St Stephen's Community House and Winkler Institute for Dispute Resolution

Community Mediation Research Summary Report

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Summary

Community mediation services across Ontario provide neighbours, family members, room-mates, tenants and many others with free mediation and conflict coaching services. These services help people deal with conflicts that are creating stress in their lives and disrupting peace in their communities.

The espoused goals of community mediation are to support community members in resolving current conflicts, build conflict resolution competency among participants and, ultimately, contribute to more peaceful communities.

A scan of literature suggests that few studies into community mediation have focussed on measuring these outcomes. There is little documentation to date that offers a clear picture as to the effectiveness of volunteer-led community mediation processes to resolve current disputes, transfer new skills to the participants and increase their confidence in resolving other disputes. This project was undertaken in order to address those questions.

In response to surveys and interviews, participants to community mediation report experiencing a change to the conflict situation in which they were involved. They also report acquiring new conflict resolution skills and an increased understanding of how their own actions may have played a role in the dispute. Participants also say they changed their behaviour as a result of taking part in community mediation and/or conflict coaching.

Introduction

Community mediation and conflict coaching services are delivered through community mediation centres (CMCs). There are 12 such centres in Ontario where volunteer mediators support individuals to resolve conflict through constructive dialogue.

The Ontario Community Mediation Coalition is an umbrella organization representing community mediation services in Ontario. OCMC members share a common definition of community mediation, and agree on a standard of excellence and training for volunteers in community mediation. OCMC members use a common co-mediation model, mediators and conflict coaches are all volunteers and at a minimum they all receive the 23-hour Community Mediation training. Additionally, OCMC member mediators follow a facilitative form of mediation in which mediators are in charge of the process, while the parties are in charge of the outcome.

Community mediation, as practiced by OCMC members, grew out of a grassroots desire to build better communities through free-for-user services delivered by volunteers. The goal was to help neighbours resolve immediate conflict, equip them to better deal with other conflicts (immediate and future) and contribute to more peaceful communities.

 Another evolution of community mediation grew from a desire to reduce the escalation of conflict, the harm caused, the time and costs of resolving disputes through the legal system. Court-connected mediations have garnered more attention from researchers, as there is a great interest in determining the efficacy of court-connected mediations and the attendant cost savings to society.

This research is interested in these evolutions of mediation as described above; a grassroots form of mediation where volunteer mediators work with participants who voluntarily attend mediation or conflict coaching in order to get help with their conflict.

With support from The Law Foundation of Ontario, and direct input from clients of member agencies of the Ontario Community Mediation Coalition, expert guidance from St. Stephen's Community House and the Winkler Institute for Dispute Resolution, this research project was conducted between September 2019 and March 2020, to assess the effectiveness of community mediation in resolving private interpersonal conflicts and improving the future capacity for communications and conflict resolution between and among clients who have used these services.

Methodology

Although community mediation has been practiced in North America since the 1970's and is well established, there has been little published, peer-reviewed research into the effectiveness of community mediation in meeting the goal of peacebuilding.

Of the literature that exists, most tends to focus on the development of CMCs in various communities, the personalities behind their founding and operation, CMCs' funding sources and administrative structures, mediator training, quality control, best practices in mediation, the philosophies that guide these practices, and the various challenges faced by CMCs, including that of evaluation. But there is scant literature on whether community mediation leads to more peaceful communities.

This research contributes to narrowing the gap in literature by focusing on the experiences of OCMC clients who have voluntarily used free community mediation or conflict coaching services in order to resolve a dispute with a neighbour, room-mate, family member or others.

Our results come from seven of the 12 Ontario Community Mediation Coalition members, all of whom have taken part in mediation, conflict coaching or both. This research only includes clients who attended mediation or conflict coaching voluntarily. No other service that may be provided by an OCMC centre, such as restorative justice was included in this research.

The results of this research, therefore, can only be interpreted as relevant to the mediation and conflict coaching practices of OCMC members or by centres offering similar mediation services.

The aim of the research was to assess the effectiveness of community mediation in resolving private, interpersonal conflict, to understand whether community mediation improves the future capacity for communications and conflict resolution between and among clients who have used these services.

Specifically, the key objectives of the research into community mediation services were to:

1. Understand the effectiveness of the community mediation process in enabling parties to peacefully coexist.
2. Understand how community mediation contributes to confidence in resolving future conflict.

3. Find similar studies or research on the long-term effectiveness of community mediation or similar services. Asses what features of the program and context make a difference to clients

Multiple sources of data were used to respond to the research objectives and ensure the quality of the findings. The multiple data sources included:
- Program documents and files from various community mediation centres,
- Client feedback survey data from various community mediation centres,
- Data and information from a review of academic and grey literature documents on community mediation,
- Survey feedback from 63 past clients from seven of the 12 OCMC members,
- Interviews with eight past clients,
- Discussions with St. Stephen's Community House Staff and Winkler Dispute Resolution staff.

The surveys and interviews were anonymous; no identifiers were used in the data collection process. To support the successful uptake and completion of the surveys, staff sent five communications to the OCMC members and followed up with mediation centre coordinators and volunteers by phone.

We analyzed materials against stated objectives.

The survey was strength-based, focusing on future outcomes and strengths that individuals, as well as community, brought to mediation and took from their experience.

Data Analysis

Quantitative and qualitative data was collected from both primary and secondary sources. For quantitative data, the methods of analysis were descriptive statistics such as counts and percentages. For qualitative data such as open-ended survey questions, the responses were grouped into categories and themes.

Primary data was collected from past program participants identified by each community mediation centre. The secondary data was gathered from a review of background documents and a scan of literature.

a. Scan of Literature

To inform the research and serve as a key source of evidence, a scan of academic and grey literature was conducted to offer an overview of the state of research into the intended outcomes of community mediation and its broader impacts. It identified gaps in the research that are unique to the investigation of community mediation's effectiveness in promoting more peaceful conflict resolution practices for clients to use in other disputes, thus contributing to building more peaceful communities. It also satisfied one of our key research objectives to find similar studies or research on the long-term effectiveness of community mediation or similar services.

This scan of literature is presented in Appendix A.

b. Document review

To familiarize ourselves with the aims, outputs and process of the program, we conducted a background review of documents related to the program. This review looked at evaluations, reports and other literature from the various OCMC member organizations. From this review, we gained familiarity with the results of the programs and the various centres that offered them.

c. Survey

A survey was developed, with input from St. Stephen's Community House and Winkler Institute for Dispute Resolution. The survey was distributed to former clients of the 12 OCMC members in Ontario by the coordinators of each CMC. The survey was electronic using Survey Monkey, written in English and so only available to those who had access to a computer, the internet, a valid email address and were fluent in English.

d. Interviews

Interviews were held with eight former clients of OCMC members. Participants were invited to leave their contact information in the survey if they wished to participate in an interview. An interview guide was created to ensure the two interviewers were consistent in their interview delivery and note taking. To encourage survey and interview participation the chance of winning a VISA gift card was promised. A random draw of interview participants was used to select the gift recipient.

The purpose of the interviews was to deeply explore the experiences of the participants. Notes were taken during the course of the interview and reviewed to identify themes.

