

MEDIATION: *BASIC SKILLS TRAINING*

Class Five:

**Perception, Bias, Neutrality and
Later Privates**



“We create positive change”

Goals

- Learn about our perception of the world!
- Spend time thinking about how we as mediators apprehend what we hear and see.
- Perception
- Meaning and Influence
- Barriers
- Bias and Neutrality
- Later Privates



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Objectives

- Understand the *meaning of and influences* on perception
- Understand the importance of neutrality to the mediation process
- Explain *barriers* to perception
- Explore the concept of bias and how to *identify* different types of bias
- Consider the *consequences* of bias in mediation
- *Assess* your own biases
- Learn strategies for *coping* with bias

Perception Matters...

- In this image, what do you see?



Science Break!

- Crash Course Psychology, “Perceiving is Believing”
- Your brain constructs your perception!



What is Perception?

- We make sense out of the information we receive.
- Everyone does not perceive the same information in the same way.



Influences on Our Perception...

➤ There are many different aspects of a person that can influence their perception of the world including:

- i. Interests, needs, and motives
- ii. Past experiences
- iii. Knowledge
- iv. Occupation
- v. Appearances
- vi. Culture
- vii. Age
- viii. Gender



➤ **Let's break each one down!**

i. Interests, Needs & Motives...

When you need something, you perceive everyone else as hindering your goal. However, when the situation is swapped, you cannot understand the other person's goal.



ii. Past Experiences...

Your past informs how you feel about things in the world.



iii. Knowledge...

- What we know - or don't know.
- What changed? Your new knowledge has influenced your perception.



iv. Occupation...

- What we do every day



v. Appearances...

- What we expect about a person or situation.



vi. Culture...

- Our culture can influence how we see people.
- Our culture can influence how we apprehend the behavior of others



vii. Age...

- As we age, our priorities and perception change.



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viii. Gender...

- Common differentiating qualities.



Perceptual Barriers...

- There are behaviors that we have that can alter an accurate perception and lead us to interpret the world around us differently from others such as:
 - i. First impressions.
 - ii. Easily influenced by the obvious.
 - iii. Assuming others are like you.
 - iv. Seeing or hearing selectively
 - v. Self-serving bias

Reflection:

Be Mindful of your Perceptual Barriers...

- *Share an example* of when you might:
 - i. Cling to first impressions?
 - ii. Get easily influenced by the obvious?
 - iii. Assume others are similar to you?
 - iv. See or hear only what you want to, or that which agrees with your point of view?
 - v. Judge others more harshly than you do yourself?

Perceptual Influences Matter...



Do you know who this person is?
Take time to guess.



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Perceptual Influences Matter...



U.S. President Barack Obama



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Perception in Mediation...

- Perceptual act on mediators and on parties:
 - i. Motives.
 - ii. The conflict narrative.

Intro: “We’re going to ask each of you what happened from your point of view. At this point, your stories may be very different, don’t worry about that.”

- Normalize that which is normal.

Focus on the Perception...



