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Conflict, Conciliation and Computer-Mediated Communication: using online dispute resolution to explain the impact of media properties on relational communication

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Contents

Acknowledgements

Abstract

This thesis investigates how the properties of communication media impact upon relational communication. It uses the special case of conciliated conflict as a lens for exploring the relational impact of mediation. It argues that, by providing situations of relational asymmetry and uncertainty that must be addressed, conciliation offers a novel test for existing accounts of CMC.

This thesis compares existing accounts of CMC with accounts of conciliation and situates them in the broader domain of communication theory. It argues that there are parallels between the relational impact of CMC and conciliation.

This relational impact is explored in a series of experiments and observations of mediated interaction. First this thesis presents a grounded theory of conciliation. This indicates that conciliators seek to create a 'safe-space' in which interaction occurs. The dimensions of safety are defined and explored, and a coding-schedule for measuring conciliator behaviour is proposed. Second, it observes and compares conciliators' practice in online environments (video-mediated communication and text-based) to assess how the environment alters the dimensions of safety. Third, it evaluates how the design of online forums influences community behaviour.

The findings from the studies are integrated into a framework of mediation. This indicates that media properties influence the creation and maintenance of a safe space and suggests that varying media properties will shape the structure, timing and availability of information; impacting upon the relationship through increased or reduced uncertainty and asymmetry.

Furthermore, these findings are integrated with the literature to provide a Model of Relational Communication. This model outlines the communication process, and suggests that there are steps at which asymmetry and uncertainty may be introduced into the relationship.

Finally, the thesis presents guidelines for practitioners wishing to adopt CMC as a tool for dispute resolution, and for designers wishing to develop environments to support this practice.

Chapter 1: Thesis Overview

This thesis explores the impact of media properties on relational communication.. This is achieved through an examination of what 'mediation' means in Computer-Mediated Communication (CMC).

Relational communication is concerned with the interpersonal transference and impact of information between interlocutors who have, or expect to have, a series of on-going interactions beyond the current event. As such, relational communication is super-ordinate to utterance-level communication

The aim of the thesis is to develop a Model of Relational Communication that integrates existing accounts of mediated interaction. Relational aspects of communication are most visible when parties come into conflict and a dispute arises. Conflict resolution and conciliation are synthesised, along with CMC literature to offer a model that accounts for the relational impact of: (a) asymmetry (extending the work of Spears and Lea); (b) communication breakdown (extending the work of Clarke and Brennan); and (c) can account for a reflexive medium that alters the deployment of its properties to meet its goals.

The thesis comprises eight chapters (including this one). The following section offers a brief synopsis of the remaining chapters.

Chapter 2: Literature Review

Chapter 2 reviews existing research in: (i) Computer-Mediated Communication; (ii) common ground; (iii) conflict; and (iv) conflict and conciliation. It explores varying explanations for the relational impact of mediated communication and the mechanisms by which this occurs. It argues that differences in findings can, in part, be explained by different conceptualisations of 'communication'. It further argues that there are strong similarities between: (a) the mechanisms and relational impact of CMC; and (b) human-mediated interaction in the form of conciliation.

Chapter 1: Thesis chapter summary

This chapter makes a case for the study of conciliation in online environments as a useful and novel approach for exploration of the impact of media properties on relational communication. This argument forms three main points: (1) existing accounts of CMC tend to ignore conflict as a natural and inevitable aspect of relationships, in which asymmetry occurs; (2) in a situation of conflict, breakdowns can be significant at the relational level; and (3) there are similarities possessed by both technological and human media, that can form the basis of a framework for investigating the impact of media properties on relational communication in general terms.

Furthermore, this chapter 3 investigates the prevailing methodological trends in Human-Computer Interaction and in conciliation. It explores the merits of both quantitative and qualitative methods to ascertain which is most suited for this thesis. It considers how validity and reliability can be established in the context of this thesis and further argues that careful combination of qualitative and quantitative studies can deliver the necessary broader account of relational phenomena and proposes a course of research that integrates qualitative approaches of grounded theory and discourse analysis, with a quantitative content analysis.

Chapter 3: Conciliator Practice

Chapter 3 presents a grounded theory of conciliation. It reviews existing literature that attempts to define conciliation and draws on interviews with conciliators to present an ontology of conciliation. This ontology represents conciliation at multiple levels simultaneously. These levels are: (1) projection of attitudes; (2) performing a function; and (3) deploying a technique. This chapter uses Cohen's Kappa to assess the appropriateness of using the conciliation ontology as a coding schedule when observing conciliator behaviour, and calls for the use of a modified version of the conciliation ontology as a tool for quantitative analysis of conciliator behaviour.

Findings from interviews and the literature review extend definitions of conciliator practice and argue that conciliators effect relational change through the creation of a

'safe space', that is qualitatively different from the environment in which disputants normally interact. The dimensions of safety for the space are safety to: (1) experience breakdowns; (2) express emotions; and (3) explore power differentials. Dimensions of safety must be realised in any communication setting, but are only made visible when parties feel under threat. Protocols and norms are evidence of how groups establish defences for the safety of the space. The mechanics of safety and opportunities to re-establish it must vary with technological mediation.

Chapter 4: Conciliation in Video-Mediated Communication

Chapter 4 uses observations of conciliated role-plays in a VMC environment, to explore the changes to the dimensions of safety outlined in Chapter 3. Professional conciliators are observed and interviewed to explore how they work with the space to progress a dispute

This chapter describes how both the conciliator and the technological medium can have an impact on relational communication. The interaction between these two forms of mediation influences the dimensions of safety in the space. Conciliators are observed to alter their practice to accommodate this impact.

Chapter 5: Conciliation in an Asynchronous, Text-Based Environment

Chapter 5 uses *Wikipedia* as a case-study to investigate the impact of asynchronous, text-based (ATB) properties on relational communication and conciliation. Real-world conciliations are explored and interviews with *Wikipedia* conciliators are presented. This chapter compliments the analysis in Chapter 4 by exploring how the properties of the ATB environment influence the dimensions of safety in the space.

While the dimensions of safety for the space are again found to be shaped by the use of CMC, in many cases these are qualitatively different to changes observed in

Chapter 4. However, it is found that conciliators are still able to alter their practice to effect relational change.

Furthermore, this chapter presents a content analysis of conciliator behaviours within the two environments. This is framed using the conciliation ontology, modified to be of use as a coding-schedule, presented in Chapter 3.

In addition, chapter 6 investigates communication behaviours in on-line communities. The purpose of this chapter is twofold. First, it explores how design characteristics and formal and informal policies guide and shape interaction behaviours. This is achieved through categorisation of the presence and nature of site properties (*e.g.* anonymity, moderation, ratings, roles). These are then linked to observed behaviours (*e.g.* creation of sub-groups, reference to policy, discussion of memes and aims), to explore the impact of environment properties on relational communication.

Chapter 6: Discussion

Chapter 6 discusses the empirical contribution of the findings of this thesis. It considers them in relation to conciliator practice, dispute resolution and CMC theory. It argues that the properties of any medium combine to create and maintain a unique environment. It argues that one way of framing the impact of the environment on the relationship is to consider interlocutors' perceptions of the safety of the environment. This is safety in terms of the safety to: (1) experience breakdowns; (2) express emotions; and (3) explore power differences.

The chapter argues that the properties of a medium impact on the relationship in terms of certainty, presence and control. This is as a result of the medium imposing a structure on the timing of information exchange, on the interaction space and on the availability and salience of cues. This chapter proposes a framework that integrates these findings at a deeper, theoretical level.
Furthermore, this chapter proposes a Model of Relational Communication (MoRC) as a synthesis of the literature and the findings of the research presented in this thesis. The MoRC provides an account of relational communication that does not privilege

one conceptualisation of communication over another and can accommodate the relational impact of: (1) asymmetry; (2) breakdown; and (3) a reflexive medium.

The strengths and weaknesses of the MoRC are explored in terms of its explanatory power (*i.e.* the ability to explain a range of communication settings) and its explanatory force (*i.e.* its ability to make testable predictions about changes in one or more communication variables).

Chapter 7: Conclusions

Chapter 7 evaluates the research project. It explores the general implications of the findings. It presents theoretically- and empirically- derived guidelines for conciliators who chose to use on-line environments and for designers of environments to support on-line dispute resolution. Areas for future research are proposed

Chapter 2: Literature Review

2.1 Introduction

There can be little doubt that computer-mediated communication (CMC) has a significant impact on the way that people converse with and relate to one another. A body of research has developed that investigates the degree, nature and mechanisms of this impact. However, its findings are not always consistent. They vary in their explanation of media effects and their causes. One explanation for the range of these findings across the research is that 'the medium' and its position in the relationship has different meanings. This thesis addresses the base understanding of what 'mediation' means in computer-mediated communication and explores interpersonal communication when an identifiable medium is used. It does so by focussing on dispute as a special domain of communication. The outcomes of this research are intended to furnish investigators with a broader understanding of the impact that the use of CMC has on communication within relationships. Furthermore, they are intended to be of use to professional conciliators as a means of assessing CMC technologies and integrating them into their practice.

2.1.1 Communication

The term 'communication' can have many different meanings. These are explored in-depth in section 4 of this chapter. For the purposes of this thesis, communication comprises: (a) the act of information transfer between agents; (b) a recognition of this information transfer by an agent; and (c) the way that each agent creates meaning from the information received and from the act of information transfer. On-going communication between two agents can lead to the formation of a *relationship* (defined in section 1.2) and can be facilitated, hindered, or otherwise affected by the presence, or lack, of a *medium* (defined in section 1.3).

2.1.2 Relationships

Relationships are formed when two or more interlocutors participate in a joint project and anticipate subsequent joint projects with one or more of the same interlocutors. Once in a relationship, interlocutors build a shared history and use this to shape expectations of current and future behaviour. Actions and expectations are transmitted between interlocutors in the form of communication: an exchange of information that has meaning within the relationship. The presence of a medium may facilitate, enable or hinder: (a) the current joint project; (b) the anticipation of future joint projects; and (c) the exchange of information between interlocutors participating in the joint project.

Relational communication is therefore the transmission of information with another entity with whom one expects and anticipates on-going future interaction (Walther 1994). In such a setting, communication does not always arise out of a need to transfer specific information (*e.g.* informing somebody of an intention, or in response to a question); it can also occur to fulfil a social aim, where the act (or omission of the act) of communication has a relational meaning beyond the information transmitted (*e.g.* gossip, or small-talk).

2.1.3 The medium

A medium can be viewed as an artefact through which information is transmitted. This artefact can take many forms, including (but not limited to) technology (see sections 2 and 3) or humans (see section 6). This artefact possesses various properties that support information transmission. Properties include: imposed asynchronicity; geographical dislocation; attenuation or amelioration of cues *etc.* (see Table 1 for a comprehensive list of properties). However, in providing this support the medium can exert an influence over the information transmitted, or the way that information is perceived or used by a receiver, or observer of the information. The properties of the medium itself may have meaning within the relationship that in turn influences communication.

A medium's influence may be significant at the level of the signal (*i.e.* it has an effect on the information transferred) and/or at the wider relational level (*i.e.* it has an effect on the perception of the information transferred). The effect of this influence can be attributed to: (a) the properties of the medium; (b) the characteristics of the relationship in which it is deployed; or (c) a combination of the two. The interaction between these properties creates a unique *mediated environment* in which communication occurs. This environment has its own unique characteristics that shape interaction, including norms and expectations of appropriate behaviour.

This chapter focuses prior research to establish how and by what mechanisms a medium's properties influence the transmission and interpretation of social information. It investigates how this influence alters the characteristics of the mediated environment and considers the relational impact of this alteration, *i.e.* the factors of communication that are significant when interlocutors form a relationship. Furthermore, it discusses the explanations that previous investigators have furnished to account for the operation of these mechanisms. Clarification of the various salient factors in the communication process, and the relationships between them, can be used to frame a course of research to identify and explain the impact of a medium on relational communication.

2.1.4 Fundamental issues when considering CMC research

There are a number of issues that need to be considered when explaining the relational impact of computer-mediated communication.

First, multiple perspectives can be taken on 'communication'. Communication can satisfy a variety of aims in a relationship, beyond simple information transfer.   These aims include reinforcement of social norms, experiences of otherness, or negotiation of meaning. Different aims result in a different position being taken on the purpose of relational communication (section 4). This thesis asserts that the use of different concepts of 'communication' is one reason for the variation in accounts of media effects and that addressing these differences is imperative in understanding what 'mediation' means in CMC.

Second, there is a multitude of ways in which a relationship can be conceived. Many theories of CMC describe communication as 'effective' if interlocutors are collaborating smoothly. Conflict, or other breakdowns in communication, are taken as an indication that communication is 'ineffective' and therefore having a negative relational impact. However, rather than simply view conflict as a negative aspect of relationships, it should be viewed as natural, inevitable and potentially beneficial to interlocutors, despite it normally being destructive.

Third, in a situation of interpersonal conflict, communication can assume added significance. Interlocutors may attribute greater meaning to some statements, or ignore others, shaping the relationship accordingly. They may also be interacting without full knowledge of their own and others' resources: it is unlikely that parties in conflict wish to expend resources to help others develop a fuller picture of their own resources. There may also be an asymmetry in the availability, awareness or interpretation of resources. This thesis contends that an investigation of communication behaviours in interpersonal conflict can provide a novel insight into the way that interlocutors make meaning in a relationship (section 5).

Finally, an additional way of conceiving of mediation, not considered by existing accounts of CMC, is 'conciliation'. Conciliation is a process of dispute resolution that involves the mediation of relational communication through a human conciliator. A conciliator becomes involved because they posses various skills (or 'properties') that those in dispute consider to be beneficial. Conciliators deploy these properties in reaction to their perception of changes to the relationship in which they are situated. Conceptualisation of the relationship becomes fluid; as the relationship alters, so too will the way that some of the properties of the medium are destroyed. This thesis argues that investigation of conciliation as another form of mediated communication can provide an additional test for theories of CMC (section 6).

These themes will be frequently referred to throughout the thesis as they represent potential gaps in the current understanding of mediation in CMC. To further this understanding, this thesis will: (1) evaluate existing theories of CMC to address the different perspectives on communication; (2) consider communication and

asymmetry in situations of conflict; and (3) investigate the impact of a medium on communication in the form of a conciliator in on- and off- line environments.

The following approach is undertaken to evaluate existing CMC research.   First, the relational impact of CMC is explored; outlining and assessing the impact of media effects on a relationship (section 2). Second, existing theories and approaches for explaining CMC are investigated; elucidating commonalities and differences in the way that communication, relationships and media properties are conceived (section 3). Third, different conceptualisations of communication are investigated and used to analyse and explain variations in existing theories of CMC (section 4). Fourth, an account of interpersonal conflict is offered and the implications of communication behaviours and relational states in conflict are described (section 5). Fifth, conciliation is outlined as a process for mediating communication between parties in conflict; the relational impact of conciliator skills (the properties of the medium) are described, alongside their role in creating a mediated environment (section 6). Finally, the implications of current research in these areas are discussed and used to frame a proposed course of research (sections 7 & 8).

2.2 Computer-Mediated Communication (CMC)

The term 'Computer-Mediated Communication' (or 'CMC') broadly refers to the interposition of digital technology into the process of interpersonal communication. Early theories of CMC conceptualised computer-mediation in terms of e-mail (Sproull and Kiesler 1986) (Daft and Lengel 1984; Daft and Lengel 1986; Daft, Lengel and Trevino 1987), telephonic communication and early video (Short, Williams and Christie 1976). As digital technology develops, the potential for communication to be mediated by computers has broadened to include environments such as near-synchronous text-based chat (*e.g.* Instant Messaging), augmented video, collaborative virtual-environments and photo-sharing. Current technological advances, such as scanners and the prevalence of Portable Document Files, alongside internet-supported telephony, lead to the conclusion that there are few forms of

communication that cannot potentially be computer-mediated. Technology is now integrated into our everyday work and social practices.

Clark & Brennan (1991) discuss media in terms of their constraints. Although they do not explicitly define what is meant by 'constraint', it is evident that a medium's characteristics exert an influence over the availability and appropriateness of various communication behaviours. Clarke and Brennan (*ibid pg 141*) argue that there are eight dimensions of constraint effected by different media's constraints. These are :

1) *copresence*: the ability to share the same environment;

2) *visibility*: the ability to see what the other is doing;

3) *audibility*: the ability to hear what the other is doing;

4) *cotemporality*: the ability for one party to receive information at roughly the same time that the other produces it;

5) *simultaneity*: the ability for all parties to send information at the same time;

6) *sequentiality*: turn-taking cannot get 'out of sequence'.

7) *reviewability*: messages remain viewable and do not fade.

8) *revisability*: the ability for parties to edit messages after sending.

A selection of their perceptions of the constraints associated with different media is presented in Table 1.

Medium	Constraints
Face-to-face	Copresence, visibility, audibility, cotemporality, simultaneity, sequentiality
Telephone	Audibility, cotemporality, simultaneity, sequentiality
Video-conferencing	Visibility, audibility, cotemporality, simultaneity, sequentiality
E-mail	Reviewability, revisability

TABLE 1: Media and their constraints (Clarke and Brennan 1991)

Some of these constraints are states, others seem to identify channels (*e.g.* visibility), others are communicative activities (*e.g.* revisability). These constraints are analogous to the term 'properties' used in this thesis. The term 'properties' is adopted, as the

term 'constraints' implies that these characteristics of the medium inhibit behaviours. This is not necessarily a valid assumption (see Walther 1996). The term 'properties' builds on Clarke and Brennan's term 'constraints': properties are treated as any characteristic of a medium that influences the communicative acts and/or interpretations of interlocutors.

Clarke and Brennan argue that these constraints have an impact on conversation by altering the costs of creating an utterance and identifying and instigating breakdown repair. It is evident that the properties of the medium alter the ability of parties to create and maintain a shared understanding; this is likely to have a relational impact. An investigation of the mechanisms by which conciliators manage to facilitate shared understanding in environments typified by the constraints presented in Table 1 can be used to develop a model that extends Clarke and Brennan's common ground to consider relational conflict.

Not only has the technological support of communication developed since the advent of computers, and since Clarke and Brennan proposed their set of media constraints, so too has peoples' experiences and expectations of CMC. As CMC becomes integrated into home and work-life, formal and informal strategies for use are continually developing. Examples include the rise in 'text-speak', or the use of emoticons.

These developments raise concerns about the value of direct comparison of theories of CMC. Early research investigates markedly different technology in a markedly different organisational and social context to that of later approaches. However, although direct comparison of theories may be misleading, it can nevertheless illuminate persistent claims and concerns about the impact of CMC on relationships. This can then be used to develop a conceptual framework with which further research can be assessed.

The presence of a technological medium in the communication process has been assumed to result in a qualitative difference to face-to-face communication and is expected to alter the way that parties create and maintain a shared understanding.

Section 2.1 provides an overview of findings from research into the impact of CMC on relationships.

2.2.1 Impact of CMC on relationships

There has been much investigation of the way that CMC impacts upon relationships. Findings diverge in accordance with the social and organisational context of use, as well as through varying conceptualisations of media properties and communication. However, there is consistency in the findings that CMC is qualitatively different to face-to-face communication.   This qualitative difference has been found to arise from the properties of the medium shaping: (a) the information; (b) the relationship; and (c) the environment. Research into the relational effect of CMC is examined in terms of social cues, socio-emotional expression, trust and conflict.

2.2.1.1 Social Cues

CMC research frequently conceptualises communication as involving the transfer of social information in the form of social cues. In general terms, a social cue is some action or behaviour that encodes social information that could be observed by another party. Problems with defining social cues arise from the ambiguity of the term 'social'. If 'social' is considered as an antithetical state to 'isolated', a cue is social if it informs one person about the transient state of another. Alternatively, 'social' can mean that a cue possesses a broader cultural meaning, greater than any semantic meaning. These meanings are not mutually-exclusive. Examples of social cues include non-verbal behaviours, such as grimaces or sighs, and status information, such as clothing or accent.

Broadly, social information is interpreted through interpersonal attitudes, such as liking or contempt, and social status, such as authority or social group membership. However, there is debate as to what constitutes a social cue. Social cues have been viewed as content that communicates information about the relationship (Walther 1992), or discrete and easily discerned information (Spears, Postmes, Lea and Wolbert 2002). However, Tanis and Lea (2003) argue that social cues have been insufficiently investigated to provide a standard definition.

There is further debate as to whether the medium filters-out these cues (Sproull and Kiesler 1986), (Short et al. 1976), (Daft and Lengel 1984; Daft and Lengel 1986); retards the transfer of cues (Walther and Burgoon 1992), (Walther 1994), (Ellison, Heino and Gibbs 2006), (Walther 2007); or reduces their intensity (Hancock and Dunham 2001), (Spears and Lea 1992).

Research that examines interaction at the level of social cues, has found that CMC restricts the transfer of cues, leading to: less warmth (Short et al. 1976); reduced ability to deal with uncertainty and ambiguity (Daft and Lengel 1986); an increase in uninhibited behaviour (Sproull and Kiesler 1986); increased intensity of attribution (Hancock and Dunham 2001); and more task-focused comments (Bordia 1997). These changes in the amount, rate or meaning of social cues leads to an altered relationship. Redundancy, attenuation or miscategorisation of meaning leads to parties failing to create or maintain a shared understanding. However, it is unclear whether this is due to the influence of the medium on the cues themselves, or the relational state created by the sum of the properties of the medium.

It is a consistent finding of CMC research that the properties of the medium exert an influence over the social cues that are transferred between interlocutors. This influence shapes the way that parties experience the relationship. The following section provides an overview of how this alteration might be experienced within the relationship. It begins by exploring findings that examine how CMC has been found to alter socio-emotional expression and trust; it then turns to the issues associated with relational conflict.

2.2.1.2 Socio-emotional expression

Socio-emotional expression can be viewed as the transmission of arrangements of cues as discussed in section 2.1.1. The ability to appropriately express emotions and respond to perceived expressions of emotions is another integral part of a relationship. Various gestures and phrases have social meaning. These assist interlocutors in developing a fuller understanding of each other's emotional state. Appropriate and valid conveyance of emotion engenders feelings of rapport and liking and help to strengthen a relationship (Starkey 1990).

Findings show mediated relationships to be: less socio-emotionally oriented; less inhibited (Joinson 2001); and less valued (Cummings, Butler and Kraut 2002). Conversely, CMC has been found to: encourage self-disclosure (Joinson 2001); allow greater control over self-presentation (Walther, Loh and Granka 2005), (Bargh, McKenna and Fitzsiimons 2002); and enhance or expand relationship networks (Spitzberg 2006).

These findings demonstrate that the use of CMC influences the way that interlocutors experience and are able to express emotions. This creates relationships in which certain topics may be avoided due to, or through a fear of, inappropriate emotional expression. Findings are unclear as to whether this is positive or negative for relationships. However, they clearly demonstrate qualitative differences from face-to-face communication in relationships, with consequences for the ability to create and maintain trust.

2.2.1.3 Trust

Trust is an integral part of a relationship (Lewis and Weigert 1985). Parties base actions and attitudes on expectations of behaviour. Malhotra (2004) argues that violations of expectations, especially if they result in an exploitation of vulnerability, are considered a breach of trust and may damage the relationship. However, displays of vulnerability that remain unexploited may strengthen a relationship.

Trust is constructed and experienced differently in distributed teams (Bos, Olson, Gergle, Olson and Wright 2002), (Olson and Olson 2000). Research shows that trust in others is reduced when parties do not perceive themselves to be co-located. This can result from a lack of personal information about the other party, or from the perception of a large social and geographical distance between parties (Jarvenpaa and Leidner 1999). The lack of social cues has been found to reduce presence and result in reduced trust (Valley, Moag and Bazerman 1998), fragile or delayed trust (Bos et al. 2002) or quickly formed trust (Jarvenpaa and Leidner 1999).

Findings from existing CMC research indicate that the properties of a medium alter the way that trust is experienced in the relationship. These different experiences of trust promote different behaviours. However, it is unclear whether the impact of the

medium directly reduces trust, or whether it promotes a relational state in which trust is reduced. In either case, the likelihood of parties coming into conflict is increased.

2.2.1.4 Conflict

Conflict is a natural and inevitable part of a relationship (Nicotera 1994). Experiences or expectations of conflict, alongside attitudes toward conflict, shape the way that communication occurs in a relationship (Winslade and Monk 2000). Fear of retribution can make interlocutors reluctant to express views, or indicate movement from an entrenched ideological position. Relationships in conflict may be characterised by hostility, stereotyping and 'poor' communication (Baruch-Bush and Folger 1994). This further complicates relational difficulties.

Computer-mediated communication (CMC) has been found to escalate conflict. It has been found to: promote less regulated emotional expression, or 'flaming', and greater polarisation of opinion (Maybry 1997); reduce normative pressures (Bordia 1997); be more prone to conflict escalation and risky behaviour (Thomson and Nadler 2002); and reduce interpersonal warmth, increase uninhibited behaviour, and result in more extreme attributions (Hancock and Dunham 2001). This leads to interpersonal communication quickly becoming hostile and aggressive. Parties become entrenched in their position – they are less willing to entertain alternative ideas, or consider new evidence. This entrenchment can further escalate the conflict (Thomson and Nadler 2002).

Changes in the expectation and experience of conflict have a significant impact on the relationship. Media properties have been found to shape the experience of conflict in relationships. This has led to CMC being considered as unsuitable for communication during conflict, or for relationships that have the propensity for conflict.

2.2.1.5 Explaining relational conflict in mediated communication

The relational impact of CMC alters the way that interlocutors are able to arrange and transmit social information in the form of social cues. There is consistency in the findings from CMC research that the absence of certain cues may reduce or strengthen trust, conflict and emotional expression. To-date however, research has not directly addressed the underlying principles that explain the qualitative differences

between relational communication in a CMC and face-to-face environment. One reason for this is that communication draws on information from a variety of sources within the relationship. These sources can be defined as constituting the context in which communication occurs. The creation of a shared understanding in a CMC environment not only requires the sharing of contextual information, but the presence of the medium itself alters the context.

The term 'context' is a useful label to describe the broad range of factors that can be said to exert, or potentially exert, an influence over the way that relational communication occurs. However, the term itself is too abstract to provide meaningful guidance on the constitution and impact of specific informational sources in a relationship. Section 2.2 outlines research that has sought to clarify what constitutes 'context' in mediated communication.

2.2.2 'Context' in mediated communication

The diversity in the findings from CMC literature is highlighted in section 2.1. It is evident that task, participants, media and experience all have a role in shaping interlocutors' relationships. The impact of the medium therefore depends on the relationship between its properties and the context of use. There is a body of research in CMC that attempts to define what is meant by the context of CMC research.

Spitzberg (2000) argues that context can be conceptualised in at least five dimensions: 1) culture; 2) relationship; 3) time; 4) place; and 5) function.   Each of these dimensions can be different for each actor and each interaction. The creation of a shared understanding requires an awareness of the salience of some or all of these characteristics. The properties of the medium used for communication influences the way that information about these characteristics are manifest.

The relational impact of media properties (see Table 1) can be attributed to their interaction with contextual variables. These can be grouped into three broad headings: 1) experience of distance; 2) experience of time-course; and 3) experience of community (Table 2).

Experience of distance	Experience of time-course	Experience of community
Geographical distance (Jarvenpaa and Leidner 1999)	Anticipation of future interaction (Walther 1994)	Awareness of situational variables *e.g.* sex/race/age (Sproull and Kiesler 1986)
Perception of geographical difference (Bradner and Mark 2002)	Perceived persistence of the relationship (Jarvenpaa and Leidner 1999)	Motivation and goals underlying interaction (Walther et al. 2005)
Distance of organisational power or status (Flores, Graves, Hartfield and Winograd 1988)		Integration and experience with other communication media (Baym, Zhang and Lin 2004)
		Degree of shared or divergent culture (Jarvenpaa and Leidner 1999)

TABLE 2: Impact of CMC on dimensions of context.

This diversity of findings displayed in Table 2 demonstrates that the properties of a medium influence the significance and status of any number of these context variables. This is in addition to the unique context variables that the medium itself brings to the interaction; making it difficult to provide a consistent account of CMC. It can be seen that relational communication is influenced by (and in turn influences): a) context variables present in relationships; b) the perception of these variables; c) the degree to which the properties of the medium are perceived to alter the status of these variables; and d) the properties of the medium itself.

2.2.3 Implications of CMC research for relational communication

The above findings demonstrate that the presence of mediating artefacts exerts an influence on relationships. The properties of the computer medium engender an environment that is qualitatively different to a face-to-face setting. The alteration of social cues means that there is a greater propensity for misunderstanding; social information is attenuated, or unintended social information is introduced. In turn, this affects the expression of emotion, development of trust and attitudes to conflict.

Research shows that this effect can be attributed to the properties of the medium and their interaction with the context of the relationship. This makes it difficult to theorise about the reasons behind the relational impact. A number of variables may exert an influence over the way that the relationship evolves. Section 3 outlines attempts to provide an account of the mechanisms behind the impact of CMC on relationships.

2.3 Theoretical accounts of Computer-Mediated Communication

Accounts of CMC have attempted to explain the impact that mediating digital technology has on the process of communication. These accounts are frequently categorised according to the importance that they attribute to the medium as the agent for altering communication. Categorisations of CMC accounts tend to be dichotomous, grouping accounts according to whether they focus on the 'cues filtered-out' aspect of CMC (Culnan and Markus 1987), as opposed to taking a 'relational' focus (Walther 1992). Alternative labels for these accounts are 'technological-' versus 'social-' determinism (Spears and Lea 1992). These differing accounts are discussed below.

2.3.1 'Cues filtered-out' accounts of CMC

Early accounts of CMC effects are often referred to as 'cues filtered-out' models (Culnan and Markus 1987). These focus on differences in the capacity of mediating technologies to carry social information in the form of social cues. Social Presence (Short et al. 1976), argues that the properties of the medium lead to a reduction in presence. Media Richness (Daft and Lengel 1984) asserts that attenuation of social cues may lead to misunderstanding. Reduced Social Cues (Sproull and Kiesler 1986) asserts that this attenuation leads to inappropriate behaviour. However, despite the accounts failing to explicitly define what is meant by a social cue, it is implied that these are distinct semantic packages through which social information is transmitted. These accounts are considered in sections 3.1.1 – 3.1.3.

2.3.1.1 Social Presence

Social Presence theory (Short et al. 1976) argues that the imposition of technology into the communication process alters the sense of 'presence' that interlocutors are able to engender. Social Presence is a subjective quality of the communication medium, which alters the salience of interpersonal relations in communication. A medium can engender social presence through its use and the fact of its selection from among available alternatives (Watts, Nugroho and Lea 2000).

In Social Presence theory, the goals of the interlocutor are integral in shaping the salience of the properties of the medium and their subsequent impact upon the relationship. Meaning is shaped by the selection of media from alternatives and the impact of the medium upon the relationship.

For Short, Williams and Christie, communication consists of sets of cues which facilitate the communication of interpersonal attitudes in a task context. Although it is not made clear in their argument, it can be inferred that cues augment more formally arranged communication, namely spoken or written language. According to Short, Williams and Christie, a reduction in cues leads to more attention being focussed on the remaining available cues. These cues are not invariant, but are interchangeable, providing a general meaning from their relationship to one another, rather than their meaning being inherent.

2.3.1.2 Media Richness

Daft and Lengel (1984; 1986) developed the notion of 'media richness' to rate the effectiveness of a medium to convey human communication. They describe richness as a function of: a) the ability of a medium to transmit social cues; b) the immediacy of any feedback; c) the use of natural language; and d) the personal focus of the medium. They define 'richness' as:

> *"The ability of information to change understanding within a time interval. Communication transactions that can overcome different frames of reference or clarify ambiguous issues to change understanding in a timely manner are considered rich. . . In a sense, richness pertains to the learning capacity of a communication."* (Daft and Lengel 1984, pg. 560).

For Daft and Lengel, cues arranged to form data that is complex, or simple. Complex data is ambiguous or equivocal, many potential meanings can be drawn from it. The more cues that are transmitted, the easier it is to understand the intended meaning of the data. Complex data is likely to be interpreted in an environment of uncertainty. To be able to adequately divest the intended meaning from the data they receive, the interpreter requires more information. Conversely, simple data is likely to be unequivocal and interpreted in an environment of low uncertainty. Therefore, argue Daft and Lengel, efficient communication can be achieved by accurately selecting a medium that matches its carrying capacity (in terms of cues able to be carried), with the uncertainty and equivocality of the data that is being transmitted. If 'richness' is too low, then it is unlikely that sufficient cues will be transmitted, increasing the propensity for misunderstanding. If the medium selected is too high in 'richness' then too many cues will be transmitted, making the communication inefficient and allow misunderstanding to occur.

In Media Richness, the properties of the medium shape understanding by attenuating either information or redundancy. Relationships are affected in accordance with the degree to which they are characterised by uncertainty and equivocality.

2.3.1.3 Reduced Social Cues

Sproull and Keisler (1986) proposed a Reduced Social Cues account for the impact of CMC. They posited that social context cues are integral in conveying meaning in communication. The organisational and social norms of communication influence the appropriateness of the cues that are transmitted between interlocutors. These cues are dynamic (*i.e.* non-verbal behaviour, changing over the course of an interaction) or static (*i.e.* appearance and artefacts and are therefore persistent through an interaction). The strength of these social context cues varies. Although Sproull and Keisler neglect to describe what is meant by the 'strength' of cues, it can be inferred that 'stronger' cues are those which are more robust when confronted with an attenuating medium, or one which introduces noise to an interaction.

The Reduced Social Cues model contends that the use of CMC (operationalised as e-mail in an organisational context) attenuates or even eliminates many weak social context cues, particularly non-verbal, dynamic cues. This attenuation promotes less socially-desirable responses and has a deregulating effect on communication. Attenuation of normative influence, reduction of concerns about peer evaluation, frustration and disinhibition caused by the slowness and inefficiency of the message exchange results in inhibition, anti-social behaviour, polarisation and extreme decision making.

In the Reduced Social Cues model, the relationship is categorised by a reduction in contextual variables present in the interaction. The properties of the medium result in salient information becoming skewed or omitted. In turn this alters interpersonal behaviours.

2.3.2 Implications of cues filtered-out models

These accounts conceive of CMC as attenuating the social cues used by interlocutors to create meaning. There are a number of assumptions implicit in these models. The first is that the main function of communication is information transfer. The second is that the presence of mediating technology facilitates this transfer by attenuating distances of space and time. A final assumption is that the properties of the medium

attenuate the transfer of information. Therefore, cues filtered-out models argue that, as face-to-face interaction is the method by which the most information can be communicated, mediation makes communication less effective: less information is transmitted. However, whether this attenuation is detrimental to the relationship, or merely a property of the interaction, depends upon the context of the communication and the goals of the communicators.

These accounts can be criticised for a variety of reasons. The first is that they fail to account for learning strategies between interlocutors. These learning strategies may be applicable to the medium, the relationship, or a combination of the two. As communicators become more familiar with each other and the medium, they may develop methods for presenting information that overcomes any attenuating effect of the medium. A second criticism is that they ignore the wider relational or social context in which communication is occurring. The reduction in information transfer may be beneficial in certain circumstances, or may have a greater shared meaning than the information omitted. A third criticism is that information is not necessarily attenuated, but may simply be retarded by the medium. Interlocutors may develop coping strategies to overcome and even benefit from the changed rate of cue transference.

These criticisms are raised and addressed by more recent accounts of CMC which consider the wider relational and social context of communication. These are as discussed in section 3.3.

2.3.3 Social accounts of Computer-Mediated Communication

Social accounts give greater consideration to the context in which communication occurs. Social approaches focus on the impact of the medium as one factor among others that shapes communication. Wider contextual variables, present in the relationship, are also taken into account. Examples of these context variables include: shared history, goals, expectations, experience, or expertise. This section outlines a selection of 'social' accounts of CMC.

2.3.3.1 The Social Identity Deindividuation Effects Model (SIDE)

The Social Identity Deindividuation Effects Model (SIDE) (Spears and Lea 1992; Spears, Lea and Postmes 2000) argues that the reduction of interpersonal social cues in CMC results in an increased salience of group norms and identities. This is referred to as deindividuation: individual identity and accountability reduces and group identification becomes more salient in the definition of self. Spears, Lea and Postmes (2002) report that there are two dimensions to the SIDE model. The first is self categorisation (the cognitive dimension); the second is self-expression (the strategic dimension). The cognitive dimension results in a greater experience of deindividuation; the strategic dimension changes the ability of parties to moderate behaviour to manage the way that they are perceived. The reduction in salience of relational social information alters how one conceives of oneself in a relationship and how this self concept is presented.

Deindividuation may not simply occur to a member of a group, but the construction and definition of identity in terms of the salient group identity may affect the perception of 'other'.   The perception of one's own relationship or positioning to the other interlocutor's ascribed identity affects the basis of the communication. In turn, this affects how communication with the other is observed and perceived.   However, Bordia (1997) reports confusion in the literature as to what constitutes deindividuation, finding definitions that include 'lack of public awareness' (Matheson and Zanna 1988). 'less socially-desirable responses' (Sproull and Kiesler 1986) or just 'going along with the group' (Hilz, Turoff and Johnson 1989)

In acknowledging the important role that group identity cues play in creating meaning and identity, the SIDE model is able to give an account of the role that the wider relational context plays. For the SIDE model the properties of the medium are not the solely determining factor in the differences between face-to-face communication and CMC, the interaction between the properties of the medium and wider group and relational cues are also significant. The SIDE model indicates that the wider social context in which the relationship is formed and perpetuated is also a significant determinant of the nature and effect of CMC.

2.3.3.2 Social Information Processing and Hyperpersonal Communication

The Social Information Processing (SIP) model (Walther 1992) contends that in CMC the same social information can be expressed in textual form as in face-to-face communication, it is simply that '*information takes longer to accumulate in CMC* ' (Walther 1992 pg 72). For Walther, the purpose of communication is to derive psychological-level knowledge of the other. Interlocutors are still able to mange relational change and encode relational messages in a CMC environment. However, cues received are simply made to 'work harder' to account for the attrition in the rate of information transfer. This leads to interlocutors developing strategies to accommodate this altered rate of transfer, such as typographic manipulation and intentional misspelling.

Walther and Parks (2002) extend this notion of SIP, to give an account of instances of increased liking and intimacy in an environment of attenuated information exchange, such as that typified by CMC. They contend that interlocutors' skill at accommodating the reduction in cues allows them to selectively self-present, resulting in the portrayal of an idealised version of self. In the absence of other cues, co-communicators respond to this idealised version (often with their own idealised version), reinforcing this preferred view of oneself. Walther , Boos and Jonas (2002) label this phenomenon '*hyperpersonal* communication', in which the retardation of social information allows communicators to interact with selective representations of each other. This echoes findings by Hancock and Dunham (2001) who found that partners using CMC made less, but more intense, attributions about others' behaviour, than in a face-to-face setting.

These accounts suggest that the impact of CMC is significant only in terms of the goals of the relationship. Communicators still have the same psychological and interaction needs as they would in a face-to-face environment. The retardation of information does not obviate these needs, but instead promotes the development of strategies for reconsidering the social information received. Competence in recognising and utilising the properties of the medium can lead to selective self-presentation and reinforcement of that selected self.

2.3.3.3 The Interactivity Principle

Burgoon, Bonito, Ramirez, Dunbar, Kam and Fisher (2002) outline the Interactivity Principle of CMC. They argue that communication, within any medium, revolves around the simultaneous transfer of information through a variety of channels. Interlocutors have their own experience of each of these channels and of various combinations of channels. Communication processes and outcomes vary according to the degree of 'interactivity' that can be experienced through these channels. Interactivity is the relationship between channel affordances and the dynamic experience of these channels: the greater the ease of communication through a channel, the more interactive that channel is perceived to be. The use of a medium alters the channel affordances available for communication and the expectations of these channels. This impact on affordances and expectations differs for all interlocutors.

The Interactivity Principle gives consideration to interlocutors' on-going experiences of the medium and the expectations that they bring to any interaction. It contends that the experience of a medium's properties differs between interlocutors, and is one of many factors that shape communication. The relationship is shaped by contextual variables and the inherent properties of the medium. This interaction is perceived or experienced differently for each actor in the relationship. This results in a mismatch between observation and expectation of relationally-appropriate behaviour.

2.3.4 Implications of 'social accounts' of Computer-Mediated Communication

The social accounts of CMC described above conceive of the influence of a medium in terms of the relationship in which it is situated. These accounts are consistent in giving consideration to the influence that relational norms have over the way that the properties of a medium shape interaction. However, there is a degree of divergence in the way that these accounts describe the medium.

Both the SIDE and SIP models conceive of the medium as retarding or reducing the transfer of social information, which alters the salience of other cues present.

Alternatively, the Interactivity Principle conceives of the impact of the medium as a subjective experience of the various communication channels. Although it does not take a position as to whether this limits transfer of information, it is implied that a medium generally restricts interactivity in interaction.

These approaches demonstrate that communication can be viewed as more than the simple transfer of socially-salient information between interlocutors. At the level of the utterance, they suggest that noise in the communication signal arises from communicators' experiences of each other and the medium, or the situational context of the communication, rather than being an inherent property of the medium itself. What is significant in these models, is that they relinquish the assumption that CMC is an impoverished version of face-to-face communication. The *hyperpersonal* approach and the Interactivity Principle both offer examples of the way that the relational context of an interaction allows the properties of the medium to be used to generate richer and more 'positive' behaviours.

2.3.5 Discussing accounts of CMC

The above models demonstrate that there are a variety of ways of conceptualising the relational impact of mediated communication. Early approaches describe the properties of the medium as having an inherent reductive impact on information transfer, thus rendering CMC an impoverished version of face-to-face communication. Later accounts give consideration to the way that the impact of the medium can be mitigated or utilised by communicators, with reference to the broader social context. However there are a number of consistent findings in the accounts that can be used to frame further research into mediated-communication.

First, all accounts suggest that communication revolves around the transfer of information between interlocutors. This is transmitted in the form of social cues. These social cues may be inherent in the message (as in the cues filtered-out approaches) or may be interpreted according to the situational context of communication (as posited by the social accounts). The role of the medium in this process may simply be as a conduit for the information (in cues filtered-out accounts),

or may itself introduce meaning into the interaction (as in the social approaches). The way that the relationship is created and maintained is determined by interlocutors' experience and interpretation of these cues. The properties of the medium alter this experience and/or interpretation.

Second, communication relationships are pre-defined. Changes in relational states are assumed to arise directly from the communication that occurs, rather than owing to external, environmental factors. This means that a medium's impact is measured against a static conception of the relationship, rather than acknowledging longitudinal relational change that is independent of mediated communication.

The consistencies between these approaches show that relational communication requires interlocutors to be able to observe each other and derive cues from their observations that are used to transfer information. However, they diverge in the way that they explain the role of social cues in meaning-making, and the role that the medium plays in shaping this process.

Different conceptions of meaning-making have an impact on the way that the effect of CMC is described. Each of the accounts of CMC adopts a different view on the role of communication. These definitions determine what constitutes successful or appropriate communication; what constitutes unsuccessful or inappropriate communication; and how the relational impact of CMC is described. Section 4 investigates the various conceptions of communication in CMC and proposes that many of the differences in the explanations of CMC arise from the accounts adopting different conceptions.