Limitations

There were a number of limitations related to this research. These limitations include:

Access: The surveys were electronic and so only available to those who had access to a computer, Internet service and had a valid email address.

Language Fluency: The survey and interviews were in English only, limiting the data collection to those who were literate and able to fluently speak English.

Self-reported data: Survey and interview participants were self-reporting their experiences and these experiences could not be independently verified resulting in possible risks of distortion or incongruities.

Attribution: It is difficult to attribute changes experienced by mediation participants directly to the mediation experience. There are multiple possible circumstances that can influence change or lack of change over time.

Contact information: Not every OCMC member kept detailed information about its clients. We were not able to filter only community mediation or conflict coaching clients from the past three years. In a few cases we discovered that participants had not recently or voluntarily participated in community mediation or conflict coaching services. As often as possible we filtered these participants out of the research.

Findings

Finding 1 - Community mediation and/or conflict coaching participants from OCMC members experience some change to the conflict situation as a result of mediation or coaching.

The OCMC survey found that 39.7% (n=25) of participants experience changes that lead them to say they feel the situation was better as a result of community mediation and/or conflict coaching.

Q9 How would you describe your situation with the other party after community mediation and/or conflict coaching?
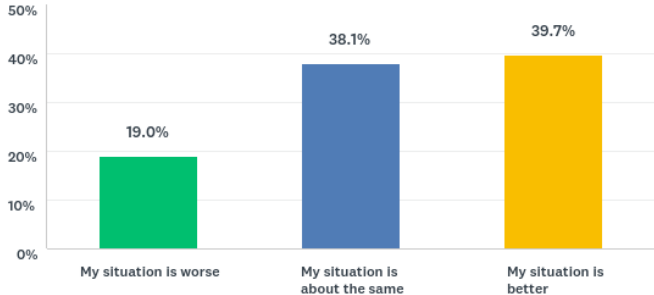
There was a difference in how participants viewed their situation and how they felt as a result of the mediation. As compared to Q9, more participants (49.2%, n=31) said that they felt better after community mediation or conflict coaching, without considering the result of the mediation.

Q10 Without considering the result of the mediation, how did you feel after community mediation and/or conflict coaching?
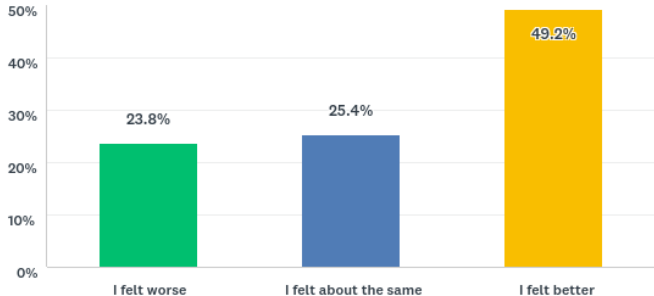

Comments offered by survey participants expressed feeling better for having been heard or had their experiences validated by the mediator.

- *Was glad to air my thoughts and be done with the conflict.*
- *Finally felt that I had an opportunity to say what I needed to say.*
- *It was good to bounce experiences off the Counselor [mediator].*

- *I was able to find out more about my neighbour and what his issues. The mediators were professional and helped us communicate.*
- *I felt I was heard and understood, but felt the other party wanted to pursue an unrealistic relationship with me afterward.*
- *Immediately following the counseling [mediation], I felt much worse about the situation, but after some time (and moving from an area of conflict) I am glad I participated.*

When asked why they were feeling better, participants reported living with less stress, (43.5%, n=27), having fewer conflicts (35.5%, n=20), improved relationships (32.3%, n=15), improved living situation (21%, n=13) and feeling safe (21%, n=13)

Q11 Overall, what has improved as a result of going through community mediation and/or conflict coaching? Check all that apply:
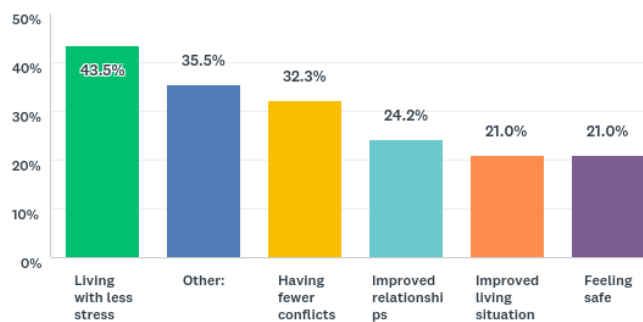
35.5% (n=22) of people checked "Other" as one of their responses to this question. A review of the comments in this response found that participants indicated there had been no change.

- *Nothing has improved*
- *None of the above; the other party refused to participate in mediation.*
- *The conflict was consuming and we couldn't move forward without resolving it.*
- *It has not improved*
- *No resolution*
- *Community mediation & conflict coaching in this instance was not appropriate and did not resolve any of our issues*

Comments, however, also showed that there was in fact a change but the participant did not necessarily see it as belonging to one of the proposed categories or they didn't identify it as an improvement as a result or community mediation or conflict coaching.

- *Good to have situation recognized.*
- *Nothing has improved. I have learned to ignore my neighbour.*
- *Nothing. The other party was not ready to resolve but through mediation, I was at least able to have my voice and concerns heard.*

- *I feel slightly better that I said what I wanted to say but nothing changed.*
- *I can now be more vulnerable with my dad.*
- *Learnt how to better approach conflict.*
- *More confidence in confronting difficult situations.*
- *Peace of mind knowing I tried different avenues to resolve the issue.*

Previous research seems to bear out that community mediation can contribute to a change in the conflict situation between the participants. While the OCMC research did not specifically include couples in post-separation situations, one piece of literature from Palihapitiya and Eisenkraft (2014), may shed light on the impact of community mediation on separating couples. The couples took part in community mediation rather than a court process in setting custody arrangements. The positive outcomes reported by most parents included agreement and process satisfaction rates, the development of parenting plans, and notably, reduced court involvement and improved between-parent interaction for a sizable minority of parents. (Palihapitiya and Eisenkraft 2014)

It is important to this OCMC research to note that in Palihapitiya's study only 8% of study participants had been ordered by courts to participate in mediation, the vast majority attended voluntarily.

That still leaves us with a question as to why some participants report no improvement in the situation, yet say they felt better after mediation. As some report, it was simply good to be heard. Another possibility is that post mediation; the parties are simply avoiding each other. This is a change to the conflict situation, but not necessarily reported as one by the participants. Pincock and Bruer's presentation, "Celebrating Avoidance?" (2012) addresses the experience of participants post mediation, who often describe avoidance of the other party as the new way of dealing with the situation. Pincock and Bruer report 29% (n=18) of participants to mediation reported feeling "authentic friendliness" to the other person, while 75% (n=46) practiced "courteous or blatant avoidance." (Pincock, Bruer, 2012)

Participants interviewed for this OCMC research, were generally more upbeat than blatant avoidance in describing their situation with the other party after mediation. Still, their descriptions often suggest a more careful and cautious relationship as opposed to one that is carefree;

"I think we both catch ourselves checking ourselves when we start falling into the patterns that led to the problem initially. I see the other party doing that and I do that. The fact that others in the co-op are quite aware and that people on the board are aware that we underwent mediation and they are looking for signs that it may rear its head"

Community mediation and/or conflict coaching participants from OCMC agencies experience some change to the conflict situation as a result of mediation or conflict coaching. While only some participants feel the situation has actually improved, many more say they feel better as a result of having had the opportunity to have their experiences heard and validated. In some cases, participants did not recognize their situation as having changed as the parties in the relationship had become distant or were now avoiding or ignoring the other as a way of dealing with the situation, which for some is a more peaceful coexistence.

