why party one slammed her door so loudly. Party one explained the need for force in order for it to be shut properly. Both agreed to ask the housing association to fix the door.

This case demonstrates how simple but effective mediation can be. The key to the process is empowering individuals to seek their own resolutions. Supporting the individuals to find the confidence to come together in a room to confront the issues was all that was needed.

The mediators facilitated communication which enabled both parties to understand the reasons behind the issues after years of speculation and mistrust. The solutions found enabled both parties to live side by side without the discomfort of feeling angry and aggrieved.