2.4 What is 'communication' in accounts of Computer-Mediated Communication?

Research finding on the relational impact of CMC and the various accounts of CMC used to explain this effect were discussed in section 3. Differences between these

accounts determine which media effects are perceived to result from the properties of the medium, the properties of the relationship, or a combination of the two. However, as section 3 implies, different accounts of computer-mediated communication offer different conceptualisations of 'communication'. This necessarily leads to differences in the assessment and explanation of media effects in relational communication.

The following section uses a meta-model of communication theories (Craig 1999), as a lens for analysing variations in accounts of CMC. This demonstrates the divergence in conceptualisation of communication in CMC.

2.4.1 Craig's meta-model of communication

Craig (1999) identifies seven different types of communication theory and presents them in a constitutive meta-model: 1) cybernetic; 2) socio-psychological; 3) phenomenological; 4) rhetorical; 5) semiotic; 6) socio-cultural; and 7) critical. Each of these theories differ in the approach used to describe various aspects of the communication process and result in different practical orientations to communication (Craig 1999, pg 124). These theories essentially describe the same phenomenon, but privilege different aspects, such as the purpose of communication; the way that meaning is constructed; or how and why breakdowns in communication occur.

Theories of CMC must either implicitly or explicitly take a position on communication; assumptions are thereby made about the salient factors of communication affected by the introduction of computer mediation. These assumptions can be described using existing theories of communication as outlined by Craig. As each of these theories of communication offer different views of the same phenomenon, it follows that these models of CMC are not necessarily incompatible, but privilege different interpretations of the same phenomenon.

Five salient theories and their attendant assumptions are discussed below in terms of the accounts of CMC outlined in sections 3.2 and 3.3. Socio-cultural and critical accounts of communication are omitted as they operate at a level that supersedes

relationships. Socio-cultural theories explore the role of communication in reproducing social-order; critical theories explore communication as a reaction to social processes and institutions.

2.4.1.1 Cybernetic

Cybernetic approaches (*e.g.* Shannon and Weaver 1964) view communication as successful information transfer and processing.   Inappropriate signal-noise ratios, or information overload, lead to misunderstandings or breakdowns between communicators. These are attributed to a redundancy or paucity of salient and identifiable cues, resulting in inappropriate inference and/or misunderstanding. The presence of a medium attenuates, exaggerates or duplicates informational cues during information transfer and processing.

This model is congruent with earlier models of CMC theory, namely Reduced Social Cues and Media Richness. The Reduced Social Cues account suggests that CMC attenuates the transmission of social context cues that give interaction/communication more nuanced meaning. Without this extra information, interlocutors' understanding of each other is incomplete. Therefore the use of CMC results in less information being transmitted, reducing the effectiveness of communication.

Similarly, Media Richness focuses on the signal-noise ratio of information transfer. Media Richness is predicated upon the assumption that media exist upon a continuum of richness, (richness being conceived of as the information carrying capacity of a medium). Successful communication arises from successfully matching the carrying-capacity of a medium to the uncertainty and equivocality of the message. Mismatch results in inefficient communication or misunderstanding. For these models, communication is conceived as a transfer of information to a sufficient threshold for developing a shared understanding. The role of the medium to retard or attenuate this transfer.

Cybernetic models of CMC view the properties of the medium as exerting an influence on the information transferred. Relationships that use CMC are altered in accordance with the degree to which they can accommodate this distortion of social information.

2.4.1.2 Socio-psychological

In socio-psychological approaches (Berger and Chaffee 1987) communication is conceived as the process by which expression, interaction and influence occur. Communication arises in situations which call for the effective manipulation of the causes of behaviour, in order to produce objectively defined and measured outcomes. Breakdowns occur when it is difficult for interlocutors to attribute influence, expression or outcome to specific outcomes. The impact of a medium is to distort the relationship between the cause and effect of observed behaviours. This introduces uncertainty into communication and potentially reduces understanding.

Both the SIDE and Social Presence accounts conceptualise communication in this fashion. Social Presence asserts that a medium is chosen over others because of its ability to generate a sufficient level of presence for the interaction. This level of sufficiency is assessed by evaluations of requisite 'warmth', 'personableness' or other methods of expression. Media that are low in their ability to generate these feelings are unlikely to be chosen from alternatives should a high degree of social presence be required. The distorting aspect of CMC arises from the appropriateness of the socio-psychological distance that the medium imposes between interlocutors.

The SIDE model attributes the effects of CMC to the attenuation of cues resulting in a deindividuation of self and/or of the other. CMC inhibits the creation of interpersonal norms, increasing the salience of group norms. This mean that interlocutors are able to hide behind group identity, and/or view the other in less personal terms, promoting less regulated behaviour. Changes in the socio-psychological experience of the other, in relation to the group, alters the way that interlocutors communicate. The presence of a medium distorts individuals' experience of these norms.

For socio-psychological models, relationships that utilise CMC are distorted in accordance with the way that the properties of the medium shape the effective manipulation of behaviours, or evaluations of outcomes. The distorting impact of CMC stems from the alteration of relationships between socio-psychological cues.

2.4.1.3 Phenomenological

Phenomenological approaches to communication (Pilotta and Mickunas 1990), (Baxter 2006) conceptualise communication as the experience and recognition of a dialogue of 'otherness'. Understanding arises through appreciation of the relationship between self and other. Shared understanding helps interlocutors to maintain this dialogue, perpetuating communication. The aim of communication is to understand the world-view and experiences of the other. The impact of any medium is to distort the strategies that the interlocutors use to develop and maintain a shared understanding. Breakdowns occur when it becomes impossible to maintain an 'authentic human relationship'.

Walther's Social Information Processing model conceives of communication in a similar way. The impact of CMC is described as retarding the transfer of social information. Therefore, interlocutors communicating through CMC attribute greater meaning to the information they do receive. They make it 'work harder'. In addition, they develop relationally-salient strategies for accommodating these changes. These strategies allow interlocutors to infer a greater understanding of each other's situation; there is a richer experience of 'otherness'.

A phenomenological view of CMC contends that media properties serve to exaggerate or attenuate certain aspects of the other. Relationships that use CMC are shaped by a distortion of the representation of self and other and require the adoption of strategies to accommodate this distortion.

2.4.1.4 Rhetorical

Rhetorical models of communication conceptualise communication as the practiced application of persuasive discourse. These models view communication as a skill that can be improved either with practice or with reflection. Communicators select and refine the information that they wish to present to the other. Where selection of information is possible, this is undertaken with a view to presenting a preferred argument or image. Meaning from mediated information is shaped by the degree to which interlocutors can use media properties to construct and present their preferred discourse.

This has parallels with Walther's Hyperpersonal model. The anticipated reduction in information enables interlocutors to selectively 'self-present'; privileging positive personality traits. This allows each actor to present an idealised version of their self, contributing to an increased intimacy. As rhetorical models suggest, selective self-presentation in CMC can occur within a message (through revision prior to sending), or over time (by reflecting on reaction) and is a skill that can be improved with practice. In the Hyperpersonal model, communication is a process by which convincingly intimate relationships are created, maintained and realised. The properties of medium are deployed to assist in this.

For rhetorical models, the impact of the properties of a medium are to facilitate the distortion of a relationship in accordance with their ability to facilitate selective and persuasive self-presentation. Skill and experience with the medium and the relationship determine the effectiveness of communication.

2.4.1.5 Semiotic

Semiotic models view communication as the inter-subjective mediation of information through signs. Communication meaning is objectively- or publicly-indeterminate and requires an inter-subjective shared meaning of some kind. The channels used to communicate each posses their own associated meaning that in turn affects the way that interlocutors construct meaning. Mediated information, according to the semiotic model, is distorted by: the interaction between the channels; interlocutors' experiences of the channels; and experience of the relationship. Breakdown occurs when interlocutors are unable to accommodate each other's subjective viewpoints.

Burgoon's Interactivity Principle makes similar arguments. It argues that communication occurs through a variety of channels. Interlocutors have their own experiences and associations of these channels and the relationships between combinations of the channels. The use of CMC alters these channels in various ways. This not only alters interlocutors' perception of the information they receive, but also their perception of the channels themselves. For the Interactivity Perspective,

meaning in communication is not only created by the transfer of the intended message, but also by the medium deployed.

Semiotic models of CMC give consideration to the meaning that individual media properties assume in the relationship. Relationships that use CMC are shaped by attitudes to, and affordances of, both these properties and the relationship.

2.4.2 Implications for CMC

It is evident that the presence of a medium alters the way that communication occurs between interlocutors. The varying conceptualisations of communication represent alternative bases for explaining this change. However, what is consistent, irrespective of the model of communication being deployed, is that the medium has a qualitative impact upon the information transferred. It is the source, meaning and implication of that impact that varies across various conceptualisations of communication.

By mapping accounts of CMC to a selection of the communication theories presented in Craig's meta-model of communication, a major factor in the explanation of the differences between the models becomes apparent: CMC models vary in how they conceptualise 'communication'. This variation in conceptualisation of communication promotes differing accounts of the relational impact of a medium in the communication process. Media properties vary in their salience, as does the impact of these properties, *e.g.* those theories of CMC that conceptualise communication in a cybernetic fashion focus on the attenuating properties of the medium, those that use a semiotic approach give greater credence to the shared social meanings inherent in the use of various media properties. Thus, the various definitions of communication necessarily shape the way that a medium is conceived, both in terms of its properties and the impact of these properties.

One approach for providing an account of the relational impact of mediation, is to take a position on one of the conceptualisations outlined above. The salient properties of the medium can be defined and their impact accounted for. This gives the account a narrow, but detailed descriptive scope. However, it would fail to provide an account

for those properties of the medium that are not considered salient in the chosen conceptualisation of communication, thus allowing valid criticism for this. It would also be difficult to distinguish this account, from other theories of CMC that conceptualise communication in a similar fashion.

An alternative approach is to consider all of the above conceptualisations of communication as different facets of the same phenomenon. Developing an account of the relational impact of mediated communication that can accommodate all of the above conceptualisations of communication would not necessarily privilege one stance over another. Instead it would provide a method for integrating the various functions that communication serves. There is benefit to integrating of the types of communication theory presented above and then using this to consider mediated interaction. This thesis will proceed on an integrative basis in an attempt to avoid selectively adopting a subset of assumptions about the fundamental processes of communication.

Before evaluating existing research on conciliation and conflict, it is necessary to explore two further concepts salient to communication: 'common ground' and 'narrative'. These offer important insights into the creation and maintenance of shared understanding and are not explicitly addressed in Craig's meta-model. Common Ground (Clarke and Brennan 1991) explores how understanding is created and maintained through interlocutors' joint action at the utterance level (section 4.3). The concept of narrative offers an explanatory framework for individuals' meaning-making processes (section 4.4).

2.4.3 Common Ground

The concept of breakdowns draws on work undertaken by Clark (1996) and Clark and Brennan (1991). It indicates that interlocutors must co-ordinate their communication by establishing common ground. Clarke and Brennan (1991) claim that: *'All collective actions are built on common ground and its accumulation'* (p127). They also claim that common ground is shaped by the purpose and medium of the communication. Common ground is created when each interlocutor has established

that all interlocutors have sufficiently understood that they are referring to the same topics and issues. This is achieved by each interlocutor attempting to demonstrate their understanding to the others. A conversation (or any communicative exchange) requires all interlocutors to demonstrate that they understand, or share, the frame of reference to a degree sufficient for interpreting the utterance in the way the utterer intended. The utterer needs to be able to recognise that the receiver has understood and demonstrate this to the receiver. This model requires that the receiver must then indicate that they have understood that the utterer understands that they understand, leading to the potential for infinite regression. In reality there is some mutually agreed, or implicit, 'cut-off-point'. The degree to which each interlocutor needs to demonstrate that they have understood the other's utterance is called the 'grounding criterion' and can be defined as:

> *'The contributor and his or her partners mutually believe that the*
> *partners have understood what the contributor meant to a criterion*
> *sufficient for current purposes.'* (Clarke & Brennan 1991, p124).

For Clarke and Brennan, shared communication is established through a process of presentation and acceptance. For acceptance to happen there must be an utterance; the receiver must notice that there has been an utterance; they must have received the utterance correctly; and must have understood what the presenter meant by the utterance. If any of these stages are not performed correctly or misconstrued then it is possible that the communication will breakdown.   Without the use of paralanguage, it is difficult for interlocutors to be sure that the grounding criterion has been met. Therefore, CMC may increase the potential for breakdown, further exacerbating conflict.

A grounding criterion is often sought as evidence of understanding rather than misunderstanding.   Face-to-face conversation will be peppered with 'back-channels', *e.g.* utterances such as *'uh-huh', 'hmm', 'yeah'*, nods or other minuscule but semantically significant gestures, *e.g.* held eye-gaze.

Milewski and Smith(1997) argue that a shared communicative environment renders talk comprehensible. In a context or environment of conflict, normative behaviours

and expectations of all interlocutors will be different from one of co-operation. Breakdowns, attempts at repair, impasse and resolution are all indicators of how the conversation is progressing. These breakdowns can be seen as the costs of grounding.

Clarke and Brennan (1991) outline a number of factors that increase the cost of grounding. CMC incurs higher costs of grounding in many areas, making the repair of any breakdown more expensive and time-consuming than face-to-face communication. This can exacerbate problems in conflict resolution, where trust is already low. The social situation of conflict may render the discussion comprehensible in the terms of conflict, but this situation is unlikely to encourage repairs in breakdown; neither interlocutor will wish to expend effort repairing a breakdown with a interlocutor they perceive themselves to be in competition with. Conciliation may construct a shared social situation that renders communication comprehensible in a more productive manner. Breakdowns are likely to occur between the conciliator and a interlocutor, rather than between those in conflict. In these circumstances all concerned interlocutors are likely to have incentive to repair breakdowns and share a strong common ground shaped entirely in terms of the conflict.

Clarke & Brennan (1991) discuss the principle of least collaborative effort: all interlocutors in a conversation will attempt to repair any breakdowns by minimising the collaborative cost of repair. This may hold true if both interlocutors are working towards the same aim, but an atmosphere of conflict may skew this. Each interlocutor may be less inclined to repair the conversation with a interlocutor with which they are in competition. Krauss(1991) claims that prior expectations shape the elicitation and interpretation of feedback. Again, in a context of conflict, the expectations each interlocutor has will differ from a co-operative context, affecting the development of a referential identity.

Common Ground provides a way of framing the creation and maintenance of a shared understanding between interlocutors. It offers an explanation of the process of information exchange at the utterance level and suggests what may constitute thresholds for, or barriers to, continued inter-subjective understanding. Section 4.4

explores how individuals use narrative frameworks to make sense of this
understanding, in terms of their own experiences and goals.

2.4.4 Narrative in communication

Narratives provide individuals with sense-making mechanisms (McNeil 1996).
Events which are routine or frequent, are retold many times by an individual,
eventually coming to form part of a coherent narrative. This enables the individual to
create schemas (a narrative template) that assist the individual to permute, explain and
modify phenomena, prior to acting (McNeil *ibid*). Subsequent events that conform
closely to this narrative, are described in the terms of this narrative, potentially being
altered, or re-interpreted to conform more closely to this narrative structure
(Winslade, Monk and Cotter 1998; Winslade and Monk 2000). Attenuation or
exaggeration of information leads to inference in the narrative structures, that may
result in inappropriate narrative schemas being utilised.

Narrative is a method by which an individual can interpret a phenomenon,
conforming it to an existing explanation. Wertsch (1991) argues that this is a process
by which phenomena are given meaning.   Phenomena are mediated by narrative to
form meaningful events. The media, the relationship and the wider social setting all
factor into an individual's interpretation of information.

However, not all explanatory narratives are equally as salient, some may be privileged
(Wertsch 1991; Harre and Gillet 1994). These are those narratives most likely to be
selected by those interacting in the social space. There may be other coherent
narratives available to interlocutors, but interlocutors may not be aware of these as
appropriate. The context of interaction, privileges certain behaviours over others, and
the ability of interlocutors to identify alternative explanations. Once interlocutors are
interacting in accordance with certain narratives, it becomes difficult for them to alter
the narrative. Certain behaviours are now privileged, others are limited. Once
various narrative schemas have been activated by the experience of mediated
information, various behaviours, and explanations of behaviours, become more
appropriate.

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This can be used to explain the relational impact of CMC. It is not simply the presence of the medium and the attendant affect on information transfer that alters behaviour, but it is the context of interaction that shapes behaviour. Other relational and social factors shape the narratives that interlocutors use to create meaning and privilege certain modes of behaviour. Thus a model of communication that acknowledges the role of narratives as meaning-making structures that shape interlocutors' experiences of mediated interaction can provide an account that does not privilege one conceptualisation of communication over another. All can be accommodated in model that incorporates narrative structures. These are yet to be explicitly addressed in accounts of CMC.

2.4.5 Considering 'communication' in CMC

Section 4 has made a case that differences in accounts of CMC stem from different conceptions of communication. The various accounts have been mapped to different theories of communication as presented in Craig's meta-model. This has demonstrated that accounts of CMC describe the same phenomenon, differences arise from changes in the salience of various aspects of communication. This section goes on to explore how communication, as an act of meaning making, occurs at the level of the utterance and at the narrative level.

It can be seen from the research discussed in this section that communication revolves around the transmission, recognition and interpretation of salient information between interlocutors (cybernetic models). This is motivated by a number of factors, such as need for understanding (phenomenological models), or a desire to persuade other parties (rhetorical models). It involves the creation of inter-subjective meaning (semiotic models), from information which enables interlocutors to exert an influence over the behaviour of others (socio-psychological models). The presence of a medium has been found to alter these processes in a variety of ways (section 3).

However, the accounts of CMC and communication (presented in sections 3 and 4 respectively) tend to assume that parties have similar goals and aims. In section 1.4 it

was argued that an exploration of relational conflict may provide a novel test for accounts of mediated communication, as it explicitly addresses competing goals and asymmetrical resources. Section 5 investigates the findings of current research into interpersonal conflict.

2.5 Interpersonal conflict

Conflict is generally perceived as a communication failure. It is assumed that poor communication leads to conflict. This assumption is reinforced by findings from CMC research that suggest that reduced richness or retarded cue transfer promotes less regulated, or social behaviour (Maybry 1997); (Bordia 1997); (Hancock and Dunham 2001). However, conflict can be viewed as a natural relational state, in which goals and objectives are altered (Laue 1987; Nicotera 1994). When parties are in conflict, communication and attribution of action assumes greater significance. Consideration of the way that communication can be used to perpetuate or resolve conflict, provides a broader view of ways that relationships are created and maintained. The increased sensitivity to content and meaning in conflict provides a useful lens for evaluating CMC. The following section outlines what is meant by conflict and conflict behaviours.

2.5.1 Definitions of conflict

Conflict can be viewed as a natural and inevitable part of relationships (Laue 1987). There is little doubt that conflict in a relationship is considered to be a negative experience. It can create bad feeling, reduce rapport and lead to positional entrenchment. However, it can also be viewed as a way of improving decision quality and strategic planning (Jehn 1995).

The causes of conflict are complex and have been widely interpreted as: competition for resources, whether as remuneration or status (Deutsch 1987); manifestations of power imbalances (Bush and Folger 2005) or incompatible explanations of the other's behaviour (Winslade and Monk 2000). However, it may be helpful to conceive of

conflict as a process (Laue 1987): conflict involves movement from the situational variables that create it, through behaviours that perpetuate it, to the definition and usage of strategies for bringing dispute to an end.

Jehn (1995) asserts that there is no comprehensive theory of conflict, however Putnam and Poole (1987) define conflict as:

> *"The interaction of interdependent people who perceive the opposition of goals, aims, and or values, and who see the other party as potentially interfering with the realization of these goals (aims or values)"* (Putnam and Poole 87, pg 552).

In this definition relational conflict is generated by an individual's evaluation of their goals, the resources available to them and their perception of others' attitude toward these. This definition also introduces the notion of asymmetry in relationships. The source of conflict can be found at a variety of levels, including: a) resources; b) perceptions; or c) plans. It is asymmetry between the perceptions of these resources that promote conflict. Conflict therefore develops from, and focuses on, the symbolic (what is perceived) rather than the physical (what actually exists). It is the communication of these differences in perception that not only promotes conflict, but that enables conflict to be resolved.

Laue (1987) defines conflict as:
> *". . . escalated, natural competition between two or more parties about scarce resources, power and prestige. Parties in conflict believe they have incompatible goals, and their aim is to neutralise, gain advantage over, injure or destroy one another."* (Laue 1987, pg.17)

Conflict is therefore an escalation of competition. It is implied that conflict occurs only when the parties involved believe that competition alone cannot resolve these perceived differences. Wedge (1987) argues that the perception of incompatible goals are the fundamental cause of conflict; latent conflict only occurs once the parties in conflict have made contact. Although the conditions for disagreement existed prior to

parties meeting, it is the awareness that there are incompatible goals that leads to the escalation of matters.

Priem and Price (1991) offer a refinement of these definitions, by distinguishing between task conflict and relationship conflict. They argue that task conflict is disagreement at the cognitive level, which results in disagreements about plans and strategies. Relationship conflict has a socio-emotional dimension and arises from interpersonal incompatibilities. The source of the conflict determines behaviour and relational communication.

It is evident that conflict is a state in which incompatible perceptions of resources, goals, task and behaviour become highly salient in the relationship. Parties in a conflict view the other as a barrier that prevents them from achieving their goals, or as an agent for continuing the conflict. Once in a state of conflict, parties will invest extra resources in managing the conflict.

Conflict encourages those involved to invest heavily in strategies that are designed to achieve their desired outcome and to mitigate the significance of their potential loss. This investment might be in terms of resources or of personal emotion. Once participants are heavily invested in a conflict, each tends to become committed to a particular defined outcome rather than exploring alternatives. Conflict is perpetuated by perceived power differences, necessitating an investment of resources in the outcome of the conflict.   Sections 5.2 – 5.3 consider the behaviours that serve to perpetuate conflict.

2.5.2 Conflict behaviour

When in conflict, goals change, from allocating resources appropriately to victory over the other. This is likely to lead to a change in behaviour, which in turn alters the relationship in which conflict is occurring. Carnevale and Probst(1998) argue that conflict affects motivations, making it difficult for parties to consider new alternatives or perspectives. The changes in the behaviours and experience of the other in relational conflict are outlined below.

2.5.2.1 Individual attitudes to conflict behaviour

Nicotera (1994) found parties' behaviour altered at various stages of the conflict. Individuals tended to focus on their own views and goals (self-focussed attitude) in the early stages of a conflict. They developed a more other-orientated attitude at the later stages. Movement between these attitudes is dependant upon the behaviour of the other. Specifically, Nicotera found that if people move toward their own view of the conflict, this will be reciprocated by the other, leading to polarisation of views. Skarlicki , Folger and Tesluk(1999) found that individual responses (categorised as either as 'fair' or 'retaliation') to perceived conflict behaviour, is determined by an individual's personality traits (specifically, negative affectivity and agreeableness). Therefore conflict can lead to behaviours that promote a self-perpetuating cycle, dependent upon the attitudes of the individuals involved in the conflict. Personality traits and attitudes to the other are significant in shaping conflict and may perpetuate conflict.

2.5.2.2 The cognitive dimension of conflict

It is not only perceptions of the other that alter when one is in conflict. Conflict also has a cognitive dimension. Dodge (1980); Crick and Dodge (1994); and Fraser *et al*(2005), found that faulty social information processing skills, such as response evaluation, promote and reinforce conflict behaviour. Similarly Klar, Bar-Tel and Kruglanski (1987) assert that labelling a situation as conflict can promote a 'freezing' of knowledge. Findings from Carnevale & Probst (1998) indicate that expectations of conflict tend to inhibit problem solving skills, promote black-white judgments and affect variable categorisations.

For Carnevale & Probst, one of the main problems in conflict is the way that it promotes cognitive rigidity, which prevents problem solving.

> *"... cognitive rigidity in conflict is not simply holding firm, or a reflection of the desire to look tough in negotiation, rather it suggests an unintentional alteration in underlying cognitive organisation in co-operative and conflict situations."* (Carnevale & Probst 1998 pg 1307)

Therefore, the expectation, or experience of conflict, may itself privilege cognitive states that promote conflict behaviours. The effect of conflict on the processing and categorisation of social information may lead to rigidity in the perception of the other, hindering attempts at resolution. Conflict may promote behaviours that perpetuate conflict and cognitive structures (or narratives) that restrict interpretation of these behaviours to those explanations that promote further conflict.

2.5.3 Conflict management

Management of conflict requires that participants reach some lasting agreement as to the outcome of the dispute. To manage conflict effectively, power and resource differentials need to be addressed (Coleman 2000). Coleman argues that most conflicts involve power, either directly or indirectly. This power arises from the environment, from the relationship, or from personal characteristics. Lasting agreement about the outcome of conflict requires consideration of the power that interlocutors draw from various resources present in the interaction. This agreement, in broad terms, is: recognition of dominance, avoidance, or resolution.

Dominance, in terms of conflict management, means that one party explicitly concedes defeat, thus forfeiting their own invested resources to simply "cut their losses". This outcome may result in resentment and hostility, undermining morale and sowing the seeds for future conflict. Avoidance requires parties to the conflict to agree to disagree, or sidestep the conflict. These parties may still forfeit the resources they have so far invested and may have to work to avoid issues that trigger conflict. They will remain prepared to re-open hostilities should a similar situation occur. Resolution is the third general form of agreement. Participants adopt a 'win- win' attitude to address their conflict. They identify shared goals and look at ways of pooling their resources to achieve this. To achieve a lasting solution, parties must be willing to sacrifice some of the resources they have (Folger and Baruch-Bush 1994).

2.5.4. Implications

The above section demonstrates that conflict is not simply a communication breakdown, but serves a purpose in relationships. It leads to a recognition and accommodation of asymmetry in a relationship. This asymmetry can be conceived of in terms of resources; plans or goals; norms and values; expectations of appropriate behaviour; cognitive states and attitudes toward conflicts; and legitimacy of narratives.

Resolution of conflict revolves around the communication between individuals. Section 2 of this chapter outlined research into the way that conflict is altered by the use of CMC. The presence of the medium shapes the way that emotions are experienced, presence is engendered and resources are made available. Conflict also hinders the maintenance of common ground, by reducing inter-interlocutors' willingness to engage in mutually-beneficial repair strategies, as proposed by the principle of least collaborative effort. The presence of a medium may introduce asymmetry into the relationship. In turn this may perpetuate conflict and hinder repair strategies.

However, an established approach for the resolution of conflict is the introduction of a medium in the form of a third-party into the conflict relationship. This third-party serves as a medium for the interaction. This process is known as *conciliation* and is discussed in greater detail in section 6.

2.6 Conciliation

Conciliation is concerned with the resolution of entrenched conflict and revolves around the use of strategies for managing conflict. It introduces an impartial, and non-judgmental, third-party into a conflict situation (Wall and Lynn 1993). Section 1 outlines the potential benefits to CMC theory of exploration of conciliation in an

online environment. In using a reflexive medium, it provides the opportunity to explore how and why media properties are altered in reaction to relational change.

All manner of circumstances lead people to seek this kind of intervention, from employment disputes and community grievances, to marital breakdown. In each case, they are acting in response to conditions which have made "unconciliated" communication extremely difficult. The conciliator represents a medium for communication between parties, the intervention of which is intended to help them find a mutually acceptable resolution to their conflict.

2.6.1 The process of conciliation

Conciliation usually takes place with all parties co-present and in a carefully arranged setting. Conciliators have no vested interest in outcomes, nor do they have enforcing powers on any agreed outcome. They may not pass judgment on the behaviour of the parties in dispute. Their intervention is limited to influencing the progression of the dispute through their expert use of language and deep understanding of conflict processes (Kressel 2000). Their reputation for impartiality and behaviour within the conciliation process provides the conciliator with their mandate for controlling the exchange: it is not a mandate for setting the agenda of the dispute itself. This mandate enables the conciliators to take the initiative in response to the situation. Their use of techniques and strategies is specifically designed to position themselves so that they may most effectively help parties resolve their conflict.

Conciliators begin by structuring the physical environment and preparing parties for the conditions they must observe whilst engaging in this special form of communication. These strategic preparations are used to create a space in which parties feel free to express themselves without fear of committing to an outcome. Second, they work to improve communication, by encouraging parties to listen to what the other is saying and address their own behaviour. Third, they encourage parties to recognize the other's interests. The techniques used by conciliators to pursue these ends include: (1) reframing - subtle changes in the language used invite parties to view situations and behaviours from a different position, thus encouraging

parties to move from their heavily-invested positions; (2) control over the floor or the topic - this ensures that irrelevant power differences between the parties can be mitigated to ensure that any agreement reached is fair; and (3) demonstrating listening behaviour - this encourages parties to be open and honest about their interests, desires and resources. It also encourages them to 'vent' (Billings and Watts 2007) which in turn helps them to feel as though their concerns have been heard. Before deploying these techniques, conciliators reflect on the situation, drawing on their experience of conciliation practice to decide when it is necessary to shift from one to another.

2.6.2 Theories of conciliation

As with CMC, a number of theories of conciliation exist. Each varies with changes to its conceptualisation of conflict and communication in conflict. Early models, (Deutsch 1987) with their roots in labour union negotiations, focus on identifying and negotiating the value of resources, and developing a mutually agreeable compromise. Later models (Winslade and Monk 2000; Bush and Folger 2005), influenced by counselling and therapy, have focussed on the relationship itself and parties' explanations or expectations of behaviour.

These theories are outlined below and provide an overview of changing conceptions of the conciliator's role and properties.

2.6.2.1 Problem-solving accounts

Problem-solving theories of conciliation (Deutsch 1987), derive from early labour union negotiations. They focus largely on the resources available to parties in a dispute. The principle behind problem-solving conciliation, is that parties need to re-conceptualise their perceptions of their own and the other parties' resources. Conflict arises when there is disagreement between perceptions of resources available, or the purpose to which they should be used.

Problem-solving conciliators overcome these different perceptions of resources in a number of ways. First they encourage parties to consider bringing extra resources into the dispute (or 'expand the pie'). This provides disputants with more options for resource allocation, or compromise negotiation. Second, they dig deeper into the

issues to uncover parties' underlying concerns. In encouraging parties to consider and express why they hold a specific view, the conciliator can find new shared concerns between the parties that may offer alternative ways of interacting.

Each of these approaches help the conciliator to encourage parties to develop a new attitude toward the conflict. If parties reconsider the resources and goals held by themselves and the other party, they can move from attitudes of conflict (in which parties attempt to shield themselves from the other's resources), to attitudes of co-operation (trying to make the shared resources work toward a shared goal). However, these models have been criticised for giving the conciliator to much power to direct the discussion. By focusing on the solution, they have also been criticised for potentially missing wider issues.

2.6.2.2 Transformative approaches

Transformative conciliation (Bush and Folger 2005) has its roots in counselling. The focus of transformative approaches is to improve the relationship between the parties to a dispute. It is intended that, in helping parties to consider their own behaviour and attitude towards the other, they transform the relationship from one in which conflict is destructive, to one in which conflict can be managed successfully.

Transformative conciliation is based on the assumption that every party to the conflict would like to see it resolved, and revolves around the two main principles of empowerment and understanding. The conciliator's role is to help parties to realise that they have the power to resolve the conflict, by exploring the issues and behaviours involved in the interaction. This is undertaken so that parties' develop broader understanding of each other, which can then be used to develop a better working relationship. The conciliator allows parties to lead the discussion; they interject only to keep the discussion moving forward.

This approach encourages parties to take responsibility for resolution. It is intended that, by empowering individuals to resolve the discussions, future disputes can be identified and quickly resolved. In allowing parties to lead the discussion, the conciliator ensures that participants address the issues that they feel are significant. This promotes a deeper understanding of each other and of the conflict. However, the

basic assumptions of transformative conciliation, namely that all parties wish to resolve a conflict, and that greater understanding leads to greater affinity, are questionable.

2.6.2.3 Narrative approaches

Narrative conciliation (Winslade et al. 1998; Winslade and Monk 2000) has its roots in narrative therapy. The aim of narrative conciliation is to uncover the way that individuals story the conflict and their relationship with the other parties. Conflict resolution is achieved by encouraging parties to deconstruct their conflict-saturated narratives and allow a more productive narrative to be authored.

The underlying premise for narrative conciliation is that individuals develop stories to describe significant everyday experiences. Interpersonal conflict arises when parties hold incompatible narratives. The conflict between these narratives, leads to individuals describing other parties to the conflict in negative terms. Evidence that challenges these impressions is omitted from the narrative, evidence that strengthens these impressions is privileged by the narrative. Resolution is achieved by encouraging the parties to evaluate and deconstruct the narratives that they hold, giving consideration to assumptions that are inherent in the narrative. They are then encouraged to work together to rebuild a joint narrative that privileges co-operation.

The role of a conciliator in narrative conciliation, is to question parties about their assumptions. They encourage each party to expound on their narratives and reflect on their behaviour in light of their own and others' narrative explanations. This approach encourages parties to move away from the assumption that there is a correct way to view events. Deconstruction of the narratives allows parties to reflect upon how they are seen by the other. The conciliator helps parties to reach a resolution by questioning and assessing the feasibility of narratives that the parties hold. In this way it is hoped that a lasting resolution can be developed that privileges co-operation. However, narrative conciliation can be criticised for not giving enough consideration to contextual factors that may re-establish previous narratives, once parties leave the mediated environment.

Section 6 presents a number of approaches to conciliation of relational conflict. As with CMC, various accounts exist that differ in the way that they conceptualise relationships and breakdowns.

It is evident from the accounts presented that conciliators take steps to create a unique environment in which they are able to act as a medium for communication between interlocutors. The conciliator deploys their skills to help create, restore or maintain a shared understanding that moves parties toward a lasting resolution. There are some important parallels between CMC and conciliation. Both use artefacts (computers or conciliators) to support interpersonal communication. Both artefacts exert influence on the relationship by creating a special environment within which interlocutors must work to establish meaning. These parallels and their implications are discussed in section 7.

2.7 Parallels between CMC and conciliated communication

A medium can be conceived of as an artefact with various properties. These properties exert an influence over the process of communication, which influences interaction. Table 3 shows parallels between mediation in the form of CMC and mediation in the form of conciliation, in terms of the properties, impact and the theories that underpin them.

Medium	Properties' Influence	Relational Impact	Mechanisms (Theory)
CMC	Impact on experience of: Space Time Channels	Shape trust Altered disclosure Flaming Hyperpersonal	Cues Filtered-Out (Daft & Lengel; Keisler & Sproull) Social Models (Walther; Spears, Lea & Postmes) Interactivity/Expectation (Burgoon *et al*)
Conciliator	Manipulation of: Safety Information-salience Goals	Build trust Encourage disclosure Reduce conflict	Problem Solving (Deutsch) Narrative (Winslade & Monk) Transformative (Busch & Folger)

TABLE 3: Parallels between CMC and conciliation

2.7.1 *The influence of media properties*

The theoretical accounts of CMC discussed in section 3 are consistent in their claims that changing between media, or combinations of media, alters experiences and perceptions of space, time and the efficacy or availability of communication channels. Distortion of time may include the imposition of asynchronicity, or the attenuation of information transfer. Distortion of space can be conceived to be the removal of geographical boundaries, alteration of environmental context cues, or the creation of a shared space with no fixed physical location. Distortion of channels may result in a reduction of channels available for communication (*e.g.* loss of sound), the alteration of information received from one or more channels (*e.g.* replacing the sight of the other in the visual channel with text), or a change in the relationship between the communication channels.

As discussed in section 6, a conciliator's properties (or skills) exert an influence over communication in order to bring about a desired change in the relationship. The

conciliator creates a safe space (*e.g.* one in which parties are free to communicate about their concerns without fear of retribution). This creates a novel environment, different and distinct from that in which communication normally occurs. The conciliator also acknowledges (and encourages other parties to acknowledge) the strength of emotion from each parties' experiences of the conflict. This differs from normal situations of conflict, which result in cognitive states that promote a polarised and entrenched view of conflict (as discussed in section 5). Finally, the conciliator rephrases certain aspects of the communication that occurs, exaggerating some aspects of communication and attenuating others.

Differences between CMC and conciliated communication arise from differences in the context of communication and the medium's awareness and ability to alter its properties. However, both media serve to shape: (a) the environment in which communication occurs (providing a structure of the space); (b) the timing of messages (by structuring the rate of information transfer); and (c) the experience of cues (by structuring the way that messages are created, transmitted and received).

2.7.2 *The impact of media properties on relationships*

The influence that media properties exert over communication has an impact on the relationship. The different properties of communication media are likely to shape the relationship. However, this influence is not objective, but arises as a result of interaction between various relationship characteristics and the salient media properties.

The accounts of CMC, outlined in section 3, indicate that mediation has a relational impact upon the way that trust is experienced (*e.g.* trust may be 'quick', 'reduced', or 'fragile'). The relationship between the media used, and the relational goals determines how trust develops and is experienced. Existing research does not predict a generic effect, but instead offers the argument that trust in CMC is qualitatively different between media and relationships. Similarly, research suggests that the intensity of relationships is also qualitatively different, in accordance with the communicate medium and the goals of the communicators. Hyperpersonal models of

communication suggest that, under certain circumstances, media properties serve to exaggerate and reinforce positive self-selected characteristics. Conversely, SIDE models and research into flaming, indicate that media properties may serve to reduce relational intensity or promote states of intense hostility. Finally, research by Joinson (2001), and Valley, Moag and Bazerman (1998) suggests that the relationship between media properties, relationship and task promotes different experiences of self-disclosure. In turn this shapes how the relationship is experienced.

Theoretical accounts of conciliation suggest that the properties of the conciliator exert an influence that brings about a change in the relational state. In fact, it is likely that this is the purpose for which the conciliator's properties have been deployed. The conciliator builds trust between communicators, in order to create an environment in which parties feel safe to move from their entrenched positions. However, theoretical accounts differ as to which properties are most appropriate for achieving this (*e.g.* should the conciliator actively manipulate the relationship to encourage this, or simply guide parties to a state of relational trust?). Similarly, accounts of conciliation suggest that the properties of the conciliator serve to encourage appropriate self-disclosure. Increasing the amount of information available to parties is one way that conciliators can help parties to reconsider their position and attitudes towards resources in the conflict. However, inappropriate self-disclosure can lead to hostility, dislike and/or retrenchment. Finally, the overall goal of the conciliator is to exert an influence over the relationship to bring about a reduction in the conflict. Again, theoretical accounts of conciliation differ about how this is achieved (*e.g.* find a mutually-satisfactory compromise, re-author a conflict narrative, or empower parties to anticipate and resolve future conflict).

The above section demonstrates that media properties exert an influence over the way that a relationship is created and maintained. This results in changes to liking, trust and self-disclosure. Once again, the media properties in CMC and conciliated communication differ in accordance with the degree to which the medium is aware of its influence and the goals of the communicators. In the case of conciliated communication, the medium alters its influence in order to bring about a positive change to the relationship. In the case of CMC, this arises from the interaction between media properties and parties' relational goals.

2.7.3 Theoretical accounts for the mechanisms by which media properties exert a relational influence

As section 7.2 indicates, there are a variety of ways that the relational impact of the medium can be accounted for. In CMC, these accounts are broadly defined as the cues filtered-out models and the relational models. In the case of the first models, the media properties are largely reductive in comparison to face-to-face communication. The properties of the medium serve to attenuate cue transfer and this results in a greater propensity to misunderstanding, deregulated behaviour and more task-focussed communication. Relational models offer an account of media properties as altering in salience with the presence of other relational properties. Some accounts assert that the medium serves to retard the transfer of information, others assert that they shape the way that social identity cues are perceived. This results in communication that might be more intense and allows for greater control over self-presentation and anonymity.

Theoretical accounts of conciliation assert that the media properties (conciliator skills) bring about a relational change through: the recognition and discussion of salient resources; re-authoring of conflict narratives; or, empowerment and transformation of the relationship to equip parties to deal with the conflict. These accounts place differing emphasis on the conciliators' skills. Problem solving accounts encourage the conciliator to help parties to establish a compromise by using their skills to focus on resources. Narrative approaches place importance on the conciliator properties that are used to encourage reflection on held positions and attitudes. Transformative approaches encourage conciliators to deploy skills that help parties to realise their own agency in resolving conflict.

2.7.4 Implications of theory for investigation of mediated communication

The above section indicates that the presence of media properties shape the way that communication occurs within a relationship. Media properties may be persistent, or

alter in relation to the context of use. These properties exert an influence over the timing of messages; the sense of space in which parties interact; symmetry of resources; and the experience of breakdowns. Research in CMC and conflict resolution, has investigated the relational impact of these influences by focussing on the way that communication is altered by the use of the medium. It is the contention of this thesis that an investigation of the way that conciliation occurs in an on-line environment can further understanding of the way that media properties shape relationships.

First, with the exception of SIDE, existing CMC accounts do not explicitly address the notion of asymmetry in communication. When parties are communicating it is likely that they not only have divergent goals, demands and available resources, but they also have divergent narratives for explaining these divergences. When in conflict this asymmetry is exacerbated and exploited by individuals. Similarly, this asymmetry may be attenuated or exaggerated by the presence of a medium. Investigation of the way that conflict occurs in CMC can offer an insight into the way that asymmetry is manifest in communication. Investigation of conciliation can provide an account of the way that certain media properties can be used to uncover and address asymmetry.

Second, existing accounts of CMC tend to treat conflict as a communication failure. Literature on conflict and conflict resolution would suggest that conflict is an inevitable aspect of human interaction. Accounts of communication that do not attempt to explain conflict in this way, do not provide a full account of human interaction. In addition, when parties are in conflict, the content of communication can assume greater significance. Parties will give consideration to what has been said, or left unsaid. Uncertainty about the presence or availability of resources and information may exacerbate tension and lead to communication breakdowns. Investigation of conflict in CMC can be used as a special case to provide a deeper understanding of relational communication.

Third, there has been little research that takes the opportunity to explore mediation of communication with a reflexive medium. Conciliators are well-placed to reflect on how and why their actions as a medium have a relational effect. This can provide a

novel and useful insight into the way that media properties can be deployed to shape communication behaviours.

For these reasons, the thesis argues that an investigation of conciliation in an online environment can provide a deeper understanding of the way that the properties of a medium shape relational communication. The literature presented in this Chapter demonstrates that there are a number of different ways that relationships and relational communication can be conceptualised. This results in a number theories and perspectives that differ in the way they address fundamental concepts in communication. These fundamental concepts include: the aim of communication; the salience of contextual variables; what constitutes (un)successful communication; and the method and nature of information transfer. To overcome these differences, this thesis adopts an integrative approach which does not privilege a particular perspective.

2.8 Discussion

This chapter has outlined the findings from existing research in a variety of domains, namely communication theory, conflict and conflict resolution and computer-mediated communication. Each of these domains can shed light on the way that relationships are shaped by communication, and the way that the use of artefacts in this process can influence the way that communication occurs.

It is evident from the above that communication in relationships is a complex and multi-faceted phenomenon. A variety of theories offer explanations for the way that interlocutors work together to create a shared understanding. These theories differ in the way that they define what is meant by a shared understanding, and how parties manage to create this shared understanding.