Finding 2 - Participants from OCMC members report an increase in self-awareness as a result of taking part in community mediation and/or conflict coaching. In particular, they report increased self-awareness around how they contribute to the conflict and they gain knowledge of their own character, feelings and motives.

The OCMC survey found that respondents felt they gained greater self-awareness from the community mediation and/or conflict coaching process. Specifically, they identified greater self-awareness around understanding the point of view of others (41%, n=25), stopping and thinking before speaking (36.1%, n=22), stopping themselves from making assumptions (27.9%, n=17), taking responsibility for their own actions (23%, n=14) and trusting other people (13.1%, n=8).

Q13 What did you learn about yourself in the process of community mediation and/or conflict coaching? Check all that apply.
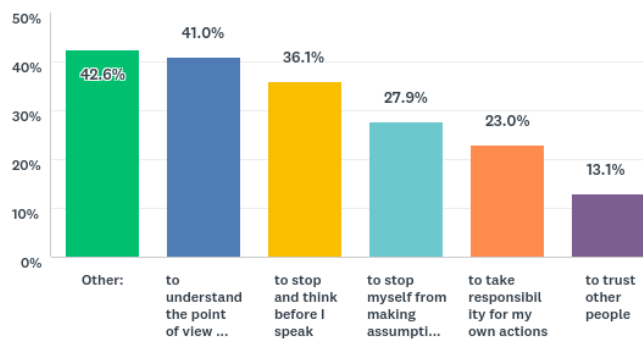
A large number of respondents (42.6%, n=26) also checked "Other". A review of comments under "Other" found that the theme of self-awareness continued. Participants identified other ways they gained self-awareness beyond the five main options provided in the survey question.

- *It reinforced to me how people can be part of the same situation, yet have such different views of what happened and what course of action should follow.*
- *I hope for the best. I am a good person. I deserve better. I am not a victim.*
- *How disruptive the conflict was to my well being?*

The participant comments under "Other" also included comments about skills that had been acquired as part of what they have learned through the mediation process. The new skills fell into the areas of building confidence, better listening and thinking before speaking.

- *To stop and think about how I act. Make sure I do a signed document before lending money*
- *Developed an ability to remain calm and collected through difficult and unique situations*
- *To say what I mean*
- *To bring up issues as soon as possible.*

- *To be assertive and make records of conflicts as they arise*

In Question 14, when asked how gaining self-awareness and learning more about themselves affected them; the comments mirrored Question 13 with participants explaining their greater self-awareness.

- *I became more patient about the problem.*
- *I am now more aware and don't expect people to think like I do*
- *I am more conscious about assumptions that other people make about me and try to govern myself accordingly.*
- *I learned that I have to accept responsibility for my own actions and apologize when I hurt someone's feelings.*
- *It was practice in being diplomatic*
- *I've been taking action to get better informed on how to handle something like this….*
- *To understand stand myself better*

In Question 15, when asked what they changed as a result of the new learning about themselves, they talked about translating the self-awareness into improving skills such as better communication, improved decision-making, and applying their new self-awareness to their behaviour.

- *Ceased all communication with other party as it was no longer productive*
- *I had fewer expectations of the other person.*
- *I decided to stop my involvement in the group that required the mediation. I learned that I needed to focus my energy on things that bring me joy and align more with my own goals and priorities.*
- *Feel that I will be better able to prevent finding myself in similar destructive relationships*
- *Looking at the big picture as much as possible*
- *See something, say something; don't let bad situations go on too long*
- *I changed the way that I behave to deal with the problem*
- *Am more careful with my choice of friends*
- *I change the way I talk, I listen more, I speak calmly.*

While participants to this research clearly identified areas of improved self-awareness, we find that there is little previous research into this aspect of community mediation. Harrington and Merry (1998), however, identify that personal growth is indeed a tenet of community mediation;

Harrington and Merry (1988) identify the three distinct ideological projects of CMCs: first, the delivery of dispute resolution services for disputes that may be ill-suited to a formal process; second, social transformation, suggesting that disputes settled at the local level will promote self-governance and neighborhood control; and third, personal growth and development that

seeks to promote self-efficacy, individualized agreements, and to build conflict management skills in participants that can be applied elsewhere.

In a telephone interview, a participant perhaps demonstrates the idea that one of community mediation's ideological aspects is to promote personal growth and development;

"*I noticed at work oftentimes, I avoid conflict by just swallowing it or not disagreeing with something that is questionable. I feel that rather than mediate conflict I will just swallow it. Rather than use mediation, I will just let that go. In my community involvement I am more direct in my boundaries. I need to remember why I get involved in things and be strategic in my involvement. Doing things that are against that. It pushed me to think about my involvement, why am I doing it, obligation and guilt of something I really value.*"

Through the OCMC community mediation and conflict coaching process, participants gain greater self-awareness that helps them to understand their possible contribution and responsibility for the conflict situation. They feel that their new-found self-awareness can sometimes be translated into skills such as improved communication, better decision making and changes to behaviours that may contribute to conflict.

Finding 3 - Community mediation and/or conflict coaching participants report feeling more confident in resolving other conflict situations after participating in the OCMC process.

The OCMC participant survey found that 63.5% (n=40) of respondents felt more confident in resolving other conflict situations as a result of participation in community mediation or conflict coaching

Q18 Did community mediation and/or conflict coaching help you to feel more confident in resolving other conflict situations?
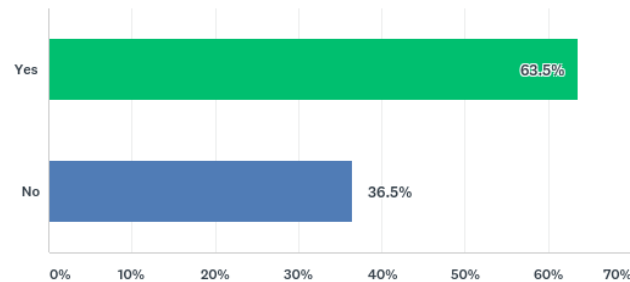
The comments in Question 18 indicate various ways in which community mediation and/or conflict coaching helped participants feel more confident.

