

# “Public and Multi-Party Conflict Roundtable Discussion”

Guest Speakers: R. D. (Bob) Waldon, M.A., Q.Med. and Tricia Gazarek, B.A.A., P.G. Cert. ADR, Q.Med

By Mary Korica

The ADR Institute of Ontario (“ADRIO”) presented a live program and webinar titled “Public and Multi-Party Conflict Roundtable Discussion” that was co-chaired by Bob Waldon and Tricia Gazarek at the ADRIO office on January 19, 2015. This was the fourth meeting of the ADRIO Public Conflict Special Interest Section and was intended to help shape the coming years’ activities.

The meeting was an inclusive dialogue that capitalized on the varied expertise of online and onsite attendees. Mr. Waldon initiated discussion by describing public conflicts as often time-consuming and destructive for communities, companies, or governments. Attendees peppered with relevant examples from their work experience and the ensuing conversation was about what mediators have to offer to improve these situations.

After considering the breadth of issues subject to public policy and other multi-party disputes, many in the audience agreed that mediators cannot and should not be subject matter experts but instead can offer valuable process expertise. In the absence of guidance from skilled mediators or facilitators, commonly used approaches for addressing multi-party disputes — like town hall meetings, public consultations, or open houses — are frequently divisive: they allow the tendency toward competition rather than cooperation, they lack a genuine emphasis on eliciting feedback or dialogue, and the loudest voices



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tend to “win”. Also, those running town halls and similar events are often directly involved in the issues at hand.

Mediators on the other hand are well-versed in methods to move people from competition to collaboration and can tailor processes to make constructive shifts in disputes more likely. They are experts in the communication style necessary to turn a meeting that risks becoming a forum for conflict into a session to address common needs or into a learning conversation. A mediator’s ability to set an appropriate initial tone, highlight what stakeholders have in common, sway participants away from the satisfaction of hammering home one’s own stance at the cost of working towards results, and to ask “beautiful questions” — meaning those that open up possibilities for



Tricia Gazarek, B.A.A., P.G. Cert. ADR, Q.Med is a Conflict Consultant with over seven years of experience. Through her graduate studies at Royal Roads, she is specializing in organizational conflict analysis and management.

cooperation rather than closing them off — can make all the difference in moving any dispute closer to resolution, including disputes involving multiple stakeholders and public issues.

At the same time audience members noted likely challenges for mediators in dealing with public policy and multi-party disputes. Notably, traditional mediator training and inclination towards a high respect for parties’ privacy may affect their comfort level when it comes to balancing confidentiality and public processes. An audience member drew on her extensive experience working for a Human Rights Tribunal to argue that this can be overcome if mediators embrace a broader range of process types. She argued that, when mediations involve additional objectives like influencing public

policy, it may be necessary for mediators to move away from complete impartiality and even take on subject matter expertise. She noted that human rights, aboriginal rights, and environmental issues are some areas where this is particularly relevant. Entrenched, historically-rooted conflicts especially may require processes beyond those taught in traditional mediation training.

Mr. Waldon commented that another challenge for mediators in addressing public policy and complex multi-party disputes may be the need for deep preparatory situation analysis. Often in more standard mediations the parties submit information that explains the situation for the mediator. However complex disputes involving multiple stakeholders representing broad social groups may require the mediator to conduct conflict analysis including interviews and assessments of social, cultural, political and economic aspects to the crisis, of public concepts surrounding the issues, and the impact of the media. An audience member agreed and noted that these more layered conflicts can also place a greater demand on the mediator to handle value differences and trust issues. Another audience member mentioned that some common types of mediations, like workplace restorations, can offer process examples quite applicable to multi-party and public policy disputes. For example, mediator preparation for workplace disputes can often involve extensive pre-mediation research, process experimentation and iterative interventions.

The question of whether the parties present in the process have the "authority to settle" may also be more difficult in complex public policy and multi-party disputes than in more standard mediations. For example, if the

issue potentially involves public policy change, the mediator will require knowledge of what is relevant for the particular incident being mediated and what is relevant to policymakers in a separate venue. As one audience member commented, the process may then become a two- (or more) table process and the mediator or facilitator may have multiple roles: perhaps problem-solving at one table and supporting ratification at another.

Participants at the meeting recommended that mediators who want to work in public policy and multi-party conflict mediation consider bolstering their skill sets with training in group facilitation and other related areas. Mr. Waldon agreed, but also found that a common thread had run through the discussion regarding what is required to move these types of disputes forward: a need to get the parties involved to feel safe enough that they can put their own ideas forward and accept ideas and criticism from

others. He noted therefore the mediator's greatest strength – creating environments where that can happen.

ADRIO's Board recently approved a proposed Public Conflicts Special Interest Section mandate and a steering committee of six volunteers to build on the foregoing roundtable discussion. Plans are being developed for more presentations, networking, interactive meetings and other Public Conflict Section initiatives. If you wish to receive a copy of the approved mandate, have ideas to share for the "PC Section" or want to get involved, please contact one of the steering committee members listed below through ADRIO or "ADR CONNECT" (the ADR Canada online searchable database of members located on our Home Page):  
 Sheridan Barnett  
 Tricia Gazarek  
 Billy Haklander  
 Yolaine Kerlew  
 Karen Seguin  
 Bob Waldon, Q.Med 🌱

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