Both CMC literature and conciliation literature propose various theories to explain the impact of a medium on a relationship. The scope and mechanisms of this impact are interpreted in terms of the theoretical assumptions each approach takes on the nature of communication. This can be seen to be one of the many reasons for the confusion

in the findings for the impact of CMC on relationships and goes some way to explaining the differences in conciliator practice.

The CMC literature views media properties as producing an environment which is qualitatively different to a face-to-face setting. This qualitative difference has an effect upon parties' experience of trust, emotions, conflict and the cues that are used to render social information observable. Conciliation literature views mediated communication as qualitatively different to an 'un-conciliated' (or unmediated) environment. Again, this difference exerts an influence on the same relational properties. The parallels and differences between these forms of mediation are ripe for investigation and can be used to inform a better understanding of the role that a medium's properties play in shaping relational communication.

This thesis aims to provide a deeper understanding of the impact of media properties on relational communication. To achieve this, the thesis proposes to answer the following three questions:

1) <u>What does a conciliator bring to a relationship to set the properties of a mediated environment and how are these deployed?</u>
It is intended that this will provide an insight into conciliator practice, offering an explanation for the way that a reflexive medium is able to adjust their practice to meet their goals and aims. It will also offer a consistent approach for discussing observations of conciliator practice throughout the thesis.

2) <u>How does a conciliator effect a desired relational change in an online environment?</u>
This will provide an indication of the impact of a variety of media properties on conflict relationships. Attention will be paid to the way that conciliators feel they must adapt their practice to accommodate the properties of the communication medium. These findings can also be used to provide guidelines for conciliators who would wish to utilise online environments.

3) <u>Can these findings be linked with the literature at a theoretical level?</u>

The framework proposed in section 7 suggests that the answers to the above two questions will provide an insight into the way that media properties shape relational communication. It is intended that this deeper understanding can inform and extend existing models of CMC to provide an account that does not privilege any particular theory of communication.

The following section proposes a course of research to investigate the impact of media properties on relational communication. It outlines existing research practices in the domains of conciliation and Human-Computer Interaction. It explores the appropriateness of quantitative and qualitative enquiry in this research context and argues that an integration of both research paradigms can produce a valid and reliable insight into mediated communication.

2.9 Methodology

Methodological concerns attend any piece of research.   In this section, the value of both quantitative and qualitative methods are considered in relation to the objectives of this thesis and a course of research is proposed that addresses methodological concerns specific to investigation of the impact of media properties on relational communication.

McGrath's 'Dilemmatics' (McGrath 1981) argues that there are three different methodological concerns that research must address: (1) generalisability with respect to context; (2) precision in control and measurement of variables related to the behaviour of interest; and (3) existential realism for the participants, in the context in which they are observed.   There is an irreducible tension between these: control limits context; measurement perception depends on observation of visible behaviour; whereas experiences are internal. Effective research should explicitly account for each of these issues and should explain how decisions have been made to find an appropriate balance between them for the object of study.

McGrath argues that a researcher may be able to navigate a compromise between two of these factors, at the expense of opening the data to criticism for neglecting the third, or that the researcher may fully embrace one of the concerns, creating the

possibility for criticism for neglecting the remaining two concerns. Therefore, in any piece of research a decision needs to be taken as to the relative importance of each of these concerns in relation to the phenomenon under investigation.

Research is framed in terms of two fundamental concepts; reliability and validity. However, reliability and validity can have different meanings depending upon whether the methods adopted are quantitative, or qualitative. Sections 9.1 and 9.2 explore this in greater depth.

2.9.1 Reliability

For quantitative methods, assessment of reliability examines the 'repeatability' of an experiment, with an expectation that repeated methods yield repeated results. If a researcher can carry out the same experiment with the same or equivalent data-set and achieve the same or equivalent results, the experiment can be considered to be reliable. Quantities lend themselves to complete summarisation, with limited choices for inclusion or exclusion of observations.

Qualitative reliability is less concerned with repeatability and more concerned with being able to justify why certain choices have been made. Reliability can be demonstrated by making visible the preparation, gathering and analysis of the data (Stenbacka 2001). Qualitative research methods are a tool for understanding the environment into which they have been deployed and, in methods such as ethnography, the researcher's relationship with the method and the environment.

2.9.2 Validity

In a quantitative approach, validity is the concern that the data gathered measures the phenomenon under investigation. Well-constructed, lucid hypotheses, supported by theory should be used to identify the relationship between measurement variables and what can be inferred from observed change, or lack of change, in these variables when subjected to manipulation.

For qualitative approaches, the notion of validity is more complex. Qualitative methods do not seek to measure phenomena but to develop an understanding of what qualities discriminate one phenomenon from another . The researcher needs to be able to demonstrate that the selection of subjects and environment is appropriate. This indicates that the data gathered and interpreted can be related to a specific participant's experiences of the phenomenon, rather confirming or disproving the researcher's *a priori* model.

2.9.3 *Methodological pluralism in research*

Methodological pluralism can be viewed as the use of multiple methods to investigate a research question.   The combining of methods to compliment each other is known as *integration* (Moran-Ellis, Alexander, Cronin, Dickinson, Fielding, Sleney and Thomas 2006).

Sale, Lohfield and Brazil (2002) argue that complex social phenomena consist of both interpretivist (qualitative) and positivist (quantitative) aspects.   Moran-Ellis *et al* (2006) suggest that, rather than using a mixture of methods to focus on one of these aspects, the methods can be integrated in order to use their strengths to accommodate the duality of a phenomenon *"the different methods retain their paradigmatic nature, but are inter-meshed with each other in the pursuit of 'knowing more'"*. Provided each method meets the validity criteria associated with their paradigm, then validity is not a concern.

The goal of this thesis is to develop an understanding of the impact of media properties on relational communication. For the study of a complex social phenomenon such as communication through technology, an integration of methods may be more appropriate than simply adopting a quantitative or qualitative method. Section 10 proposes a course of research to investigate the impact of CMC on conciliator practice.

2.9.4 Exploring methods

This thesis investigates the relationship between various forms of mediation and its impact upon interpersonal communication. Previous research in CMC and in conciliation has indicated that both quantitative and qualitative methods can be appropriate, depending on the research questions that motivate their use.

2.9.4.1 Motivation for a qualitative study

Research in conciliation and, to a degree, CMC has focussed on the qualitative aspects of the phenomenon of mediation.   The complexities of mediation and relationships have meant that a broader, higher-level view of the phenomenon has often been deemed more appropriate.

Studies such as Winslade and Monk(2000), Jarvenpaa and Leidner(1999) and Sproull and Keisler (1986), have all used a natural setting to collect the necessary data. In doing so, the ecological validity of the data has been maintained. These studies have managed to build abstract, theoretically-driven models to explain the effect of mediation on aspects of relationships. They have also managed to clarify which among those variables are more powerful in accounting for the phenomenon. This indicates that qualitative methods can be effective tools for studying the relationship between mediation and communication. They can provide information, at the highest levels, about the phenomena being studied.

However, the concerns of these methods are the difficulty in generalising beyond their scope. By focussing on preserving ecological validity, this hinders generalisation as discrimination between variables is reduced in significance.

2.9.4.2 Motivation for a quantitative study

Studies such as Daft and Lengel(1986), Walther (1996), and Olson and Olson (2000), have all used large-samples, isolating variables to examine relationships between them.   Causal links between such difficult-to-define variables as trust and disclosure (Olson & Olson 2000), liking and expectation (Walther 1996), understanding and

richness (Daft and Lengel 1986), have all been established in these experiments. This indicates that for a topic such as the impact of mediation on relationships, quantitative approaches are appropriate.

2.9.4.3 Exploring the benefits of an integrated study

An integrated study can bring multiple perspectives to bear on a research problem. These allow investigation of the domain at a variety of levels and offer the potential for a more comprehensive generalisation of findings. With such a process as conciliation, especially in computer-mediated environments, it is difficult to examine in isolation a single level for investigation. Technology exists that obeys various rules, according to specific inputs and these inputs determine the way that observable phenomena are altered. This makes it ripe for a quantitative investigation. However, to focus the research at this level, would potentially miss the way that this change in a variable is perceived by individuals and the meaning that it has for them. This is something that is best addressed with qualitative methods.

Section 10 proposes an integration of quantitative and qualitative methods to explore the phenomenon of mediated communication.

2.10 Proposed method

The literature review in this chapter concluded by identifying that media properties imposed a structure on the timing of cues, the space in which interaction occurs and the availability of communication channels. These are seen to be critical elements in any mediation process and were described in terms of their relational impact. This study proposes a mixed-method approach that integrates both quantitative and qualitative methods, in order to maximise the potential for understanding the phenomena of mediated interaction.

As stated in section 8, this thesis aims to develop a deeper understanding of the impact of media properties on relational communication and proposes that the questions raised in that section can be explored using the following approaches:

Chapter 2: Section 10 – Proposed method

<u>1) What does a conciliator bring to a relationship to set the properties of a mediated environment and how are these deployed?</u>

One approach for developing an understanding of conciliator properties and how they are deployed is the use of interviews with practicing conciliators. This allows conciliators to provide their own account of their motivations and concerns. This thesis proposes that a course of interviews with practicing conciliators will provide a useful insight into the properties that a conciliator brings to a relationship. It shall also provide a way of categorising subsequent observations of conciliator behaviour.

<u>2) How does a conciliator effect relational change in an online environment?</u>

This can be explored thorough observation of conciliator practice in online environments. As discussed in section 2, different media have different properties and it is anticipated that these shape relational communication. Comparison of conciliator practice in environments with different properties can provide an insight into the impact of media properties at a relational level. This thesis proposes that a video-mediated communication shares the most similarity with the 'normal' face-to-face setting of conciliation and aims to observe conciliation in a video-mediated environment.

In addition, a text-based environment, such as a Wiki, is vastly different from a face-to-face setting. Investigation of conciliator practice in an asynchronous, text-based environment, would offer a stark contrast to the studies of video-mediated conciliation. Comparison of the two would allow investigation of the relational impact of a range of media properties. These differences can be explored using qualitative observations of critical incidents and using quantitative comparison of distributions of utterances.

However, it is anticipated that communication behaviours in on-line environments will be shaped, to a degree, by conventions associated with the medium and the community of use. It is therefore necessary to explore how informal and formal community conventions shape behaviour. This will provide a context for framing the findings concerning conciliator behaviour in established communities.

3) Can these findings be linked with the literature at a theoretical level?

Successful integration of the findings from the above quantitative and qualitative approaches should furnish a robust model that can not only consistently explain the differences in conciliator practice in the environments and offer theoretically- and empirically- derived recommendations for conciliators who wish to use online environments, but can explain the impact of media properties on relational communication in general terms.

Figure 1 outlines the methodological approach adopted in this thesis.
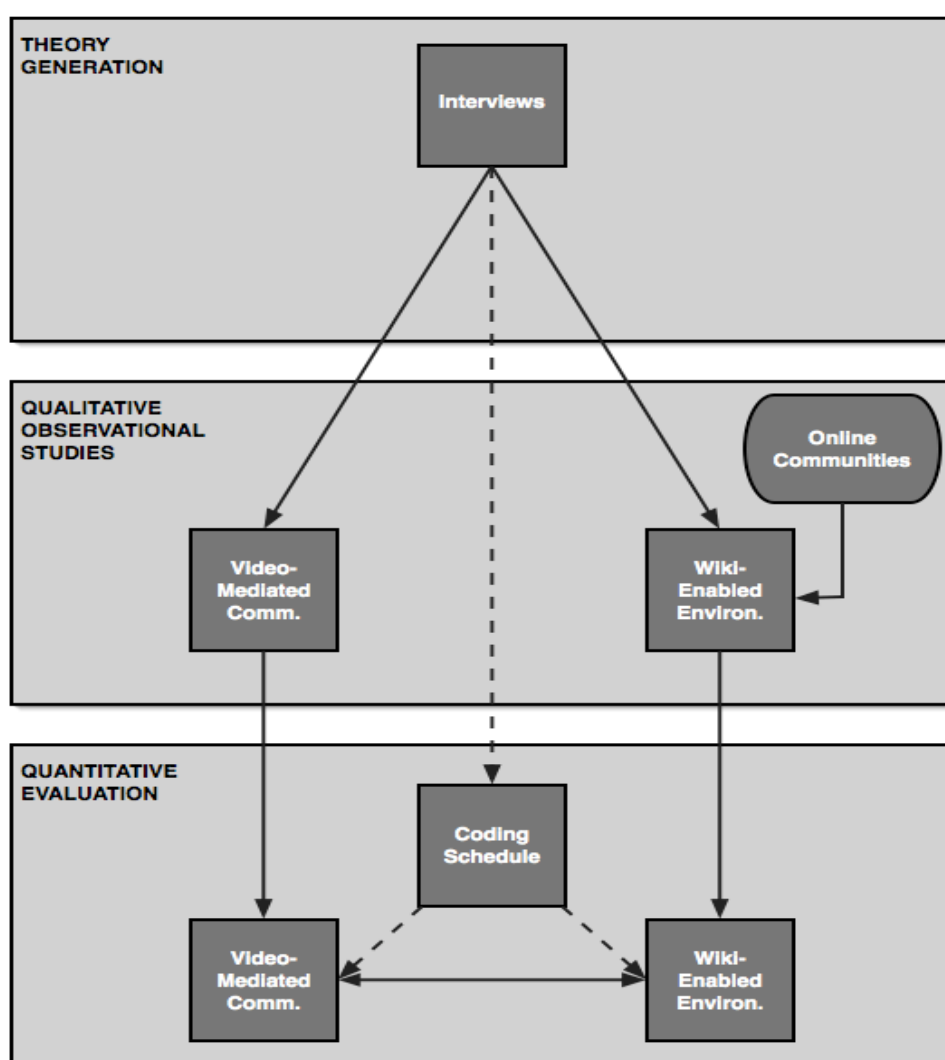
FIGURE 1: A diagrammatic representation of the proposed course of research

Figure 1 outlines the research method proposed by this thesis. It proposes: (i) a series of interviews to explore and model conciliation (Chapter 3); (ii) comparative observational studies of conciliation in video-mediated environments (Chapter 4), Wiki-enabled environments (Chapter 5) and communication behaviours in established online communities (Chapter 5); and (iii) comparative quantitative content analysis between the observations of conciliation, measured with a coding schedule developed from conciliator interviews (Chapter 5).

The remainder of section 10 outlines the research methods adopted by this thesis.

2.10.1 Proposed qualitative methods

The following section outlines the methods that will be adopted for this study.

2.10.1.1 Grounded Theory

Grounded theory is a methodological approach for developing a theory, which is grounded in data (Glaser and Strauss 1967). The researcher seeks to investigate a domain and uses all information available in that domain as data. Primarily, this tends to be data gleaned from interviewing subjects, but literature or second-hand information, can also be treated as data. It is by nature an integrative methodology.

The researcher begins to code the data as it arises. This coding takes the form of developing the categories to describe and organise the data. It is agnostic about whether analysis should involve quantitative or qualitative methods. It is an inductive approach to the construction of an explanation of the object of study. A theory that describes these categories and the relationships between them is said to emerge from the data in that the researcher is obliged to maintain the relationship between the categories and body of evidence that inspired them. These categories are tested as new data arrives and continue to be developed until they reach 'saturation' *i.e.*, new data does not add to the category in any way.

Grounded theory was chosen for a number of reasons. The first is that to understand conciliation, it is necessary to understand a conciliator's view of their role. It is the nexus between the human individual conciliator and the established process and

techniques that gives conciliation its strength. Therefore, a method that allows conciliators to describe their view of their roles, is an appropriate way of uncovering the similarities and differences between perceptions of the basic structures that underlie conciliation.

Furthermore, the motivation for developing a grounded theory of conciliation is to discover the underlying principals of conciliation, that persist in any context. This can then be used as an account of conciliator behaviour that is analogous to media properties. It can also be used to develop an objective coding schedule to provide qualitative data at the level of the utterance.

2.10.1.2 Ethnography and discourse analysis

The ethnography undertaken by this thesis consists of observations of naturalistic conciliator behaviour. The nature of conciliation and communication in conciliation, is such that isolating specific variables may be confounding. The strength of conciliation lies with the conciliator's ability to assess the impact of their intervention on the relationship and modify their behaviour accordingly. If a conflict situation is moved into a laboratory setting, in which variables can be isolated and controlled, repeated measures can be deployed to generate large numbers of samples upon which statistical analysis can be performed. However, given the nature of conflict and conciliation, this sacrifices ecological validity which is a key concern for the aims of this study.

To address this issue it is necessary to observe conciliator practice *in vivo*. In this way it is possible to develop an understanding of the way in which the conciliator changes their practice in response to situations in the relationship. The findings of these observations can then be generalised to theories of conciliation and CMC.

Once the observations have been performed and recorded a discourse analysis can be performed on the data. Discourse analysis is a technique designed to examine the meaning behind statements and behaviours. The intention is that actors' underlying states and aims can be uncovered by reflecting upon the function of each statement. It can be defined as a: '*set of methods and theories for investigating language in use and language in social contexts*' (Wetherell, Taylor and Yates 2001). These methods view

communication as a form of discourse that can be subjected to a systematic analysis to uncover an individual's world-view. As an interpretative method, discourse provides knowledge through a researcher's observation of subjects' participation and ordinary communication. It prioritises comparative and contrastive analysis. A qualitative discourse analysis is valid if sample selection is clear and reliable if the arguments drawn from the presented data are clear, parsimonious and logical.

2.10.2 Proposed quantitative methods

Having interrogated the data from a qualitative perspective, it is then possible to perform a quantitative analysis on the data collected.

2.10.2.1 Content analysis

The quantitative approach adopted is a content analysis at the level of conciliator utterance, coded using a schedule derived from the initial grounded theory investigation. If this investigation is successful, the coding schedule shall provide a validated, consistent tool for measuring conciliator behaviour, irrespective of the context in which interaction is occurring. This provides a high degree of reliability, as the schedule can be deployed in a variety of settings and be used to collect the same categories of data. Once the data has been coded, then comparison across and within each conciliation can be performed. This can be used to assess how the changes in media properties alter conciliator behaviour throughout a conciliation.

2.11 Summary

Given the nature of conciliation and conflict, this thesis has opted to preserve existential realism and generailisability with respect to context, at the expense of precision of control of variables. It is evident from the above that the proposed method has the potential for high qualitative validity and reliability. However, should the quantitative content analysis in this thesis provide satisfactory results, it can be used to inform future research that can maximise the precision and control of variables for future quantitative enquiry.

Chapter 2: Section 11 – Summary

Chapter 3 uses a Grounded Theory approach to explore: a) what motivates conciliator behaviour; and b) conciliator's perceptions of the impact of their intervention on relationships. The findings are synthesised into an ontology of conciliator behaviour. Chapters 4 & 5 report observations and discourse analysis of conciliators using video-mediated (Chapter 4) and Wiki-enabled (chapter 5) environments to conduct conciliation sessions. Furthermore, Chapter 5 explores the impact that environment design and community norms can have on communication behaviours in established online groups. Chapter 5 also uses a revised version of the ontology of conciliator behaviour to discern differing patterns of conciliator behaviour in conciliator utterances obtained from the observations of online conciliation reported in Chapters 4 & 5.

Chapter 3: A Grounded Theory of Conciliator Behaviour

3.1 Introduction

This thesis explores how media properties influence relational communication. It focuses on interaction in interpersonal conflict. This is typified by relationships which have broken-down and need to be reconstructed. The literature reviewed, and methods proposed, in Chapter 2 indicate that this can be achieved by examination of the interaction between the properties of a conciliator and the properties of communication technology. This thesis argues that exploration of conflict in environments that deploy a variety sources of mediation provide a novel and comprehensive test for any theoretical accounts of mediated interaction. To investigate this phenomenon it is first necessary to establish what is unique about conciliated interaction and how conciliation creates a special environment in which parties are able to explore the relationship. This can be achieved by establishing the properties that the conciliator possesses and how these are manifest when a conciliator is present and mediating relational communication. The findings from such an investigation can then be used to guide observation and analysis of conciliation in an on-line environment.

This chapter argues that existing models of conciliator behaviour offer an inadequate account of the relational impact of the conciliator on communication between conflicting parties (section 1). It uses a series of interviews with practicing conciliators to develop and evaluate a grounded theory of conciliator behaviour which describes the way that conciliators manage communication in relationships (section 3). It seeks conciliator validation of the ontology (section 3) and uses Cohen's Kappa to assess its appropriateness as a coding schedule for observations of conciliator behaviour (section 5). Furthermore, it uses these findings to argue that conciliators seek to create and maintain a safe space for parties to explore the issues of contention (section 4) and highlights analogies between conciliated communication and CMC (section 6).

3.1.1 Models of conciliator behaviour

Conciliation is a complex and multi-faceted process . At a high-level, descriptions of conciliation are consistent. Wall, Stark and Standifer (2001) state that conciliation is defined by three elements: *"(1)assistance to some form of interaction by (2) a third party who (3) does not have the authority to impose an outcome"*. Honeyman (1995) synthesises a number of definitions of conciliation into: *"*[the involvement of] *a neutral third-party with no power over the parties, who attempts to help them settle their dispute."* (pg 4.). Similarly, Kressel and Pruitt (1989) describe it as *"third-party assistance to two or more interacting parties*".

The consistent factors of conciliation that arise from these statements are useful for giving a broad definition of what conciliation involves. However, to truly understand the phenomenon in a way which is consistent across ideological conceptualisations, it is necessary to understand conciliation at a more detailed level.

It is evident that conciliation involves the introduction of a third-party to an existing interaction, with the aim of altering that interaction. However, each of the authors quoted above go on to state that that these descriptions fail to adequately capture the complexity of conciliated interaction. This complexity arises from the dynamic interplay between any number of factors that characterise the dispute, and the conciliator's interpretation of and reflection upon these factors.

Wall and Lynn (1993), label these factors the '*determinants of [conciliation][1]*'. These determinants are those circumstances of a conflict that determine if conciliation is possible and how it unfolds. Wall and Lynn suggest that these determinants influence conciliation in terms of: (i) the power that parties posses; (ii) the complexity of the

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[1] The term 'mediation' in alternative dispute resolution (ADR) has a distinct and divergent meaning to its meaning in computer science. To avoid confusion between these terms, this thesis uses the term 'conciliation' to describe mediation in ADR. In reality, there are subtle differences between the practice of mediation and conciliation in ADR. Where there is no alternative, this thesis will use the convention '[conciliation]' when the term 'conciliation' is directly substituted for the term 'mediation'.

conflict; (iii) parties' attitudes and needs; or (iv) the conciliator's ideological approach. These combine to determine how conciliators perform their role.

Kressel (2000) describes conciliation style as a *"cohesive set of strategies that characterise the conduct of a case."* Therefore, the techniques that a conciliator deploys are determined by the role or style that the conciliator adopts. If an observer adopts a contrasting conciliation style as their perspective for analysing conciliator behaviour, this mismatch in the salience of strategies may well lead to erroneous observation.

Moving from this high-level description to a more detailed one is difficult. Differing conciliators, conciliation styles, participants and variables determine conciliator attitudes and the way that conciliation evolves. Attempts to understand conciliator behaviour have produced a number of classifications of conciliator styles. These different classifications privilege some aspects of conciliator behaviour at the expense of others.

Early work by Kolb (1983) placed the observational emphasis on the conciliator's definition of 'success' in a conciliation. Conciliators that are perceived to be 'dealmakers' focus on facilitating an agreement between parties. Settlement is the goal of their behaviour. Conversely, conciliators perceived to be 'orchestrators' aim to improve the relationship between parties in the hope that this brings about an agreement. Categorising conciliator styles in this way, demonstrates a preoccupation with the degree to which a conciliator can be said to be directive (dealmaking) v non-directive (orchestrator) when encouraging a specific outcome.

Riskin (1996) proposes four variants of conciliation style, created by combining dialectic views of both the conciliator's remit (broad v narrow), and their role (evaluative v facilitative). Implicit in this, is that conciliator behaviour is defined by rigid, 'either/or' categorisation. Similarly, Wood (2004) describes four possible conciliator roles: (i) negotiator; (ii) facilitator; (iii) counsellor; or (iv) democratic. However, Wood indicates that conciliators may move between these roles within a conciliation. Implicit here, is that there are limited roles that a conciliator can perform, but that movement between each role is possible within a conciliation. Furthermore,

Picard, Bishop, Ramkay and Sagent (2004) found that conciliators' views of their role can be categorised into: (i) pragmatic (a focus on process and social-norms to shape settlement); (ii) socio-cultural (a focus on the socio-emotional, transformative and relational impact of conciliation); or (iii) a mixture of the two. This demonstrates a move away from a focus on conciliation as a process of switching between discrete roles.

It is evident that developing high-level definitions of conciliation poses few problems. However, factors such as conciliation determinants and conciliator style mean that the details of specific cases may alter significantly. This makes research, assessment and observation of conciliation problematic. It is difficult to consistently assess a conciliator or a conciliation meeting. The variation in determinants and other relational factors mean that confounding variables are overlooked. An observer's ideological preconceptions mean that the salience of various actions can be under- or over- stated.

This chapter adopts a grounded theory approach to develop and present the beginning of an *ontology of conciliator behaviour*. As discussed in Chapter 2, grounded theory is a method that privileges data over prior theory, in a deliberate effort to minimise the risk of ideological preconception from 'forcing' an account of the phenomenon under investigation.

3.1.2 What should the ontology do?

The purpose of developing an ontology is to uncover: (a) the concepts that underpin conciliator behaviour; and (b) the relationships that exist between them. In doing so, a consistent account of conciliator behaviour emerges, one that allows various strategies and concerns of conciliators to be measured, evaluated and assessed. This can be used for research into conciliation, or for comparison between various styles. It can also permit a re-examination of computational mediation, using the ontology as an comparative analogy. However, it is accepted that the ontology will not be comprehensive, but represents the first steps to mapping the concepts that underlie all conciliation behaviour.

The term ontology has been chosen to describe the approach for the following reasons. First, an ontology is a formal description of what is known about a given phenomenon, in terms of categories that are meaningful within a domain. Second, it is not a description of a process, instead it represents hierarchies and properties of categories that constitute a phenomenon. Third, it does not make predictions about the observed phenomenon, but can be used to provide a framework for further investigation. Fourth, the categories and their relationships can be refined as new evidence comes to light. Therefore, an ontology should offer the beginnings of a structured representation that encapsulates the complexity of conciliated interaction, rather than a high-level descriptive account of the process.

It is important that the ontology identifies and isolates the various categories of behaviours and concerns for conciliators and the relationships between them. Similarly, it is important that the ontology is not structured to implicitly favour one approach over others. Finally, it must retain enough descriptive power to encompass all salient behaviours without becoming overly complex; the level of granularity must be appropriate.

To satisfy these concerns, the ontology should include clearly defined categories. Each category must be able to encompass a range of behaviours, rather than one specific action. The labels for each category must be descriptive, without consisting of ideological preconceptions that favour the techniques or behaviours associated with any one conciliation style. Such an ontology can then be used to build a picture of the particular conciliator behaviour or conciliation approach that is being deployed in any observed meeting. This allows comparisons to be made with other observations.

However, it is important to remember that an ontology is descriptive. There are potentially many ways of categorising the various aspects of relationships that are brought to a conciliation. A specific ontology represents just one way of identifying, categorising and describing these factors, dependant upon the purpose for which it is envisaged the ontology will be deployed. An ontology is also rarely predictive. It should report upon those phenomena identified or inferred by the researcher. An ontology cannot make claims about how relationships might change, or how categories may be altered or added. However, it can be used to infer a model which has been

designed to answer such questions. This model can be deployed in an experimental or observational setting.

The method used to develop the beginnings of an ontology of conciliator behaviour which seeks to uncover the underlying structures common to all conciliator styles is outlined in section 2.

3.2 Method

Mareschal (2005) argues that few studies have attempted to collect data about conciliation directly from conciliators. Therefore, questioning a range of domain-experts about their experiences, can provide a novel account of the categories that populate a domain and the relationships between them.

A grounded theory approach was employed to uncover conciliators' own views on their role in the process of conciliation. Twelve conciliators, with varying degrees of experience (2½ years – 32 years), were interviewed. Interviewees had experience in a variety of conciliation domains (family, community, healthcare, construction, employment, disability rights, neighbourhood disputes, commercial disputes and domestic violence).

The data from the interviews was categorised to form an ontology of conciliator behaviour. This was achieved through transcription of the interviews, card-sorting of categories and validation of the ontology by domain-experts. The strength and scope of the ontology was then tested by using it to categorise conciliator behaviour in a real-world conciliation setting.

3.2.1 Grounded theory

There is a tradition of the use of grounded theory in conciliation and conflict resolution research (Jezewski 1995; Picard et al. 2004). Grounded theory is a method for developing a theory which is grounded in data (Glaser & Strauss 1967).   Grounded

theory is an inductive approach that attempts to create a theory from observations of a phenomenon. It does not pre-suppose ideological assumptions.

It is deemed appropriate for this study because it enables experts to provide their own view of the phenomenon under investigation. When examining such a diverse phenomenon as conciliation, this lack of ideological preconception mitigates bias caused by conciliators operating under different styles and with different experiences. The motivation for use of grounded theory in this thesis is outlined in greater detail in Chapter 2 (section 6.1)

Grounded theory recommends an iterative approach to data-collection and theory generation. Data is selected for its ability to shed light on a phenomenon. Once data is gathered, the researcher immediately begins to analyse the data. The results of this analysis are used to guide further data collection in an iterative cycle, until new data no longer adds to, or contradicts, the emerging theory that links all the salient data-points. In doing this the theory remains grounded in the data.

Analysis of the data involves two stages: (i) memo-writing and (ii) axial-coding. Memo writing begins as the data is analysed. Keywords or phrases are selected and the researcher defines and describes what they believe these mean to the subjects. Memos are refined and amended until the researcher believes that they have a sufficient domain lexicon to describe the phenomenon under investigation. Axial-coding is the process of linking the categories described by the memos in a coherent and parsimonious representation of the domain. These processes are on-going as data is collected and are used to guide subsequent data collection. The process of data-collection, memo-generation and axial coding for the study is discussed below.

3.2.2 Data-collection

In accordance with the tenets of grounded theory the subjects chosen for the study were selected for the information that they could provide about the phenomenon of conciliation. The aim of the investigation was to uncover conciliators' own view of

their role in the process of dispute resolution. Therefore, interviews were deemed to be the most appropriate method of data-collection.

In total 12 conciliators were interviewed. In accordance with the conciliator's wishes, these interviews took place over the telephone or at the conciliator's place of work. Where possible conciliators were interviewed individually, although on one occasion two conciliators participated in the same interview (Conciliator's 4 & 5)

The interviewer took minutes of the meetings (appendices 1a to 1k). The interviewer used their judgment to record verbatim quotations during each interview. Interviews lasted between 20 – 90 minutes. The following six questions were used to structure the interviews.

1) Can you take me through your last conciliation; what went well, what would you do differently?
2) Can you describe a conciliation that went particularly well; what stands out as unusual, what was typical?
3) Can you describe a conciliation that went particularly badly; what stands out as unusual, what was typical?
4) What does a conciliator bring to the conflict; how does this assist resolution?
5) What makes a good conciliator?
6) Is there a role for information technology (such as video-conferencing or chatrooms) in conciliation: why do you think this?

These questions were designed to encourage conciliators to think about the impact of their presence on relationships and how they chose to deploy various conciliation techniques. However, the interviewer was free to explore conciliator responses using subsequent pertinent questions.

3.2.3 Participants

The conciliators who participated in the study were selected for their range of skills and experience. Twelve conciliators were interviewed. They had in excess of 130 years'

cumulative experience across a range of conciliator domains. A synopsis of each conciliator's experience is listed below

Conciliator 1 (Appendix 1a)

Conciliator 1 has been practicing since 1997. They work predominantly as a community mediator, resolving neighbourhood disputes.

Conciliator 2 (Appendix 1b)

Conciliator 2 has been practicing since 1976. They work as a family and community conciliator and run a conciliation practice, as well as training conciliators.

Conciliator 3 (Appendix 1c)

Conciliator 3 has been practicing since 2000. They work predominantly as a family conciliator, although they are also involved in community disputes. They also run a conciliation practice and train conciliators.

Conciliator 4 (Appendix 1d)

Conciliator 4 has been practicing since 1995. They work exclusively as a community conciliator, working closely with a local authority's anti-social behaviour unit. They manage a conciliation service.

Conciliator 5 (Appendix 1d)

Conciliator 5 has been practicing since 2003. They work exclusively as a community conciliator, working closely with a local authority's anti-social behaviour unit

Conciliator 6 (Appendix 1e)

Conciliator 6 has been practicing since 1994. They work as a freelance conciliator and have experience of conciliation in employment, family, commercial, domestic violence and community disputes. They have served as Governor of the UK College of Mediation. They train new conciliators and have the authority to accredit Continual Professional Development courses for existing conciliators.

Conciliator 7 (Appendix 1f)

Conciliator 7 has been practicing since 2003. They have experience of community conciliation and conciliation within the health service. They manage a conciliation practice and train new conciliators.

Conciliator 8 (Appendix 1g)

Conciliator 8 has been practicing since 1994. They have experience of community, construction and family conciliation. They train new conciliators.

Conciliator 9 (Appendix 1h)

Conciliator 9 has been practicing since 1997. They work exclusively in the field of employment relations.

Conciliator 10 (Appendix 1i)

Conciliator 10 has been practicing since 1996. They have experience of community, healthcare and family conciliation. They run a conciliation practice and also train conciliators.

Conciliator 11 (Appendix 1j)

Conciliator 11 has been practicing since 2004. They have experience of community and workplace conciliation.

Conciliator 12 (Appendix 1k)

Conciliator 12 has been practising since 2004.   They have experience exclusively in employment relations.

It is evident from the above that the conciliators selected for interviews represent a wide range of experience across a variety of domains.

3.2.4 *Memos and Axial Coding*

In accordance with grounded theory, the minutes from each of the interviews were analysed. Key phrases were identified and explored using a process of memo-writing

(examples in appendix 2a). These memos were explored and revised as new data was collected.

The key phrases explored in the memos were subjected to a process of 'axial-coding'. This involves linking the categories to develop a parsimonious representation of the phenomenon under investigation (examples in appendix 2b). This was undertaken using card-sorting to organise concepts into categories and hierarchies. The card-sorting produced a series of models that were tested for consistency whenever new data was collected.

This process continued until the data gathered no longer contributed anything new to the emerging theory. The ontology derived from the Grounded Theory study is presented in the following section.

3.3 Toward an ontology of conciliation

Drawing on the interviews with conciliators and the subsequent analysis of the data, this thesis argues that conciliators act to create and maintain a 'safe space' in which interaction can occur. This is safety to: (i) experience breakdowns; (ii) express emotions; and (iii) explore power differences. This safe space can be conceived of as a state which is sufficiently safe for parties to be able to communicate effectively in order work together on restoring their relationship. The ontology of conciliator behaviour offers a breakdown of the *hierarchy of categories of behaviour* that conciliators use on a moment-by-moment basis to create and maintain this safe space. However, the diversity in the 'determinants of conciliation' means that the *process* of conciliation will vary between conciliation settings and is therefore not represented in this thesis.

The ontology indicates that behaviour can be categorised at three levels (Figure 1). At the highest level is 'Attitude'. These categories represent a conciliator's awareness of the guiding principles that shape conciliation. Whenever a conciliator acts, they will be concerned with projecting a particular conciliation 'attitude'. At the next level is 'Function'. This is motivates a conciliator's behaviour at any specific instance.

Finally, at the lowest level, is 'Technique'. This is the activity that the conciliator is performing to achieve their goal.
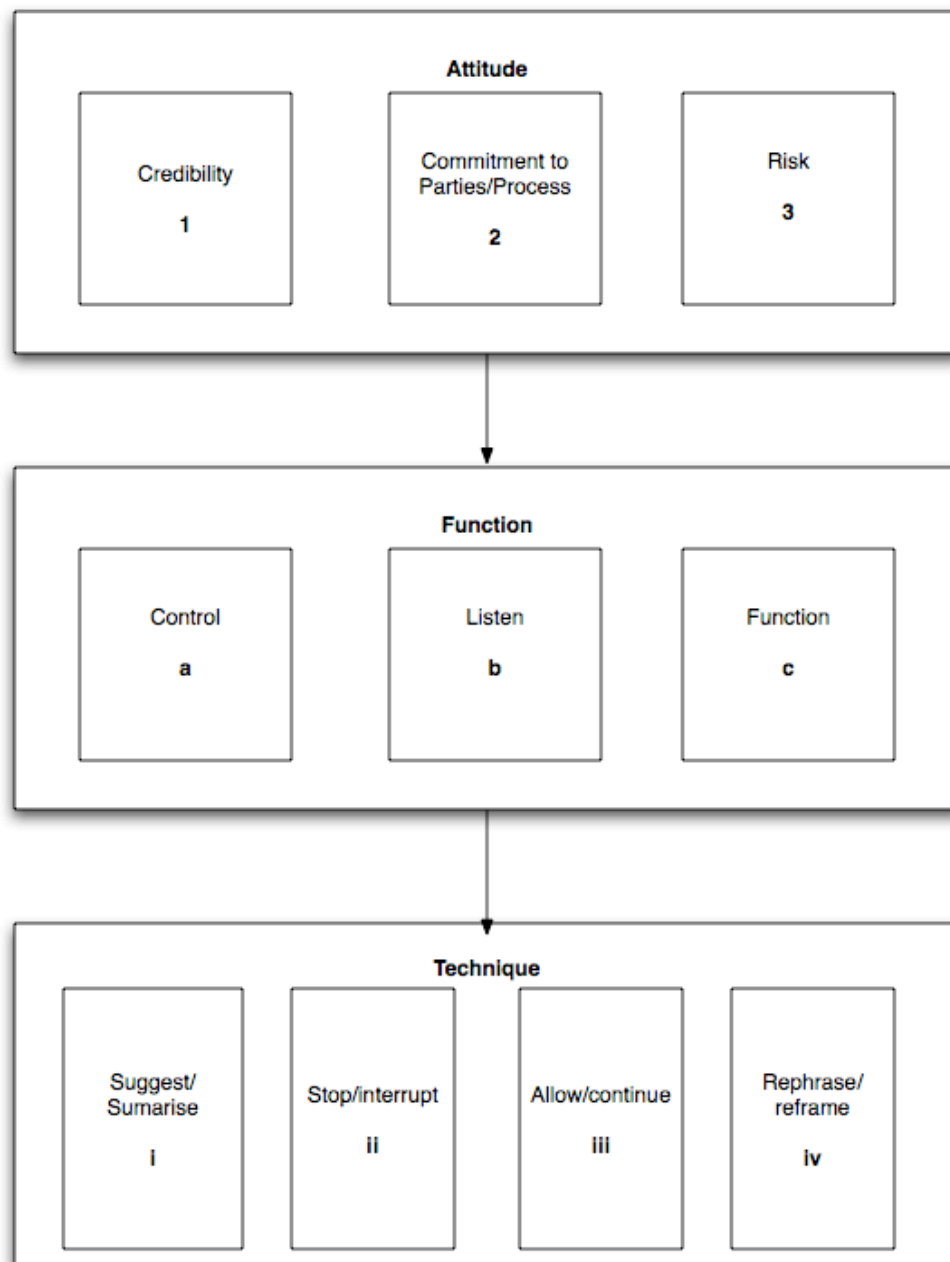
FIGURE 1: The conciliation ontology.

The ontology represents conciliators' own interpretation of their behaviour in the conciliation environment. At each level, the categories are: a) exhaustive *i.e.* any observation of conciliator behaviour must be described using the conciliation ontology;

and b) mutually-exclusive *i.e.* each observation must be described using only one category from each of the levels. Finally, an observed behaviour must be simultaneously described as an Attitude, a Function and a Technique. The categories are described in greater detail below and illustrated with quotations from practicing conciliators. A recurring theme for the conciliators is the notion that their behaviours are being deployed to construct and maintain a safe environment for discussions. This is explored in detail in section 4.

3.3.1 Attitudes

At the highest level are the Attitudes that conciliators wish to project to the parties in the dispute. These can be viewed as characteristics that differentiate the conciliator from other forms of intervening third-parties. Interviews with conciliators demonstrate that Attitudes fall into three categories: 1) maintaining credibility; 2) demonstrating commitment to the parties and the process; and 3) managing risk.   The properties of these categories are as follows.

3.3.1.1 Maintaining credibility

Parties attend conciliation voluntarily. They are free to stop participation at any point. In addition, the conciliator has no enforcing powers over participants. It follows that disputants remain in conciliation because they trust that the conciliator is a credible professional who can take them through the process. The following quotation from conciliators demonstrate the importance of credibility in managing the relationship.

> *"Must [act in] a firm, clear and consistent manner, otherwise the*
> *[conciliator] may lose their credibility"*
> [Conciliator 3, (Appendix 1c, line 52)]

Credibility inspires trust. Without credibility parties will no longer view the conciliator as capable of managing the conflict. Projecting an Attitude of credibility is therefore one of the concerns that shapes a conciliator's behaviour. This is achieved by appearing firm, clear and consistent. The parties must trust that the conciliator has the necessary skills, experience and demeanour to ensure that their intervention will not further exacerbate the conflict.

Professionalism is a way for the conciliator to instil confidence in the parties and project an Attitude of credibility. A professional conciliator appears confident and capable of managing the dispute and the environment.

> *"A professional [conciliator] will be one that appears to . . . be able to understand the situation that the parties find themselves in and will be more likely to be successful."*
> [Conciliator 1 (1a, 65)]

To appear professional, the conciliator must quickly demonstrate that they understand how each party perceives the situation. Without this, parties may believe that the conciliator is inexperienced, or that their conflict is too difficult to be resolved by conciliation.

Projecting an attitude of someone who is knowledgeable and in control gives parties confidence in the conciliator's credibility. A credible conciliator must be perceived by participants as not unduly favouring another party.

Conciliators expressed the following views on the nature of impartiality in conciliation.

> *"To be unbiased and impartial the [conciliator] must be able to facilitate a conflict resolution process without promoting their own agenda for the outcome."*
> [Conciliator 8, (1g, 6)]

At a practical level impartiality is often matched to ideas of being balanced, unbiased or neutral (see Bracci and Hosein (1999) for a discussion of the nature of impartiality in conciliation). If parties believe that the conciliator is not acting in an impartial manner, they no longer perceive the conciliator as a credible conciliator. Instead they will be perceived to be an advocate for one of the parties, jeopardising participation.

Similarly, because parties expect the conciliator not to favour the other party, a conciliator must appear to be treating both sides fairly.

> *"Neutrality is not making suggestions. . .* [However] *You may over-compensate if you disagree with one party's attitude."*
> [Conciliator 2 (1b, 48)]

Concern with impartiality may lead the conciliator to over-compensate in the assistance that they provide to a specific party. A credible conciliator is one that can equalise participation, without being perceived to have jeopardised their neutrality.

It is apparent that a conciliator who can no longer be viewed as impartial by the parties, is unable to project and Attitude of credibility. They are viewed as a potential advocate and can no longer be trusted to help steer parties through the process of conciliation.

An effective conciliator "*… needs to be aware of their own buttons that can be pushed*" [Conciliator 8 (1g, 42)]. In discussions, there are likely to be some behaviours or topics that cause an emotional response in the conciliator. However, the conciliator needs to be able to put their emotions to one side.   They need to be non-judgmental.