- *They taught me how I behave in such a situation.*
- *Yes, it gives a process for resolving conflicts and so that could be applied to other situations.*
- *Using my active listening skills, I learnt, helped me understand better and more attentively to issues*
- *Picked up skills that was practiced by the mediators. Like taking turns to speak and looking at the person eye-to-eye.*
- *Somewhat yes, I now try not to speak before I act and such*
- *I felt more confidence in my ability to approach conflict.*
- *I am calm when approaching high conflict conversations*
- *Think better with clear mind*
- *Yes, by taking what I was told and understood it*
- *Yes, dealing with things head on is hard, but worth it.*
- *I used some tactics in my professional life*

As discussed earlier, there is very little research into the impact of community mediation in building conflict resolution capacity and confidence in participants. In this OCMC research, however, not only did a majority of participants surveyed report feeling more confident in resolving conflict, in one-on-one interviews some were able to describe exactly how they use their new skills in their daily lives:

"I do use it even with other family members, I practice listening. When I have a job, I would like to practice it more with colleagues"

"I would say I do. Yes. Being able to look at both sides, taking a moment to pause and say what does this person need from me, what do I need from this person? It's a process"

Through the OCMC community mediation and conflict coaching process, participants gain confidence to deal with other conflict situations that emerge in their daily and professional lives. The skills observed or learned in the process such as active listening, thinking before speaking, remaining calm are what contribute to increased confidence around resolving conflict.

Finding 4 - As a result of experiencing the OCMC community mediation and conflict coaching process participants report gaining new skills.

The OCMC survey found that participants self-reported gaining new skills as a result of experiencing the community mediation and conflict coaching process. Participant reported learning the following skills: 44.3% (n=27) communicating differently, 42.6% (n=26) better listening, 39.3% (n=21) peacefully discussing difficult issues, 34.4% (n=21) controlling their emotions and 31.1% (n=19) managing their stress.

Q16 What skills did you learn or improve on as a result of community mediation and/or conflict coaching? Check all that apply.
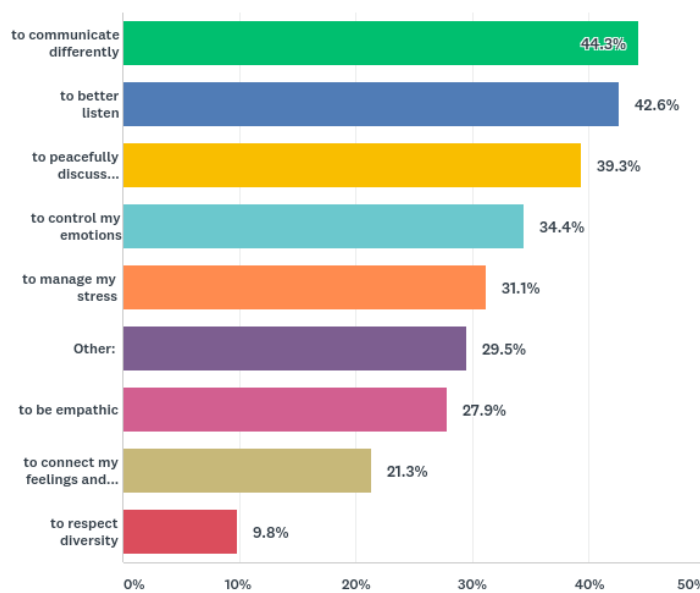
While participants report learning new skills as a result of participating in mediation or conflict coaching, proving that this leads to a change in behaviour cannot be demonstrated by this research. Behavioral change as a result of new learning tends to follow defined steps that are outlined below by the Kirkpatrick model. There are simply too many variables for this research to draw a direct line between participating in community mediation, the acquisition of new skills and a permanent change in how an individual responds to conflict.

Figure 9.1: Evaluation using the Kirkpatrick hierarchy model[4]
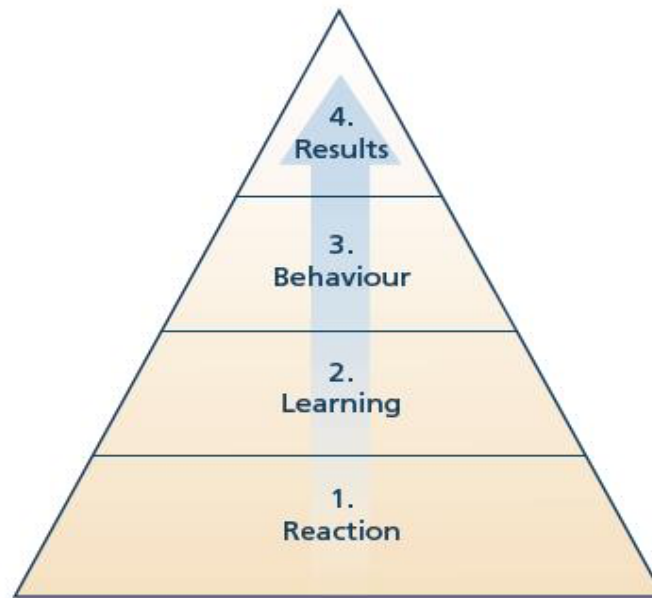
Adapted from: Kirkpatrick DL, Kirkpatrick JD. *Evaluating training programs: the four levels*. San Francisco (CA): Berrett-Koehler; 2006.

Heather Pincock (2013) contributes to this understanding of the tenuous link between participating in community mediation and behavioural change in a study of the broader and lasting effects of community mediation in Toronto, Canada. Pincock found that in a small number of cases, the intended effects that CM seeks were realized, but the majority of cases did not confirm that the full breadth of CM's desired outcomes had been achieved. Pincock suggests some possible explanations: first, that mediation is often described as a catalyst for changes in clients' conflict resolution approaches but it remains difficult to isolate mediation as the catalyst of that change; and second, participant and mediator expectations diverge too greatly in ways that make lasting effects unlikely. Pincock concludes the study with the suggestion that, "mediation advocates should scale back and reconceptualize, though not entirely abandon, their claims about the capacity-building potential of mediation.

Despite this inability to prove cause and effect, participants to this research not only report learning new skills, but could articulate how they use those skills:

"I am already good at communication, importance of collaboration but it has helped me to be better at listening, empathy listening. I was reading it but to practice it in mediation where we have to listen to the other person's thoughts, before we jump to feedback. Being patience and not judging."

Through the OCMC community mediation and conflict coaching process, participants reported gaining new skills particularly in communication and managing emotions. It is hard to attribute gaining new skills into long term behaviour change given the many influencing factors and the short-term nature of the relationship between the participant and the community mediation or conflict coaching process.

Finding 5 - Voluntary participation in OCMC community mediation and/or conflict coaching process is critical to its success.

Reviewing the survey responses, the researchers noted that a handful of responses (n=7) indicated that they had not participated in community mediation voluntarily. They indicated that they had been forced by the court system to undertake mediation.

- *I was forced under the threat of dismissing the case if I didn't [participate in community mediation]*
- *Was forced to take mediation because I was told the court would most likely reject my case if I was seen as unwilling to try alternatives.*

The comments from the participants forced into mediation are overwhelmingly negative. Most participants reported feeling worse after mediation, that they didn't learn anything about themselves or gain any new skills in the process. Some of the comments included:

- *I felt forced by the courts to do something that didn't leave me with any guarantees of safety*
- *The process resulted in negativity*
- *I learned the justice system in Ontario is corrupt, unfair and unjust. The dispute resolution effort must be abolished in its current form.*
- *Nothing, the "mediation" was just my neighbour yelling/threatening me. I also couldn't use my mediators as witness' to the threatening because of "confidentiality" which is just pathetic.*

Voluntary participation is a basic tenet embraced by community mediation as a whole, and specifically by OCMC members. It is considered to be critical to the success of community mediation. Studies have shown that when people volunteer they are motivated primarily for altruistic reasons, that they have a personal belief in the cause and a desire to help others. (Independent Sector, 1999, 2001; Safrit, King, Burcsu, 1993; Guseh & Winders, 2002)

A key feature that distinguishes the origins of OCMC members' mediation practice from court-mandated mediation is that participants to community mediation have agency to determine their own participation in the process.