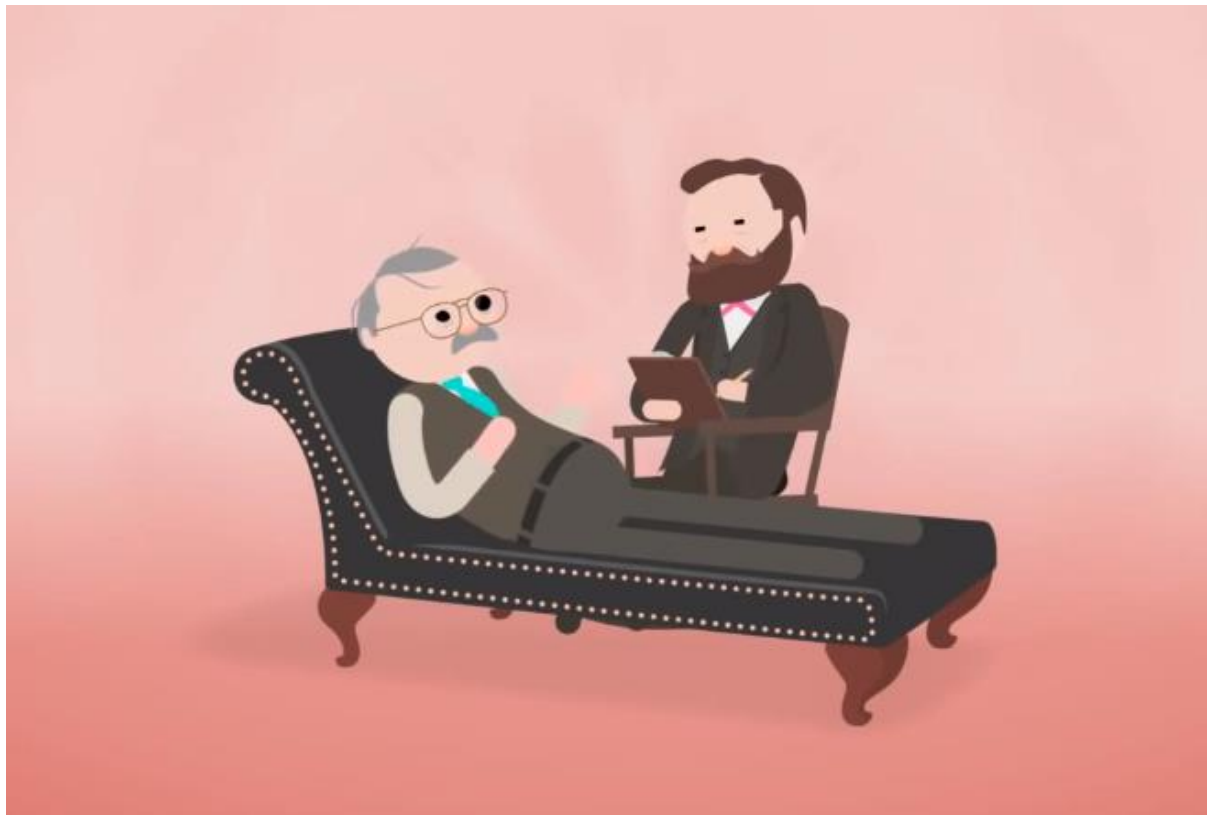
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Let's Reflect...

- Consider *your own* biases:
 - i. Do you think you have any biases? If so, What are they and how do you think they originated?
 - ii. In what situations do you experience these?
 - iii. With which usual suspects are you more likely to be biased?
 - iv. What strategies can you use to curb these biases?

Science Break!

- Crash Course Psychology, “Prejudice and Discrimination”



Cognitive Bias...

- Cognitive Dissonance

Assessing Your Own Biases...

- Biases can appear in a whole host of circumstances from religion to culture to weight.
- Having unconscious bias does not make you a bad person. We often feel embarrassed to admit our biases.
 - Everyone has biases - everyone makes assumptions.
 - The key is self-awareness - self-checking.

<https://implicit.harvard.edu/implicit/takeatest.html>



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The Role of the Mediator...

- Neutral
- Human



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Bias in Mediation...

- Biases are natural
- The mediator may experience their own unconscious bias
- Biases can affect the agreement
- Biases can affect impartiality
- Biases can affect the working relationship between mediators

Strategies to Reduce Bias...

- Develop a practice of personal reflection
- Get honest feedback about your biases
- Develop diverse relationships
- Don't be afraid to learn more!

Time for a Reflection...

- Now that you know more about bias, *re-consider your own perceptual biases* and what you wrote at the start of the unit.
 - i. In what situations do you experience these biases?
 - ii. With which usual suspects are you more likely to be biased?
 - iii. What strategies can you use to curb these biases?
 - iv. What did you write at the beginning of Bias?
 - v. What did you identify in the first discussion?
 - vi. What have you learned about your own biases and assumptions, and how can you deal with it?

Later Privates

- This is the What Do YOU Want to Do? step
- List the party's issues and check-in to be sure you have it right
- Transmit relevant information
- Give folks the opportunity to think
- Solicit their ideas on resolution
- Transmit other party's ideas on resolution
- Reality test/are the proposals doable?
- SUMMARIZE
- Clarify specifics
- TASK - If this doesn't work for the other person, consider what you might be able to live with
- Then take a break and plan