> *"The [conciliator] also needs to reserve judgment and be aware that different people do things differently."*
> [Conciliator 5, (1d, 67)]

Although this is linked to the notion of impartiality, to be non-judgmental, requires the conciliator to divest themselves of their own value-judgments and become tool for altering the relationship, rather than an adjudicator. A credible conciliator encourages parties to be honest and open. Participants are less likely to do this if they feel that the conciliator is judging their actions.

A credible conciliator must not make value-judgments about the parties or the conflict. Instead they must assist the parties through the process. If parties do not perceive the

conciliator as non-judgmental, they may be reluctant to disclose information for fear of retribution from the conciliator.

Professionalism, impartiality and being non-judgmental all provide parties with faith in the conciliator's credibility. While the conciliator is perceived as competent, unbiased and open-minded, parties trust them to guide them through the dispute. This affords greater scope to the conciliator to address parties' behaviour.

Projecting an Attitude of credibility is one concern that guides a conciliator's behaviour. Another is that they demonstrate their commitment to the parties or the process.

3.3.1.2 Demonstrating commitment to the parties in, and the process of, conciliation

The second Attitude that a conciliator aims to project is that they are committed to the parties in, and process of, conciliation. The conciliator intends for parties to benefit from the process and acts to make this process visible. This is achieved by helping parties through the process, rather than advocating a specific course of action. Conciliator views on this concept are discussed below.

> *"Don't attempt to make parties non-sceptical, but accept the cynicism,*
> *draw attention to the process and how the process has managed to have*
> *an effect"*
> [Conciliator 4, (1d, 56)]

Through demonstrations of commitment to the process the conciliator ensures that parties are truly invested in the conciliation. Parties must approach the process in good faith, otherwise its efficacy is reduced. To demonstrate commitment to the process, the conciliator must overcome reluctance that parties may have prior to, or during the conciliation. This can be achieved by showing parties how far along the process they have travelled as a result of conciliation.

Commitment to the process reinforces the notion that conciliators work to create and maintain a special environment in which resolution can occur. Demonstrating and encouraging a commitment to the process keeps parties involved and engaged in the conciliation (see also Conciliator 8, (1g, 47)).

The conciliator demonstrates commitment by helping parties through the process, rather than by dictating the topics of discussion.

> *"[The conciliator] has control over the process, not the content"*.
> [Conciliator 10, (1i, 26)]

Commitment to the process means that the conciliator takes responsibility for moving parties toward resolution. Commitment to the parties means that the conciliator allows disputants to influence the nature of the dispute. They are the ones who are experiencing difficulties. This is further expanded by Conciliator 4.

> *"In conciliation the dispute resolution professional cannot make suggestions or recommendations to parties – the parties own and take responsibility for the conflict"*.
> [Conciliator 4, (1d, 23)]

The conciliator is an expert in dispute resolution and may therefore wish to direct parties toward a specific outcome that they feel is appropriate. However, this would prevent the parties from finding their own resolution. The conciliator needs to maintain the notion that the process of conciliation is a way for parties to explore their relationship and find a mutually satisfactory way forward.

One of the things a conciliator brings to the dispute is their attention to the parties. The conciliator is fully committed to the parties for the period of the conciliation and is there to assist them in resolving their difficulties. The conciliator can demonstrate their commitment to the parties through "*a removal of self*" [Conciliator 2 (1b, 44)]. This is echoed by Conciliator 7.

> *"[A conciliator is] . . . someone who is devoted to the parties in conflict".*
> [Conciliator 7, (1f, 43)]

The conciliator must demonstrate inquisitiveness about parties' needs, without getting drawn into the debate. They must be aware that the route to resolution resides with the parties. The conciliator must steer parties through the process, but without advising parties on the 'best' approach. Conciliators demonstrate commitment to the parties by acting to make parties aware that they are in control of the content of the discussions.

If a conciliator is able to demonstrate commitment to the process, parties shall perceive the conciliation environment as safe to raise issues that they feel are appropriate, without fear that the conciliator will challenge this. The conciliator must therefore balance their commitment to the process (moving parties through the dispute), with their commitment to the parties (ensuring that the parties remain in control of the content and the outcome). The tension between these two potentially competing demands is a concern that guides a conciliator's behaviour.

The final Attitude that a conciliator aims to project is that they are able to manage risk.

3.3.1.3 Managing risk

Projecting an Attitude that they are able to manage risk also guides conciliator's actions.

Conflict is often attributed to poor, incompatible or mismatched communication between parties. Alternatively, it can be attributed to competing demands for resources. When parties come to conciliation, they do so as a last resort, having experienced repeating, deteriorating cycles of behaviour. A conciliator offers parties a way to break-out of these cycles and encourages consideration of new forms of communication or resource allocation. This is achieved by taking risks in the environment. The ability to manage risk (or at least project an Attitude that they can manage risk) allows the conciliator to deploy these techniques effectively.

> "[A conciliator] *needs to be adaptable and creative and take risks.*"
> [Conciliator 8 (1g, 45)]

> "[Conciliators] *offer the potential to move from old scripts.*"
> [Conciliator 3 (1c, 53)]

Conciliators need to suggest strategies or approaches that have the potential to break the current cycle of behaviour. This includes exploration of power differences or construction of breakdowns in understanding, in order to encourage the re-authoring of new scripts. However, these strategies have the potential to exacerbate conflict. To address this, the conciliator needs to take risks. Therefore, for a conciliator to posses an understanding of risk, they must be aware, not only of the implications of the success of the risk-taking, but also the implications should the risk-taking fail.

> "*The consequence of a risk not paying off are that . . . the [conciliator]*
> *may be affected by their own emotional trigger - this may make them less*
> *able to be effective, or they may become one of the parties in the dispute . .*
> *. the process may also breakdown and parties may no longer be willing to*
> *re-engage with the process.*"
> [Conciliator 8, (1g, 47)]

The above highlights some of the risks to the safety of the space, should the conciliator's risk-taking be unsuccessful. However, should the risk succeed, then many of these potential pitfalls can be of benefit to the parties. The conciliator may uncover some deep-seated underlying issue. A party that has entered the negotiation in bad faith may find that the process is ultimately beneficial and begin to engage with it. Parties may see how far they have come from a particular position. This can improve the relationship and reduce conflict.

For a conciliator to effectively move parties through the conflict, they must be willing to take risks and have an awareness of the implications of the risk. A good conciliator uses their judgment to decide which risks are necessary, given the potential beneficial and harmful outcomes.

> *"Experience helps the [conciliator] to discover which tools to use and*
> *when; you develop feelings about what is going to work"*
> [Conciliator 2 (1b, 64)]

Experienced conciliators have a developed awareness of risk. They are able to deploy risk strategies in a more nuanced way. An appreciation of the need to take risks and the implications of success or failure is another concern that shapes conciliator behaviour. Risk may reinforce the perception of the conciliation environment as one in which it is safe to explore alternatives and focus on contentious issues. However, a failure by the conciliator to manage risk could jeopardise this safety of the space.

3.3.1.4 Conciliator Attitude in the conciliation ontology

The Grounded Theory interviews indicate that there are high-level concerns that guide a conciliator's actions.   The majority of conciliator behaviours are shaped by conciliators projecting specific Attitudes in the space to address these concerns. The salience of these Attitudes vary between conciliations, conciliators and conciliator styles and have a significant impact on the role that the conciliator adopts at any point during the conciliation.

Conciliator Attitudes govern their behaviour at a high-level. Conciliators are aware that they exert a relational influence through their actions. They manage this influence to ensure that they can successfully achieve their goal of improving relationships and reducing conflict. Credibility builds trust in the conciliator; commitment helps parties through the conflict and encourages participation; risk awareness enables the conciliator to take judge when it is appropriate to take certain actions. Attitudes closely reflect current definitions from the conciliation literature. Credibility (in terms of impartiality and being non-judgmental) is a perennial theme *e.g.* Bracci and Hosein (1999); Field (2000). Commitment to the parties and the process encapsulates the facilitative –v- directive discussion. Management of risk, as an Attitude projected by the conciliator, is not explicitly addressed by existing accounts (although is implicit in many).

3.3.2 Function of the conciliator

Function refers to the way that the conciliator manages the interaction between parties. Interviews with conciliators indicate that there are a number of Functions that a conciliator may perform throughout the conciliation. The motivation for adopting a particular Function varies according to: the determinants of conciliation; the style that the conciliator is adopting; and the stage in the process that the parties have reached. It is also determined by the concerns that guide conciliator behaviour. The Function level can be divided into three categories: a) controlling exchanges; b) listening to parties; and c) facilitating interaction.

3.3.2.1 Controlling exchanges

An important aspect of conciliation is that parties are able to be honest and open with each other and able to contribute sufficiently to the process. This is achieved by exercising control over who is able to talk (floor control), or over what is talked about (topic control).

Conciliator 3 outlines the relationship between safety and control.

> *"Safety takes the form of a freedom from retribution for these actions – the [conciliator] is in control."*
> [Conciliator 3, (1c, 40)]

If there are resource or power differentials in the dispute, fear of retribution prevents full participation by one or more parties. The conciliator must convince parties that they are capable of controlling interaction to create and maintain an environment that is sufficiently safe from retribution for their continued participation. However, the conciliator is aware that too strict a control may jeopardise the safety of the space as a place to vent (*i.e.* perform an emotional outburst).

> *"[Conciliators] must control behaviour, without stopping what they* [the parties] *need to address."*
> [Conciliator 9, (1i, 24)]

The conciliator controls how and when emotional expression occurs, ensuring that it is appropriate. Inappropriate emotional expression may take the form of flooding, in which parties become too emotional to be able to communicate effectively, or it may be a restriction on the way that parties are able to express themselves, resulting in frustration.

Exercising control is one Function that the conciliator performs. A second is to demonstrate listening.

3.3.2.2 Demonstrating listening

Parties in conflict have not had the opportunity to have their arguments listened to by someone with no vested interest in the outcome. Actively engaging with parties means visibly acknowledging and repeating back elements of what they have said. It helps a conciliator to develop rapport. This in turn encourages parties to be more open and serves a number of purposes.

First it: *"shows parties that they have been heard."* [Conciliator 6, (1f, 52)]. If parties feel that they are listened to, they begin to develop trust in the process, the conciliator and the other party. They perceive that it is legitimate and productive to discuss their underlying concerns, rather than attempt to entrench their position.

Second, engaging with parties and acknowledging what they are saying helps them to reflect on their actions. The conciliator uses this to move parties through the debate.

> *"Being an interested and a non-judgmental witness has an effect on*
> *people and encourages reflection on their behaviour."*
> [Conciliator 8 (1h, 60)]

Conciliator 6 indicates that parties can be encouraged to divest emotions by having their experiences acknowledged by a third-party. If parties perceive that they are being listened to, they are less defensive and in turn are able to acknowledge underlying issues in the conflict. They develop an understanding of why they are experiencing such intense emotions over certain issues. Conciliator 8 indicates that the conciliator

helps parties to reflect on their emotions and to separate these from the underlying issues. This can then be used in resolving the conflict.

Performing a listening function is an important facet of conciliator behaviour. It encourages parties to be open and to build trust. However, listening must always be governed by concerns for the way that Attitudes of credibility, commitment and risk management, are projected by the conciliator. The conciliator must take care to be non-judgmental. They must be aware of the risk of ratifying parties' viewpoints, which may lead to greater intractability and could jeopardise their impartiality. If parties feel that the conciliator is listening to them, they perceive the environment as distinct form their normal interactions.

Finally, at the level of Function, the conciliator can act to facilitate movement through the process.

3.3.2.3 Facilitating interaction

Conflict and conciliation are emotional experiences. Parties' emotional investment in multiple issues and interpretations of these issues, make it difficult for them to keep track of what has gone before and where they should go next in the discussions. The conciliator is an expert in the area of dispute resolution; they have a great deal of experience that they can bring to the conflict. The conciliator's function is to use this experience to guide parties through the process, to facilitate resolution.

> *"The [conciliator] puts a structure on discussions … structure helps move parties away from going round in circles."*
>
> [Conciliator 6 (1f, 69)]

The conciliator ensures that parties benefit from the process of conciliation. This is achieved by offering assistance to parties that they would not have were the conciliator not present. The conciliator may act as a *"placeholder for the discussion"* [Conciliator 12 (1k, 47)]. This facilitates the process, giving parties the freedom to explore issues, without the risk of losing track of the overall goal.

Alternatively, the conciliator facilitates the process by asking pertinent questions. This encourages parties to view issues in novel ways. The conciliator may offer new information, recapping, or asking parties revisit a particular topic. This helps parties to approach the conflict constructively.

> *"The [conciliator] guides the talks and discussions by helping parties to work out how they should make decisions."*
> [Conciliator 2 (1b, 58)]

Facilitating the process helps parties to work toward settlement. The conciliator brings their expertise to the conflict and uses it to assist parties with the process of dispute resolution. However, as with all other Functions, conciliators must facilitate the process in a way that moves parties forward, without jeopardising their impartiality, or without forcing parties into a decision that they did not wish to make.

3.3.2.4 Function in the conciliation ontology

The interviews indicate that there are a number of Functions that the conciliator performs in a conciliation. These are adopted in accordance with the concerns that guide the conciliator's behaviour. Categorising conciliation in terms of inter-levered Functions, offers insight into the way that the conciliator encourages specific behaviour from the parties. The conciliator Functions are used to: control interaction to ensure safety of the space; listen to parties to build trust and encourage emotional expression and disclosure; or facilitate discussions to encourage exploration and ideological movement.

Multiple conciliator Functions are performed to maintain the safety of the space. Functions enable conciliators to moderate the information that is in the space, both at any given moment and over the duration of the session. These move parties through the discussion and exert a relational influence that reduces or resolves conflict. This is achieved by either controlling topic or the floor; encouraging parties to continue to present information; and ensuring that the way in which this information is presented or referred to move parties through the process.

The Techniques conciliators deploys to fulfil these functions are discussed below.

3.3.3 Techniques

At the lowest-level of the conciliation ontology are the Techniques that the conciliator employs to perform each of their Functions. These are the Techniques that the conciliator uses to interact with parties. Four categories of Technique have been identified from the interviews: i) suggest/summarise; ii) stop/interrupt; iii) allow/continue; and iv) rephrase/reframe. These techniques are performed by individual actions, or combinations of actions. Similarly, one action can be used to complete a variety of Techniques. Therefore, rather than categorise directly observable actions such as questioning, speaking, gesturing *etc*., it is the task for which they have been deployed that is considered significant for this particular ontology.

The four categories are discussed in section 3.3.1 – 3.3.4.

3.3.3.1 Suggest/Summarise

One way that conciliators interact with parties is to introduce or revisit information in the discussion. This is achieved by suggesting or summarising areas of debate. Suggest/summarise is a method for the conciliator to alter the salience of information, either through the introduction of information into the space, or by highlighting certain aspects of the information that is present.

When conciliators make a suggestion, they are introducing new information or ideas into the discussion.

> *"The [conciliator] can also offer a completely new idea that can encourage debate."*
> [Conciliator 11 (1k, 52)]

The Function that the conciliator is performing determines the nature of the suggestion. However, the purpose of the suggestion is to keep the process moving toward resolution. Suggestion encourages parties to consider novel information; it may encourage reflection in current position.

Summarising takes the form of a recap of various aspects of the debate. The conciliator may recap to draw parties back to a particular topic, or to clarify understanding of particular issues.

> *"[Conciliators] can summarise and mutualise…creating common ground"*
> [Conciliator 6 (1f, 67)]

Suggest/summarise is a Technique to alter the amount or salience of information in the environment. The conciliator deploys this Technique to refocus or expand topics.

3.3.3.2 Stop/interrupt

The conciliator ensures that parties communicate effectively. Stopping parties from talking is a method to ensure that each party can have their say. This helps the process to proceed in an appropriate manner.

> *"The [conciliator] must be able to stop parties respectfully".*
> [Conciliator 6 (1f, 51)]

Stopping can take the form of preventing one party from beginning to speak (either through gesture, utterance or a combination of the two). This is used to prevent one party from dominating the discussions, giving another party the chance to have their say. The conciliator ensures that they do not jeopardise their reputation for impartiality when stopping parties from talking, in terms of their Function as a legitimate controller of the exchange or as a facilitator of the process. The conciliator must justify their reasons for stopping or interrupting a party. This ensures that they do not violate any of the high-level concerns that govern conciliation.

> *"… she was like a cracked record – I took it on myself to say 'I'm going to have to be really bossy and stop you there, looking at the time'."*
> [Conciliator 1, (1a, 38)]

The purpose of stop or interrupt is to restrict the flow of information into the debate and to maintain progress by moving parties forward. This is undertaken to ensure that the space remains safe to discuss issues.

3.3.3.3 Continue/allow

The emotional nature of conflict means that the conciliator encourages parties to begin talking or to keep talking. This is particularly important if a topic is emotionally challenging for an individual.   Encouraging one party to continue talking can be achieved through utterances, body language, or silence.

> *"You need to be able to be silent – this can allow parties to have their say,*
> *to draw out thoughts. Silence also encourages parties to speak to fill the*
> *gap."*
> [Conciliator 7 (1g, 40)]

Encouraging parties to continue to talk can reassure an individual that their input is appropriate. This can be deployed to encourage emotional expression, or discussion of issues that parties may not normally address.

Allowing someone to talk is an explicit invitation or question. Again, this can be in the form of a gesture or an utterance. The conciliator may invite someone to talk having previously prevented them from doing so. Alternatively they may allow a participant to interrupt. This can be used to help demonstrate listening, control the floor or facilitate the interaction.

The Function that the conciliator is performing shapes how and why continue/allow Techniques are deployed. Continue/allow enables a conciliator to increase the flow of information into the space. This encourages parties to continue to discuss issues and potentially widen the topics under debate.

3.3.3.4 Rephrase/Reframe

The fourth category of conciliator behaviour is rephrasing or reframing. This is undertaken to encourage parties to reconsider their perception of events. Rephrasing

may be repeating a statement back to someone in less emotive terms, or may be a subtle rephrasing that changes the way that an individual views a process.

> *"Extract the concerns without the heat, this is a form of rephrasing."*
> [Conciliator 6 (1f, 50)]

By rephrasing, the conciliator helps parties to better understand the issues that underlie their behaviours. Language may be used that is less antagonistic, enabling parties to accept a statement. By reducing adverse emotional content, mitigating emotional expression or flooding, rephrasing can be used to preserve the safety of the space

Similarly, reframing encourages parties to consider a problem from a different angle. Introducing a new insight may be a useful way of encouraging movement from a position:

> *"Introduction of doubt into their held 'right or wrong' positions can be exploited to facilitate settlement".*
> [Conciliator 3, (1c 68)]

Reframing can help parties to reconsider their position in the conflict. This might be in terms of perceptions of resources, goals or attitudes. Reframing is an attempt to introduce an intra-personal breakdown that encourage parties reappraise the consistency of the narratives that they hold.

3.3.3.5 *Information regulation techniques and the conciliation ontology*

At the Technique level, conciliators are able to deploy strategies that allow them to influence the information in the discussion. Conciliators are able to restrict or encourage information (through stop/interrupt or allow/continue), controlling the rate of exchange. Alternatively they can influence the perception of information (suggest/summarise, recap/reframe), controlling interpretation. Decisions on performing a Technique are taken in light of relational variables and conciliator function.

Thus it can be seen that the skilful use of language can move parties through the process. However, as with all other actions, the conciliator must be aware not violate any high-level concerns when performing this task.

3.3.4 Implications

The Mediator Ontology (MOnt'y)[2] presented above offers a representation conciliator behaviour. It is intended that the conciliation ontology offers a way of capturing the essence of conciliation, irrespective of any given 'determinants of conciliation'. It can be a powerful tool for investigating the complexity of conciliated interaction. The conciliation ontology offers a way of framing and measuring investigations between conciliators and conciliations that does not privilege any particular style of conciliation, or focus on a particular domain

The tests for validity and reliability in qualitative investigation outlined in Chapter 3 can be used to assess the degree to which the conciliation ontology is an appropriate representation of conciliator behaviour. The use of grounded theory means that the investigation was conducted without theoretical preconceptions (as far as it is possible for this to occur in any piece of research). The investigation did not set out to prove or disprove a theorised ontology of conciliator behaviour; it generated categories directly from the data collected. This supports the claim that it is a valid representation of the underlying categories of conciliator behaviour. The conciliators selected for interview had a range of experience, styles and domain expertise. As a grounded theory of conciliation it can be used to describe the techniques, functions and attitudes of conciliators in a wide-range of dispute contexts.

3.3.5 Validating the conciliation ontology

The conciliation ontology was referred back to the conciliators who participated in the grounded theory interviews. All participants were asked if they would like to view and

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[2]   The model was shown to practicing conciliators as the 'Mediator Ontology', rather than the 'Conciliation ontology'. Footnote 1 outlines the semantic issues surrounding the terms 'conciliator' and 'mediator' in ADR.

comment upon the ontology that had emerged from the interviews. Three conciliators agreed to offer feedback.

They were asked to comment on the degree to which they felt the categories and definitions of categories accurately captured their role. Two conciliators communicated by e-mail (Conciliators 1 & 6). Conciliator 9 participated in a face-to-face meeting. The e-mails and minutes from these various sessions are in Appendix 2 The conciliators were presented with the conciliation ontology and asked to comment on the degree to which they felt it represented conciliator behaviour. Their impressions are as follows.

> *"It is an interesting way of categorising what a mediator is doing and I*
> *think that it does reflect the reality that [conciliators] are often operating*
> *at different levels simultaneously"*
> Conciliator 6

In this excerpt, the conciliator shows their agreement with the categories proposed in the ontology. They feel that the multiple levels of operation proposed by the ontology offer a true reflection of conciliator practice. However, other conciliators proposed changes to the descriptions of some categories.

> *"[the model is] interesting but consider the problem I suggested ...*
> *clarify this term [control] is it rather directive rather than receptive? ... I*
> *agree that the [conciliator] has to impose some sort of structure in the*
> *proceedings but only demonstrate the tone by his/her own style, respect,*
> *thoughtfulness etc."*
> Conciliator 1

The conciliator in this example is in broad agreement with the categories in the ontology. However they disagree with some aspects of the definition of the Control category at the level of Function. The conciliator feels that the category captures one aspect of the role they perform (imposition of a structure), but that this is achieved with more subtlety than the category suggests.

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In addition, one conciliator questioned the basic premise of developing an ontology of conciliator behaviour.

> *"There's nothing* wrong *with it … it's a bit academic … I'm not comfortable with simplifying [conciliation] to that extent"*
> Conciliator 9

In this example the conciliator questions the validity of the research. Although they feel that the ontology does not include erroneous information, they appear concerned that there is much that is omitted. For Conciliator 9 it is apparent that the skills and processes of conciliation are inherently complex. Any attempt to represent this formally removes the capacity for subtlety, inherent in conciliation. However, although this is a valid concern, the purpose of the ontology is to bring simplification to a complex issue. Were the ontology to attempt to describe all potential conciliator behaviour it would become unwieldy and fail in its attempt to provide a parsimonious account of core conciliation traits.

It is evident that the grounded theory of conciliation, presented above in the form of the conciliation ontology, captures many of the elements of conciliator behaviour and extends existing accounts of conciliation. The conciliation ontology offers an account that gives consideration to conciliators operating on a number of different levels simultaneously. The skill of the conciliator is to allow parties to discuss issues in a manner that surfaces underlying concerns and moves them toward a mutually satisfactory resolution. The above discussions demonstrate that conciliators deploy their skills to create a unique environment in which parties are able to explore the issues in the conflict. One way of conceiving this environment is as a 'safe space' the dimension of this safe space are discussed in-depth in section 4.

3.4 What does the conciliation ontology say about conciliator practice?

Synthesis of the interviews above indicate that the purpose of the conciliator is to create and maintain a safe environment in which the parties can discuss their conflict. For this to occur the conciliator needs to project an Attitude that leads parties to believe that they are capable of creating and maintaining this environment; perform Functions that are perceived as managing the interaction to ensure safety; and deploy Techniques to regulate information to enable parties to communicate within the safe space.   This section explores the relationship between the conciliation ontology and a safe environment.

3.4.1 Safety in conciliation

The above interviews demonstrate that the presence of a conciliator has a relational impact that can reduce or resolve conflict. The conciliation ontology indicates that traits of this presence can be formally categorised and represented as an ontology. It is evident that that the conciliator influences relational communication to bring about a change in behaviour and attitudes.

The environment in which conciliation occurs represents a unique space for parties to explore their relationship and the conflict that arises. The presence of the conciliator represents the potential for this uniqueness; the actions of the conciliator create and maintain this uniqueness. In an unconciliated environment, parties are exposed to the full repercussions of asymmetrical resources, uncertainty and risk behaviour. The presence and actions of the conciliator create and maintain a space that is safe (or at least safer) from these repercussions, allowing parties the freedom to explore alternative ways forward. This section explores the way a conciliator creates and maintains this safe space.

3.4.1.1 Safety and Attitudes

High-level traits of the conciliator are the Attitudes that they are able to present in the environment. The specific Attitudes distinguish conciliation from other forms of third-party intervention (*e.g.* negotiation, arbitration or counselling). The conciliator must project Attitudes that they are credible, committed to the parties and the process and that they are capable of managing risk. These Attitudes help parties to perceive the space as safe for them to explore the conflict.

If a conciliator is unable to project an Attitude of credibility, parties may be fearful that the conciliator favours one party over the other, or may not accurately represent their interests. They may no longer perceive the environment as one in which it is safe to disclose or explore sensitive information without fear of retribution. A credible conciliator encourages parties to trust in their experience of dispute resolution.

A conciliator that projects an Attitude of commitment to the parties and the process helps parties to perceive that conciliation is a unique environment; one in which an expert is focussed on helping them through the dispute. This engenders an environment which is seen as safe to discuss contentious issues, or bring up topics that may be significant but emotive. The conciliator assists this by using an established process, designed to help parties resolve disputes, to elicit and frame information about the conflict. The parties begin to feel safe in delegating some of the control of the conflict and interaction to the conciliator.

If a conciliator is able to project an Attitude that shows them as capable of managing risk, the parties trust that the conciliator can help them to explore new ways of working together. The conciliator must ensure that parties perceive the environment to be sufficiently safe from negative repercussions of risks. This encourages them to be open and frank.

It is apparent that the Attitudes adopted by the conciliator help parties to recognise that the conciliation environment is qualitatively different from the environment in which communication normally occurs. The Attitudes that the conciliator projects

encourage parties to trust them as a communication medium that has the ability and motivation to assist in transforming their relationship by influencing communication.

3.4.1.2 Safety and Function

Conciliators perform a variety of Functions to create and maintain a safe environment. These Functions are used to manage the interaction between the participants.

When a conciliator performs a controlling Function, they do so to create and maintain a safe space. Safety can be conceived of as freedom to express emotions in an environment that is free from retribution or commitment. It is a state underpinned by the conciliator's ability to effectively intervene to ensure that inappropriate emotional expression (flooding) is managed and to encourage reluctant parties to contribute productively to the interaction.

Conciliators perform a listening Function to ensure that parties feel confident to discuss issues that they may not have been able to discuss previously. Listening makes parties feel as though their concerns have been acknowledged and understood. This encourages a sense of the environment as safe to discuss emotive topics without fear of detriment.

Performing an effective facilitation Function assists parties in moving toward resolution. Parties are reassured that the space is a safe environment to explore a variety of issues. The conciliator ensures that parties remain focussed and are able to move between issues. Effective facilitation by the conciliator enables parties to discuss issues in a sequence that facilitates resolution, rather than potentially becoming focussed on a particularly contentious topic, or becoming lost in the multitude of issues within the dispute.

The Functions that the conciliator performs are used to manage interaction. The properties of the conciliator, as a medium for communication, limit and enable various forms of interaction, alter the structure or timing of the way information is received and help parties feel that their concerns have been acknowledged (see Chapter 2 table 2). This helps to preserve the safety of the environment. Interaction

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is managed so that parties are able to communicate in ways that they may not be able to were the conciliator not present.

3.4.1.3 Safety and Technique

The Techniques that the conciliator deploys to regulate information are also used to create and maintain a safe environment. The conciliator controls the flow, salience and focus of information in the shared space to ensure that it remains safe for parties to discuss topics.

The conciliator deploys 'suggest' or 'summarise' Techniques to alter the salience of information. This is undertaken to preserve the safety of the space by downplaying the significance of certain information and increasing the importance of others. The conciliator may also introduce novel information into the environment. This is used to ensure that the information under discussion is pertinent to the conflict.

The conciliator may also deploy 'stop' or 'interrupt' Techniques to manage the flow of information. This can preserve the safety of the space by preventing flooding, or by exercising control over the floor to equalise participation.   Alternatively the conciliator can deploy Techniques to 'allow' or encourage parties to 'continue' bringing information into the space. Again this manages floor control and can assist parties in feeling that the space is sufficiently safe that they will be listened to.

Finally, the conciliator may deploy Techniques that 'reframe' or 'rephrase' information. This changes the focus of the information and ensures that heated or emotive language is downplayed. These techniques preserve the safety of the space by managing the emotions in the environment, ensuring that it does not become too hostile and that parties are able to consider new ways of interpreting information.

It is evident from the above that the conciliator acts to create and maintain a safe environment in which discussions can occur. Extrapolating from the categories identified by the conciliation ontology, these dimensions of safety can be seen as safety to: (1) experience breakdowns; (2) express emotions; and (3) explore power differences. These are discussed in greater depth in sections 4.2 – 4.4.

3.4.2 Safety to experience breakdowns

When parties are in a dispute, the shared understanding that they have is not conducive to reaching settlement (*i.e.* parties may lack a shared understanding about the causes of the conflict, but will have a shared understanding that they are in conflict and that the other party is incorrect). They use well-defined narratives to explain their own and others' behaviour in ways that cause least dissonance but are typically incompatible interpretations of a mutually acknowledged set of events.

Breakdowns can occur in shared understanding (*i.e.* inter-personal breakdown). Alternatively they can occur as an inconsistency in one or other party's narrative that cannot be accommodated (*i.e.* intra-personal breakdown). In everyday communication, breakdowns are viewed as potentially damaging to relationships; however, in conciliation successful management of both inter- and intra- personal breakdowns can be used to restore inter-party relationships.

The conciliator manages breakdowns in the following ways: (i) *anticipation* of breakdown, where the conciliator draws attention to the potential for a breakdown, with a view to developing strategies to mitigate it (or its effect); (ii) *identification*, where the conciliator highlights where a breakdown has occurred, or is occurring; and (iii) *repair*, where the conciliator instigates strategies for developing a new understanding which mitigates or accommodates the breakdown. In doing this, the conciliator ensures that parties are able to continue to communicate while working together to form a shared understanding.

3.4.2.1 Anticipation

The conciliator must anticipate when breakdowns are likely to occur before being able to take steps to repair or avoid them. Clark and Brennan (1991) discuss the principle of least collaborative effort (PLCE). They suggest that communicators exert collaborative effort to ensure that an identified breakdown is repaired with the expenditure of the least resources. However, in conflict, parties are unlikely to be eager to expend this effort; they expect breakdowns to occur. In addition, the impact of a breakdown in a relationship typified by mistrust and hostility is exaggerated. Therefore, by anticipating and adopting strategies to mitigate breakdown, the

conciliator helps to preserve any shared understanding between the parties, improving the relationship and ensuring that the environment remains safe and conducive to resolution.

Anticipation of a breakdown can be identified by the conciliator using forward-looking language, that highlights potential difficulties for the parties communicating. These may be difficulties for the communication within the shared environment, or it may involve testing to see if a posited solution is pragmatic.

3.4.3.2 Identification

Communication in disputes is often typified by misunderstanding and a reluctance for one party to listen to the other. Misunderstanding is often attributed to the other party's negative traits and reinforces hostility. This leads to a reluctance by parties to identify specific breakdowns in communication. Breakdowns are perceived as an inevitable consequence the conflict itself. The conciliator assists parties to identify specific breakdowns, enabling them to see issues that they can work together to repair. The conciliator helps parties to identify where breakdowns have occurred and detail the specifics of these breakdowns. This is used to encourage parties to work together to repair understanding and find a way forward.

3.4.3.3 Repair

Breakdowns indicate that the understanding that parties share is faltering, or has faltered. Normally the PLCE indicates that the parties would attempt to repair breakdowns collaboratively, but the presence of conflict may make them reluctant to do so. One of the roles of the conciliator is to instigate repair, or to encourage parties to instigate repair. In doing so, the conciliator ensures that a shared understanding is created and maintained.

Repair takes the form of the conciliator introducing information that assists in the creation or maintenance of a shared understanding They ensure that parties have, or are developing, a shared referential identity. Conciliators visibly expend resources in an effort to repair understanding. This helps to preserve the safety of the space as somewhere that breakdowns can be explored.

Chapter 3: Section 4 – What does the conciliation ontology say about conciliator practice?

The above indicates that there is a threshold at which an environment is sufficiently safe for parties to begin to experience inter- and intra- personal breakdowns, in a manner that is productive for resolution. The conciliator's role is to ensure that the environment remains sufficiently safe throughout the dispute. However, it is also possible to conceive of an environment in which it is too safe to explore breakdowns. Clarke and Brennan indicate that in any process of grounding, or breakdown repair, there is a mutually agreed cut-off point at which it is assumed that parties now share sufficient understanding for the joint project to continue. In an environment in which it is too safe to experience breakdowns, parties may never be confident that they have reached this point. In a situation of conflict, this may result in parties becoming lost in the discussions, as they continually seek to confirm that common ground has been created. This may be manifest in excessive discussions about definitions of words and terms that are pertinent, but not integral, to the debate.

3.4.3 Safety to express emotions

Part of the conciliator's role is to encourage parties to express emotions (or 'vent') appropriately. Successful emotional expression ensures that the person vented to (the ventee) recognises the impact that their actions have had on the person venting (the ventor). It also allows the ventor to feel that they have been listened to.

In an unconciliated environment, emotional expression may be perceived by the ventee as a threat, or a direct attack; this leads to further entrenchment. In a conciliated environment, the presence and actions of a neutral third-party ensures that emotional expression is productive rather than destructive. The conciliator may act as a witness to the dispute; encouraging parties to moderate their behaviour before it becomes destructive and controlling the floor against emotionally-triggered interruption. They may also act as a proxy for emotional expression; encouraging the ventor to explain their issue to them, rather than to the ventee, who may have construed it as an attack. This ensures that the emotional issues that are salient to the conflict and can be addressed by all parties. The conciliator creates and maintains an environment in which it is safe to express emotions by: (a) demonstrating listening;

(b) encouraging emotional expression; (c) limiting flooding; and (d) managing interruption. These are explored in sections 4.3.1 – 4.3.4.

3.4.3.1 Demonstrating listening

One of the purposes of emotional expression is to provide parties with the opportunity to feel listened to. Parties in conflict are used to having the other party ignore or attack their argument. This results in entrenchment, as parties posit and defend familiar arguments. If the conciliator acknowledges the issues that the parties have raised, they feel that they have had their say: they feel that they have been listened to and the impact of the conflict on their day-to-day life has been acknowledged. This not only encourages a positive effect, such as building trust, but also provides information to the ventee that they may not have previously considered or registered.

The conciliator must demonstrate that the parties are being listened to. As stated above, emotional expression is likely to be difficult and challenging for parties in conflict. This may mean that they are reluctant to begin emotional expression, especially when the topic veers towards contentious issues. The conciliator must encourage parties to continue to express emotion by demonstrating that they are listening. This may take the form of paralanguage, gestures, short questions, or other forms of continuing behaviours. Similarly, the conciliator must show that they have understood the issues that the party has raised, but without being seen to ratify their position or emotional state. Therefore, the conciliator must recap; rephrasing or reframing as they do so. In this way, parties' underlying interests are shared but are divested of emotion that may hinder the creation of shared understanding or ideological movement.

3.4.3.2 Encouraging emotional expression

As described above, emotional expression serves a dual purpose: it ensures that parties (i) are heard; and (ii) perceive that they are heard. Parties may be reluctant to express emotion about certain topics, or introduce contentious information into the debate if they feel that there is a risk or threat of retaliation or other detriment.

The conciliator must reassure parties that emotional expression is not only allowed, but that it is also safe to do so. One approach for this is to encourage parties to express emotion.   This can be achieved by directly asking parties for their comments, or by

allowing them to continue talking once emotional expression has begun. However, the conciliator must impose a structure on the emotional expression to avoid ratifying one parties' view of the other, or to ensure that emotional expression remains appropriate.

3.4.3.3 Limiting flooding

Uncontrolled emotional expression can be perceived as behaviour that threatens the safety of the space in which discussions are occurring. There is a risk that parties may begin flooding (inappropriate, uncontrolled emotional expression), or that the emotional expression is perceived as an attack on the other party. Should this occur, parties may no longer view the space as suitable for their interaction, this reduces their willingness to participate in the discussions and may lead to them withdrawing from it as they perceive it to be unsafe for their interests.

The conciliator must balance the ability to encourage emotional expression, with the risk of the emotional expression becoming flooding. To achieve this, conciliator needs to be able to identify that flooding has occurred, or is likely to occur. The conciliator can identify flooding by looking for instances of repetition during emotional expression, attacks on the other party, or other extreme emotions that have a debilitative effect on participation. They must then intervene in to restrict this flooding, but without preventing future emotional expression.

3.4.3.4 Controlling interruption

As discussed above, emotional expression can be uncomfortable for both the ventor and the ventee. The ventor may experience discomfort because they are expressing emotion to a party with whom they are in conflict with and may be wary about the fear of retribution, or of providing too much information. The ventee may experience discomfort because they feel under attack, or that they have been acting inappropriately. This is likely to lead to the ventee seeking to interrupt the ventor, either to prevent them from continuing, to avoid feelings of discomfort, or in an attempt to include information that supports or justifies their own position.

Interruption, for either of these reasons, may jeopardise the safety of the space. The ventor may feel that the space does not allow them to express themselves without fear of discomfort caused by personal attacks, or that they are unable to put forward their

own version of events. The conciliator must manage interruption to allow emotional expression, but without jeopardising their impartiality.

The relationship between encouraging emotional expression and limiting flooding indicates that conciliator practices maintain a threshold of safety for appropriate emotional expressions. The environment needs to be sufficiently safe to allow parties to express emotions openly. However, the potential for inappropriate emotional expression (in the form of flooding) indicates that there is an upper threshold of safety along this dimension.

3.4.4 Exploring power differences

When parties are in conflict, power differentials assume greater significance. Parties to the conflict marshal their resources to ensure that they are successful in the conflict. They seek not only to deploy these resources in ways that aid their argument, but also to portray their own interests as more legitimate or salient than those of the antagonist. Deployment of these resources involves: calls to status; legitimacy; greater freedoms to act; intimidation; and sympathy. In an attempt to ensure success, parties invest these resources in securing a preferred outcome. This increases parties' reluctance to abandon entrenched positions, for fear of forfeiting these invested resources.

The role of a conciliator is to encourage parties to address the power differentials that hinder resolution in ways that allow parties to relinquish their positions without feeling as though they have unnecessarily forfeited their resources. The conciliator achieves this by: (i) equalising participation, ensuring that participants are able to have their say about salient resources; (ii) ensuring freedom from retribution, by encouraging parties to fully explore ideas and implications before committing to an agreement; and (iii) reframing powerful language, encouraging parties to talk about the issues in terms that do not have implied power or value-judgements.

3.4.4.1 Equalising participation

The conciliator's role is to ensure that parties to a conflict can express themselves in a way that is conducive to reaching a resolution. If there are power differentials, this

may make one or more of the participants reluctant to contribute fully to the discussions. The conciliator addresses these power differentials to encourage equal participation for the parties. However, the conciliator is aware that mitigating these differences may jeopardise their impartiality. Therefore, the conciliator addresses only those power differences that are salient and that hinder resolution.

To achieve this, the conciliator may: encourage some parties to talk; prevent interruption; or introduce (or recap) salient information that parties may have omitted, or neglected to include. The conciliator ensures that all parties accept that the conciliator is acting fairly. They need to have legitimacy to perform these actions. The conciliator may try to establish legitimacy by framing their input in terms of a question, and/or explaining the reasons behind their behaviour. In this way parties are aware of the conciliator's actions and motivations and believe that they are able to challenge any behaviour they feel is unreasonable.

3.4.4.2 Freedom from retribution

Participants in a conflict are concerned that, by exploring options available to them, they may commit themselves to a course of action. The conciliator's role is to assist parties in developing pragmatic solutions that are lasting. To achieve this, the conciliator encourages parties to give consideration to all factors that affect the way that the agreement is implemented. For the parties to fully explore a potential solution, they trust that the conciliator can ensure that they are free from commitment or retribution, until a mutually-satisfactory solution emerges.

The conciliator encourages parties to divulge information that may be detrimental to their position. Failure to do this may hinder long-term resolution of the problem. The conciliator reassures parties that this information is salient and that disclosure will not jeopardise their position. Similarly, the conciliator allows parties to back-away from commitments that they have made previously, if the party no longer feels that it is something they can commit to. The conciliator reassures the party that they will not suffer a detriment as a result of this, allowing parties to divulge the reasons why they are changing position, without fear of retribution.

3.4.4.3 Reframing displays of power

Parties in conflict are likely to use language which accentuates the power differences between the parties. This is be used to either draw reference to superior resources, or to render illegitimate the resources that the other party possesses. The conciliator addresses the language that is used, so that irrelevant or inappropriate power differences are reduced and salient resources are introduced into the discussion.

The conciliator achieves this by reframing the language used in overt power displays. This reframing is undertaken to encourage parties to perceive the differences as irrelevant, or exaggerated by the language used. Alternatively it highlights the issues underpinning power displays, allowing these to be addressed in a manner that encourages both parties to acknowledge the impact that the differentials have, rather than the differentials themselves.

These issues demonstrate that there are upper and lower thresholds for appropriate exploration of power resources. If the environment lacks the safety to explore power differences, parties may be reluctant to disclose information and continue to maintain their position determined by the resources that they have marshalled.   If the environment is too safe to explore power differentials parties may find that they are debating and compromising on highly salient, immutable power differences, such as rank or resources. This can jeopardise the degree to which any resolution is lasting.