Harrington (Merry et al. eds. 1993) suggests that CM's tenet of grassroots community organizing is challenged by more professionalized mediation approaches that are more closely associated with courthouses. This trend would lead to the less-than-voluntary nature of participation in mediation and to a state-sponsored informalism. In discussing the place of community mediation in a society, Gazley, Chung, and Bingham (2006) note that CMCs strive to embody the democratic and participative decision-making principles they hope to encourage in their communities.

The voluntary nature of community mediation was an important aspect of the process for one participant when asked, "What about community mediation worked for you?";

"I like that it was voluntary. A lot of legal processes are not voluntary. So this is a process that people enter willingly and I like the fact that is confidential."

Voluntary participation is a basic tenet of OCMC community mediation and/or conflict coaching process and is important to its success. Participants forced into mediation by the court system, have limited appreciation or investment in the process. In the community mediation and/or conflict coaching process there may be varying degrees of voluntary participation and deepening understanding of that impact would be of benefit.

Finding 6 - Participants in the OCMC community mediation and/or conflict coaching were interested in learning more about conflict resolution skills after they had been through the process.

The OCMC survey found that 63.5% (n=40) participants would have been interested in continuing to build their conflict resolution skills after they had been through the community mediation and/or conflict coaching process.

Q20 After your community mediation and/or conflict coaching experience, would you have been interested in continuing to build your conflict resolution skills?
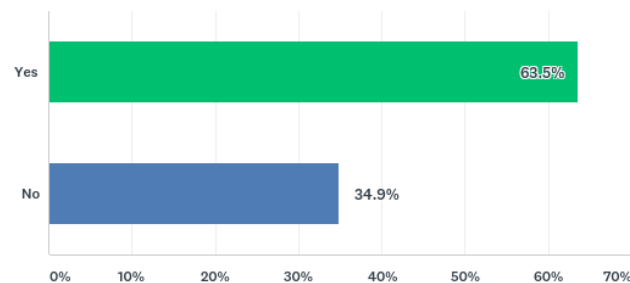
- *Yes but in a professional manner through my employer*
- *I feel like a one-day workshop in conflict management would be beneficial.*
- *Every conflict is different and thus needs consistent building of conflicts skills*
- *always good to learn*
- *I have trouble controlling my anger and I say things when I am angry that I shouldn't or don't really mean*
- *I'd like to learn more about actually being able to mediate conflict among my staff*
- *I am hoping to learn more about Non Violent Communication*
- *I would want to learn more*

In addition to being open to further learning about conflict resolution, participants in telephone interviews were very clear about what they felt they needed;

"I feel like I need to take a conflict management course. I don't know what it is I'm needing, lacking self confidence or genuinely missing something. De-escalation ...(b)eing able to de-escalate. Totally be into any kind of workshop available…(c)oming from domestic violence perspective. With immigration, the cultural differences. Empowering those women that they do have rights here, they don't have to live under the control of their husbands."

"I resolve conflict in professional (way) but emotional conflict is different and I need to learn how to handle that conflict. I would like to learn how to resolve conflicts that involve emotions or about being a mediator."

"Master the more effective listening. I notice others jump to answer. I worry I will forget, I want to practice. I have a sister and she is an avoider, not talk about things, (I am) finding strategies to help bring her into the conversation….(h)ow to make other people comfortable."

Once the OCMC community mediation or conflict coaching process was over, many participants expressed an interest in learning more about managing conflict. This presents a good opportunity for OCMCs to capture an attentive audience for continued learning and growing a cohort of peacebuilders, mediators and mediation advocates in the community.

Finding 7 - Participants in the OCMC community mediation and/or conflict coaching see themselves as peacebuilders.

71% of people who participate in community mediation and/or conflict coaching said "Yes", they try to build peace among family, friends, neighbours or in their community.

Q21 Since your experience with community mediation and/or conflict coaching, do you try to build peace among family, friends, neighbours or in your community?
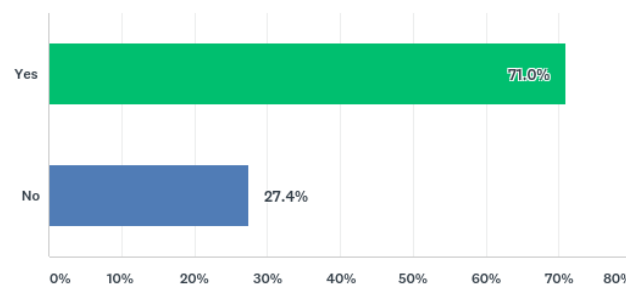
It could be, however, that individuals attracted to community mediation and/or conflict coaching already see themselves as peacebuilders regardless of the mediation process. This is reflected in some of the comments from participants.

- *I was always interested in building peace & I still am.*
- *I have often tried to be the peacemaker, with varying levels of success, and with the skills I learned, I have tried to pass that information on to family and friends, in the hope it helps them too.*
- *I encourage mediation-like practices and have talked about this experience a lot.*
- *I've always done this all of my life every moment of every day.*
- *Yes, but I always had this role. It's not a reflection of the community mediation*
- *Never thought about it this way but I guess yes.*
- *I have never been a conflict causing person*
- *always have*
- *Always have but this has nothing to do with mediation. It is who I have always been. Peaceful*

In "Preventing "Wars" in Our Neighbourhoods with Community Mediation" Janz (2001) considers how the personal traits and characteristics of a participant may influence the outcome of a conflict. While Janz does not include the perception of oneself as a peacemaker, she does say *"...conflict outcomes are more likely to be constructive when the disputant has a cooperative orientation to conflict"*. The fact that some participants to mediation identify as peacebuilders going into the process, may be something to consider when looking at how that impacts the success of community mediation from intake through to follow up. (Janz, 2001)

The majority of people say that they contribute to building peace on an ongoing basis among their family, friends, neighbours or in their community. The people attracted to OCMC community mediation and conflict coaching likely hold peacebuilding as a common value.

Finding 8 - Many participants were able to use the skills they gained through the OCMC community mediation and/or conflict coaching in other conflict situations, in some cases they have transferred those skills to their workplace or professional settings.

The OCMC survey found that 64.5% (n=40) participants have been able to use these skills gained through the community mediation and/or conflict coaching in other conflict situations.

Q17 Have you been able to use some of these skills in other conflict situations?
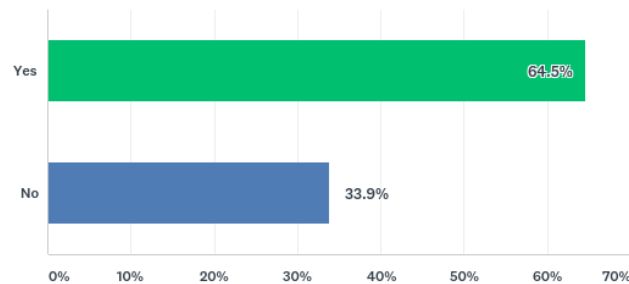
Some survey participants commented that they were able to transfer these skills to their workplace or professional settings.

- *I already was dealing with school issues for my son with disabilities*
- *I often use them with my family, and at work as well*
- *At work*
- *Work*
- *Yes at work*

In a telephone interview, one participant says she practices her new skills beyond the scope of the conflict that brought her to mediation;

"I do use it even with other family members, I practice listening. When I have a job I would like to practice it more with colleagues."

Many participants said that they had been able to use some of the skills they gained through the OCMC community mediation and/or conflict coaching process in other conflict situations. Several participants noted that the other situations might be at work or in a professional setting.

Finding 9 - Setting expectations for the OCMC community mediation and/or conflict coaching process for the participants is important to its success.

Some participants describe their experience in the community mediation and conflict coaching process in a way that suggest a divergence between what participants expected to experience of community mediation and their actual experience.

The divergence was noted throughout the community mediation process. At the outset some participants were surprised that the mediators were volunteers and did not necessarily have a lot experienced in mediation. During the processes, the emotional labour of the mediation seemed unexpected. Finally the outcomes of mediation were not always as positive they had hoped.

The divergence between expectations and the actual experience of mediation was particularly evident from the comments and the one-on-one interviews, where participants offered their insights into what they learned about community mediation that they didn't know going in.

Before the mediation process this participant expected more experienced mediators.

"What is being advertised in the community, the image I had, was that I was going to have highly skilled facilitators. I ask them [OCMC] to think about expectations of mediation. I was expecting expert mediators but they were volunteers with the same experience as me. I could be a volunteer here. They need better messaging about the services."

OCMC should emphasize this is NOT win-lose process.

"I think sometimes you have to sell it to people. There is a very much win-lose mentality, when one side gets something, another loses. When talking to people about mediation as a solution. they have to understand it's not about getting a win. When promoting mediation as a means of resolution you have to explain this, because win-lose mentality is so pervasive."

One participant also expected to have mediators that reflected the demographics of the participants.

"The primary point - the overall whiteness of the organization. The mediation was between me and another racialized person. We only interacted with white people all the time!"

Participants in the mediation process were not expecting or were challenged by the emotions of the mediation experience. Additionally participants needed to come to terms with their contribution to the conflict situation. That new self-awareness was challenging for some.

"I was a little worn down. It was an unpleasant conversation. There isn't a thing to be decided, really just an airing of grievances, some things said that were hurtful that played in my mind. Thinking critically about my actions and behaviours and not thinking so positively about myself."

"It was awkward. Is there a benefit to that approach that could be achieved through a different approach, is it necessary to have that approach? This is what I heard from you. Maybe there is benefit but it felt weird. Uncomfortable. It was more challenging for some than others. It is not a skill that anyone has. I took notes and interpreted my notes. I think that there are individual differences in the mediation process,that process should adapt to. Especially if someone who had English as a second language. Cultural difference in willingness to discuss conflict. Canadians are more passive aggressive."

"I felt I could see that the person is hurting but I felt attached to my own pain. We both held on to that pain as the pain subsided. Protective of my own experience and the pain it caused me. "

Other participants had different expectations of the outcomes or the final agreement. They might not have expected the change to the relationship or that a relationship could not go back to being the same that is was before the conflict situation. .

"If one person, one party to the mediation is not satisfied, then later renegs (on agreement), (community mediation) is not something that is easily binding. In some cases, it might not be the best solution. Need to choose cases carefully so you don't end up in a situation where one person says it's resolved. The one party says they think it's resolved, but the other doesn't stick to it."

"Fantastic mediators reached out for a check in. (3 weeks later) I was kind of expecting another meeting, but there wasn't. I was relieved. What might be good is talking about what you do afterwards? How do you rebuild a relationship that is fresh? Well not fresh, but from a point of negativity."

"I did hope we (would) have more time to focus on moving forward but that part was not fully realized. More about how the people involved in the process are going to behave. We need to lay things and get things off our chest. We needed more time and the consequence has been that we have gradually moved there but the communication is not as strong going forward, even if we didn't want to be involved. The participants were not clear at the end."

Setting expectations for before, during and after mediation would help participants to better understand the journey they are embarking on. Additionally, OCMC could establish a process to set expectations that can be used consistently among all members. With a consistent mediation process and better understanding of the whole process, from beginning to end, expectations could in line with outcomes and contribute to the overall success of the community mediation process.

Considerations

The following considerations result from the experience of conducting research on behalf of OCMC members.

Ongoing research and evaluation is a key factor in the effort to continually assess and improve programs. It also demonstrates to funders that the organization takes seriously its role in demonstrating the benefits of its work. Through this research project OCMC members have made a start towards working together to use data and feedback to assess and improve their work.

In light of this we offer for consideration that:

- Evaluation and feedback forms should be consistent across the OCMC and stored centrally, so that there can be a province wide snapshot of the impact and effectiveness of the work being done.

- Documentation of participants, including names, contact information and which conflict resolution process(es) they participated in. Consistent, safe data collection across OCMC members would increase access to a specific group for future research.

- The process of entering into and experiencing community mediation or conflict coaching be consistent across OCMC. Preparing clients for mediation, including setting expectations, supporting difficult experiences and debriefing participants at the end of the process could be uniform as a result of best practices.

- More specific questions in follow up phone calls with participants or evaluations may offer more insight into whether the situation with the other party has, in fact, changed. As discussed earlier, people filling out the survey for this research sometimes indicated no improvement in the dispute but then went on to describe positive changes. A possible approach might be to ask;

    - *"How has your interaction changed with the other person since mediation?"*
    - *"What impact has your change in behaviour (if any) had on interactions with the other?"*

- Conflict coaching alone (without mediation) appears to have notable benefits for participants. A significant number of survey participants (9) reported that they took part in conflict coaching only. The participant's responses indicate that they learned something about themselves and how they could find ways to improve the situation:

- *Helped me become a better co-parent*
- *I have stopped making bad assumptions and creating more problems in my head*
- *It helped me be able to stop doing certain things in my life that are causing me stress and change how I react to things which may be making the situation worse*
- *It was good to bounce experience off counsellor (coach). Good to have situation recognized*
- *I became more patient about the problem*
- *I changed the way I behave to deal with the problem*
- *Emotional triggers how they hinder my life. (Changed) my reaction to every type of conflict*

● More specific questions in follow up questions/evaluations may offer more insight into whether the situation with the other party has in fact changed. As discussed earlier, people filling out the survey for this research sometimes indicated no improvement in the dispute, but then went on to describe positive changes. A possible approach might be to ask;

- *"How has your interaction changed with the other person since mediation"*
- *"What impact has your change in behaviour had on interactions with the other?"*

Conclusion

With this research, the Law Foundation of Ontario, the OCMC, St. Stephen's Community House and the Winkler Institute for Dispute Resolution have laid the foundation to better understand the effectiveness of community mediation in resolving private interpersonal conflicts, improving the future capacity to resolve other conflicts and ultimately, contribute to building a more peaceful communities.