3.4.5 The dimensions of safety

The above indicates that the role of the conciliator is to ensure that the environment is sufficiently safe for parties to participate. The dimensions of safety are: a) expressing emotions; b) experiencing breakdowns; and c) exploring power differences. These are represented in Figure 2.
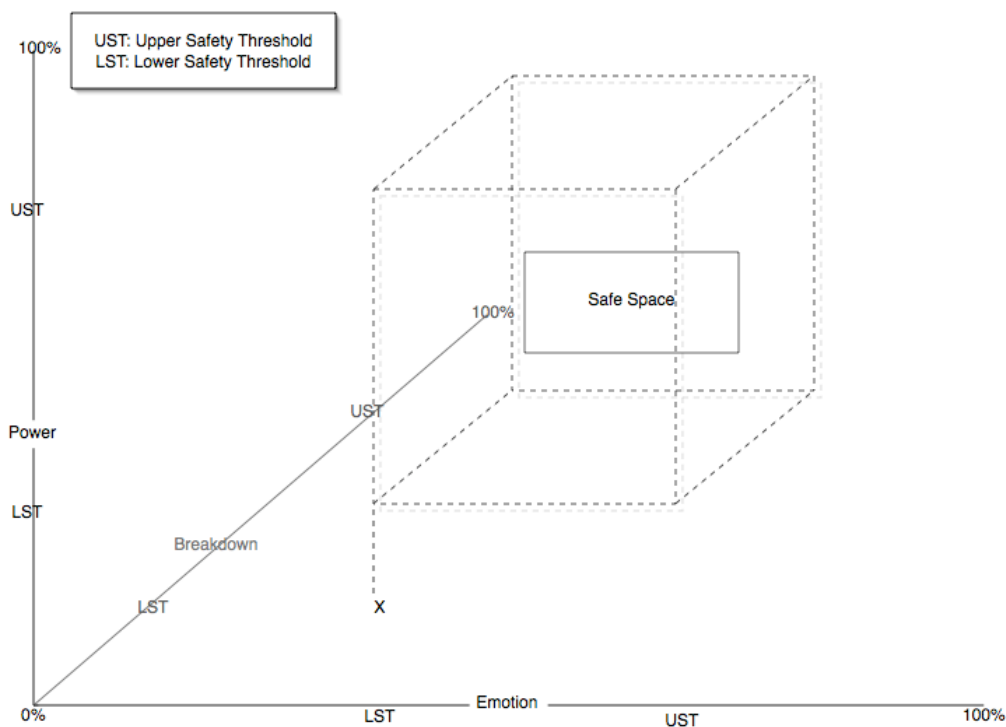
FIGURE 2: The dimensions of safety in a conciliated environment.

Figure 2 represents the dimensions of a safe environment in which conciliation can occur. For parties to be able to explore relational change, the conciliator needs to deploy their properties to alter the environment. This thesis argues that the salient changes in the environment occur along the dimension of breakdown, emotion and power. There are minimum and maximum tolerances along each of these dimensions that an environment must reach in order for parties to perceive that the conciliator is being effective. If the tolerances are breached in any one of these dimensions, parties no longer perceive the environment as safe and may withdraw their participation, or may retrench into previously held positions.

Figure 2 indicates that there are also upper limits to the safety of an environment. It is possible to conceive of an environment in which it is the dimensions of safety are too great for successful conciliation. Along the dimension of emotion it is possible for parties to be too open and expressive, greatly increasing the risk of flooding, or losing sight of pragmatic resolutions. Along the dimension of power, parties may ignore

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immutable but highly significant power relationships, such as rank or resources. The dimension of breakdown may mean that parties never sufficiently reach a mutually-agreed limit that a shared understanding has been reached and become lost in the minutiae of the dispute, rather than attempting to reach a resolution.

Provided the safety of the space is maintained within the tolerances along each dimension, the conciliator may maximise one, two or all three dimensions of safety. However, it is anticipated that the properties of other media (*e.g.* video-conferencing or text) may also influence these dimensions, raising or lowering the thresholds of each dimension accordingly.

The above is a representation of the way that conciliators use their skills and experience to bring about relational change. The conciliator acts as a medium for communication. This is undertaken to create a safe space in which the relationship between interlocutors can be restored. The representation in Figure 2 is purely illustrative: equidistance between the tolerances on each dimension should not be assumed. It is possible to conceive of the scale of each axis differing in its rate of change. The possibility of one or more of the scales being (inverse) logarithmic should not be discounted

3.5 Using the conciliation ontology as a coding schedule

The ontology is designed as a tool for the parsimonious representation of conciliator behaviour. However, the simplicity of its structure suggests that it can also be used as an analytic framework for conciliator behaviour. Specifically, the conciliation ontology categories could be used as a coding schedule.

The ontology provides a method for describing the majority of conciliator behaviour. If one assumes that a behaviour can be coded as simultaneously occurring at all three levels (attitude, function, technique), the ontology provides 36 potential unique, yet inter-related codings. For example a behaviour could be: Attitude = credibility (1); Function = control (a); Technique = interrupt (ii), and thus coded '1,a,ii'. Therefore

the ontology a provides systematic method for describing a particular conciliator's Attitudes, Functions and Techniques. Having been derived from the conciliators' own diverse and extensive experience rather than from theory, it does not make implicit assumptions about the style of conciliation that is being used, or about the determinants of conciliation involved in the dispute.

3.5.1 Inter-rater reliability

To investigate whether the conciliation ontology could be used as a tool for observing conciliator behaviour, inter-rater agreement was sought when using the ontology to code an observed conciliation. If good agreement is found in coding decisions made by independent judges, it can be assumed that the ontology identifies persistent facets of conciliator behaviour, as opposed to subjective interpretations of conciliator behaviour.

The ontology was used to code conciliator behaviour in an video recording of an observed conciliation, conducted by a professional conciliator (Haynes 1989). Three sections of the observed conciliations were provided to independent judges who coded conciliator behaviour using the ontology as a coding schedule. Each judge was given a transcript of the section to be coded and a copy of the video which they were able to fast-forward, rewind or pause as they saw fit. They then coded each utterance with a code from each of the three levels of the ontology (*e.g.* 3- risk; a – control; iv – reframe). The judges had prior experience of conciliation and were given a short introduction to the ontology and the behaviours it described. In total 117 conciliator utterances and actions were coded by each rater, from 20 minutes of film (see Appendix 4).

To ascertain inter-rater reliability, judges' results were compared using Cohen's Kappa (Cohen 1960). This is considered more robust than simply measuring the percentage of agreement. The Kappa-value (K) takes into account the probability of an outcome occurring by chance. Landis and Koch (1977) suggest that Kappa values should be interpreted as follows: 0.2-0.4 = 'fair'; 0.41-0.6 = 'moderate'; and 0.61-0.8 = 'significant'.

Kappa-values (K) for inter-rater agreement were obtained for four levels. These were:

1) Overall agreement (match at all three levels): $K = 0.029$;

2) Agreement at the level of Attitude: $K = 0.661$;

3) Agreement at the level of Function: $K = - 0.003$; and

4) Agreement at the level of Technique: $K = 0.682$.

This indicates: (a) little *overall* agreement; (b) significant agreement at the *Attitude* level; (c) little agreement as to the conciliator's *Function*, and (d) significant agreement at the *Technique* level.

3.6 Discussion

The ontology was produced with two intentions: (1) to uncover persistent aspects of conciliator behaviour that could be used to provide a more detailed understanding than existing definitions of conciliation; and (2) to provide a tool that can be used to categorise observed conciliator behaviour, without ideological bias. The relative success of these aims is discussed in the following sections.

3.6.1 Using the ontology to define conciliation

Significant agreement at the 'Attitude' and 'Technique' levels indicate that there are persistent factors of conciliator behaviour. Conciliation is an informal process, but has its own rules and norms. These are manifest in the attitudes that guide the task that conciliators perform. The schedule demonstrates that these attitudes are: credibility; commitment; and appreciation of risk. These attitudes are persistent and identifiable, irrespective of the style of conciliation followed. This thesis proposes that these attitudes (credibility, commitment to the parties and the process, appreciation of risk), can be incorporated into a definition of conciliation. Inclusion of these persistent factors provide a richer and more descriptive definition of the phenomenon of conciliation.

Similarly, the categories of techniques suggested by the conciliation ontology can also be incorporated into a definition of conciliation that focuses on observable conciliator behaviour. It can be seen that the conciliator, stops and starts interaction, rephrasing and suggesting where appropriate. When these techniques are framed in terms of the roles and concerns of the conciliator, a richer, more nuanced view of conciliation emerges.

This research highlights some persistent facets of conciliation; conciliator validation indicates that there are consistent behaviour categories that distinguish third-party interaction as conciliation. However, the salience of the categories and relationships between categories, identified by the ontology, differ according to the conciliation style adopted, or the determinants of conciliation identified. For instance, a conciliator operating in the narrative style, might place a higher emphases on the role of rephrasing; a 'problem-solving' conciliator might focus more on recapping or suggesting. However, these are different distribution of behaviours, rather than novel behaviours not explained by the ontology.

One problem with using this ontology to build a deeper definition of conciliation, is the lack of agreement at the 'Function' level.   Before using the ontology in this way, it is necessary to understand why there may be a lack of significance at this level.

If the raters hold different styles of conciliation, the information they perceive could have different meanings. Therefore, at this level, the problem of subjective observation may be difficult to overcome.   In addition, behaviour where the conciliator demonstrated they were listening (nods or utterances such as "*hmmm*") were omitted from the Kappa calculation. These formed the bulk of the conciliator behaviour – when the conciliator wasn't talking, they were listening. Both raters agreed with the coding of these behaviours, but their frequency meant that including them would potentially skew the data. This discrepancy highlights the appropriateness of the ontology for describing conciliator behaviour, but raises a concern about its use as a coding schedule. How does one account for continuous behaviour, such as continuous attention?

Similarly, the concerns raised by one of the conciliators about the language used to define the way in which the conciliator controls behaviour suggests that the categories offered at the 'Function' level are inappropriate. The Functions performed by 'control' and 'facilitate' appear to have a high degree of overlap. It may be more appropriate to consider them as one category. However, when they are conflated in this way, the conciliators' Function shrinks to 'listen' and 'control/facilitate'. As discussed above, when the conciliator is not talking, they should appear to be listening to the parties. Therefore, collapsing these categories would render observation of conciliator behaviour ineffective at the Function level.

There is an overlap in the relationship between many of the categories. It may be that the overlap in Functions at this level (facilitate and control) is too difficult to isolate. It is their relationship to the higher level Attitude that provides the distinction between the two. As it is harder to ascertain the conciliator's Attitude directly, this lack of information would restrict the rater's opinion of the Function performed. This indicates that the 'Function' level is inappropriate for observation. The conciliator's Function is too complex to be inferred from direct observation.

These findings therefore lead to the following definition of conciliation. Conciliation is the introduction of a credible, committed and reflective third-party into a relationship, The conciliator exerts a relation impact by influencing the rate and perception of information in order to create and maintain a safe environment.

It can be seen that the ontology accurately describes conciliator behaviours and the relationships between them, at a variety of levels. It is apparent that this can be used to develop a deeper definition of conciliation. It has the potential to be used as an observational tool. However, the lack of agreement at the 'overall' and 'Function' levels indicate that the ontology may need to be refined. The concept of 'listening' is difficult to capture with such a tool, because it is a continuous behaviour. Similarly, there is a potential problem with the subjective interpretation of observations. These are issues that any ontology may have difficulty over coming should it be used as an observational tool. As an observational tool, it may be appropriate to uses simply the Attitude and the Technique level. Function may be inferred from the relationship between these.

3.6.1.1 Defining Medium, Mediator and Conciliation.

Before exploring the relationship between the conciliation ontology and various media properties, it is first important to clarify the definition of the terms *Medium, Mediation,* and *Conciliation.* A *medium* is simply an artefact through which information is passed from interlocutor to interlocutor.

A *mediator* is an example of medium mediating information *e.g.* a) as an individual who mediates information to reduce the impact of differences and conflict on relational communication in situations of dispute (in this thesis this process is referred to as *conciliation*); or b) as a technological medium mediating information to reduce the impact of time/space restrictions on communication.

Section 6.2 uses the categories of the *conciliation* ontology to describe media properties in an attempt to explore the degree to which it can be used as a representation of other *mediators*.

3.6.2 The conciliation ontology as a representation of media properties

The conciliation ontology offers a representation of categories associated with conciliator behaviour. These categories are derived from conciliator's own experience of their role. The ontology is formed by a hierarchy of three layers: Attitudes; Function; and Techniques (from highest to lowest). The conciliation ontology asserts that conciliation can be best understood by conceptualising conciliator behaviour as concurrent at all three levels. The categories within each layer are mutually-exclusive.

The conciliation ontology offers a formal representation of one form of medium. As an aim of this thesis is to explore parallels between multiple and concurrent forms of mediation, it is of benefit to consider how these categories and relationships between

media properties map to other media. The following section outlines the conciliation ontology and attempts to link the categories to properties of computational media.

3.6.2.1 Attitudes

At the highest level are the categories of conciliator Attitudes. These are attitudes that the conciliator aims to project to the parties in the dispute. It is argued that the relationship between these categories help to distinguish conciliation from other forms of third-party intervention. There are three Attitude categories: (1) credibility; (2) commitment to parties/process; and (3) appreciation of risk. These are explored and, where possible, linked to properties that are associated with computational media.

3.6.2.1.1 Credibility

The conciliation ontology asserts that conciliator credibility arises from professionalism, impartiality and being non-judgemental. If the conciliator is able to project these traits into the relationship, parties trust that the conciliator is capable of providing a positive impact on relational communication. They trust the medium will not unduly distort the relationship to their disadvantage. Credibility, is an attitude that the conciliator presents to engender trust.

The conciliator is capable of generating trust by presenting themselves as a credible medium. Trust, for a computational medium, can be generated by its reputation. This reputation arises from parties' previous experience with the same or similar media. Parties wish to use a medium that allows them to represent themselves to the other in a preferred fashion. Those media which have a reputation for doing this are more likely to be trusted by the parties.

3.6.2.1.2 Commitment

Commitment to the parties and the process encourages participants to conciliation to explore the dispute. The conciliator has a concern that they are not leading parties to a presumed outcome, but that parties find a mutually-satisfactory solution. Conciliators must demonstrate to the parties that they do not have ulterior motives and that parties are in control of the outcome. This concern ensures that parties reach an agreement that they can commit to.

The conciliator projects an attitude of being committed to the parties and the process. This provides parties with an indication of the conciliator's motivation. They understand why the medium is involved and the its anticipated relational impact. For a computational medium, its motivation can be made clear in its design and implementation. Artefacts that facilitate CMC are created through a series of design decisions (this is explored in greater depth in Chapter 6). Good user-focussed design is analogous to commitment to the parties, or the process. The motivation of the medium is to facilitate, rather than force, beneficial relational communication.

3.6.2.1.3 Risk

An Attitude that demonstrates that the conciliator can manage risk allows the conciliator to make or encourage moves in the relationship that parties would not normally make, were they in unconciliated interaction. If conciliators are able to project an Attitude that they appreciate the consequences of risks, the parties are confident that they can consider alternative ways forward. Conciliators have the concern that they are demonstrating an appreciation of risk in order to transform parties' behaviour and the relationship.

For computational media, it is difficult to conceive of a relational transformation that mitigates risk intentionally. One can imagine moving the dispute to a different medium to mitigate threats, or other power differentials. However, this is a decision for the users, rather than an inherent property of the medium. The conciliation ontology demonstrates that an Attitude of risk management is one trait that differentiates the relational impact of conciliators and computational media.

3.6.2.2 Function

Below conciliator Attitudes are the categories that describe the Function that the conciliator is performing. These categories represent the different functions with which the conciliator manages the interaction between parties. When the conciliator performs a Function, they give consideration to their credibility, party focus or the risk should their performance be unsuccessful. The three Function categories are: a) control; b) listen; and c) facilitate.

3.6.2.2.1 Control

When the conciliator performs a controlling Function, they manage the tone, topic and 'floor'. This can be used to preserve the safety of the space and ensure that each party is able to contribute appropriately. The use of control techniques both limits and enables various types of interaction. The conciliator prevents (or attenuates) some behaviours and encourages (or exaggerates) others.

The limiting and enabling properties of computational media are analogous to this control Function. The properties of the medium may attenuate information transfer, or may mean that, while certain types of information cannot be exchanged (*e.g.* facial expression), others can be facilitated (*e.g.* instantaneous transfer of large documents). The constraints inherent in computational media limit and enable aspects of relational communication.

3.6.2.2.2 Listen

The conciliator performs a listening Function to show parties that they have been heard and to encourage parties to continue to provide information. The purpose of this is to acknowledge parties' position and emotions so that they feel able to express themselves openly and fully. The conciliator performs a listening Function to show parties that they can begin and continue to discuss information that they feel is pertinent to the dispute.

It is difficult to envisage the way that computational media can demonstrate listening. An important aspect of listening is that the listener is able to not only acknowledge that they have heard the other party, but that they have understood that party's concerns. It is possible to conceive of computational media being able to acknowledge that information has been received, but not that his has been understood. The conciliation ontology demonstrates that the ability to perform a listening Function is another trait that differentiates the relational impact of conciliation from that of computational media.

3.6.2.2.3 Facilitate

The purpose of the conciliator performing a facilitating Function is to help guide parties through the discussions, ensuring that they do not become side-tracked or lost.

Conciliators achieve this by providing a degree of structure to the topics. This may be visually, through the use of whiteboards or cognitively, by acting as a place-holder or memory-jogger, should parties become stuck. This structure helps to move parties forward through the process.

It is possible for a computational medium to also facilitate relational communication processes through the use of structures. This may be through the use of templates, or by altering font or other representations of information. Judicious deployment of these structuring techniques can help parties to negotiate their way through the process of relational communication and exploration.

3.6.2.3 Techniques

The Technique level offers the lowest level of categories of conciliator behaviour. These are the Techniques that the conciliator deploys in the discussions in order to perform their role. The conciliator may perform certain actions in the use of these Techniques (*e.g.* question, gesture, nod). The Techniques represent the immediate relational impact that the conciliator is attempting to effect. These Techniques are used to manage the amount, timing and salience of information in the discussion. There are four categories of Technique: i) suggest/recap; ii) allow/continue; iii) stop/interrupt; iv) and reframe/rephrase.

3.6.2.3.1 Suggest/Recap

The conciliator performs suggest/recap Techniques to introduce new information into the dispute, or to change the salience of existing information. This helps parties focus on particular aspects of the dispute, or moves the discussion to a particular topic (either new or re-visited). The role of such a technique is to alter the inter-relationship of the information in the space. This changed salience means that parties are able to reconsider information and inter-relationships in novel ways.

For computational media, this changed salience can be achieved by altering font, layout or otherwise representing information in novel ways. Consistent representation serves to enable information to be quickly categorised. This enables the parties to focus on novel interrelationships between information.

3.6.2.3.2 Stop/Interrupt

The conciliator performs stop/interrupt techniques to restrict the flow of information into the shared space. This is undertaken to determine the amount of information or the source of information and ensures that discussions remain on-track and that parties are able to fully participate.

Computational media are capable of restricting the flow of information by acting as a bandwidth 'throttle' or imposing asynchronicity or other barriers to participation. These properties limit the either volume of information in the space or the potential source of information.

3.6.2.3.3 Allow/Continue

The conciliator uses these techniques to encourage a party to begin to talk, or to encourage them to continue once they have begun. These techniques are performed to facilitate the flow of information.

Computational media facilitate the flow of information by reducing barriers to entry in the space. This can be achieved by ameliorating the need for temporal or geographical co-location. Alternatively it can be facilitated by the use of templates or other design tools to encourage specific types of salient information to be presented at critical communication junctures.

3.6.2.3.4 Reframe/Rephrase

Reframe/rephrase techniques are deployed by the conciliator to encourage an alternative way of viewing a particular statement or behaviour. This may include altering the way in which emotive language is used, or encouraging parties to view information in relation to other issues. The conciliator uses their judgment to change the focus of the information.

It is difficult to conceive of this being undertaken successfully by computational media. It is possible to imagine a medium that can identify and replace specific words or sentence structures. However, the effectiveness of the reframe/rephrase techniques is dependent on the conciliator's skill in deciding when this will be appropriate. The conciliation ontology therefore indicates that the ability to judge when to reframe or

rephrase information is a third trait that differentiates conciliators from computational media.

Section 6.2 demonstrates that many of the properties of a conciliator are analogous to the properties of CMC artefacts.   This lends support to the argument proposed in Chapter 2 (table 2), that there are parallels between a human medium and the use of technology as a medium. These parallels indicate that the presence of any communication medium has a relational effect, and it is therefore of use to consider both conciliator and communication technology as comparable mediating artefacts.

The presence of some properties in the conciliation ontology that cannot be easily mapped to technological artefacts, implies that there are qualitative differences between the two media. An awareness of risk, the ability to demonstrate listening, and the ability to reframe or rephrase statements, do not appear to be something that can be easily achieved through decisions about the design and deployment of artefacts. These require a degree of agency and judgment to a medium, that may be unique to a human (this is discussed further in Chapter 6). However, the comparison of conciliator properties (as proposed in the conciliation ontology) with the properties of communication media, indicate that much of the conciliator's impact on relational communication can also be effected by the use of communication media. Chapters 5 -8 present a series of studies that explore the interaction between these various properties.

3.7 Conclusions

The study reported in this chapter aimed to answer the research question:

What does a conciliator bring to a relationship to set the properties of a mediated environment and how are these deployed?

It is evident from the above findings that the conciliator's behaviour in a dispute is shaped by a variety of factors. Style, determinants, training and dispute content, all alter the concerns that the conciliator has, the role they seek to fulfil and the tasks that

they perform to achieve this. It is also evident, that an observer's perception of these determinants are affected by a number of factors, such as their own training and style. This makes consistent observation of conciliator behaviour difficult. However, interviews with conciliators, and a synthesis of the literature indicate that there are persistent factors that underlie the conciliator's behaviour, irrespective of determinants or dominant style. Potentially, the salience of these factors may change, but they are persistent nonetheless.

The ontology presented in this chapter goes some way to providing a method for identify and categorising these persistent behaviours (or properties). Repeated use may, over time, build up a measurable picture of how these styles are manifest in different conciliator behaviour and at different stages of the conciliation process. It intended that this ontology can be refined through use and developed further to facilitate observation of conciliation. In addition, identification of persistent concerns, roles and tasks, that open the way for more detailed descriptions of the conciliation process. This has positive implications for assessing, researching and training conciliators.

The interviews with conciliators have described the process of conciliation in terms of the creation and maintenance of a safe-space. This safe space is conceived along the dimensions of safety to: (1) experience breakdowns; (2) express emotions; and (3) explore power differentials. This thesis argues that there are upper an lower tolerances along each of these dimensions that bound the safety of the space. Conciliators act to preserve this safety, acting in accordance with the categories proposed in the conciliation ontology, to limit and enable behaviour and expectations of behaviour that fall within these tolerances. They achieve this through regulation of the rate and salience of information (through the deployment of Techniques) in order to control, validate or structure participation (at the Function level). These are guided by concerns that conciliators are credible, committed and effective (at the Attitude level). Conciliators act reflexively to take account of, and react to, various 'determinants' of mediation, tailoring their impact on the relationship to address the unique underlying, and moment-by-moment, characteristics of the relationship.

However, it is also apparent that CMC is simply one 'determinant' that could have a considerable impact upon conciliators' skill and practice. This is in terms of distorting the cues available for assessing parties' underlying concerns; moderating presence; and skewing power and experience resources. Investigating how a conciliator effects relational change in an online environment provides an indication of impact of a variety of media properties on conflict relationships. It can also be used to provide guidelines for conciliators who would wish to utilise online environments.

The findings from this chapter are used to guide investigation into studies to investigate the impact of CMC on conciliator practice. Chapter 4 presents a series of observations of conciliation in a video-mediated environment. Particular attention is given to the way that the properties of the technological medium shape a conciliator's ability to create and maintain the safety of the space.

Chapter 4: Conciliation in a Video-Mediated Environment

4.1 Introduction

Chapter 3 presented a grounded theory of conciliation that identifies the impact of conciliator practice on relational communication. It found that conciliators deploy their skills (as outlined in the conciliation ontology) to create and maintain a safe space.   This is typified by safety to: (a) experience breakdowns; (b) express emotions; and (c) explore power differentials. The conciliator considers these dimensions when attempting to bring about relational change.

Chapter 2 argued that an investigation of conciliation in technologically-mediated environments can inform accounts of computer-mediated conciliation in a number of ways.   First, it offers an account of conflict as a normal relational state, arising out of asymmetry. This has relational meaning and needs to be resolved, rather than taken as an indication that communication has broken-down. This is not something explicitly addressed by existing accounts of CMC (although asymmetry is explored by the SIDE model).

Second, conciliation can be said to deploy a 'reflexive' medium. The conciliator evaluates the relationship and their goals before making an intervention. They are in a position to assesses and reflect upon the merits of this intervention (albeit briefly on occasion) before taking further action. They are capable of reacting and adapting their practice as circumstances dictate. Investigation of conciliation in a CMC environment affords an opportunity for assessing the impact of media properties on relational communication. Conciliators are able to reflect upon, and report, the changes that the medium brings to their practice and to the relationship in which they are deployed. This data can be further used to explore the interaction between the two

media, and provide a deeper understanding of the impact of media properties on relationships.

This chapter reports the first of two investigations of conciliation in a technologically-mediated environment. It explores the specific setting of video-mediated communication. This was chosen as the properties of the medium create an environment closest resembling the normal face-to-face conciliation setting (see Chapter 2, Table 1). The study reported in this chapter analyses how conversational control, emotional expression and power differences relate to the narrative development of the observed conciliations. The findings are interpreted in terms of conciliator practice and the impact of media properties on relational communication.

Conciliation is a reflexive practice. Conciliators are encouraged to give consideration to the impact of their behaviour on the relationship into which they are introduced. This reflection can influence their subsequent practice. Conciliators are also experts at effecting relational change. It follows that observations of, and interviews with, conciliators who use online environments can provide rich data for investigating the mechanisms through which a medium alters relational communication. Conciliators are experts in a privileged position and are able to reflect and comment upon their effectiveness in an environment.

This chapter presents a study that uses: (a) four case studies of conciliated role-plays in a video-mediated environment; and (b) interviews with conciliators who participated in these role-plays, to investigate the impact of videoconferencing on conciliator practice. Section 2 outlines the method of investigation.

4.2 Investigation and analysis

The observations of conciliation conducted through VMC, were guided by three questions. These were derived from the grounded theory interviews reported in

Chapter 4: Section 2 – Investigation and analysis

Chapter 2 which presented the idea of conciliators creating and maintaining a safe space. These questions were:

1) Can a conciliator successfully manage the experience of inter- and intra- personal breakdowns when using VMC?

Breakdowns in conciliation arise when parties are no longer able to maintain a shared understanding. Interpersonal breakdowns can be identified at the utterance level by parties: (a) repeating themselves; (b) long silences; or (c) otherwise indicating that they do not understand the previous utterance. At a narrative level, interpersonal breakdowns can be identified by parties: (a) addressing contrasting issues; or (b) interpreting the same events in a disparate manner. Intra-personal breakdowns can be seen as an individual experiencing information that contradicts their own interpretation of events, necessitating a reconsideration of their position.

2) Can a conciliator successfully manage emotional expression when using VMC?

Emotional expression is an integral aspect of conflict and conflict resolution. Conciliators manage emotional expression to create and maintain a safe space. Emotional expression can take the form of 'venting', whereby a party is providing information about their emotional state in an emotive manner. Gesticulation, raised voices, repetition or use of charged language can indicate that venting is occurring. Similarly, emotional expression can take the form of flooding, whereby the safety of the space is threatened by the heightened emotional state of one or more of the parties. Flooding may take the form of direct attacks, or otherwise highly emotive statements. It can also take the form of an individual being unable to continue or express themselves effectively due to their increased emotions.

3) Can a conciliator successfully manage the exploration of power differentials when using VMC?

Finally, conciliators must address power differences in disputes. Power differences arise from disparity in the resources possessed by the parties and the legitimacy of their deployment in the dispute. Examples of power differences include: organisational or societal status, articulation, legality, experience, strength of personality, charisma. These are all resources that one party may posses and may deploy in the conflict in an attempt to promote their position as the most legitimate.

Conciliators address power differences in a number of ways. One approach is to equalise participation. If parties are disadvantaged because they lack the legitimate resources to participate effectively (*e.g.* they do not feel that they have legitimate status to contradict somebody, or that they are restricted by their lack of familiarity with the technology), the conciliator may take steps to change the differential between the legitimacy of these or other resources. This can take the form of the conciliator explicitly drawing attention to these differentials; explicitly encouraging parties to participate; or altering the salience of information. In addition conciliators can reframe language deployed to increase the legitimacy of resource differentials, they can also take steps to ensure that parties are protected from undue repercussions from power resources. This can take the form of downplaying, or preventing retribution for an action, or by ensuring that parties do not feel obliged to prematurely commit to a course of action.

These questions were used to identify sections of the case studies to be subjected to analysis. Section 2.1 outlines the method used to observe and analyse relevant case studies.

4.2.1 Method

A small multi-party video-mediated communication (VMC) system was installed between three separate and sound-isolated rooms. The system used a dedicated LAN bridge to connect three personal computers (G4 Macs) running Apple 'iChatAV' full-screen on 17" monitors. Sessions were recorded directly from iChatAV via a third-party application (Conference Recorder). Figure 1 shows a screen-shot from one of the videoconferenced conciliations

FIGURE 1: A conciliation using VMC (Conciliator A's view).

4.2.2 Participants and materials

Four role-play conciliations were performed. It is important to note for the validity of this investigation that role-play is a familiar and established element of conciliator practice and continuing professional development (see section 6.1 for a discussion of the validity of role-plays in investigation of conciliation). In two of the role-plays actors were employed to play the conflicting parties. The same conciliator participated in these discussions (Conciliator A). The three remaining role-plays used professional conciliators (Conciliators B, C and D) to perform all parts and all had prior experience

of conflict and role-play in conciliation. However, due to technical difficulties, only two of the remaining roleplays were successfully recorded.

4.2.2.1 Conciliators

Four conciliators participated in the case studies and interviews.

Conciliator A, sessions 1 & 2 (Appendices 5a and 5b): Conciliator A has over 14 years' experience in a variety of conciliation domains and is considered expert within her community of practice. She trains new conciliators and runs professional development courses. She is used to operating in unfamiliar environments and to reflecting on the effect these have on her practice.

Conciliator B, session 3 (Appendix 5c): Conciliator B has 12 years' experience as a conciliator and trainer and is also considered to be an expert in his community of practice.

Conciliator C, session 4 (Appendix 5d): Conciliator C has three years' experience of community conciliation.

Conciliator D (session 5 - unrecorded): Conciliator D has over 16 years' experience of practicing and training in a variety of conciliation domains and is also considered to be an expert in her community of practice.

These conciliators were chosen for their range of experience across domains and roles. They had also expressed an interest in conciliation in online environments.

Chapter 4: 2.2.2 Actors

The same two actors were used for sessions 1 and 2. The actors were recruited through an advertisement requesting participants with acting experience. Both were male postgraduate students at the University of Bath, UK, with experience of amateur dramatics and were aware of the aims of conciliation. However, neither had participated in a conciliation meeting, or had experience of videoconferenced communication.

4.2.2.3 Role Plays

The role-plays differed in terms of the content and intensity of conflict (low and high conflict). To prepare for their roles, the actors were provided with character descriptions and a story briefing (See appendix 6 for the briefing materials given to each participant). Each role-play was run by the conciliator as they would a 'normal' conciliation within a 20 - 40-minute meeting slot. Interviews followed session 1 & 2 (Appendices 7a & 7b). The three conciliators who participated in sessions 3, 4 & the unrecorded session 5, took part in a *post-hoc* focus group (Appendix 7c).

4.2.3 Analysis

Consistent with the aims of qualitative enquiry (as explored in Chapter 3) qualitative reliability was maximised at the expense of quantitative rigour. This accounts for the differing methods used to gather data.

The conciliator's post-session remarks were cross-compared with statements under the analytic categories derived from our interview study. Audio transcriptions were prepared from the iChatAV recordings and used to contextualise these remarks. A report was prepared to summarise them and then sent to the conciliator for validation. The report identified differences between conciliator perceptions of the medium and their experiences.

The four conciliated role-plays were subjected to a discourse analysis (see Chapter 3, section 6.1.2). The question outlined in section 2 were used to isolate areas of interest.

Throughout this chapter the following coding conventions are used for the transcripts reported: ' . . ' = short pause (0.5 -1 second); '!' = shouting; '[*speech*]' = overlap in turns; '{*action*}' = description of behaviour.

4.2.4 Measuring the success of the conciliations

Although the role-plays did not reach a conclusion due to the limited time, they could all be considered successful. The participants continued to take part throughout the discussions, indicating that the conciliator was effectively managing threat and risk to a sufficient degree. Similarly, the *post-hoc* questionnaires administered to the parties demonstrated that they were happy with the conciliator's input, viewed them as impartial and would be happy to work with the conciliator again (see appendix 8). This indicates that the results from these observations are not anomalous and possess sufficient reliability.

The findings from these case studies are organised in terms of the grounded theory themes. In each case, excerpts from the observations of the conciliations and from interviews with the conciliators are used to explore the impact of videoconferencing on conciliator practice.

4.3 Can a conciliator successfully manage inter- and intra-personal breakdowns when using VMC?

When parties come to a dispute the shared understanding that they have is not conducive to reaching settlement. A breakdown can be said to occur when understanding is no longer possible.   Breakdowns can occur in shared understanding (*i.e.* inter-personal breakdown). Alternatively they can occur as an inconsistency in a narrative that cannot be accommodated (*i.e.* intra-personal breakdown). In everyday communication breakdowns are viewed as potentially damaging to relationships; however, in conciliation, successful management of both inter- and intra- personal breakdowns can be used to restore interparty relationships.

The conciliator manages breakdowns in the following ways: 1) anticipation of breakdown; 2) identification; and 3) repair. In doing this, the conciliator ensures that parties are able to continue to communicate while working together to form a shared understanding.

4.3.1 Observations of breakdowns in shared understanding

It is anticipated that the use of CMC exacerbates the conciliator's ability to manage breakdowns effectively. Breakdowns occur when parties are no longer confident that the other communicator(s) have sufficiently understood their intended meaning. In order to take steps to repair the breakdown individuals must first observe that a breakdown has occurred.   This identification of breakdowns, and attempts at repair, arises from manipulation and co-ordination of signals that indicate (mis)understanding. The use of CMC skews these signals, or promotes breakdowns through the alteration of normal communicative social cues.   This makes it difficult to identify and repair breakdowns using CMC. Clarke and Brennan assert that CMC poses many barriers to the anticipation, identification and repair of breakdowns.

4.3.1.1 Anticipation

Before being able to take steps to repair or avoid breakdowns, the conciliator must anticipate when breakdowns are likely to occur. The impact of a breakdown, in a relationship typified by mistrust and hostility, can be exaggerated. Therefore in anticipating breakdowns and adopting strategies to mitigate their effect, the conciliator preserves the shared understanding that has been built between the parties. This improves the relationship and ensures that the environment remains safe and conducive to resolution.

The following examples from the interviews show how conciliators felt that the medium shaped their ability to anticipate breakdowns in communication between participants.

> ***Conciliator A****: It was difficult to show attention to just one party, non-verbally ... they will be unclear who the [conciliator] is talking to ... [I] found it harder to monitor the process – this is now done verbally – making things more explicit.*

Conciliator A indicates that they felt it difficult to show attention to an individual through eye-contact or other gestures. This made it harder to monitor the process and therefore anticipate breakdowns in communication. To ensure that the parties still had a sufficient shared understanding the conciliator needed to make explicit those behaviours that they felt were significant.

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Another concern raised by conciliators is that the properties of the medium necessitated coping strategies that may be detrimental to conciliation.

> ***Conciliator D:*** *It was difficult to hear each other if you tried to interrupt, I felt there was a degree of turn-taking*

In this example Conciliator D raises concerns that the properties of the medium prevent interruption. This necessitates turn-taking, which reduces some of the freedom of communication. This may hinder anticipation of breakdown, as parties find it difficult to interrupt if they disagree with a statement. This also changes the conciliator's role to one which is more controlling. The conciliator enforces turn-taking to ensure that parties are not confused by the impact of the media properties. The lack of confidence in their ability to accommodate the impact of the media properties can result in the conciliator controlling the discussion in an attempt to avoid contentious topics, preventing breakdowns occurring.

Anticipation of a breakdown can be identified by the conciliator using forward-looking language that highlights potential difficulties for the parties communicating, testing to see if a posited solution is pragmatic. The following examples provide evidence of the ways in which the conciliator anticipates breakdown.

Conciliator	57	*Er. . . What I do need to though as part of my job I guess, is to make sure you do both get to have your say. Ok?*
Party 2	58	*{nods}*
Conciliator	59	*and so in doing that erm you will find me from time to time erm sort of saying 'do you want to just hang on a second, let the other person finish'*
	60	*which is [very frustrating for both of]*
Party 1	61	*[{nods vigorously}]*
Conciliator	62	*I know*
	63	*But particularly given the arrangement we have here . . . The sort of videoconferencing arrangement*
	64	*It could be very confusing if we end up talking over each other*
	65	*Yeah? Does that [make sense]?*

Excerpt 1: Session 1, Conciliator A, Utterances 57-65

In this example the conciliator anticipates that the nature of the conflict can lead to parties wishing to interrupt each other (U59). The conciliator demonstrates to parties

that breakdowns are to be expected, but they also offer a potential strategy for mitigating these (U59). The conciliator draws attention to the impact that the use of VMC has on exacerbating breakdown (U63, U64).   This shows parties that behaviour that normally signifies a breakdown (*e.g.* talking over one another), might simply be an effect of the computer medium. The conciliator confirms with parties that this modified expectation of behaviour is now part of their shared understanding (U65). In this way the conciliator's anticipation of breakdown alters parties' expectations of what constitutes a breakdown.

However, breakdown might not simply occur at the level of the utterance, as shown above, but may also occur at the level of the narrative. The conciliator needs to ensure that parties develop a pragmatic resolution to the conflict. To achieve this, the conciliator must anticipate potential future breakdowns in posited solutions.

Conciliator	252	*Ok, when you say the noise of the children, what noise? Is that them shouting or is it the noise of them kicking the ball around? What is it particularly that ...*
Party 1	253	*It's the noise of the children playing, but it's also the noise that's coming out of the house as well. Sometimes it's the stereo, sometimes it's the TV.*
Conciliator	254	*Uhmm*
Party 1	255	*Just generally. If they know I'm ... if they know I'm in bed*
Conciliator	256	*Uhmm*
Party 1	257	*then can people just keep it down a bit?*
Conciliator	258 259	*How would they know you were in bed Party 1?* *Is there, is there a way they would know?*
Party 1	260	*If my car is, if my car is out there ... ... I'm at home.*
Conciliator	261	*Ok and would that, would that mean that you were necessarily in bed?*
Party 1	262	*Uh well .. Yeah I mean I can ... ... I don't know maybe I need to er may be I need to let them know that when I'm er when I'm going to be , when it needs to be quiet. I don't know.*

Excerpt 2: Session 2, Conciliator A, Utterances 252-262

In this example Party 1 offers a suggestion about the way that one aspect of the dispute could be resolved (U253 - U257): the children should refrain from making a noise when they know that Party 1 is in bed. This could be a pragmatic solution. However, the conciliator tests this by anticipating where breakdowns can occur (U258). They test the assumption that the children will always be able to tell when

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Party 1 is in bed because of the presence of Party 1's car outside (U261). Party 1 concedes that this might not always be appropriate and acknowledges the need to consider alternative ways forward (U262).

Without this anticipation of breakdown the resolution reached by the parties may not have been lasting. Yet, as the solution seemed initially pragmatic, the parties may have seized the opportunity to reach agreement, thus avoiding jeopardising their current shared understanding despite creating the potential for a future breakdown. The conciliator's role here is to help parties to feel confident in risking a temporary shared understanding in order to reach a pragmatic solution.

It is evident from the above that conciliators are still able to anticipate breakdowns when practicing in a video-mediated environment. This anticipation may be of breakdowns at narrative level (Excerpt 2), or of potential breakdowns as a result of the interaction between the media properties and the relationship (Excerpt 1). However, conciliators raised concerns that the properties of the medium alter the way that they are able to anticipate breakdowns, by necessitating turn-taking or explicit grounding. This has an impact on the way that parties communicate and maintain a shared understanding in an online environment.

4.3.1.2 Identification

Communication in disputes is often typified by misunderstanding and a reluctance for one party to listen to the other. This leads to a reluctance in parties to identify specific breakdowns in communication, perceiving them as symptomatic of the conflict itself. Disagreement is assumed to be inevitable at many sites in the relationship. The conciliator must help parties to identify where breakdowns have occurred and detail the specifics of these breakdowns. This can then be used to encourage parties to work together to repair understanding and find a way forward.

The *post-hoc* interviews with the conciliators also demonstrated their concerns with the way that they are able to identify where breakdowns were occurring.

> **Conciliator A:** *There was nothing else to convey understanding.*

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> *Without visual props, like a flip-chart, parties weren't confident that they could come back to issues, or put them to one side for a time.*

Conciliator A expressed their concern that the lack of other shared artefacts in the environment hindered repair of breakdowns by exacerbating uncertainty. Not only were parties attempting to repair social, technical, and socio-technical breakdowns, but the properties of the medium left parties unsure as to whether issues were repaired or simply shelved. Conciliator A felt that there was nothing afforded by the medium to overcome this problem. In this way, the use of videoconferencing can exacerbate conflict by increasing uncertainty about what constitutes a shared understanding

The following examples provide illustration of the way that conciliators seek to identify breakdowns.

Conciliator	203	*The other thing though I heard you say, which also seems quite important, is that you acknowledge that there was a piece of pottery of Party 1's which you broke*
Party 2	204	*{nods}*
Conciliator	205	*and the other thing I thought I heard you say was that you were quite sorry about that*
	206	*Did I hear you correctly there?*
Party 2	207	*Yes you [did]*
Conciliator	208	*[good] ok*
	209	*Can I just check with Party 1 - were you aware of that?*
	210	*were you aware that erm Party 2 was er uh you know had said that yes he had said that he'd broken that piece of pottery and that er and that it was something he'd regretted?*
Party 1	211	*uh No uhh. We haven't spoken really since this all came to a head so I [didn't]*
Conciliator	212	*[right]*
Party 1	213	*know that er Party 2 had er admitted he broke it and er. Uhm*
Conciliator	214	*um hum*
Party 1	215	*and it's uh good that he's uhm admitting that*

Excerpt 3: Session 1, Conciliator A, Utterances 203-215

In this example, the conciliator helps to identify a breakdown that is ongoing between the narratives that the parties hold for each other's actions Through expert questioning and rephrasing the conciliator elicits Party 2's version of events and identifies a possible breakdown between the parties' understanding that is salient to

the conflict (U203 and U205). The conciliator confirms their assumption with Party 2 (U206). This also ensures that Party 1 is able to hear that Party 2 is apologetic.

Having identified a potential breakdown, the conciliator then checks to see if this is indeed a lack of understanding between parties (U209 and U210). Party 1 indicates that they are unaware of Party 2's remorse (U211). It can be assumed that one of the issues in the conflict is a lack of information between the parties, leading to distorted narratives.   This information is then incorporated into the discussions and used to begin to repair the breakdown (U215).

Should technical breakdowns occur, the conciliator must identify areas where a breakdown in understanding can be attributed to the medium.

Conciliator	30	*Can you both hear me? Because I can other . . . Others talking*
Party 1	31	*Yeah*
Party 2	32	*Yeah*
Conciliator	33	*I've just realised it's me {laughs}*
	34	*Sorry about that, there's some feedback going on.*
Party 2	35	**unintelligible**
Conciliator	36	*Ok, something's happening, insomuch as we're all echoing. I don't know if the volume is changed at all. We're just seeing if we can sort that out a sec.*

Excerpt 4: Session 2, Conciliator A, Utterances 30-36

This example demonstrates how the conciliator is able to identify a breakdown in shared understanding caused by difficulty with the technology. The conciliator is aware that there are technological issues that hinder their ability to understand the other parties. First, the conciliator attempts to identify the extent of the breakdown, by seeing if the parties are also experiencing the same difficulties (U30).   Once this is established (U31 and U32) the conciliator identifies its cause (U33 and U34) and its impact (U36) and it's potential cause (U36), before beginning to identify that repair can be undertaken (U36).