Thanks to the participating clients from the OCMC member organizations we understand that clients experience some change to the conflict situation as a result of community mediation or conflict coaching. The change in the conflict situation could include that the relationship has become distant, avoiding or ignoring as a way of dealing with the conflict situation. While some participants may not have reported that their situation was better after mediation, many felt better for having had the opportunity to say what they needed to say and from having being heard. Participants also reported feeling better because they found they were now living with less stress, having fewer conflicts and better relationships.

Whatever the outcome of the conflict situation, many community mediation participants find that they gain a greater self-awareness and new skills from the experience. The self-awareness includes better understanding the experience of the other party, not speaking without thinking first, not making assumptions about others and increased awareness that they too had some responsibility for the conflict situation.

Greater self-awareness is one outcome of community mediation for many as well as gaining new skills such as communicating differently, listening, being able to peacefully discuss, controlling emotions and managing stress. These new skills not only helped to increase confidence around other conflict situations but also were transferable into other areas of life such as the workplace. As discussed earlier, due to many variables it is difficult to prove that those skills translate into new behaviours. We also learned through this research that people who participated in community mediation thought of themselves as peacebuilder and held peacebuilding as a value.

Participant survey comments and interview responses made clear the emotional investment people make into the community mediation process. As such, they have many expectations that when not met result in much disappointment and even anger. OCMC members could set the mediation process up for greater satisfaction by consistently and clearly ensuring participants understand the whole mediation process, from beginning to end. Other areas worth considering for consistency or improvement across the Coalition include evaluation of mediator training, onboarding a greater number of diverse mediators and mediation participant data collection.

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Appendices

Appendix A - Scan of Literature

While there are variations in organizational structure and service offerings, community mediation centres (CMC's) often share a few fundamental characteristics: mediation services, the focal point of their activities, are offered by volunteer mediators who do not necessarily possess a great deal of mediation experience but are trained in the practice model of the CMC; mediation practice models emphasize confidentiality, self-determination and mediator impartiality with an eye toward facilitating a dispute resolution process without judgement or evaluation of the dispute; services are free or offered at a nominal fee to parties; and parties voluntarily agree to participate in mediation. CMCs typically categorize their practice models as facilitative or transformative, distinguishing them from more evaluative models of dispute resolution that rely on professionals who often possess subject matter expertise in the area of the dispute. Beyond mediation, a CMC may offer other dispute resolution services such as conflict resolution training, group facilitation, conflict coaching and/or other processes or programs that organizers believe would advance the peacemaking mandates of their respective organizations.

While the fundamental goals of CMC's inevitably revolve around making a contribution to building peaceful communities, there does not appear to be a universal ideal of what constitutes a 'peaceful community', nor is there definitive proof that CMCs are successful in this project. The consensus among practitioners and supporters of CM, however, suggests that peacemaking remains a goal worth pursuing, however complex or elusive.

There is a great deal of peer-reviewed and grey literature about CMCs published in reviews, books, and by individual organizations. Most literature tends to focus on the development of CMCs in various communities, the personalities behind their founding and operation, CMCs' funding sources and administrative structures, mediator training, quality control, best practices in mediation, the philosophies that guide these practices, and the various challenges faced by CMCs, including that of evaluation. However, while CMCs are widespread and well-established in many jurisdictions and have been in use since the 1970's in their current forms, it is notable that there exists relatively little published peer-reviewed research definitively substantiating the *peaceful communities* claims levelled by CMCs. The current research available tends to focus on best practices for mediators that create both short-term and long-term effectiveness,

the breadth of community mediation's (CM) impacts following mediation sessions, and on the economic benefits of CM.

CM's Claims - Dispute, peace and community

CM has evolved into a dispute resolution practice that retains some measure of regional diversity in its practice while remaining distinctive in its theoretical foundations and claims. In order to gain a better grasp of what CMCs attempt to achieve for their respective communities, it is worth reviewing the philosophical foundations of CM, as well as a few of the critics.

Shining a light on the diversity of practice but relative uniformity of intention, Bradley et al (2000) note that the development of CMCs in the US followed one of two paths: they either evolved as a legalistic courthouse-connected process that focused on quick and cheap problem-solving for civil cases, or they evolved as a process that followed a community or civic development model focused on integrating many social institutions in community dispute resolution to the exclusion of formal institutions and legal processes. Further to this, Harrington and Merry (1988) identify the three distinct ideological projects of CMCs: first, the *delivery of dispute resolution services* for disputes that may be ill-suited to a formal process; second, *social transformation*, suggesting that disputes settled at the local level will promote self-governance and neighborhood control; and third, *personal growth and development* that seeks to promote self-efficacy, individualized agreements, and to build conflict management skills in participants that can be applied elsewhere.

Several other authors note the possibility of CMC's contribution to improving life for the community at large. Harrington (Merry et al. eds. 1993) suggests that CM's tenet of grassroots community organizing is challenged by more professionalized mediation approaches that are more closely associated with courthouses. This trend would lead to the less-than-voluntary nature of participation in mediation and to a state-sponsored informalism (402). Recounting the Dutch example that based its model on the San Francisco Community Boards model, Peper and Spierings (1999) regard the establishment of community justice centres as efforts to improve a sense of community that may have been affected by urban renewal or decay. Sachs (2000), remarks on the contribution of CM to the greater realm of public dispute resolution. Further to this, Gazley, Chung, and Bingham (2006) note that CMCs strive to embody the democratic and participative decision-making principles they hope to encourage in their communities, noting, however, that the research into these phenomena in their communities remains thin. Writing about establishing a CMC in Brazil, Neves (2009) investigates the possibilities for CM to have an impact on broader social justice issues but notes that its current form places too great a focus on individuals, thus imposing limits on the breadth of its impacts.

More broadly, Weinstein (2001) suggests that even the existence of a CMC can offer a community "a new set of values and opportunities for problem-solving (Weinstin 2001, 252)" that can promote community transformation.

Alternatively, Pavlich (1996) discusses the post-modern questioning of the state and justice as it is defined by the state, suggesting a paradigm shift from modernity to postmodernity has taken place in Canadian society. Pavlich suggests that there has been a decline in the place of a highly centralized and reason-oriented state and its administration of justice, thus creating a notable shift toward community-based forms of justice. However, critical analysis of this perspective suggests that the movement toward CM as a more efficient mode of dispute resolution rests on a neo-liberal conception of economic preferences by offering a cheaper and faster alternative to the courts. Pavlich goes on to suggest that CM offers little more than another means by which communities seek to encourage self-governance analogous to that promoted by the state. The justice and control perspective is further elaborated by Coy (2005), who suggests that CM is not as subversive or responsive as organizers would have their communities believe but functions clandestinely as another arm of an oppressive state (Coy 2005, 269). Further to these criticisms, Nader (2001) goes so far as to allege that concerns for civility in disputing, as is found in CM practice, may serve as veiled support for the status quo rather than challenging it in the interest of creating more just systems. Furthermore, Nader (2018) maintains that CM does not offer sufficient protection of individual rights and prefers to avoid addressing greater systemic issues, ultimately leaving citizens vulnerable and impeding social progress.

While critics of CM maintain that it opts for promotion of the status quo rather than responding to community needs and justice, several authors work to substantiate CMs claims that it promotes peaceful conflict resolution approaches for clients and by extension, for the communities with whom they work.