This behaviour by the conciliator assists parties in identifying possible limitations in their communication caused by the presence of a medium. It also helps parties to explain otherwise unusual behaviour by the conciliator. This ensures that

understanding between participants can be successfully maintained in other areas.
Successful identification of specific breakdowns ensure that the effect of these
breakdowns on understanding can be restricted to specific sections of the relationship.

However, it is sometimes difficult for the to ascertain if a breakdown can be attributed
to technological, or social factors, or even if it has occurred at all.

Party 2	341	*And I'll be more than happy to find out if indeed it was my kids who broke the er, the wing mirror of his car.*
Conciliator	342	*um hmm*
Party 2	343	*but still, yeah I, I, I'm not to sure why he just cannot park his car on his driveway like everybody else.*
Conciliator	344	*Ok are you ready to*
Party 2	345	*And secondly*
Conciliator	346	*Yeah*
Party 2	347	*What about the noise from his home*
Conciliator	348	*Ok*
Party 2	349	*Say at four in the morning?*
Conciliator	350	*yeah ok.*
	351	*Now we have said that, talking about the noise between the two homes is something that we're going to come onto in a moment.*
Party 2	352	*Yes*
Conciliator	353	*Now I'd quite like, if we could to sort out the thing with the children if we can before we move on to that.*
	354	*Er and the other thing I've noted is about Party 1's car on the street. Er I'm suggesting we necessarily talk about that at the moment Party 1 but are you happy to come back to that in a moment?*
Party 1	355	*Yeah.*
Conciliator	356	*That is obviously a question that Party 2 has asked a couple of times now, so that's obviously something that you'd like to talk about.*
	357	*Ok, so look I've noted that down, let's come back to it.*

Excerpt 5: Session 3, Conciliator A, Utterances 341-357

In this example the parties are discussing multiple issues. Party 2 is responding to
issues about their children breaking Party 1's wing-mirror (U341 and U343), but
wishes to discuss the issue of noise from Party 1's house (U347 and U349). To
prevent confusion, the conciliator seeks to ensure that issues are managed one-by-one.

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The conciliator has identified that the noise issue is the source of a possible breakdown between the parties (U351). The conciliator has attempted to put it to one side to be dealt with later (U353), but with little success. This demonstrates that there might also be a breakdown in understanding between Party 2 and the conciliator about the way in which the issue will be addressed. The conciliator is unsure if this breakdown is due to Party 2 not understanding that the issue will be dealt with later, or that Party 2 believes that the conciliator has simply forgotten the issue. The conciliator identifies the source of this breakdown by demonstrating to the party that they have noted this issue, before going back to the initial dispute (U357).

These examples show how the conciliator identifies and defines the scope and sources of breakdown. This can then be used to decide which areas need to be dealt with first. Parties can then develop strategies for the repair, or mitigation of these breakdowns. The conciliator can identify breakdowns caused by the properties of the relationship (Excerpt 3), the properties of the medium (Excerpt 4), or the interaction between the two (Excerpt 5). However, conciliators have expressed concerns that the lack of tangible shared artefacts to be used as a record of the discussion can result in confusion. This hinders the identification of breakdowns.

4.3.1.3 Repair

Breakdowns indicate that the understanding that parties share is faltering, or has faltered. Normally, the Principle of Least Collaborative Effort (Clarke and Brennan 1991) indicates that the parties attempt to repair breakdowns collaboratively. However, the presence of conflict may make them reluctant to do so. One of the roles of the conciliator is to instigate repair, or to encourage parties to instigate repair. In doing this the conciliator ensures that a shared understanding is created and the safety of the space is maintained.

Shared understanding can be created at the utterance level, where parties have sufficient understanding to be able to discuss a topic without a breakdown in communication. It may also occur at the narrative level. At this level, a breakdown could be conceived of as a failure to share understanding about issues, aims and attitudes. To reach a mutually satisfactory resolution, repairs at the narrative level will be needed.

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In the *post-hoc* interviews conciliators raised concerns about the way that they are able to instigate repairs in communication.

> ***Conciliator A:*** *Need to spell out what is understood and name attitudes or behaviours that all parties should see, such as "[Party 1], I see you're nodding there".*

Conciliator A comments on the way that they sought to make repairs explicit. They felt it was necessary to draw attention to attitudes and behaviours they perceived that parties shared, or should share. This can then be used to repair breakdowns by building a shared understanding. The increased uncertainty occasioned by the reduction in cues and presence makes it difficult to assume a shared understanding.

The following examples demonstrate how a conciliator attempts repair using VMC.

Party 2	187	*For example . . . He took a tennis racket from my room*
Conciliator	188	*um humm*
Party 2	189	*A few months ago?*
Conciliator	190	*Yeah*
Party 2	191	*and I haven't seen that tennis racket since*
Conciliator	192	*Ok*
Party 1	193	*a what did you [say]?*
Conciliator	194	*[Um] I think if I understood you correctly Party 2 was that you said that uh that last bit was that you uh a tennis racket that you had has gone [missing]*
Party 1	195	*[oh] yeah the racket yeah*
Conciliator	196 197	*ok before we go further with that* *let me make sure that I've got it clear with you Party 2 what you're saying as well*
Party 2	198	*{nods}*
Conciliator	199	*Because again . . . Quite a few different things there.*

Excerpt 6: Session 1, Conciliator A, Utterances: 187-199

In this example Party 2 has raised their concerns about property going missing from their room (U187). When going into detail about the issues, Party 1 is unable to understand the item to which Party 2 is referring (U193). The conciliator interrupts to quickly clarify the issues for Party 1 (U194). However, they make explicit that this is only their interpretation of Party 2's utterances (U194). This ensures that Party 1 does not perceive the conciliator to be ratifying the issue that Party 2 has raised.

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The conciliator halts Party 2 after the breakdown has been noted (U196). They recap to create a shared understanding (U197), before the discussions move forward. The conciliator ensures that the repair is completed and that a shared understanding is maintained. In situations of high conflict, parties may be reluctant to work to develop any shared understanding.

The following excerpt offers an example of conciliators instigating repair at the narrative level.

Conciliator	483	*So what you're saying there it seems, is that you don't have a problem with Party 1 having friends round or anything like that and you don't have a problem with the noise except if it's carrying on after midnight*
	484	*Is that correct?*
Party 2	485	*Yeah that's right*
Conciliator	486	*ok so what you're saying there is that what you would like I think is, is for some understanding there between you about noise after midnight.*
Party 2	487	*{nods}*
Conciliator	488	*When you say noise is there anything particular that is causing you a problem late in the evening?*
Party 2	489	*Well basically just music and banging the doors at one or two in the morning*
Conciliator	490	*Ok*
Party 2	491	*Yeah*
Conciliator	492	*Ok right,*
	493	*So I mean, it's gone Party 1 from being a sort of a general concern, from your point of view that, Party 2 doesn't like you having lots of people around and making a noise all the time*
	494	*To actually something quite specific, which is that it er seems that there is a concern he has about noise and banging doors and music, very late in the evening, sort of after midnight.*
	495	*Uhm were you aware that that was what it was particularly?*

Excerpt 7: Session 1, Conciliator A, Utterances 483-495

This example demonstrates the way that conciliator helps to repair breakdowns at the narrative level. The conciliator has elicited Party 2's concerns about the noise that they believe Party 1 is making (U483). The questions asked by the conciliator narrow the issue to a specific range of behaviours that cause concern (U486, U488).

Prior to this instigation of repair, the parties were using incompatible narratives that precluded a shared understanding. The conciliator instigates repair by creating a new narrative that may offer new ways to resolve the conflict (U493, U494).

The above examples demonstrate that conciliators are still able to instigate repairs in a video-mediated environment. This can be achieved at the level of utterance (Excerpt 6) or at the level of the narrative (Excerpt 7). However, conciliators raise concerns about the way that the properties of the medium alter their ability to achieve this. The increased uncertainty leads conciliators to make explicit any repaired understanding. This ensures that parties have shared attention about significant behaviour. However, this may alter the way that conciliators are able to practice. They may exert greater controlling behaviour over information to reduce uncertainty.

These examples demonstrate that breakdowns can be managed in a VMC environment. However, it is evident that the relational impact of the properties of the medium increase uncertainty about what is understood or misunderstood and makes it difficult to identify the source of breakdowns. The medium itself may be a source of breakdown or may exacerbate misunderstanding. The conciliator overcomes this by explicitly addressing breakdowns; reducing uncertainty and helping parties to create a shared understanding. This is achieved by altering the rate or the salience of information in the relationship.

4.3.2 Explaining breakdowns in VMC

It is evident that conciliators are able to manage breakdowns in a VMC environment. However, they have raised concerns about the way that the properties of the medium serve to alter their skills.

The presence of the medium distorts the way parties are able to transmit information. This can be attributed to the attenuation or retardation of social information brought about by the medium's properties. It is possible that parties have failed to develop adequate strategies to deal with the impact of the medium. should parties receive

unexpected information or assume information to be transmitted when it is in fact omitted (Excerpt 5). This may lead to a breakdown at the utterance level. Alternatively, if parties' attempts to compensate for this reduction or differentiation in information privileges incompatible narratives this may lead to a breakdown at the narrative level (Excerpt 4).

Conciliators have been observed to overcome these difficulties in a number of ways. The first is to draw attention to specific breakdowns (Excerpt 5) and attempt to identify the scope and impact of these. The conciliator ascertains if a breakdown has occurred and if it is causing difficulty in the resolution of conflict. They explicitly identify the breakdown and ask parties to consider its impact. This is integrated into existing narratives. The expectations associated with the media properties offer parties the opportunity to draw on established coping strategies, or to develop new ones for overcoming the breakdown (Excerpt 2). The conciliators must make explicit any perceived incompatibility in the narratives. They can suggest coping strategies. In this way they exert their influence as media properties over the properties of CMC.

The second is for the conciliator to make explicit the grounding criterion or the behaviours that are being used to establish a shared understanding. This includes naming behaviours that have been observed, to explicitly build a referential identity. The properties of the medium introduces uncertainty into the way in which parties are able to reflect on their understanding. Areas of disagreement, or incompatibility in narratives can be addressed. The conciliator has explicitly developed a referential identity for the discussions. This can reduce uncertainty, promoting a shared understanding.

However, conciliators have raised concerns that this changes their practice. The properties of the medium may make it harder to locate the site of the breakdown (Excerpt 6). The loss of cues may also restrict the conciliator's scope for intervention. They may have difficulty instigating repair, as the properties of the medium serve to attenuate or distort the information that they deploy to create or maintain the shared understanding.

4.4 Can a conciliator successfully manage emotional expression when using VMC?

The research discussed in Chapter 2 suggests that the use of CMC affects the way that parties express emotions; the reduction in social cues leads to less personal, or deregulated/deindividuated behaviour. It is expected that the practice of conciliation is distorted by the presence of a medium. The following results outline how a conciliator might ensure that their management of emotional expression successfully maintains the safety of the space.

4.4.1 Observations of emotional expression

It is anticipated that the conciliator manages emotional expression in CMC by: (1) encouraging venting, to ensure that parties are able to feel as though they have 'had their say'; (2) limiting flooding, to ensure that venting is productive; (3) controlling interruption, to ensure that the space is perceived as safe to vent; and (4) demonstrating that parties have been listened to, acknowledging parties' concerns so that all parties feel as though the venting has been beneficial. Sections 4.1.1 – 4.1.4 provides evidence of conciliators managing emotional expression in an environment of VMC.

4.4.1.1 Demonstrating Listening

One of the purposes of emotional expression is to provide parties with the opportunity to feel listened to. If the conciliator acknowledges the issues that the parties have raised, they feel that the impact of the conflict on their day-to-day life has been understood. This not only encourages a positive effect, such as building trust, but also provides information to the ventee that they may not have previously observed or perceived.

The *post-hoc* interviews with conciliators provided their impressions of the impact of the media properties on their ability to demonstrate listening.

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> **Conciliator A:** *It is harder to display empathy solely through language - eye-contact, gesture, and gaze all help.*

Demonstrating listening can be about empathising with parties, to show that their emotions have been acknowledged. Conciliator A felt that the usual ways that they would achieve this were restricted by the properties of the medium. They felt that they were only able to attempt this through the use of language, rather than paralanguage such as eye-contact, gesture and gaze. This limits the way that a conciliator can demonstrate that they have listened to the party. These concerns are echoed by Conciliator D.

> **Conciliator D:** *You know, I felt remote. I couldn't make eye-contact…there's a lot that happens when I'm mediating, just sort of glancing over, or even just leaning a little bit towards somebody…I wasn't going to be able to do a huge amount of that sort of emotional management business*

Conciliator D raised concerns that the lack of eye-contact led to a feeling of remoteness. This restricted their ability to manage parties' emotions through demonstrations of listening behaviour. The properties of the medium contributed to the conciliator feeling remote, and this in turn reduced their effectiveness at demonstrating listening.

The following examples provide evidence of the conciliator demonstrating listening in a video-mediated environment.

Party 1	122	*Basically.*
	123	*Uhm . . . He's broken . . . A personal item of mine . . .*
Conciliator	124	*un humm*
Party 1	125	*uhm . . You know*
	126	*he has er . . He's refused to sort of acknowledge this . . .*
Conciliator	127	*Ok*
Party 1	128	*and uhm it's not on really.*
	129	*He came into my room when I wasn't there*
Conciliator	130	*un humm*
Party 1	131	*and he uh. . .*
	132	*He broke an item of mine.*

	133	*It uh it was not only a valuable item it was a sentimental item.*
Conciliator	134	*Uh humm*
Party 1	135	*He hasn't even acknowledged that what he did was wrong.*
Conciliator	136	*Ok*
Party 1	137	*uhm . . . If it were . . . If it were only that then we'd probably of sorted it out quite amicably*
	138	*and straightforwardly. But I think that the problem is that this is just the straw that broke the camel's back*
Conciliator	139	*{nods} um hmm.*
Party 1	140	*and that it's all been building up to this because of um just the way, just the way things have been going between us.*
	141	*and basically the way Party 2 is um you know, acting with me on the uh in the halls of residence.*
Conciliator	142	*{nods}*
Party 1	143	*It seems that uhm. He's just got a problem with me*
	144	*and it's been building up, and building up and building up*
Conciliator	145	*uhm hmm*
Party 1	146	*and this is the latest thing and you know, I've had enough frankly*
Conciliator	147	*Ok.*

Excerpt 8: Session 1, Conciliator A, Utterances 122-147

In this example Party 1 outlines their concerns about Party 2's behaviour. They begin by discussing a specific incident (U122 –U137). They appear to be hesitant at first, as evidenced by the high number of '*uhms*' and pauses in their statement. Through the use of continuing behaviour (nods and verbal gestures) the conciliator demonstrates that they are listening to Party 1 (U124 – U134). This encourages Party 1 to continue to talk. Their discussion moves from describing a specific behaviour, to a more general position (U138 – U146).

The lack of hesitation in the later utterances demonstrates that Party 1 feels able to talk freely about the concerns that they have. By encouraging Party 1 to continue to talk, the conciliator has reassured them that they can discuss contentious issues. They have demonstrated that it is safe to vent in the shared space. The conciliator appears willing to listen to Party 1's concerns, rather than attacking or questioning their statements. This encourages Party 1 to discuss issues further. It emerges that the concerns that Party 1 has are deeper than the issues of a broken item. The conciliator can then use these identified deeper concerns in subsequent discussions.

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The following excerpt provides an example of the conciliator demonstrating listening through summarising.

Party 2	148	but the fact is that you're er you know that that that the working day for you starts at half past 9
	149	and you have just been not able to deliver on that and that's got to a point were I've had no choice but to start disciplinary proceedings
	150	because otherwise if I, you know, if I just sort of say to you, yeah, you know, y-you can come in late every every every day , what am I going to say to everybody else
	151	[what am I going to say]
Party 1	152	[I don't want to come in] late every day
	153	I want to come in at the time that I can make
	154	I haven't, haven't got any childcare, it means that I can't, that I just can't sustain it
	155	I've even considered changing my you know, changing my, reducing my hours, but you know that would mean I earn less
	156	and I can't really afford to do that
	157	but you've made it so difficult for me
	158	{Pause for 3 seconds}
Conciliator	159	can we just take a step back at this point and have a look, look at what, what the two of you are saying here.
	160	It's my understanding from what each of you are saying, that both of you completely acknowledge the need for the project to be competed on time.
Party 1	161	Yes
Party 2	162	Yeah

Excerpt 9: Session $, Conciliator D, Utterances 148-162

In this excerpt Party 2 details the difficulties that Party 1's behaviour is causing them (U148 - U149). Party 1 interrupts this venting to defend their own position (U152 – U157). This interjection can also be seen as venting. Both parties have discussed issues in a highly emotional and polarised state, portraying the other party as unreasonable. This venting has potentially brought the meeting to an impasse (U158). The conciliator demonstrates that they have listened to what each party has said by summarising their points (U159, U160). This generates agreement between the parties (U161, U162) and moves the debate forward.

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Summarising information provides parties with an acknowledgement of their concerns and shows that they have been listened to. This helps them move from entrenched positions and recognise the value of venting in achieving this.

The above excerpts offer evidence that conciliators are able to demonstrate listening in an online environment. Excerpt 8 shows that linguistic paralanguage can be used as continuing statements to encourage participation when other cues may not be present. Excerpt 9 demonstrates the role that summarising can play in acknowledging parties' concerns. The interviews with conciliators demonstrate that reservations about the efficacy of this. Conciliators are concerned that the properties of the medium reduce their ability to demonstrate listening and encourage participation. This can lead to a feeling of remoteness, or an adoption of alternative strategies.

4.4.1.2 Encouraging venting

As described in Chapter 4, venting serves a dual purpose: it ensures that parties are heard and feel that they have been heard. The conciliator reassures parties that venting is not only allowed, but that it is also safe to do so. One approach for doing this is to encourage parties to vent.   This can be achieved by directly asking parties for their comments, or by allowing them to continue talking once venting has begun. However, to avoid ratifying one parties' view of the other, or to ensure that venting is controlled, the conciliator must impose a structure on venting.   They must limit its scope duration and intensity.

The *post-hoc* interviews with conciliators who had participated in the video-mediated experiment showed concerns about the medium's effect on the way that the conciliator can encourage emotional expression.

> **Conciliator A:** *[I'm] unsure if video allows enough venting, there seems to be a dampening effect ... people are less prone to outbursts ... [the discussion may be] more constrained if people are unable to express themselves properly*

It is apparent that venting is a necessary aspect of conciliation. Parties need to feel that their concerns have been acknowledged and are legitimate.   Conciliator A feels that this may be prevented by the presence of the medium due to its '*dampening*

effect'. This leads to a space that is safe from uncontrolled outbursts, yet this dampening effect can lead to frustration if people feel that they have been unable to express themselves fully. The restriction of appropriate venting, caused by CMC, may hinder a lasting resolution. The following examples demonstrate ways in which this occurs:

Conciliator	82	*So Party 1 I can see you shaking your head to that is erm, is that something you're prepared to discuss?*
	83	*I'm not necessarily assuming you'd agree with Party 2. on , on his [perception]*
Party 1	84	*[yeah uh] yeah. I know what he's uh talking about right?*
Conciliator	85	*um hmm*
Party 1	86	*But it pales into insignificance with all the hassle that his kids have caused!*
Conciliator	87	*Right ok, so one of the main issues for you is the children but from Party 2's point of view there is an issue about noise in the street, things like that*
Party 1	88	*If you want to talk about noise, let's talk about the times that his children wake me up in the morning!.. During the day and late at night!*
Conciliator	89	*Ok*
Party 1	90	*with their playing and the fact that, that they're out there at all hours!*
Conciliator	91	*um humm*
	92	*It sounds like what you're both saying to me here is that noise and er how it's affecting each other an each being disturbed is something that's affecting you both , perhaps in different ways*

Excerpt 10: Session 2, Conciliator A, Utterances 82 – 92.

In this example the conciliator is aware that there are issues that Party 1 is in disagreement with. They invite them to expand on the reasons why they disagree (U82). Party 1 begins to discuss the issues (U84, U86) and becomes increasingly agitated as they revisit a contentious issue (U88, U90). This is venting behaviour.

To ensure that Party 1's venting is productive, the conciliator sets a structure to the venting in three ways. First is to specifically request a reaction to Party 2's previous statement (*is this something you're prepared to discuss?*), thus setting the expectation of an appropriate topic for venting. Second is to indicate that there will be a difference in views between the parties (*I'm not necessarily assuming you'd agree*

with Party 2 on his perception), encouraging party one to talk about their own view of the issue, not challenge Party 2's version. The third is to continue throughout (U85, U89, U91), while bringing more focus to the venting from "*all the hassle that his kids have caused*"(U86), to "*there is an issue about the noise on the street, things like that*" (U87).

The conciliator not only encourages venting through the use of open questions, continuing statements and reassurances that discussion of contentious topics is permitted, but uses their judgment to ensure that the venting remains productive. The conciliator deploys their skills in such a way that the range over which venting occurs (in terms of topic) is limited, whilst at the same time instigating and encouraging venting, to ensure that salient information is available to parties.

The following excerpt provides a further example of the conciliator imposing structure on the way that venting occurs.

Conciliator	108	*So Party 2 thanks for sitting and listening, that was I know really difficult for you*
	109	*and no doubt you've heard some things that you didn't agree with.*
	110	*Now it's your opportunity to to say what you want to say ok?*
	111	*And when you go second, it's always tempting to just respond to what the other person has said but,*
Party 2	112	*Humm*
Conciliator	113	*If I'd come to you first, what do you think you would have said?*
	114	*How do [we get to be in this]*
Party 2	115	*[Well I can just] cant do it like that, because I mean I can't believe she's saying that there's trouble with noise from us*
	116	*Because all of our problems are about the noise from her children*
	117	*It's terrible!*

Excerpt 11: Session 3, Conciliator B, Utterances 108-117

Prior to this excerpt, the conciliator has allowed Party 1 to discuss their initial concerns and has ensured that this has been uninterrupted. Party 2 has experienced all of this without the opportunity to interrupt legitimately, should statements they

disagree with be raised (U108, U109). The conciliator indicates that Party 2 now has an opportunity to state their concerns with the relationship (U110). However, the conciliator anticipates that this may take the form of Party 2 responding to the issues Party 1 has raised (U111). They therefore suggest a structure for Party 2's response and explicitly request that Party 2 ignore the issues Party 1 has raised (U113). Furthermore they ask an open question to facilitate discussion (U114). However, Party 2 indicates that this will not be possible: they feel attacked and that they have to respond (U115). This results in their venting about their perceptions of the issues that Party 1 has raised (U116, U117).

For parties to feel as though they have had the opportunity to be heard, the conciliator may impose or suggest a structure for discussions. This encourages productive venting. These structures mitigate the established patterns of argument. However, Excerpt 11 demonstrates that this is not always possible. Parties who experience venting as an attack on their position may feel obliged to defend themselves. This shows the experience of expressed emotion to be a powerful driver in the perpetuation of conflict. Though venting may be beneficial to the ventor, it can further entrench the position of the ventee, even if the conciliator is aware of this and has instigated strategies to mitigate its effect. The conciliator is not always capable of imposing a structure on the relational characteristics.

Even though a dampening effect may be present, Excerpt 10 provides evidence that the conciliator can deploy strategies to structure venting so that it is productive. It serves the function of providing an outlet for the expression of emotion and an acknowledgment of the concerns one party has. However, Excerpt 11 shows that the conciliator may not be able to suggest strategies for effective venting. Even if a dampening effect has occurred as a result of the medium, the ventee may still experience such a degree of emotion that they feel obliged to respond to the accusations, rather than acknowledge the emotion itself. The presence of a medium in relational communication alters the way parties perceive and experience emotion.

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The conciliator must ensure that venting is productive. If emotional expression is unproductive it can be seen as 'flooding' and could jeopardise the safety of the space. Below are examples of the conciliator managing 'flooding'.

4.4.1.2 Limiting flooding

Flooding is described in Chapter 4 as uncontrolled venting that jeopardises the safety of the space in which discussions are occurring. The conciliator must balance the ability to encourage venting, with the risk of venting becoming flooding. The conciliator identifies that flooding has occurred, or is likely to occur, by looking for instances of repetition during venting, attacks on the other party, or other extreme emotions that can have a debilitative effect on participation. They then intervene to restrict this flooding, but are wary of the risk of preventing future venting.

The conciliators who participated in the *post-hoc* interviews felt that the medium itself helped to prevent flooding.

> **Conciliator A:** *...it became very heated and then died down quickly when I intervened.*

Conciliator A raised concerns that their intervention would have a magnified effect. They felt that the discussion ramped-up and died down very quickly after their intervention. This was different to the way that emotions are experienced face-to-face.

> **Conciliator B:** *Emotional conflict has been reduced – if this isn't present then there's danger that real healing or change isn't going to be lasting I felt more of an observer rather than a recipient of the content ... The fundamental difference was that it wasn't directly at them, so you know, it wasn't that the other party was looking me in the face and saying you know, 'you bastard', it wasn't that. It was more into the system, so I was more of an observer of it, rather than the immediate recipient of it.*

Conciliator B offers a comparison with emotional content in a face-to-face setting. They assert that the lack of presence leads to a reduction in emotional conflict, parties do not experience emotions directly. Here, the conciliator is concerned with the way

that this might prevent a lasting resolution. However, this lack of emotional content may also engender a lack of emotional support.

> **Conciliator D:** *I think that people could get very sunk. You know, sitting in a room on your own; and if one of you is more powerful in some way, then it could be very easy for one party just to give up the ghost.*

Conciliator D raises concerns that once flooding has occurred, there is a reduction in the options open to conciliators to address this. The distance engendered by the medium to compounds the negative emotions that a participant is experiencing. This leads to an increased likelihood of withdrawal from the process.

The following examples demonstrate this:

Party 1	503	*and you know, that's fair enough and if that's like the point where we need to be quiet then I'd be willing to er try and er keep it down after midnight*
Conciliator	504	*Ok*
Party 1	505	*So that it doesn't bother people*
	506	*But er you know, if that's it then we're ok but, nobody else has approached me, nobody else seems to have a problem with me on the floor.*
	507	*Nobody else seems to have a problem about the noise, it's only Party 2*
Conciliator	508	*um humm*
Party 1	509	*and er the way he talks to me as well is he makes me kind of feel inferior to him*
	510	*you know and he's kind of some superior person*
Conciliator	511	*Hmm*
Party 1	512	*… and erm I'm a bit of an idiot really I think …*
Conciliator	513	*um hm*
Party 1	514	*because of my lifestyle or whatever … the way I am*
Conciliator	515	*mm hm*
Party 1	516	*and I don't appreciate that either …*
	517	*I can appreciate that very late isn't acceptable and we'll do something about that …*
	518	*but I'm not going to say that I'll live like a saint and that I won't have people round, because erm that isn't practical.*
Conciliator	519	*Ok*
	520	*I mean I'm not sure Party 2 is asking you to live like a saint and not have anyone round*

Excerpt 12: Session 1, Conciliator A, Utterances 503 - 520

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Party 1 indicates a willingness to reconsider their position (U503, U505). They begin to outline their perception of Party 2's role in perpetuating the dispute (U505, U506, U507). This leads to Party 1 describing their perceptions of Party 2's attitude toward them. Party 1 asserts their belief that Party 2 looks down on them. This is a theme that is repeated frequently in short succession (U509, U510, U512, U514, U516), suggesting that it is something that greatly concerns Party 1. As Party 1 vents their concerns about Party 2's attitude, flooding begins and Party 1 begins to retrench their position (U518). The conciliator acknowledges Party 1's concerns (U519) and gently challenges them, by encouraging them to reflect on the statement they have made (U520). This helps Party 1 to feel that their concerns have been heard, but forces them to consider the validity of the claims they are making when in an emotional state.

The conciliator allows Party 1 to begin to vent, even though it could be seen to be a personal attack (Party 2 as arrogant), or as a way of Party 1 gaining sympathy (Party 1 as a victim). In this way Party 1 could be said to have started to flood. The conciliator does not challenge the flooding itself, but challenges the reasonableness of Party 1's conclusions from the flooding (that it would be unreasonable of them to adhere to Party 2's demands). This reassures parties that venting is allowed, and that there will not be repercussions for either party should flooding occur.

The following example shows further evidence of the conciliator managing flooding.

Party 2	118	*they make such a racket, they play in the street, they're shouting, the television's on really loud and she's got no idea!*
	119	*I have to work shi-shift pattern, erm I started it a year ago.*
	120	*and since then it's erm you know, I could cope with the noise from her kids for the first six months, I was just, I could live with it because it didn't affect my work*
	121	*but now, see I have to work different shifts and it means that I can't sleep when I come home, because the kids are making such a racket!*
	122	*It's terrible, it's absolutely awful. It's affecting my work it's I'm, I'm and my employer's noticed that I'm not doing so well at work and I, he's er talking about possible disciplinary action.*
Conciliator	123	*{nods}*
Party 2	124	*It's serious, it's really serious and [[I]*

Conciliator	125	*[yeah]*
Party 2	126	*how dare she say she's bothered by our noise!*
	127	*We don't make noise, not like she does, it's terrible her children*
	128	*and when I've talked to her she just, she just blows up*
	129	*so the only way now is just, you know, is, is, the only way I can do it now is I bang on the wall or I shout through the wall*
	130	*Because . I just tell them to be quiet.*
Conciliator	131	*Oh*
Party 2	132	*It's just awful*
Conciliator	133	*So life has been really difficult for you recently and think, you think that, that Party 1 doesn't really appreciate how tough life has been and that you particularly wi, with the kind of work demands [and]*
Party 2	134	*[yeah]*
Conciliator	135	*your need for sleep and so-on*
	136	*So you're not, you're not really feeling particularly [good]*
Party 2	137	*[no]*
Conciliator	138	*about things at the moment*
Party 2	139	*I'm certainly not*

Excerpt 13: Session 3, Conciliator B, Utterances 118 – 139.

In this example the Party 2 begins to describe their perception of the difficulties in the relationship with Party 1 (U118, U119, U120). They begin to repeat their concerns (U121, U122) and then start to make attacks at Party 1 (U126, U127, U128). This can be construed as flooding, Party 2 is becoming increasingly emotional and this jeopardises the safety of the space. The conciliator intervenes to recap what Party 2 has said (U133) and asks closed questions about Party 2's current emotional state (U135, U136, U138).

These techniques prevent Party 2 from continuing to flood. Asking closed questions narrows the scope in which they can interact, limiting their propensity to flood. Acknowledging their concerns and encouraging reflection on the emotions they are experiencing assists Party 2 in giving consideration to the events that have lead up to this outburst. This can be used to prevent further flooding, without restricting future venting. The conciliator restricts the flow of information into the environment by using closed questions. This combines with the properties of the medium to dampen emotions and limit flooding.

From the above it is evident that the experience and expression of emotion is significant in conflict resolution. Parties to a conflict have a high investment in the outcome and have a large number of negative experiences to draw from. This leads to parties being overcome by emotion. Excerpts 12 and 13 offer examples of conciliators successfully managing flooding, without preventing parties from venting. This is achieved through acknowledgement of emotion and restriction of emotional expression (Excerpt 13), or through challenging the appropriateness of conclusions reached whilst flooding (Excerpt 12).

However, conciliators expressed concerns that the medium exerted too great an influence over the way in which emotions can be experienced, either by limiting the degree to which emotions can be truly experienced by participants, or by limiting the range in which conciliator intervention can be effective. This may reduce the appropriateness of VMC as a safe space in which conciliation can occur: parties may be reluctant or unable to fully express emotional content.

4.4.1.3 Controlling Interruption

As discussed in Chapter 4, venting can be uncomfortable for both the ventor and the ventee. This can lead to the ventee attempting to interrupt the ventor, either to prevent them from continuing, to avoid feelings of discomfort, or in an attempt to include information that supports or justifies their own position. Interruption, for either of these reasons, may jeopardise the safety of the space. The conciliator must manage interruption to allow venting, but without jeopardising their impartiality.

In the follow-up interviews, conciliators discussed the impact that the properties of the medium have on their ability to manage interruption in the environment.

> **Conciliator D:** *I mean in the exchange actually I think it's fine that people interrupt each other, because it's energetic. But actually in that, online, it's difficult … it felt like you couldn't have the normal fiery conversation that actually you needed to have … the parties are saying the things that they need to say, they're getting it off their chest, they're getting the emotions out and, it's helpful to get all of that out and have it said, rather than having each of them seething. And a lot of it won't need responding to, it will just need to be said until then you find the place where you do want to be able to talk about the future.*

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For Conciliator D, interruption is an integral part of conflict resolution. Parties need to have a back-and-forth to vent emotion that they are experiencing and say things that they feel must be said. Interruption keeps the debate energetic and helps parties to feel comfortable expressing this emotion. For Conciliator D, the imposition of an additional medium serves to prevent interruption, reducing the degree to which parties divest emotion.

The following examples demonstrate ways in which the conciliator manages interruption.

Conciliator	386	*and Party 2. what you have suggested there is that you would be ok with Party 1 borrowing your stuff as long as he made sure you knew about it*
	387	*Yeah do I understand that correctly?*
Party 2	388	*yes that's right*
	389	*{leans in to screen}*
	390	*As I say, my book was missing*
Conciliator	391	*Yeah*
Party 2	392	*And it ended up on his bookshelf*
Conciliator	393	*mm hmm*
Party 2	394	*Was a very good example*
Conciliator	395	*mm hmm*
Party 2	396	*Of what I'm talking about*
Party 1	397	*{raises hand}*
Conciliator	398	*Ok*
Party 2	399	*Because all I knew that day was that I needed that book urgently*
Conciliator	400	*mm hm*
Party 2	401	*But I couldn't find it*
Conciliator	402	*OK*
Party 2	403	*But I didn't know where it is*
Conciliator	404	*right so it was urgent that you found that book because you need to get that piece of work done.*
	405	*Party 1. I think that what you said earlier on was that you thought you had let Party 2 know via Phil. Is that correct?*
Party 1	406	*{nods} yeah [and]*
Conciliator	407	*[right ok]*

Excerpt 14: Session 1, Conciliator A, Utterances 386-407

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In this example the conciliator allows Party 2 to vent their concerns about Party 1 borrowing a book without their permission (U386, U387). Party 2 describes the situation as resulting from Party 1 failing to let them know that they had borrowed the book (U388 –U403). Party 2 leans into the camera to increase their presence (U389) and add weight to their accusations. Party 1 feels that Party 2 is omitting additional information about the situation. They attempt to include this information by raising their hand as an indication that they wish to interrupt Party 2 (U397). The conciliator ignores this attempt at interruption: they manage Party 1's attempt at interruption to ensure that Party 2 can continue to vent. They then recap Party 2's venting and acknowledge that they have been heard (U403). They then anticipate the information that Party 1wished to introduce, including it in the recapping of Party 2's venting (U404) and confirm with Party 1 that this was indeed the reason for their attempted interruption (U404). Party 1 confirms that this is the case (U405).

In this way the conciliator manages interruption to ensure that Party 2 is free to vent without fear of interruption. This retains conciliator's control over the floor, enabling them to continue to allow Party 2's emotional expression, without them feeling challenged by Party 1. However, the conciliator anticipates the information that Party 1 was attempting to introduce, simultaneously acknowledging their concerns. This example reinforces the notion that conciliators can operate at a number of levels simultaneously (as outlined in the conciliation ontology). The conciliator controls the floor, demonstrates that they are listening and shows commitment to the parties.

The highly-charged emotional atmosphere of a conciliated conflict, means that both parties may attempt venting simultaneously. The conciliator must carefully manage this to ensure that both parties feel that they have had their say, but without feeling attacked. The following example demonstrates the way in which a conciliator is able to manage the interruption of venting by another party's venting.

Conciliator	118	*When you say threatened how do you mean?*
Party 2	119	*Well just, once he came into my house and complained about the noise that was coming from my house*
Conciliator	120	*Ok*
Party 2	121	*and I though at that time both of us needed to calm down and I asked*

		him to leave
Conciliator	122	uh huh
Party 2	123	he refused to leave and that's why I had to escort him out of my house
Conciliator	124	[ok]
Party 2	125	[Off my property]
Conciliator	126	I mean [it]
Party 1	127	[Listen, listen] 'escort me out of your house'? How many times have I been round there politely to ask please turn it down and sometimes when I walk away you turn it up!
	128	You turn the stereo up after I've been around.
	129	How many times have I been round and told you asked you that politely? Very nicely and politely!
Conciliator	130	So Party 1 I can tell from what you're saying that this is something that has really wound you up and that it sounds like again it's something that needs talking about and its tied in with the issue of noise
	131	I think the issue you've raised there Party 2. though is, is how perhaps you talk to each other and the fact that you have felt threatened on occasions, or certainly on that occasion.

Excerpt 15: Session 2, Conciliator A, Utterances 118-131

In this example the conciliator has asked Party 2 to expand on their allegation of feeling threatened (U118). They begin to vent (U119, U121, U123). Party 1 begins to vent their version of the events (U127). This interruption occurs despite the fact that the conciliator is talking (U126). However, the conciliator allows the interruption (U127) and then recaps what both parties have said (U130, U131), allowing both parties to feel that they have been heard. The conciliator also draws out common themes in their concerns, that can then be used to build agreement. (U131).

In this excerpt both parties are beginning to express emotion simultaneously. This increases hostility and begins to jeopardise the safety of the space. The conciliator manages this interruption by assuming floor control and recapping what parties have said. Summarising in this way allows both parties to hear what the other is saying, without it being perceived as an attack.

The delay imposed by the medium may exacerbate interruption. If parties are unfamiliar with the conventions of the medium they may be unaware that another party is currently talking. This can promote coping strategies such as: turn-taking; indications of intention to interrupt (Excerpt 14); or a reduction in the significance of

interruption (Excerpt 15). However, conciliators have raised concerns that this lack of interruption serves to further reduce the effectiveness of emotional expression in the discussions.

These findings indicate that conciliators are still capable of managing emotional expression in an online environment. The excerpts demonstrate that conciliators are able to create and maintain a safe environment for the appropriate expression of emotions. Examples show that this can be achieved by the conciliator imposing a structure on expression; managing the rate and content of information exchange; and acknowledging parties' reaction to information. However, interviews with conciliators indicate that the properties of the medium require an adjustment to their practice. They indicate that emotional content is dampened, conflict may be exacerbated and strategies are reduced in efficacy. This demonstrates a clear interaction between the properties of the two media.

4.4.2 *Explaining emotional expression in VMC*

The above findings suggest that emotional expression in video-mediated conciliation can still occur. However, conciliators are concerned that the use of VMC narrows their range of effective input. Conciliators reported that conflict 'ramped-up' quickly, yet their attempts to manage this appeared to have a magnified effect. This may lead to unproductive venting, parties may not feel confident expressing themselves without it degenerating into excessive conflict. They may also feel frustrated if the conciliator dampens the venting too quickly.

This can be explained in two ways. The first draws on existing findings from CMC literature. Existing accounts of CMC, such as the *hyperpersonal* and the SIP models, assert that the reduced cues would make those cues that the parties do receive have a greater impact. When parties are in conflict there is exaggerated hostility. This can be explained as an inverse to the *hyperpersonal* phenomenon of communication, parties receive retarded cues that support and reinforce the negative image that they have of the other – a form of *hypercritical* communication. However, the impact of the conciliator is also exacerbated by the retardation of information. In the absence of

other information, the conciliator's actions have a greater effect, there will be less distracting signals.

A second explanation is that the conciliators anticipate the initial *hypercritical* communication and therefore seek to exert a greater control over the discussions to prevent excessive venting. The conciliator expects that the properties of the medium will exaggerate parties' antagonistic behaviour. This can be attributed to the lack of cues and reduced presence. Their intervention therefore anticipates increased hostility, severely addressing inappropriate behaviour.

Arising from this is the idea that conciliators can manage conflict by incorporating the properties of the medium into their practice. Management of venting requires changing the rate or availability of observed information. The conciliator manages the way that this is interpreted by parties. The presence of a medium alters the rate, availability and interpretation of information. The conciliator must mange this effectively by encouraging venting demonstrating listening, managing interruption and limiting flooding.

4.5 Can a conciliator successfully manage power differences when using VMC?

When parties are in conflict, power differentials assume great significance. Parties to the conflict attempt to marshal their resources to ensure that they are successful in the conflict. Deployment of these resources involves calls to: status; legitimacy; greater freedoms to act; intimidation; and sympathy. Fear of forfeiting these invested resources makes parties reluctant to abandon entrenched positions.

4.5.1 Observations of power differences

The role of a conciliator is to encourage parties to address power differentials that hinder resolution. The conciliator achieves this by: equalising participation, ensuring that participants are able to have their say about salient resources; ensuring freedom

from retribution, by encouraging parties to fully explore ideas and implications before committing to an agreement; and reframing powerful language, encouraging parties to talk about the issues in terms that do not have implied power or value-judgements. Critical incidents were identified as pertaining to 'power differences' if the legitimacy of an individual's actions or deployment of resources was challenged by another party, or addressed by the conciliator.

It can be inferred from Chapter 3 that the presence of a medium has an impact upon the ability to achieve this successfully. The dimensions of safety may be altered by the medium's transformative effect on social cues and social information. There may be additional power differences attributed to parties' familiarity with the medium. All of these increase the uncertainty that parties are experiencing, thus leading to further concerns about risking the resources that parties have invested.

4.5.1.1 Equalising Participation

The conciliator's role is to ensure that parties to a conflict are able to express themselves in a way that is conducive to reaching a resolution. They address power differentials to encourage equal participation for the parties. The conciliator must address only those power differences that are salient in the discussion and that are hindering resolution.

The *post-hoc* interviews with the conciliators also demonstrated their awareness of the need to adopt different strategies, as the following excerpts showed.

> **Conciliator A:** *One of the [conciliator's] roles is to 'equalise participation' – make sure that they both are having a 'fair say' ... it's harder to do this [in VMC] because it is harder to show an interest in the other party with body-language and eye-contact ... this has to be done verbally instead – giving them shorter turns.*

Conciliator A indicates that their practice changed in a VMC environment. The properties of the video medium reduce some of the ways that the conciliator would normally 'equalise participation'. This leads to the conciliator adopting controlling techniques, giving parties shorter turns. This could be seen to equalise participation

by limiting the social information that can be transferred, rather than equalising participation through allowing parties to talk freely.

Conciliator B discusses how the medium alters the way that conciliators encourage contribution.

> **Conciliator B**: *Because it was still quite possible to encourage more contribution, by paraphrasing and asking people an open question. ... But I would need to find ways of interrupting and saying just hang on a minute Party 1, I've just got to check with Party 2 that she's OK and er. But you know again, I'm used to doing that in a way which is maintaining eye-contact with the listener, not the just speaker. And very often, whilst the speaker is going on, you're kind of reassuring the other party, that I'm still here, I'm still here.*

Conciliator B details their concern that, although they are still able to encourage participation, they also need to alter their strategy. Normally the conciliator would use eye-contact to reassure the listener that they are still a participant in the discussion. However, the use of a single camera prevents this from occurring: if the conciliator looks into the camera, they are simultaneously making eye-contact with both parties; should they attempt to make eye-contact by looking at the screen, they will appear to be looking away from either party. For Conciliator B this property of the medium requires a substitution of techniques. Instead of eye-contact, the conciliator resorted to using language to make behaviour explicit.