Assessing CM's Performance Qualitatively
The literature investigating the effectiveness of CM in the long- and short-term tends to focus on mediator training, strategies, and techniques. Pruitt et al (1993)[1] used the results of a CM program in Buffalo, NY to investigate the impacts of a mediator's style on long-term and short-term success of mediation, as well as the antecedents of the mediation, the overall behavior of participants during mediation, the level of motivation to settle, and the resources available following the mediation. In terms of long-term success, compliance with the agreement

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[1] The authors note in their methodology section (Pruitt 1993: 316) that referral sources for the mediations included in the study were either self-referred or court-referred. There is no clear indication of whether or not these court referrals were mandatory or voluntary.

reached during mediation was the only indicator studied and it was considered in comparison to cases that underwent adjudication. Harrison's (2002) comparative study of a similar nature but focusing on CM for restorative justice found similar results. In their conclusions, these authors offer possible explanations for diminished adherence to agreements as being less related to CM and more related to difficult relationships that CM may be ill-equipped to effectively address. Likewise, Schultz (1996) describes the steps taken to establish a CMC in North Carolina[2], and notes that within just a few years of operation, this program underwent a series of periodic evaluations including client satisfaction and compliance with agreements. The program saw substantial success on both counts but noted a possibility for improved intake procedures.

Likewise, Gazley et al. (2006) address the notion of the broadness of CM's impacts, noting that where CM is concerned, success is usually measured by agreements reached through mediation, agreement adherence, and participant satisfaction with the process and its overall fairness. While these indicators are often discussed as determining mediation's efficiency and effectiveness, such measurements do not necessarily apply to other CMC services. Gazley et al. are astute in their observation that the other goals of CM are insufficiently represented in the research, noting that "...it fails to shed light on other valuable aspects of mediation, such as the restoration of relationships between disputants and the practices of accepting others' values and perspectives (Gazley et al. 2006, 845)."

One study that seeks to address the relational claims of CM is presented by Palihapitiya and Eisenkraft's (2014)[3] study of custody issues in family CM. This study added notions around the quality of the relationship between participants following a CM process to their evaluative repertoire. In this study, the positive outcomes reported by most parents included agreement and process satisfaction rates, the development of parenting plans, and notably, reduced court involvement and improved between-parent interaction for a sizable minority of parents. Beyond this study, there was a notable gap in research of this nature, save for two articles regarding peer mediation programs studied in limited contexts.[4]

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[2] This CMC notes that the vast majority of its referrals were from courts with a minority of cases being self-referred but does not specify if the referrals constituted mandatory mediation.

[3] The authors state that 8% of study participants had been ordered by courts to participate in mediation while others attended mediation voluntarily and note that the vast majority of participants heard about CM from the court system.

[4] Crary (1993) writes about a peer mediation program in a school in Santa Monica and McWilliamson, Neilson & Moore's (2015) write about another peer mediation program introduced to a drug treatment and detention facility in Australia. Both studies noted positive changes in the atmosphere of their respective institutions in addition to changes in conflict behavior of participants.

In what is perhaps the most relevant study conducted on the matter of CM's breadth and depth of impact, Pincock (2013) offers a study of the broader and lasting effects of CM in Toronto, Canada. Through focus groups and interviews with 41 mediators and 31 participants, Pincock found that in a small number of cases, the intended effects that CM seeks were realized but the majority of cases did not confirm that the full breadth of CM's desired outcomes had been achieved. Pincock suggests some possible explanations: first, that mediation is often described as a catalyst for changes in clients' conflict resolution approaches but it remains difficult to isolate mediation as the catalyst of that change; and second, participant and mediator expectations diverge too greatly in ways that make lasting effects unlikely. Pinock concludes the study with the suggestion that, "mediation advocates should scale back and reconceptualize, though not entirely abandon, their claims about the capacity-building potential of mediation (Pincock 2013, 5)."

An Economic Case for CM
In an effort to demonstrate the economic benefits of CM, Charkoudian (2005)[5] investigates the involvement of police in disputes in the community in Baltimore. As Charkoudian notes, police services can be costly when used to respond to calls that could be dealt with otherwise. Charkoudian suggests that the use of CM to address some kinds of conflicts for which police are often called and ill-equipped to handle could free up police resources to embark on other crime-fighting activities. This study looked at the local CM program which helps people address a narrow range of disputes including noise disturbances, minor family issues, business disputes, landlord-tenant disputes, and neighborhood association conflicts. This program receives referrals from courts, police, social service agencies, city agencies, community organizations, and individual community members. On the whole, the study concluded that the CM program represented a cost savings to policing agencies. In an additional study by Charkoudian (2010)[6], data collected suggested that parties who had used mediation to resolve their dispute would be less likely to approach courts or call police to help resolve their difficulties in the future. There are several factors for which researchers could not account including selection bias, but the overall findings suggest that mediation is helpful in relieving pressure on courts and police services, thus representing a potential for cost-savings for these institutions.

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[5] The author notes that the sample for this study was comprised of mediation participants that were referred to the CMC by police or courts and that the CMC relies on voluntary participation, suggesting that mandatory mediation does not figure into its services.

[6] In this study, the author notes that the referral sources for the sample were varied and a small number included cases where criminal misdemeanor or small claims civil charges had been filed (Charkoudian 2010, 145). The author does not indicate whether any of the cases referred to mediation were mandatory.

Conclusion

There are several notable trends in the peer-reviewed articles surveyed above. First, the challenge of sample sizes to conduct studies among CM parties and mediators is consistently modest. Given the nature of CM and its commitment to confidentiality as well as its relative meagre popularity in a limited number of jurisdictions, it could be difficult to engage enough participants to amass a substantial enough sample to create any statistically significant determinations regarding CM's effectiveness.

Second, the literature on CM routinely notes that while there are consistencies among CMCs values and foundations, there can be regular inconsistencies in how CMCs act on these values in their training and programming. The training and performance of dispute/conflict resolution often varies between CMCs and between individual mediators. In addition, some of these inconsistencies may be attributed to differing funding and referral sources, volunteer human resource capacities, and the needs that may or may not be identified in a given community. An example of such inconsistency may be found in the introduction of conflict coaching to some CMCs and its role in supporting mediation processes.[7] Attempting to create a significant study that would validate CMCs' community peacemaking claims would be difficult given the breadth of services that many CMCs offer.

Finally, as noted in a thesis reviewing the challenges around researching and utilizing data to improve services in the CM context, Janz (2001) makes the astute observation that research design in any social psychological field remains challenging. Ensuring that such research responds to the needs of those benefiting from and offering the services requires the involvement of a variety of stakeholders. In this study, Janz considers the contributions of CM coordinators, mediators, policing service, and community disputants and is acutely aware that researchers in the field consistently face constraints on financial resources, human resources, and time in the voluntary sector.

While proponents of CM, like the general public, are in accord that more peaceful communities are desirable, how to obtain this remains elusive. Doubtlessly, further study on the CM would serve either confirm its claims of contributing to peaceful communities or offer insights into possible enhancements to its approaches to bring CM closer to this goal.

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[7] It is worth noting that only one study of the effectiveness of conflict coaching (Brinkert 2011) could be located but the study was specific to the use of conflict coaching in the healthcare setting. Brinkert (2013) notes the need for further research into this area of conflict resolution research.

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