The following examples provide evidence of conciliators attempting to equalise participation, by encouraging sharing of information.

Conciliator	217	*And Party 1 what I heard you say there was ... well ok can the kids be playing in the garden, rather than playing on the street? And you've mentioned the football particularly*
Party 1	218	*[Or round the corner]*
Conciliator	219	*[Ok]*
Party 1	220	*Or just go to the park or something. Why must there be shouting outside my window?*
Conciliator	221	*[Ok]*
Party 1	222	*If er, when I'm in bed?*
Conciliator	223	*Right ... so it's particularly about the children being right outside the window and you say when you're in bed er. Is that is that to do with your shift-work?*

Party 1	224	*Well you know I, I work shifts so*
Conciliator	225	*ok ... right ... ok*
	226	*uhm I mean, uhm Party 2 What's your feeling about that?*
Party 2	227	*Well because you know what? Before you and your wife moved in this used to be a very peaceful and quiet neighbourhood and no-one sad anything at all about not wanting children to play in the street in broad daylight. No-one raised any objections at all.*
	228	*But now you've told me that you're working shifts, of course I should be taking that into consideration when I put them out to play in the streets*

Excerpt 16: Session 2, Conciliator A, Utterances 217-228

In this excerpt the conciliator is attempting to uncover the specific reasons behind
Party 1's concerns about the noise made by Party 2's children (U217).   Party 1
mentions the impact that the children are having on their sleep, but omits to mention
why this is a problem for them (U220, U222). The conciliator introduces relevant
information that this impact may be exacerbated because of the shift-work that Party 1
undertakes (U223). The conciliator checks how this information changes the way that
Party 2 views the issue (U226). Party 2 indicates that prior to this they perceived
Party 1 as simply unreasonable (and by extension having a less legitimate claim to
their argument) (U227) However, they indicate that this new information serves to
make their behaviour seem to be more reasonable and understandable, and by
extension their argument is more legitimate (U228).   By encouraging Party 1 to
disclose extra information, the conciliator has equalised participation between the
parties.

The conciliator also needs to ensure that parties are not experiencing power
differences as a result of the use of CMC, as evidenced below.

Conciliator	77	*Party 2 could you, could you just let us know what you think the issues are for, from your point of view please?*
	78	{Pause for 2 seconds}
Party 2	79	*Well.. Sounds as though the two of have got it sewn up*
	80	*erm .. Err .. You already seem to be agreeing with Party 1 that erm .. You know .. Uh .. . . She's uh . She's, she's erm well on her side of the story*
	81	*I don't see much point in me telling my side of it really.*
Conciliator	82	*erm err no I really don't think that's the case Party 2,*
	83	*I mean as I said at the beginning err I.. I'm completely*

		independent and completely neutral in this.
	84	*All I was doing was to, was to repeat back to Party 1 what I {* *understood her to be saying*
	85	*Just to make sure that we, the three of us had got a clear* *understanding of what Party 1's perception [of the events]*
Party 1	86	*[well maybe] you just haven't got an answer to it .. Jon ..* *That's why you're not, that's why you can't say anything.*
	87	*Cause you know that you have, you have been unreasonable*
Conciliator	88	*ah uh Party 1, if we could just stick with Party 2 at the* *moment, I think that, I think that that would be really helpful.*
	89	*Party 2 I would really like to hear what your perception of, of* *what's going on is*
	90	*There really is no slant on this .. That any, any one person is* *right*
	91	Silence of 1 second
Party 2	92	*Well I think that we've gotta [unintelligible], right let's just,* *let's just stick with the facts shall we?*

Excerpt 17: Session 4, Conciliator C, Utterances 77-92

In this example Party 2 raises a concern that participation is not equal, as they believe that Party 1 has convinced the conciliator of their version of events (U79, U80). Party 2 states their belief that their contribution would be invalid (U81). The conciliator takes steps to encourage Party 2 to participate (U82), highlighting their role in ensuring that both parties are able to contribute freely, reiterating their impartiality (U83) and justifying their behaviour (U84, U85) . Party 1 takes this opportunity to further question the legitimacy of Party 2's argument, stating that the reason that he feels that he cannot contribute is because his position is illegitimate (U86, U87). The conciliator quickly takes steps to challenge Party 1's behaviour (U88), and encourages Party 2 to participate as equally as Party 1 had (U89, U90). Party 2 considers this (U91), before beginning to express their version of events (U92).

In this example, the role of the conciliator is to reassure parties that participation is legitimate. Party 2 appears to be concerned that the conciliator is not acting impartially. They state their belief that this will be detrimental to their participation in discussions. The conciliator equalises participation by encouraging Party 2 to perceive the conciliator as an impartial resource.   They achieve this by explicitly addressing and acknowledging Party 2's concerns, directly inviting them to engage in uninterrupted participation. They also take distinct steps to restrict Party 1's participation at this stage, preventing them from further unbalancing the power

differences, by questioning the legitimacy of Party 2's argument. Party 2 is satisfied with this response to their concerns and begins to participate in the discussions.

The excerpts demonstrate that conciliators are still able to equalise participation in a video-mediated environment, This can be achieved by encouraging parties to disclose additional information (Excerpt 16); or by identifying potential barriers to participation (Excerpt 17). However, interviews with the conciliators indicate that the properties of the medium limits the way in which the conciliator can equalise participation. The attenuation of cues may preventing them from subtly reassuring one party, or halting one party from talking; or may alter the way that the conciliator can show attention or support. Both Conciliators A & B indicate that this results in an increase in turn-taking and a change in conciliator practice.

4.5.1.2 Freedom from retribution

Participants in a conflict are concerned that exploration of options available to them may commit them to a course of action. For the parties to fully explore a potential solution, they must trust that they are free from commitment or retribution, until a mutually-satisfactory solution emerges. It is necessary for the conciliator to encourage parties to divulge information that may be detrimental to their position, if withholding it is something that may hinder the long-term resolution of the problem.

Similarly, the conciliator must also allow parties to rescind on commitments that they have previously made, should they feel it is something that they can no longer adhere to. The conciliator must reassure each party that they will not suffer a detriment as a result of this. This allows parties to divulge the reasons why they are changing position, without fear of retribution.

However, interviews with the conciliators demonstrated their concerns that there is something about the lack of presence engendered by CMC that reduces parties' inclination to commit to any agreement.

> **Conciliator D**: ... *But even then I think you need to have a follow-up meeting ... if it was, say neighbours in dispute, they still have to see one another, so I'd always want to make sure that they'd had a follow-up*

> *face-to-face and would see that it was facilitated. To make sure that people were alright.*
> **Conciliator C**: *Yeah, I agree. I think if you did mediate through video, you'd need a face-to-face afterwards, or some sort of facilitated meeting.*

These excerpts demonstrate that conciliators have concerns about the degree to which any resolution reached online would be lasting. Conciliators C & D detail their concerns that agreement reached in an on-line environment would not translate to their normal lives. They felt that one final facilitated meeting in the full presence of the other disputants would be necessary to ensure that a lasting agreement was reached. Conciliators feel that there is something inherent in co-presence that encourages parties to reach a necessary degree of commitment to a course of action. The distance engendered by the medium serves to reduce this feeling. This is expanded upon below.

> **Conciliator B**: *I think it would be easier to agree to something, online for the sake of bringing the meeting to a conclusion, or because you know that that's what you're supposed to do; 'oh alright then'. ... But, also I think that real conflict resolution work, or sustainable and lasting ways forward, really happen when people are in the same room, when they are in each other's presence.*

In this excerpt Conciliator B indicates their concern that it is easier to agree to something online because of a sense that it is what is expected. The conciliator needs to work harder to overcome the parties' sense of obligation and encourage parties to ensure that they are committing to a course of action they are satisfied with.

The following examples highlight the way in which a conciliator manages expectations of retribution and commitment.

Party 2	488	*I'll try to keep them in before 9*
Conciliator	489	*Yeah?*
Party 2	490	*I'll try it*
Conciliator	491	*ok then*
Party 2	492	*Yeah*
Conciliator	493	*Can I just check with you Party 2. What s it, what is it that would make it difficult to erm to keep the children in before 9*
	494	*Is there a particular problem?*

	495	*Because you're saying you'll try, but obviously you're thinking, actually there might be a problem here.*
Party 2	496	*Well it's got to do with the nerves of my wife erm*
Conciliator	497	*Ok*
Party 2	498	*{unintelligible}*
Conciliator	499	*erm, I've lost you there. Do you want to say that again R. I lost the sound there*
Party 2	500	*right it's got to do with my wife because we've got a one year old*
Conciliator	501	*uh huh*
Party 2	502	*and we have to be up say, n the middle of the night to take care of the newborn child*
Conciliator	503	*Ok*
Party 2	504	*the one year old*
Conciliator	505	*Yeah*
Party 2	506	*so whenever we have the opportunity, we would try to let the four year old and the seven year old, out to play a little bit, so that we can have a breather, so to speak.*
Conciliator	507	*yeah, oh this is so that you er, your wife can er feed the baby*

Excerpt 18: Session 2, Conciliator A. Utterances 488-507

In Excerpt 18 the Parties have reached an agreement about the times at which the children are kept in the house. Party 2 offers a tentative agreement to commit to a course of action (U488 and U490). However, the conciliator indicates that Party 2 appears unwilling to give a definite commitment to the agreement and seeks to address the issues why that might be (U493, U494 and U495). The conciliator encourages Party 2 to elaborate on the reasons for their reluctance, ultimately encouraging them to disclose the fact that their wife needs the time to herself. This may ultimately undermine the legitimacy of Party 2's position (U496, U500, U502, U504 and U506): Party 1 may feel that Party 2 is being selfish. They also have gained information about the mental health of Party 2's wife (U496). These are both issues that Party 1 could exploit in an act of retribution. However, the conciliator rephrases this in such a way that these issues are encapsulated in an everyday act (feeding the baby) (U507). Exploration of Party 2's reluctance to commit brings forth new information that alters the power differences between the parties. The conciliator's role is to uncover these differences and then find a way to avoid retribution. This excerpt shows that the conciliator can achieve this by normalising the perception of the legitimacy of resources.

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In this example the conciliator ensures that parties are comfortable committing to a course of action. As this example demonstrates, explicitly drawing attention to the behaviours that give the conciliator cause for concern over parties' commitment, provides parties with the opportunity to raise any doubts that they may have. These can then be integrated to offer a comprehensive solution.

The following example offers an insight into the way that conciliators can manage concerns about commitment to a specific course of action..

Party 2	282	*and third, and also how can he be sure that it's my kids who broke his wing-mirror, because there are other kids playing football*
Party 1	283	*you, just you told me that …*
Conciliator	284	*Sorry I just*
Party 1	285	*You were offering to pay for it, I assumed they came in and said daddy I've just broken his wing mirror*
Conciliator	286	*Ok*
Party 1	287	*on his car*

<div align="center">...</div>

Party 1	294	*Yeah? I assumed his offer of payment was because his kids had come in and said 'daddy I've just broken next door'.*
Conciliator	295 296	*Well ok let's just clarify that one really quickly* *Party 2 do you feel that it was your children?*
Party 2	297	*I'm still not sure, but I, I I would be happy to establish if that was my children*
Conciliator	298	*Ok*
Party 2	299	*but now I'm not sure that it is entirely their fault.*
Conciliator	300	*Ok*
Party 2	301	*Because there are other children playing football.*
Conciliator	302	*Ok*
Party 2	303	*Ok*
Conciliator	304	*Alright*
Party 2	305	*Yeah*
Conciliator	306	*So your point is that it may have been your children, and if it was then you would be prepared to pay for the wing-mirror you need to check with your children*
Party 2	307	*Yes exactly*
Conciliator	308 309	*Ok.* *Are you happy with that Party 1?*
Party 1	310	*Well, yeah. Ok.*
Conciliator	311	*You don't sound entirely happy about that.*
Party 1	312	*Well he's he's offered to pay for it and now he's saying well*

		it might not be my kids, you know, la-di-dah
Conciliator	313	*Ok*
	314	*What do you both want to do about this?*
	315	*What would be the best way to resolve it?*

Excerpt 19: Session 2, Conciliator A Utterances 282-316

In this example, the Parties have previously reached agreement that Party 2 would pay for damage to Party 1's car. However Party 2 has changed their mind about the agreement (U282). Party1 outlines the reasons why they made the agreement and why they are upset about Party 2's retreat form the position (U283, U285 and U294). The conciliator manages this alteration of circumstances, allowing Party 2 to change their mind about an agreement that they now dispute, whilst acknowledging Party 1's annoyance at the change. The conciliator explores the reasons why Party 2 has had a change of mind (U306) and explores the circumstances under which Party 2 would be willing to stick to the agreement (U306).

The conciliator then checks with Party 1 if this is suitable, and ensures that Party 1 is genuinely accepting of the commitment (U309). When it transpires that Party 1 is unhappy (U312), the conciliator invites both parties to consider the retraction as a joint problem (U314 and U315) .

In this way, the conciliator demonstrates to the parties that they do not have to commit to any agreement that they are not entirely satisfied with. They also demonstrate that there is freedom from retribution should an individual wish to retract on a previous commitment. By making the issue a joint problem (U314) the conciliator demonstrates that any course of action has to be satisfactory to both parties. This encourages parties to explore options without fear of having to commit to a course of action should their perceptions be altered.

These examples demonstrate that conciliators using VMC are still able to encourage parties to explore alternatives, without fear of commitment or retribution should they renege on a commitment. However, the interviews with conciliators indicate that VMC may make parties less likely to honour any commitment if they meet in a face-to-face setting

The above excerpts demonstrate that conciliators are still able to ensure that the environment is one in which parties can feel free from retribution or commitment. Excerpt 18 demonstrates the conciliator encouraging parties to introduce information that may result in retribution; Excerpt 19 demonstrates the conciliator assisting parties to reconsider commitments they have made that they no longer feel are suitable. However, the conciliators interviewed raised concerns that parties may be more willing to agree to a resolution on-line and that they do not feel that real resolution can be reached without parties meeting face-to-face, in each other's presence. The properties of the medium reduce parties' sense of obligation with respect to honouring commitment to a resolution.

4.5.1.3 Re-framing power displays

When in conflict, participants use language which accentuates power differences between them. In order to mitigate irrelevant or inappropriate power differences, and allow salient resources to be introduced into the discussion, the conciliator must address language that is deployed to this effect. The conciliator can achieve this by identifying when powerful language is being used and then reframing the language used in overt power displays.

The following examples demonstrate conciliator attempts at reframing powerful language in a video-mediated environment.

Party 1	673	*well it's not, well nobody else is worried about it, no one else is complaining to me about you know*
	674	*It's not like I'm you know the anti-social erm - what are you going to do about it? Give me an ASBO on the floor?*
	675	*You know, no-one else has complained*
Conciliator	676	*Mm ok*
	677	*I've heard you mention it a few times Party 1.*
	678	*As far as you're aware it's only Party 2. that's got a problem with it.*
	679	*And I don't know and maybe you both know better whether that's to do with where you are placed in relation to each other*
	680	*Or whether it is from Party 2's point of view that you feel that you need some quiet at night*
Party 1	681	*{nods vigorously}*
Party 2	682	*{nods vigorously}*

Excerpt 20: Session 1, Conciliator A, Utterances 673-682.

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In Excerpt 20, Party 1 is challenging the legitimacy of Party 2's concerns by indicating that they are the only people who find Party 1's behaviour unreasonable (Utterances 673 and 675). They further seek to capitalise on this potential power difference by indicating the lack of real options open to Party 2 (Utterance 674).

The conciliator first acknowledges that this seems to be an issue that Party 1 feels is significant (Utterances 677 and 678). They then redress the assumptions underlying Party 1's use of emotive and mocking language by attempting to explore the issues that may underlie Party 2's concern . The conciliator indicates two potential scenarios that may make Party 2's position seem less unreasonable (and therefore more legitimate) (Utterances 679 and 680). The conciliator indicates that they would like the parties to confirm if either of these scenarios are relevant. The agreement of both parties indicates that these issues have motivated Party 2's seemingly unreasonable behaviour, and therefore need to be addressed by both parties, rather than mocked (Utterances 681 and 682). This gives both parties a way forward, that incorporates these new resources (and the altered power relationships that stem from them). The conciliator has reframed a power display to highlight a legitimate shared concern that can be used as part of a joint project for the parties.

The following example outlines a conciliator's attempts to reframe powerful language in a high-conflict setting.

Party 2	115	*I don't like the way that he came into my house and threatened me and my children.*
Conciliator	116	*Ok*
Party 1	117	*How?*
Conciliator	118	*When you say threatened how do you mean?*
Party 2	119	*Well just, once he came into my house and complained about the noise that was coming from my house*
Conciliator	120	*Ok*
Party 2	121	*and I though at that time both of us needed to calm down and I asked him to leave*
Conciliator	122	*uh huh*
Party 2	123	*he refused to leave and that's why I had to escort him out of my house*
Conciliator		*Ok*

…

	131	*I think the issue you've raised there Party 2 though is, is how perhaps you talk to each other and the fact that you have felt threatened on occasions, or certainly on that occasion.*

Excerpt 21: Session 2, Conciliator A, Utterances 115-131

Excerpt 21 shows the conciliator instigating a reframe of language to uncover the issues underneath the power displays. Party 2 has accused Party 1 of threatening them in their own home (Utterance 115). This use of language could be considered to be very emotive; bolstering Party 2's resources by showing them as the aggrieved party. It also portrays Party 1 as unreasonable and belligerent; undermining the legitimacy of their argument and the resources they deploy. Party 1 indicates their disagreement with this statement (Utterance 117). The conciliator encourages reflection on the use of such emotive language (U118). This encourages Party 2 to reflect on the language they have used, expanding on the issues and concerns that they have (Utterances 119, 121, 123).

In doing this, Party 2 indicates that Party 1's behaviour was inappropriate, but acknowledges that both Parties may have acted inappropriately. By encouraging Party 1 to rethink the emotive language they are using, the conciliator ameliorates the power differential created by the juxtaposition of legitimacy (Party 2 as aggrieved victim) and illegitimacy (Party 1 as an unreasonable aggressor). This allows the parties to uncover an underlying concern about the way that both feel unable to predictably communicate with each other when they are angry (U131).

In both of these examples, it is evident that the conciliator is able to identify and reframe power displays in order to uncover underlying concerns. This is achieved despite the reduction of presence and distorted cues inherent in the medium. However the *post-hoc* interviews with the conciliators demonstrated that they had concerns about the ability of the mediated environment to allow them to deal with a specific, common form of power play – the walkout.

> **Conciliator D**: *Yes and I thought that walkouts would be really difficult to handle. Walkouts are quite . . ., or you know that 'I'm going to walkout'. That's something that we do have to deal with isn't it?*

> **Conciliator C**: *But I think it was probably a bigger deal to physically walkout, than it is just to think I've had enough of this and I'll switch you off. I don't know.*
> **Conciliator D**: *I don't know.*
> **Conciliator C**: *I'm sort of imagining how it work if it was.*
> **Conciliator D**: *I should think it would be hard for the [conciliator] to work out how to handle that.*
> **Conciliator B**: *Well there has to be an equivalent, you know, walking out of the room, that's just the physical thing that people do. The message that they're giving in that, they're doing it for ..*
> **Conciliator D**: *Theatre*
> **Conciliator B**: *There is some positive intent, which may be about saying something like I'm so angry and that's not being acknowledged, or that I feel at risk here, or that personal security, safety. There's usually some positive reason underneath it, although you may think that the behaviour is inappropriate. So I wonder what the equivalent would be, where there's a video link. And I suppose yes, it could either be pressing the button.*

In the above example the conciliators discuss one power display that is available to all parties, regardless of their resources. This is to terminate the discussion by walking out. As discussed above, the threat of a walkout can be used by a participant to demonstrate their displeasure with proceedings – it can be seen as an indication that they feel ignored or threatened. In a face-to-face setting, conciliators are able to pick-up on signals that indicate a walk-out is imminent, or even request an adjournment or separate meeting.

The impact of the medium's properties in a video environment, give rise to concerns from conciliators for three reasons. The first is that the distortion of cues hinder the conciliator's ability to identify that one party is experiencing an emotional state that may promote a walkout. The second is that the lower perception of presence and enhanced feeling of accountability may lower the threshold at which parties instigate behaviour equivalent to walking out (*e.g.* turning off the camera). Third, having instigated walkout behaviour, the conciliator can have difficulty contacting one party independently in order to uncover the reasons for this behaviour and to re-establish the meeting.

These factors combine to greatly increase the power of a threat of a walkout situation in a VMC environment. A conciliator's awareness of this may serve to alter their practice (*e.g.* avoiding highly emotive topics for fear of instigating a walkout), or by

altering procedure (*e.g.* establishing ground rules for addressing walkouts). In addition, if the conciliator perceives that one or both of the parties are aware of the impact that a walkout has, this may alter the way in which they approach the conflict and have a subsequent effect on their practice.

The excerpts above indicate that the use of VMC does not appear to hinder a conciliator's ability to identify when powerful language is being used, nor does it appear to impact upon the way that the parties accept the reframed statement. However, conciliators have expressed concerns that the properties of the medium may serve to magnify the effect of some power displays, namely that of discontinuing participation.

These examples demonstrate that one role of the conciliator is to identify and reframe power displays; equalise participation and assist the free-flowing discussions by making sure that parties are free from inappropriate commitment and retribution. The conciliator achieves this by changing the salience and legitimacy of information in the discussion. This may be the salience of participation; commitment; or resources. However, the excerpts and interviews indicate that the properties of the medium distort the salience of these factors and the conciliator must take steps to overcome its impact.

4.5.2 Explaining management of power in a video-mediated environment.

Power displays in conflict are concerned with calls to the legitimacy of resources and the ability to exert an influence over the other parties' actions. Conciliators have reported concerns with the way that the use of VMC shapes their ability manage power differences.

First, the use of VMC brings an added dimension of uncertainty to the interaction. Uncertainty about parties' skill with the medium, means that conciliators must contend with the potential introduction of power resources that cannot be accounted

for. These resources can include differential experience of actions, resources *e.g.* management of media properties can be seen as power resource.

Second, parties may be drawing from resources not available to the conciliator and other party (*e.g.* notes, or other parties 'off-screen'). This uncertainty can lead to parties adopting inappropriate narratives. This increases distrust in an already low-trust environment. Parties are unlikely to disclose power resources unnecessarily. The conciliator's role is to identify and mitigate the effect of these resources. This is achieved by explicitly drawing attention to observations and interpretations of power differences.

The alteration of presence also changes parties' expectations of retribution. The lack of physical intimidation leads to parties feeling more capable of discussing issues. However, the conciliators have expressed concerns that the lack of presence hinders disposition to commitment. Parties may not treat agreements reached on-line as salient as those reached face-to-face.

A potential explanation is that the media properties distort parties' perceptions of available resources. This leads to parties observing and explaining each other in a way that is qualitatively different to face-to-face settings. Any example reached is based on the expectations and narratives associated with the 'low presence' environments. Should parties meet in a face-to-face setting, the altered salience of cues (and associated narratives) distort the power balance. This may challenge the validity of the shared understanding reached during the VMC discussions. The role of the conciliator is to encourage parties to consider the legitimacy of resources present in the interaction.

4.6 Discussion of observations

The above observations were designed to assist in answering the research question:
How does a conciliator effect a desired relational change in an online environment?

The findings demonstrate that conciliators are still able to engender a safe space in which to explore discussions. However, the techniques that they deploy may be altered, as may the nature of this safety. The findings are discussed in greater depth below.

4.6.1 Caveats with findings

The conclusions reached from these observations need to be considered with the following caveats.

The first is that these were not real world disputes but conciliated role-plays. However, conciliation has a tradition of using role-play in training as a way of mitigating legal and ethical restrictions. When asked about the veracity of a conciliated role-plays, conciliators indicated that there were little differences between real-world and role-play conflicts

> **Conciliator B***: I think that there is a huge amount that is similar between the real situation and the role-play. And one of things that impresses me, is how quickly people forget that they're in a role because they very quickly get in touch with real feelings and it is real. People aren't making up the feelings that they bring to what we call a role-play. Once people get inside it, it's real conflict, so as the [conciliator], it might just have well have been that I was working with two real people. And, the fact that their way into that was through reading a piece of paper, that's just a means to an end. And often people would say to us 'ah but in real life I would do things differently' and I tend to say to them, 'well, what's not real about what you've just experienced?'*

The second caveat is that conciliators were assessing a novel technology. They may have preconceptions about the impact of the medium's properties. Therefore observed behaviour may not be directly attributable to the properties of the medium, but to conciliators' perceptions of the properties of the medium and the resultant coping strategies deployed to mitigate these. However, conciliation is a practice that encourages individuals to reflect on the way that they are perceived and the impact of their actions – this is one reason why conciliation was selected as a case for investigation. Conciliators are experts at assessing how their intervention has shaped relational communication. In this way, novel technology may not pose too great a

problem as conciliators adept at reflecting upon and adapting their practice in order to accommodate moment-by-moment changes.

The excerpts and interviews with conciliators suggest that the environment is altered in terms of increased uncertainty, reduced experience of cues; and a lack of presence. This alteration distorts the dimensions of safety for the space, necessitating a change in conciliator practice. These changes are discussed in sections 6.2 and 6.3.

4.6.2 Practice

Conciliators aim to create safe space in which parties can explore the conflict. The properties of the medium alter their practice in the following ways.

First, the reduction in cues make it harder for conciliators to show empathy, support and encouragement. This hinders their ability to deal with power imbalances and encourage equal participation. It has been found that conciliators overcome this by deploying techniques, such as explicitly naming behaviours and concerns, that are less likely to be distorted by the medium. This can result in conciliators exerting a greater control over the proceedings in order to ensure that the safety of the environment was preserved.

In a CMC environment, the reduced presence and loss of cues make it harder for the conciliator to identify overt power displays. It also hinders the identification of salient resources. In addition, the impact of the powerful language is reduced by the 'cooling effect' of the medium. This prevents the conciliator from accurately gauging when they need to intervene. Therefore, the conciliator must use more detailed questions to ascertain if a power display is occurring, and if it has a negative effect upon the interaction. They must then instigate a reframing or rephrasing intervention, ascertain its impact and seek confirmation that the parties are satisfied with the conciliator's intervention.

Second, there is a reduction in the range in which conciliator intervention is effective. Conciliators reported that the conflict ramped up quickly, yet, after intervention,

cooled down more quickly than they anticipated. Conciliators aim to allow parties to vent, but seek to intervene before flooding occurs. The acceleration of rate at which conflict escalates may increase parties' propensity to 'flood'. Too late an intervention by the conciliator may result in the safety of the space being jeopardised. However, the magnified effect of conciliator interaction may mean that too early an intervention prevents sufficient venting, leaving the parties feeling frustrated.

Third, conciliators did not trust their perceptions of a shared understanding. Conciliators expressed concerns that they needed to make things more explicit, by naming behaviours or attitudes. This can be attributed to the uncertainty introduced by the media properties. Conciliators do not have the same mechanisms for drawing attention to salient information that they would have in a face-to-face environment. Similarly, the conciliators may not trust that parties have picked up on salient information. Conciliators were observed to, and reported that, they made things explicit when they wanted to be sure that parties had picked up on a particular information. However, this may have led to a much more 'controlling' role for the conciliator, changing the nature of their practice.

Interviews from the previous chapter have indicated that conciliators are concerned about the impact of CMC on power differences. There may be an unevenness in skill at presenting oneself in an on-line environment, parties may be reluctant to give information that may be recorded, and conciliators may be concerned that parties are drawing on resources that they have not been able to account for. This means that conciliators need to identify where they feel power differences are hindering resolution and encourage parties to explore ways that these can be ignored or mitigated.

4.6.3 Environment

It is evident from the above, that conciliators are still able to create and maintain a safe space in which parties can vent. However, conciliators have expressed concerns with the way that the nature of this safety may change.

The loss of cues and other mechanisms for building and maintaining a shared understanding may reduce the safety of the space to explore contentious or complex issues. Breakdowns may be more frequent and repairs may require a greater investment of resources. If parties are in conflict they may be reluctant to expend these resources. This can lead to parties being reluctant to explore issues where there is a high risk of breakdown. These are often the issues that need to be addressed in order to reach a lasting resolution. This may lower the safety of the space for exploring contentious issues.

Second, the dampening effect of the medium attenuates the expression of emotion. This may reduce the safety of the space to vent emotion. Parties may not feel that they have had their say, leading to frustration and a lack of commitment to resolution. Alternatively they may no longer feel as restrained and run the risk of increased flooding. Parties may no longer feel safe to express emotion for fear that they may become too emotional. The dimensions of safety of the space as appropriate for venting may be distorted by the media properties. Lower levels of emotions may be unobserved by conciliators. Excessive emotion may be too intense. In either case the safety of the space can be jeopardised as emotions are inappropriately expressed or reacted to.

Third, the space does not keep a record of statements (it is ephemeral in nature), lowering the potential for parties to be held to accountable for any commitment they may have made. Furthermore, parties are protected from physical intimidation by the lack of copresence. However, safety from other forms of retribution may be reduced. If parties experience extreme emotions that the conciliator is unable to manage, this may lead to parties making attacks or extreme statements which they may later regret. The nature of the environment may also promote the potential for walkout (lowering the threshold and increasing the ease), whilst at the same time reducing a conciliator's ability to address the behaviour (difficulty re-establishing the video-link). This may reduce the perceived safety of the space as a place to explore power differences.

The impact of these changes is to alter the dimensions of safety for the environment. Figure 2 demonstrates how the dimensions of safety for a conciliated environment might be shaped by the use of VMC.
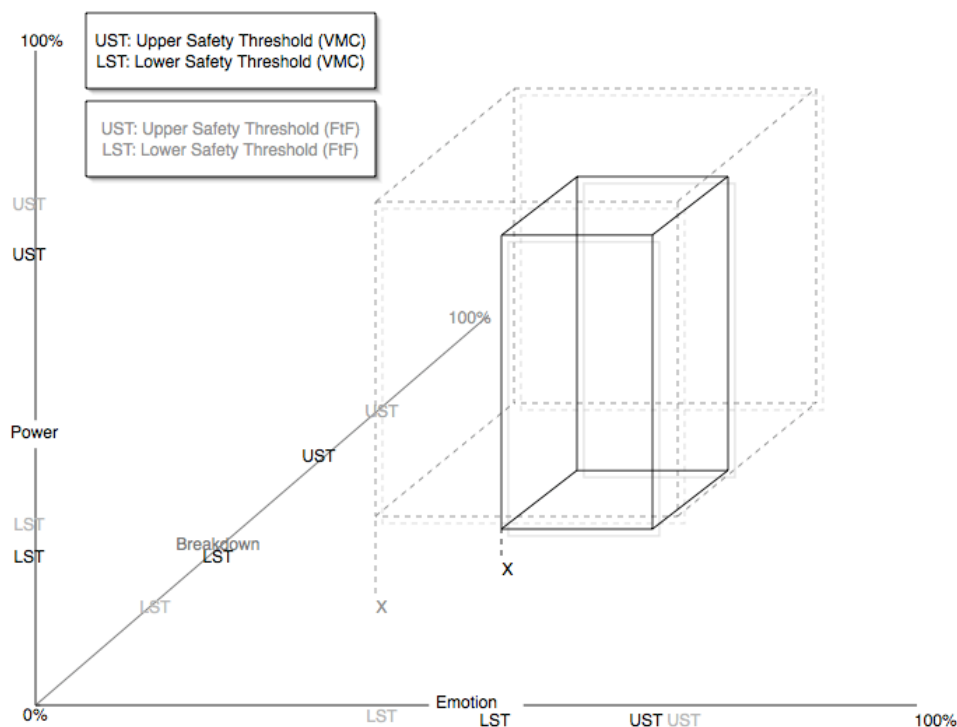
FIGURE 2: The dimensions of safety for conciliation using VMC

These examples demonstrate that the interaction between the properties of the medium and the nature of the relationship alter the safety of the space. Conciliators are still able to practice in this environment but the skills that they use will be altered and the dimensions of safety are skewed. However, the differences between the environments, as represented in figure 2, are illustrative – only the approximate direction and magnitude of the changes in the threshold can be discerned.

The ability for sequentiality to be distorted by delays in utterance transmission may make the environment less safe for breakdowns to be explored. Similarly, the ephemerality of information means that parties may become lost in the debate and unsure if breakdowns have occurred. This reduces the range of safety for parties to experience breakdowns in communication.

The lack of co-presence may mean that parties now have greater safety from physical intimidation. However, there may also be less safety to explore emotions; emotional expression may 'ramp-up' quickly, or be dampened by the medium. This reduces the

distance between the upper and lower safety thresholds for the safety of the space to express emotions.

Finally, the presence of the medium means that parties are able to draw on power resources that others may be unaware of; there may be differences in experience of the medium itself; the impact of certain power displays (*e.g.* threats of walkout) may be magnified. This reduces the range of safety for parties to explore power differences. However, as many of these issues are potentially present in a face-to-face environment, this impact is minimal.

The findings presented in this chapter indicate that the impact of the properties of VMC on relational communication is to: (a) influence the creation and maintenance of a shared understanding, through increasing uncertainty about the availability and interpretation of information; (b) shape the expression and experience of emotions, through attenuation of cues and presence; and (c) redefine the salience and efficacy of certain power resources, through an increase in uncertainty of their availability and uncertainty. Conciliators have been found to accommodate this by: (a) making explicit certain information (reducing uncertainty); (b) controlling the rate and type of information introduced (influencing the transfer of information); and (c) altering the salience of information in the space (managing presence). This is discussed in section 7.

4.7 Conclusions

This thesis aims to explain the impact of media properties on relational communication through exploration of conciliation in online environments. Chapter 3 demonstrated that conciliators act as a reflexive medium, that effect relational change through consideration of the relationship, their goals and evaluation of previous strategies. Their aim is to create and maintain an environment in which it is safe for parties to: (a) experience breakdowns; (b) express emotions; and (c) explore power differentials. This chapter explored the way that conciliators are able to create and maintain this safe environment when they operate using video-mediated

communication. It found that, although conciliators are still able to practice in such an environment, the properties of the medium influence their practice.

The findings indicate that communication breakdowns are exacerbated, hindering the creation and maintenance of a shared understanding. This is seen to occur for two reasons. First, the medium shapes the transmission of cues used in shared understanding. This may be through its impact on the timing of cues (*e.g.* delays leading to overlapping utterances) or the availability or salience of cues (*e.g.* gestures no longer being visible).   Second, there is a reduced availability of tangible resources in the space. Parties may become lost in the discussion, unsure if issues are ignored, forgotten or simply 'shelved'.

Conciliators were observed to overcome these issues by explicitly drawing attention to instances of shared understanding, breakdowns and potential sources of breakdowns. They explicitly constructed a referential identity, naming behaviours that they deemed salient and inferring their impact on relational communication.

In addition, the findings suggest that emotional expression is altered by the medium. Conciliators reported not only a general 'dampening effect', making it difficult for all interlocutors to be aware of the emotional state of others, but that conflict ramped up and cooled down very quickly. The use of the medium seemed to narrow the band in which conciliators were effective. Conciliators also reported that it was harder to demonstrate that they were listening to parties, leading to concerns that parties would not feel as though they had been able to have their say.

Conciliators were found to overcome these issues by avoiding highly emotive topics, limiting the range of topics that could be discussed in the environment. Alternatively conciliators managed emotions by 'throttling' the emotional content, either in terms of rate of volume of emotional expression. However, they expressed concerns that this control over emotional expression ma leave parties frustrated, or not allow necessary venting.

Finally, conciliators reported concerns with the medium's impact on power differences. The use of a medium means that conciliators are unsure of the resources

available to parties. These include experience differentials, or resources from the parties' local environment, that are not visible to the conciliator. Conciliators were also concerned that the lack of co-presence magnified the impact of certain power displays, such as the threat of walkout. However, they impact of others (*e.g.* threats of violence) may be reduced.

Conciliators attempted to adapt to these issues by explicitly drawing attention to power resources, making clear behaviours they believed were causing unnecessary power imbalances. They also reported that they may restrict discussions to topics that would not jeopardise the safety of the space should power differences come to the fore.

These findings indicate that conciliators are able to adapt their strategies to accommodate the impact of the medium. They impose a structure on the timing and salience of information, in an attempt to create and maintain a safe space. However, it is apparent that the use of VMC in a conciliation setting alters the dimensions of safety for this space, by changing the thresholds at which it is sufficiently safe for parties to experience breakdowns, express emotions and explore power differences.

Chapter 5 examines the impact of asynchronous, text-based environments on these dimensions of safety, through exploration of dispute resolution in *Wikipedia*.

Chapter 5: Conciliation in an asynchronous text-based environment

This thesis investigates the impact of media properties on relational communication. Chapter 2 argues that an investigation of the way that conciliator practice interacts with the use of communications technologies offers the opportunity to explore how a reflexive medium accommodates changes wrought by the presence of a technological medium. Chapter 4 explored the impact of a VMC environment on conciliator practice. Its findings indicated that conciliators are able to accommodate differences between the properties of a VMC environment and the properties of a face-to-face environment. This chapter explores conciliation in an asynchronous text-based (ATB) environment, by examining in detail conflict in a chat-room or wiki-enabled forum. As discussed in Chapter 2, these environments differ from face-to-face or video-mediated environments in at least four distinct ways. First, there is a textual representation of information. Second, there is a loss of the visual cues associated with face-to-face communication. Third, the timing of cues can also be skewed; interlocutors no longer need to, nor can rely upon, exchanging messages synchronously or sequentially. Fourth, there is a permanent record of the interaction. These differences stem from the properties of the communication medium, or from interlocutors' attitudes towards the medium, given their experiences of these properties. It is expected that this interaction between properties and attitudes has a profound effect on the way that conflict evolves and how conciliators attempt to effect relational change.

This chapter investigates the impact that the properties and expectations associated with an ATB environment have on conciliator practice. *Wikipedia* is used as a case study of conflict and conciliation in ATB environments. *Wikipedia* is an established community in which conflict is common, leading to the emergence of formal and informal dispute resolution and conciliation protocols.

The chapter opens with a description of conflict-management policies in *Wikipedia* and the method adopted for this study. It then presents a discourse-analytic account of *Wikipedian* conciliation. The findings from this chapter are used to explore the impact of differing properties of computational media on conciliator practice.

5.1 Investigating conciliation in *Wikipedia*

Wikipedia is an on-line encyclopaedia which uses wiki-technology. Wiki-technology allows multiple editors to work on the same document simultaneously. The ethos of *Wikipedia* is that anybody add, delete or edit any article. This makes *Wikipedia* ripe for conflict (Kittur, Suh, Chi and Pendleton 2007). To address this issue, *Wikipedia* has established policies for behaviour and a series of formal and semi-formal dispute resolution procedures, one of which is Wiki-mediation This chapter investigates the way in which conciliation occurs in *Wikipedia* (a Wiki-enabled environment).

Individuals who take the time to contribute to an on-line community will, to some extent, be aware of informal practices that govern norms of behaviour (see section 6). Perceived violation of these norms may be viewed by other community members as interesting, amusing, misconceived or hostile. In order to understand how conflict occurs and can be resolved through conciliation in *Wikipedia*, it is necessary to give consideration to the formal and informal behavioural expectations that constrain parties' actions. It further demonstrates how the properties of the site promote various explicit and implicit norms and expectations of behaviour. This can be used to frame investigation of conciliation in asynchronous, text-based discussion forums, such as *Wikipedia*.

5.1.1 Wikipedia policies

Wikipedia is a resource and a community. Truth is conceived as a matter of contention and consensus building. Something is 'true' until someone disputes it with a verifiable alternative. However, continually evolving policy depends on objective

truth that is underpinned by the *Wikipedia* policy (WP) of 'Neutral Point of View' (WP:NPOV).

Wikipedia has a number of core policies which guide the way that *Wikipedians* interact. Two principle policies are: 1) Neutral Point of View ((Wikipedia)), which governs content; and 2) Civility ((Wikipedia)), which governs behaviour.

5.1.1.1 Neutral Point of View

Contributors are asked to construct articles that present a NPOV. These are articles that are fair and unbiased and represent all significant views published by reliable sources. Where verifiable, conflicting perspectives exist, no view should be given undue weight or importance, or presented as the 'correct' view. Articles should be written so that the reader can form their own opinion.

The policy states the aim that *Wikipedia* describes, rather than engages in, disputes. It further states that *Wikipedia* accepts that all readers and editors will have biases, what is important is how these are addressed and combined to produce an article that has a NPOV.

5.1.1.2 Civility

The *Wikipedia* policy of civility is defined in terms of its antithesis – incivility. Incivility is listed as 'personally-targeted, belligerent behaviour and persistent rudeness that results in an atmosphere of conflict and stress'. Editors are urged to assume good-faith when presented with comments they feel are inappropriate or uncivil.

Civility incorporates other policies that govern behaviour, these are 'No Personal Attacks' and ' Harassment'. *Wikipedia*ns are encouraged to consider other editors as a 'respected and admired colleague, who is working in collaboration with you on an important project.'

If disputes arise as a result of perceived violation of these policies, *Wikipedia* offers a range of advice and forums for resolving disputes.

5.1.1.3 *Dispute resolution in* Wikipedia

Initially, editors are advised to focus on the article, rather than the other editor and to 'remain cool' when considering their reaction to a perceived conflict. Editors are encouraged to think twice before deleting or reverting an edit. *Wikipedia* urges parties to resolve disputes on relevant discussion pages, rather than the article itself and to consider the broad principles of NPOV and Civility, and their associated sub-polices, when responding to disputes.

If parties cannot reach a resolution themselves, one option is for them to try conciliation using the *Wikipedia* mediation cabal. Conciliation in *Wikipedia* is an informal process of dispute resolution. *Wikipedia* conciliators are selected through a process of nomination and voting. Once part of the Mediation Cabal(Wikipedia), conciliators select disputes to conciliate (they are not appointed to cases). These discussions are treated as privileged and therefore cannot be used as evidence if the dispute is escalated to arbitration or even legal procedures. The process and ethos of conciliation in *Wikipedia* emulates the broader aims of conciliation as discussed in Chapter 2 section 6.

5.1.2 *Editing Wikipedia*

Wikipedia is an online encyclopaedia. It is managed using Wiki technology which allows any user to edit any page, at any time. Information is displayed as an article page (Figure 1).
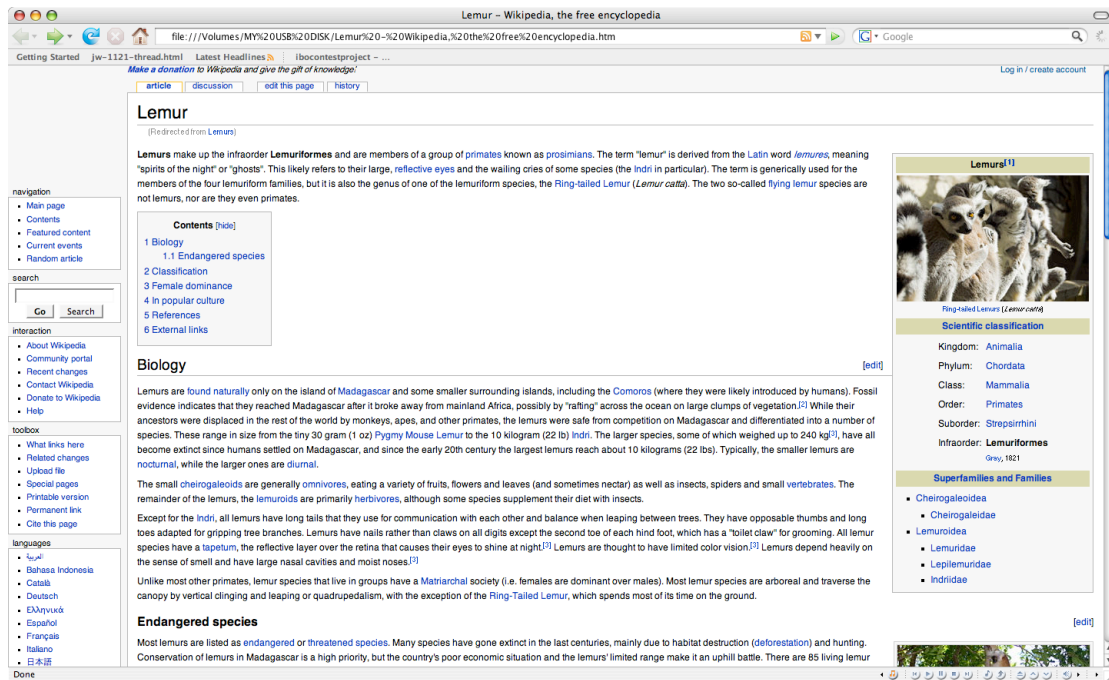
FIGURE 1: A *Wikipedia* article page

Each *Wikipedia* article uses a similar template to that shown in Figure 1, although variation does occur. Each article has an associated 'Discussion' page, on which editors are able to comment on the article and edits that have been, or should be, made (Figures 2a & 2b).
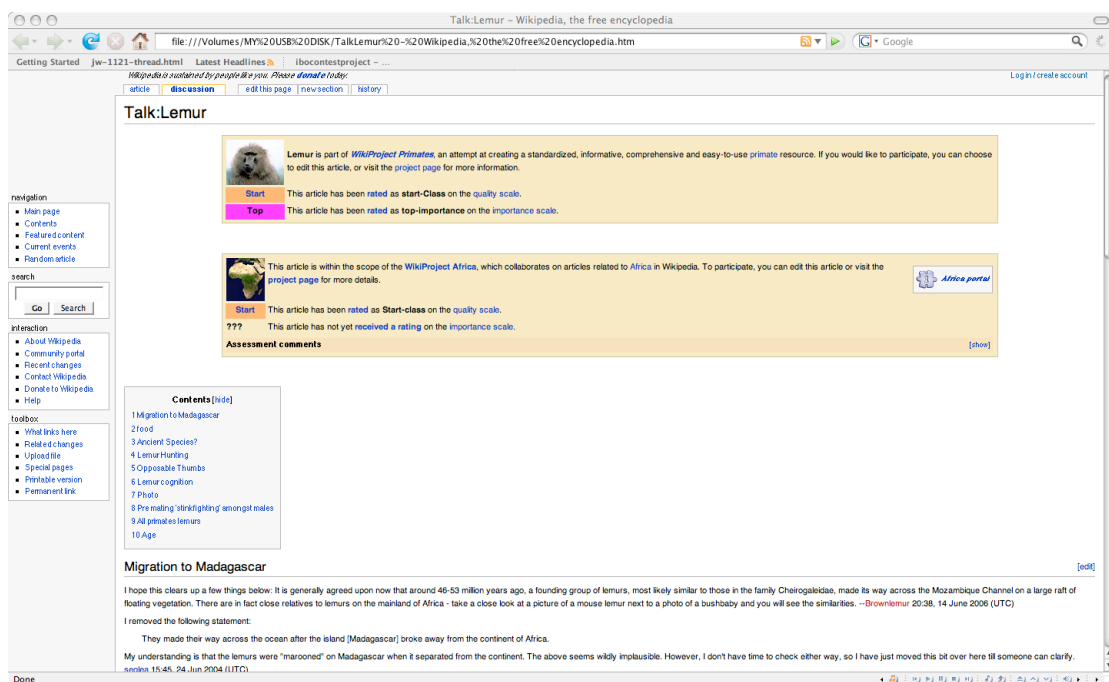
FIGURE 2a: A *Wikipedia* article's discussion page (top)
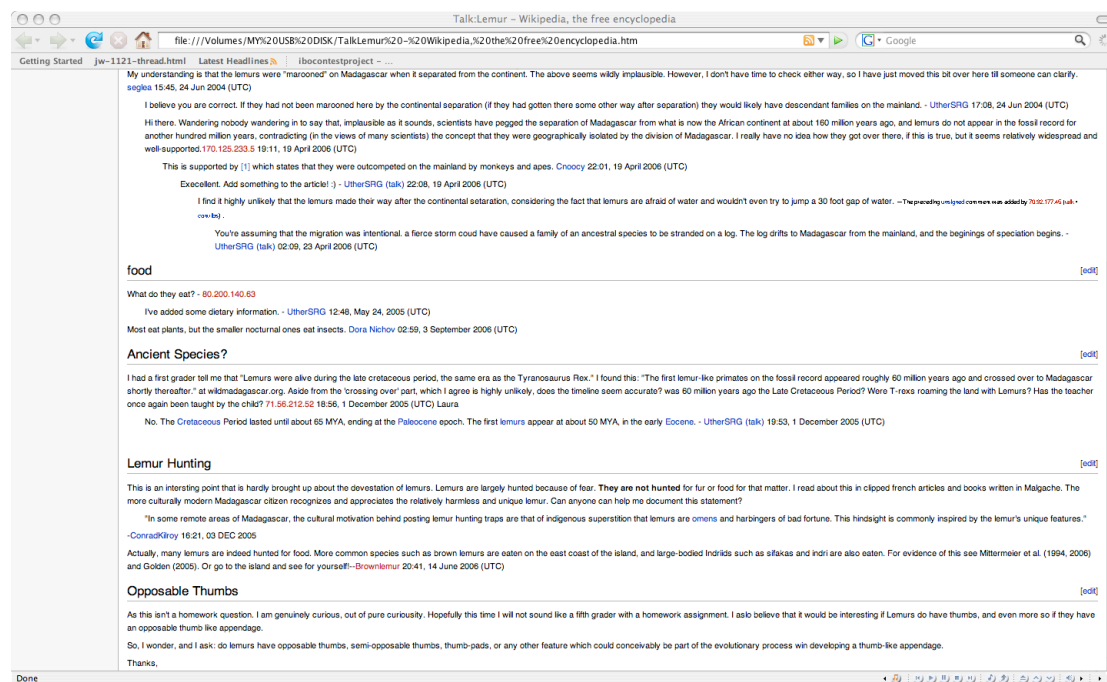
FIGURE 2b: A *Wikipedia* article's discussion page (body)

Figures 2a and 2b demonstrate how the discussion pages frame the article in terms of broader content contexts, such as other associated projects and article quality (Figure 2a). These are used to frame coordination of joint activity on the article by means of open discussion (Figure 2b).

Every page in *Wikipedia* can be edited using a text-editor (Figure 3). Each edit is attributed to a username if the editor is logged in, or an IP address otherwise.
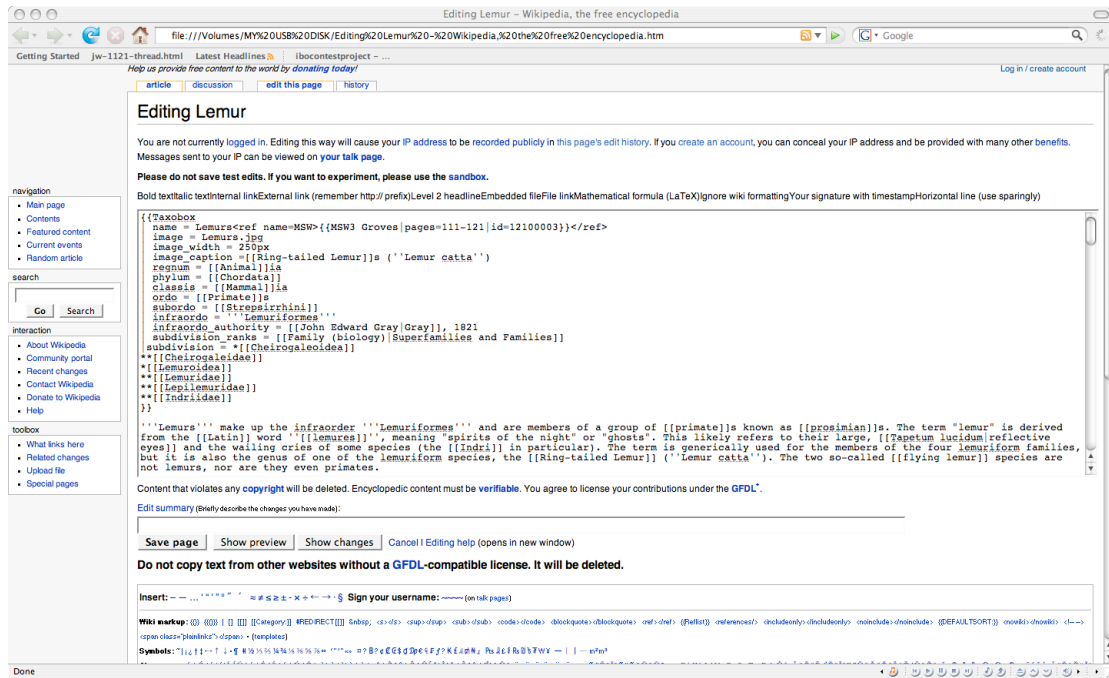
FIGURE 3: The *Wikipedia* text-editor

Figure 3 shows the text-editor used to create and edit *Wikipedia*. It uses syntax similar to that of HTML. It allows users to view the page before making permanent edits. However, each edit is logged in an edit history (Figure 4).
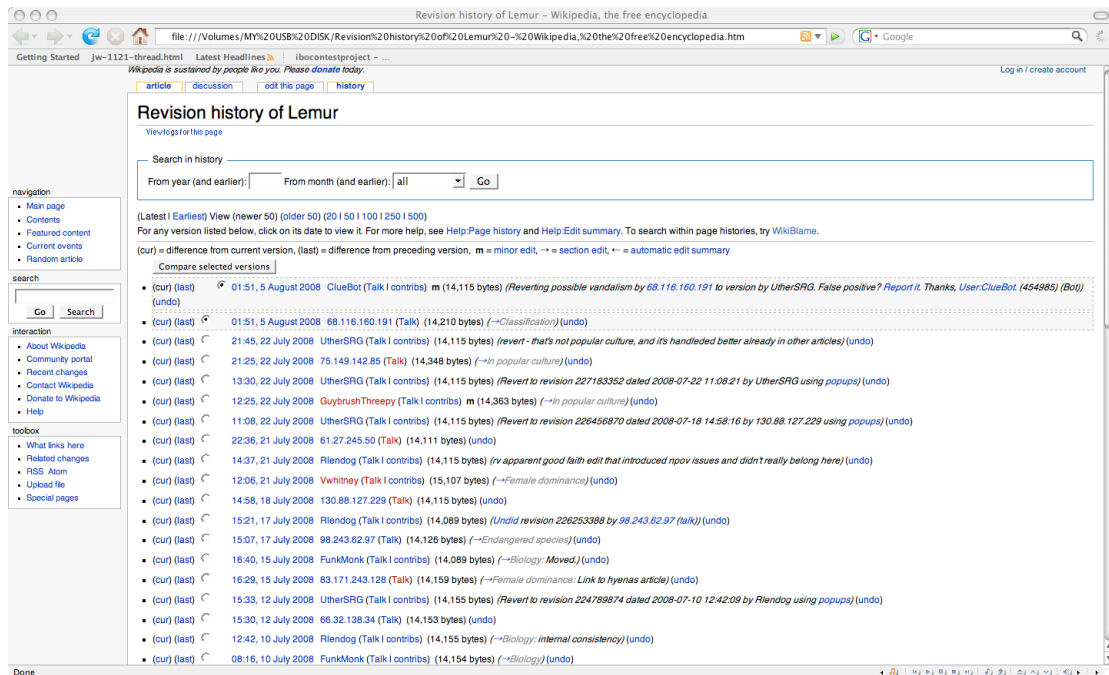
FIGURE 4: The *Wikipedia* edit summary

Figure 4 shows the *Wikipedia* edit summary. Every edit to a page is saved, along with the details of who made the edit. Contributors are able to restore the page to any prior state (known as a 'revert'). However, the use of 'reverts' is limited by the 'Three revert rule' (Wikipedia). This is intended to prevent editors in disagreement from continually switching the article between disputed states.

The freedom to edit, can result in a number of conflicts in articles. These conflicts may address content, layout or behaviour. The freedom to edit articles and to undo these edits ('revert') means that disputes are common on articles, discussion pages and user pages. Many disputes are resolved amicably. However, a number of disputes are referred to the Mediation Cabal (MedCab): a group of experienced *Wikipedians* with a good community reputation. The MedCab tries to help parties to find a resolution. If unsuccessful, the conflict is referred to the Arbitration Committee (Wikipedia). Arbitration provides a binding decision and can result in one or more parties losing their editing privileges.

Conciliation in *Wikipedia* often takes place on a separate page, devoted to the dispute. However, it is not uncommon for conciliation to occur on the article's discussion page. This conciliation template provides structure to the debate. The template is shown in figures 5a and 5b.
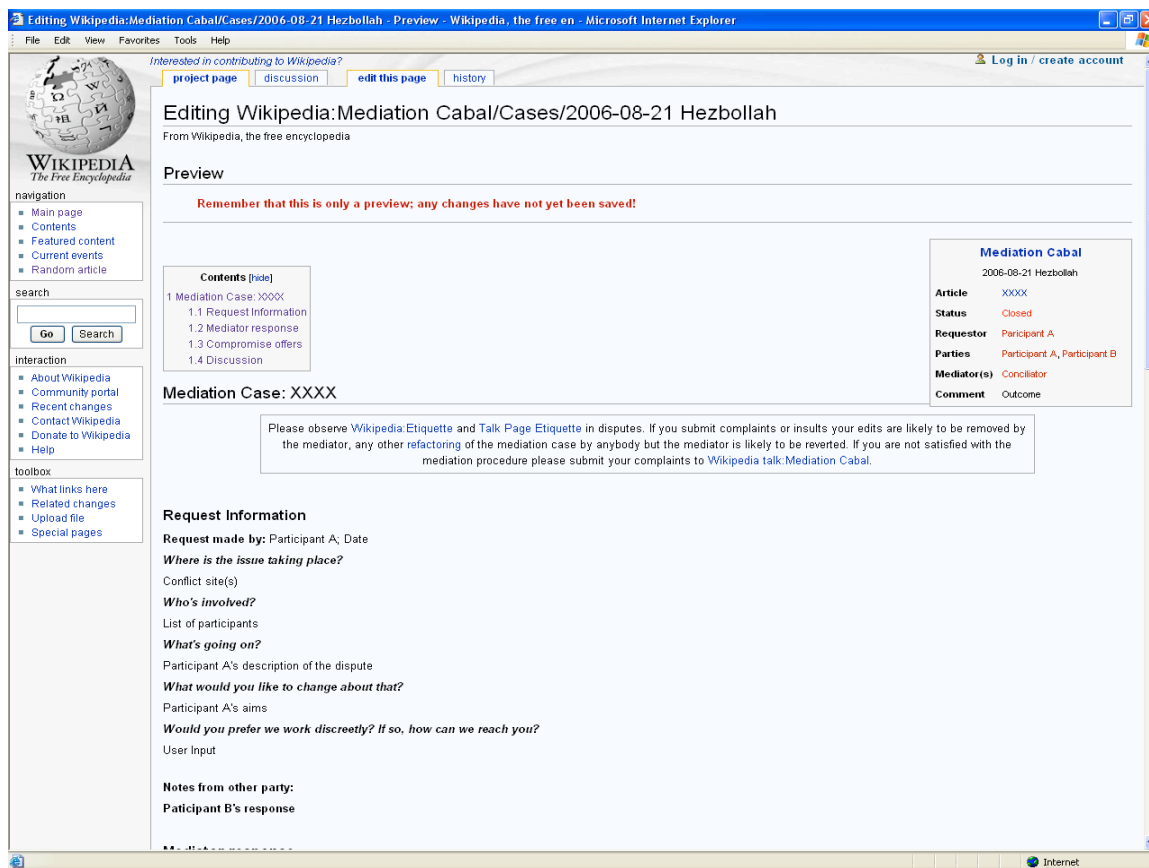
FIGURE 5a: *Wikipedia* conciliation template (top)
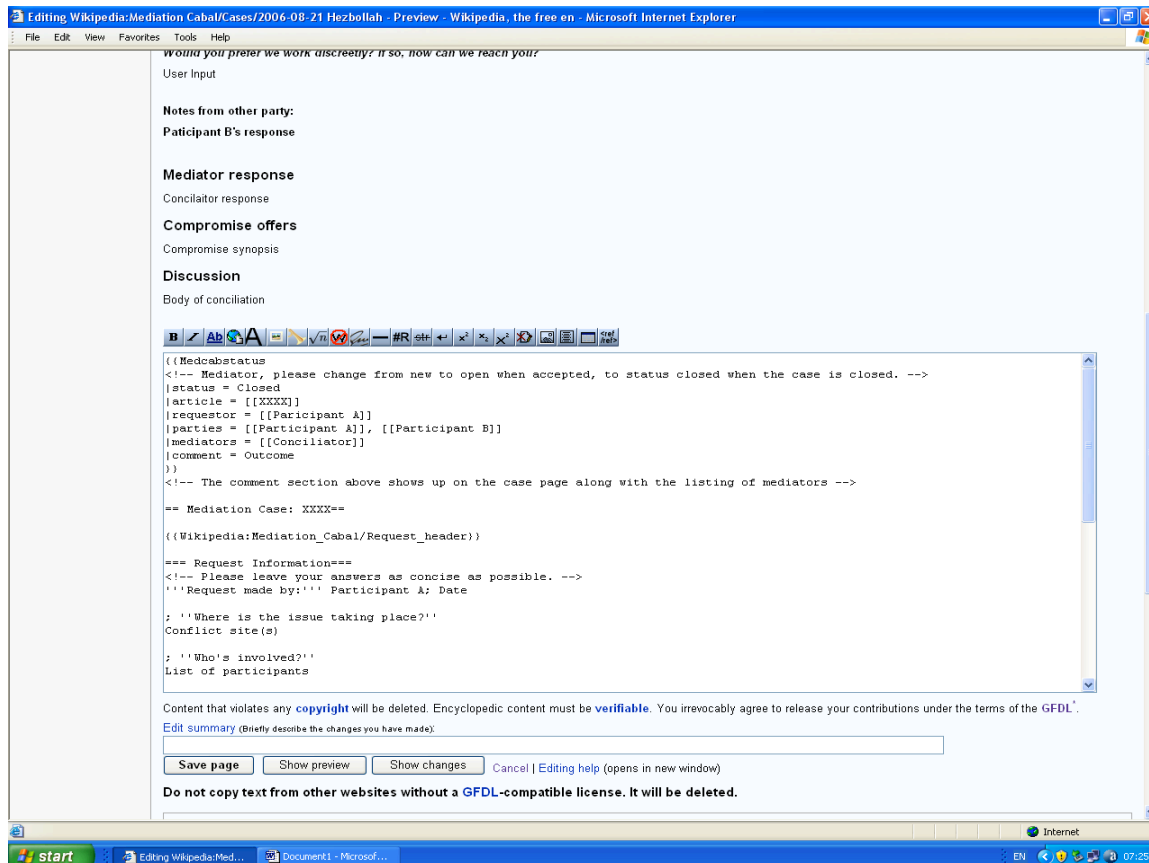
FIGURE 5b: *Wikipedia* conciliation template (bottom)

Figures 5a and 5b show the template used in the conciliation process. The party requesting the conciliation is asked to provide a synopsis of the dispute's location, participants and details, along with their desired outcome (Figure 5a). The parties to the conciliation are given the opportunity to decide if the process will be public or private. If parties have given consent for the record to be public it is be archived at the completion of the process.

There is also space for: other parties to provide their initial statement; the conciliator's initial comments; an outline of any compromises offered during the dispute and broad discussion (Figure 5b). However, as appendices 10a – 10d show, during the dispute parties do not slavishly adhere to these sections - new headings may be created, or parties may appropriate headings for other aspects of the dispute.

Parties contribute by compiling posts in the text editor (bottom of Figure 5b). Each post is signed and dated and parties have the opportunity to view their edits before making them public.

5.2 Method

Wikipedia was chosen as the domain of investigation for the following reasons. First, it is an established on-line community. People have developed reputations on- and off- site that may be challenged in disagreement: *Wikipedians* have significant investment in the outcome of a conflict. Second, the site has specific policies that govern behaviour and content: *Wikipedians* have a framework for their shared expectations of appropriate behaviour. Finally, the site has an established and accessible set of dispute resolution policies and procedures: *Wikipedians* are encouraged to attempt to resolve acrimonious disputes via third-party intervention. These criteria contribute to the generation of disputes which tend to be lengthy (*e.g.* lasting weeks or months) and involved but which parties to the dispute have an incentive to resolve.

5.2.1 Sample Selection

At the time of the study (July – October 2007) there were in excess of 1,000 archived conciliation records. Four articles were selected from *Wikipedia*'s conciliation archive and subjected to a discourse analysis (see Chapter 3 section 6.1.2). The samples presented are drawn from real-world conciliation in *Wikipedia*, an established online community, which has a developed dispute-resolution process.

To be included in the discourse analysis, the articles had to satisfy four criteria. First, articles had to be published in *Wikipedia's* conciliation archive. These articles had participants' explicit consent that the discussion could be made public. This circumvents potential issues of breaches of confidentiality. Second, the case had to be closed. These are cases that the conciliator has deemed to be finished. This may have been through resolution (an agreement made), escalation (passed on to the ArbCom), or attenuation (the discussion has stopped without an explicit resolution).

Third, the majority of the discussion had to take place on the conciliation template. The nature of *Wikipedia* means that discussions can occur on, or across, a number of sites (*i.e.* user pages, discussion pages, the article itself and the conciliation template). In many conciliations, *Wikipedians* opt to move the debate between some or all of these sites. To avoid unsolicited and unanticipated intervention from participants not directly involved in the dispute, only those conciliations that were conducted almost exclusively on the conciliation template were included. However, disputants would frequently continue to contribute to articles while participating in the discussions, it was not uncommon for the occasional comment relating to a dispute to appear on the discussion pages.

Fourth, there needed to be a significant degree of conciliator intervention. All participation in *Wikipedia* is voluntary. It is not uncommon for different *Wikipedians'* levels of participation to alter dramatically. Similarly *Wikipedians* may volunteer to participate as conciliator only to renege on the commitment. This results in conciliations in which there is a low-level of conciliator intervention (although not necessarily user discussion). For this reason, only those conciliations in which the

conciliator had a regular input in the discussions at each of stages of the discussion were considered suitable for the purpose of this investigation.

5.2.1.1 Archive conciliations selected for analysis

Using the above criteria to guide sample selection, the following four archived conciliations were considered appropriate for investigation:

1) 'Redshift' (Opened: 19/03/06; Closed:14/06/06; Settlement reached: see appendix 10a)

This dispute between iantresman and ScienceApologist (and to a lesser extent FlyingJazz) was conciliated by NickY. It was concerned with the scope and validity of various definitions of the term 'Redshift'. The conciliation involved 377 unique posts, over 71 days (mean posts per day = 5.31, standard deviation = 7.29). Graph 1 shows the distribution of posts per day.

Redshift: posts by date
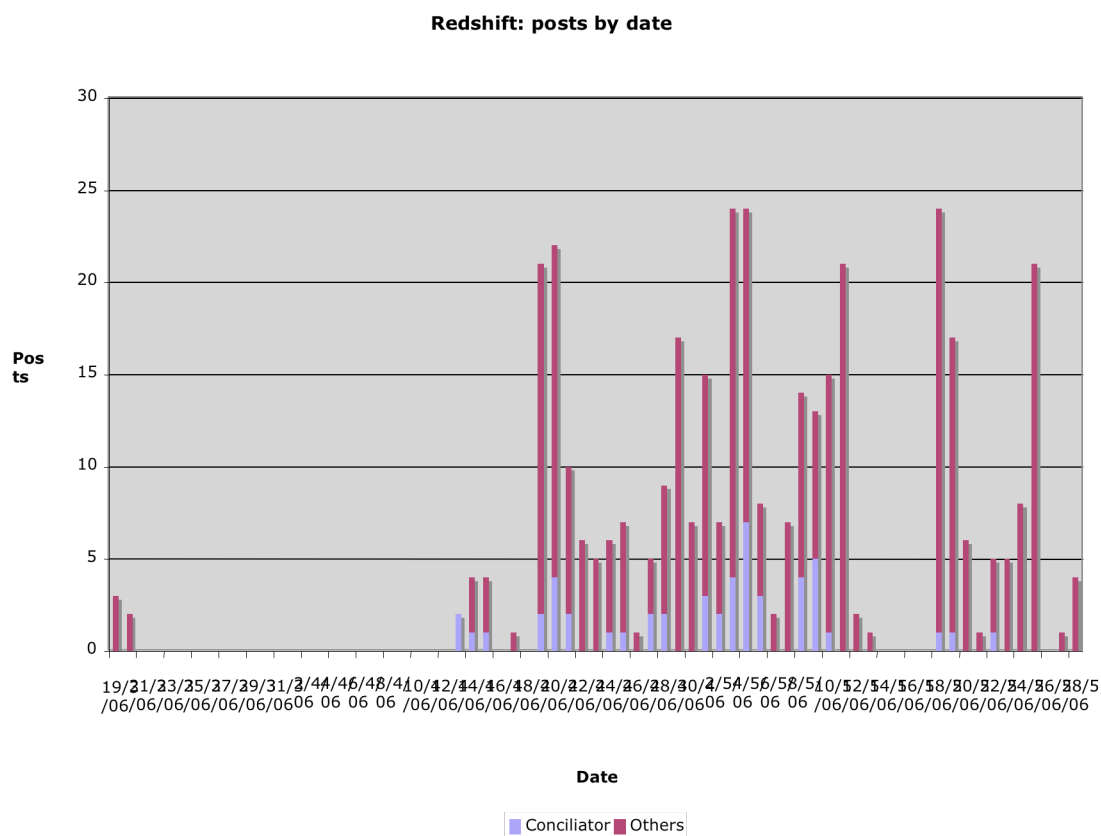
Graph 1: Number of posts by date (Redshift).

Graph 1 indicates that, after the initial request for conciliation on 19/03/06, there is little action until nearly 1 month later. There then follows a sustained level of participation, with one week's break in mid-May.

2) 'Christianity' (Opened: 15/05/06; Closed:02/07/06; No formal resolution: (see appendix 10b)

This dispute between KV and Str1977 was conciliated by Joebeone. It was concerned with the inclusion and validity of sources used to describe the early history of various Christian sects. The conciliation involved 99 unique posts, over 28 days (mean posts per day = 3.54, standard deviation = 5.69). Graph 2 shows the distribution of posts per day.

Christianity: posts by date
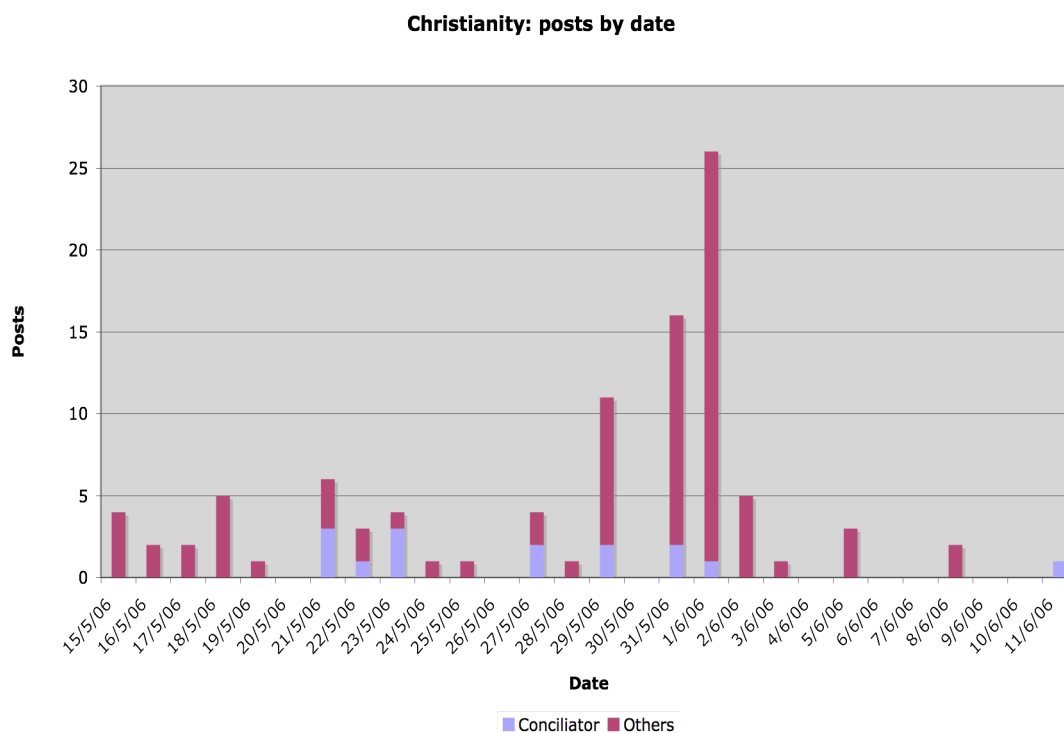
Graph 2: Number of posts by date (Christianity).

Graph 2 indicates that, after the initial request for conciliation on 15/05/06, there is continual contribution. This culminates in 3 days of concentrated action (29/05/06, 31/05/05, 02/06/06) before the participation reduces and eventually ceases.

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3) 'Zhukov' (Opened: 19/07/06; Closed: 02/10/06; Referred to Arbitration: : see appendix 10c)

This dispute between Grafkim, Sigitas and Legionas was conciliated by BrownHornet 21. It was concerned with the validity of sources used to describe General Zhukov as either a brilliant or poor military strategist. The conciliation involved 61 unique posts, over 76 days (mean posts per day = 0.8, standard deviation = 3.23). Graph 3 shows the distribution of posts per day.
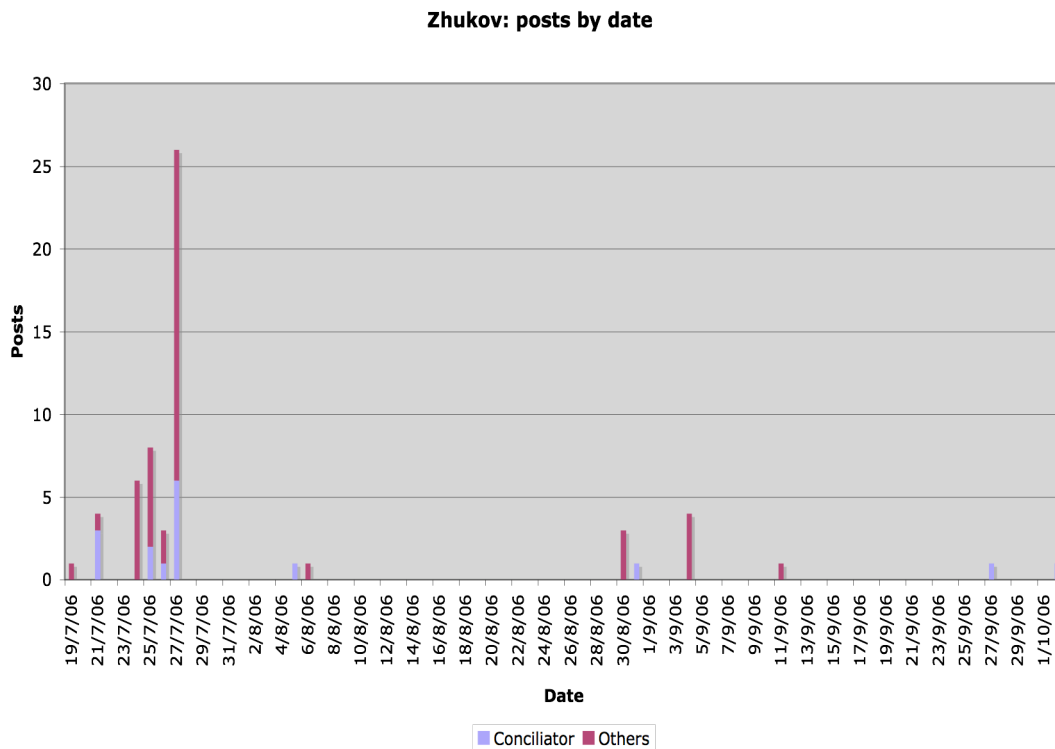
Graph 3: Number of posts by date (Zhukov).

Graph 3 indicates that, after the initial request for conciliation there is an increasing flurry of participation until 29/07/08. On this date there is an exceptionally high level of posts. There is almost no contribution after this date until the case is closed in early October.

4) 'Hezbollah' (Opened: 21/08/06; Closed:14/09/06; Settlement reached: see appendix 10d)

This dispute between JiHymas@himivest.com and Elzmir was conciliated by *Wikipedia*'s False Prophet. It was concerned with parties' behaviour on the

discussion page of the Hezbollah article. The conciliation involved 34 unique posts, over 20 days (mean posts per day = 1.79, standard deviation = 1.9). Graph 4 shows the distribution of posts per day.

Hezbollah: posts by date
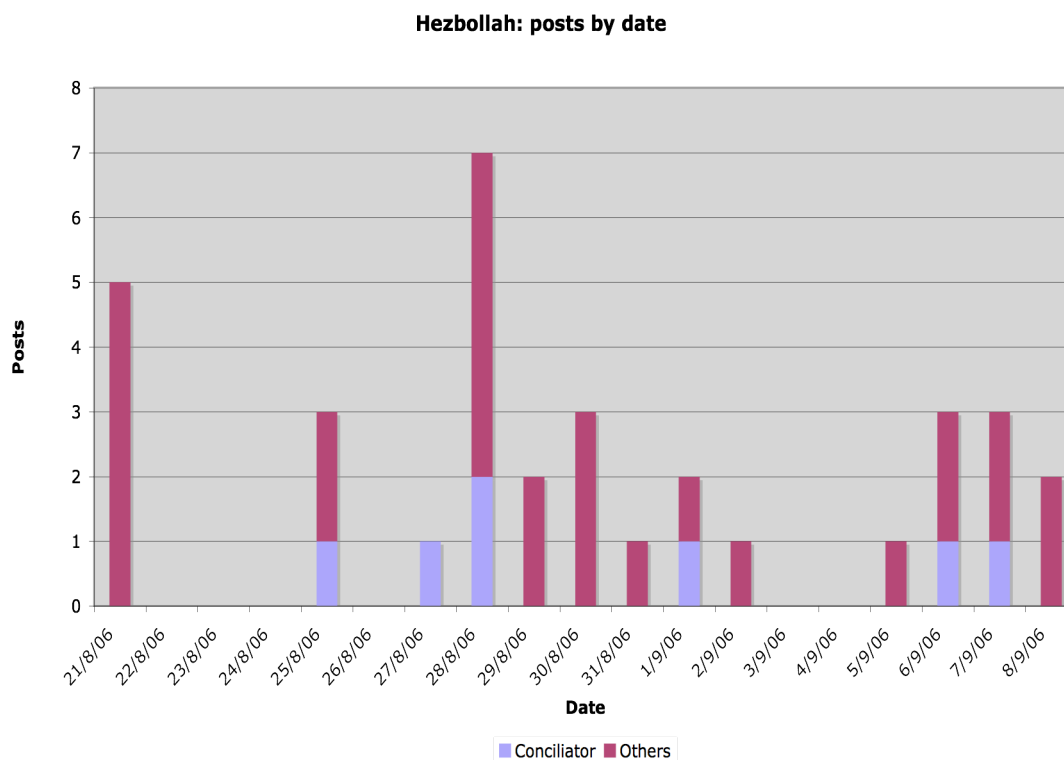
Graph 4: Number of posts by date (Hezbollah).

Graph 4 indicates that users posted nearly every day until the conflict was resolved.

5.2.2 Interviews with Wikipedia Conciliators

In addition to the discourse analysis, five *Wikipedia* conciliators (referred to as conciliators E, F, G, H & I) were interviewed about their experiences of conciliating in a Wiki environment[3] (see appendices 11a – 11e).

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[3] Where possible the conciliators for the above disputes were interviewed. However not all wished to participate. Alternative conciliators were chosen for their experience in other cases.

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The interviews were conducted on *Wikipedia* or via e-mail, according to the conciliator's preference. They used the same high-level questions as the Grounded Theory interviews presented in Chapter 3.

The results of the discourse analysis and the interviews are presented in section 3.

5.3 Discourse analysis

This chapter presents a discourse analysis of four archived conciliations to ascertain how conciliators practice in an asynchronous text-based environment.

Attention was paid to the way that conciliator practice interacts with the different properties of the medium. As stated in Chapter 3; conciliator practice serves to create a safe space in which parties are able to explore their differences and attempt to find a lasting resolution. In terms of the conciliation ontology, this is achieved by: a) managing experience of breakdowns (through anticipation; identification; and repair of breakdown); b) facilitating emotional expression (encouraging venting; managing flooding; demonstrating listening behaviour); and c) exploring power differentials (equalising participation; encouraging freedom from retribution; reframing powerful language).

The results are detailed below. All excerpts are *sic* (taken as seen). Errors of spelling, typographical short-hand *etc.* are as they appeared on the site. Where '. . .' appears, this represents a contraction of the original text.

5.3.1 Can a conciliator successfully manage inter- and intra-personal breakdowns when using an ATB environment?

As outlined in Chapter 3, part of the conciliator's role is to manage breakdowns between communicators. Breakdowns are viewed as an instance when parties no longer feel that there is adequate information for them to maintain a shared understanding. Breakdown can occur at the narrative level, or at the level of the utterance. Either of these breakdowns may exacerbate conflict and hinder resolution. Excerpt 1 shows the importance that a shared understanding is created and maintained between all parties to a dispute, including the conciliator.

Wikipedia Conciliation: Zhukov

Posts by 'Sigitas' 24/07/06 @ 12:21; and 'BrownHornet21' 25/07/06 @ 02:16
```
Sokolov calculates [1], that Zhukov is lying about
circumstances of signing Directive No. 3. During the
preparations of directive, Zhukov was in Moscow. His
```

```
objections could be witnessed by many people participating
in preparations: "Думаю, Жуков в очередной раз
захотел выглядеть лучше, чем это было на
самом деле. Он придумал, что о разработке
директивы № 3 узнал лишь из разговора с
Ватутиным, что высказал свои сомнения в ее
целесообразности и согласился поставить
свою подпись только тогда, когда услышал,
что вопрос уже решен Сталиным.
                                    ...

Вероятно, в случае успеха и выхода
советских войск на оперативный простор он
должен был сам возглавить либо Юго-
Западный фронт, либо созданное вскоре Юго-
Западное стратегическое направление,
координирующее действия Юго-Западного и
Южного фронтов.". Similar objection provides Suvorov
[2] - Zhukov on June 22 was in Moscow and is responsible for
damaging directives. "Zhournal  of Stalin's visitors" shows
that Zhukov was with Stalin until 16:00 June 1941, while
Zhukov says that at 14:00 he was on his way to
Ukraine...Sigitas 12:21, 24 July 2006 (UTC)
                                    ...

Okay, okay, let's calm down. I don't read or speak Russian,
so I can't verify any sources cited above. (Not sure if
Babelfish will work, but that thing isn't perfect.) Unless
someone can show me otherwise, I will presume everyone is
correctly representing the content of the sources cited
above. (Hey, that's what good faith is all about!)
```

Excerpt 1: Conciliator identifies ESCVs that they are unable to interpret.

In this example, one party (Sigitas) is attempting to demonstrate the validity of their argument by quoting from an original Russian source (*His objections could be witnessed by many people participating in preparations: "Думаю, Жуков в очередной раз захотел выглядеть ...*). The conciliator indicates that they are unable to understand Russian and that this has a severe impact on their ability to control the discussions (*I don't read or speak Russian, so I can't verify any sources cited above*). They then offer a number of suggestions as to how this can be repaired *(Not sure if Babelfish will work)* and *(. . .Unless someone can show me otherwise, I will presume everyone is correctly representing the content of the sources cited above*).

In certain situations breakdowns between the conciliator and either party can seriously jeopardise the safety of the space. Parties may no longer trust the conciliator. By

highlighting the potential for breakdown, the conciliator ensures that parties develop a shared expectation of what constitutes appropriate, inclusive communication. Suggesting ways forward allows the breakdown to be repaired. Drawing attention to assumptions of good faith can be used to focus parties' attention on productive behaviour.

The conciliator identifies a possible breakdown in understanding (the use of Russian language) and its impact on the discussions (inability to judge sources). They offer a suggestion about the way forward (assume good faith or use a translator), that allows the breakdown to be repaired and a shared understanding to be maintained. It is imperative that the conciliator has the opportunity to understand all details of the discussions that occur in the environment. Sections 3.1.1 – 3.1.3 provide evidence of conciliators managing breakdowns in an ATB environment.

5.3.1.1 Anticipation of breakdown

To maintain parties' shared understanding, the conciliator may anticipate breakdown. This can be achieved by avoiding the breakdown altogether, or providing parties with the ability to repair the breakdown should it occur.

The interviews with *Wikipedia* conciliators indicated the following concerns.

> Conciliator F:
> *the lack of talking face-to-face can mean that words can be misinterpreted easily … responses can take longer than normal, sometimes, prolonging the mediation and making the whole case more frustrating.*

In the above example, Conciliator F raises their concern that the lack of face-to-face information transfer makes breakdowns more likely; the slow responses increase the likelihood that parties perceive that a breakdown has occurred. This can impact upon the conciliator's role.   Similarly, Conciliator I indicates the degree to which they feel that the asynchronous properties of the medium can exacerbate the relationship.

> Conciliator I:
> *Unexplained absences* [by parties] *cause a high degree of frustration and annoyance.*

Absences are likely to occur in the on-going dispute. Parties may not be aware of the reasons for these. In conflict relationships, there is a degree of hostility and mistrust. Conciliator I suggests that these unexplained absences may exacerbate these feelings. The conciliator needs to be able to anticipate the effect that these periods of absence may cause, and take steps to remedy this.

Excerpts 2 – 3 provide evidence of conciliators anticipating breakdowns in an ATB environment.

Wikipedia Conciliation: Christianity

Post by 'Joebeone' 23/05/06 @ 18:14
```
Well, if it were simple, it would be much easier to say with
a small amount of text. I appreciate you taking the
initiative, KV, to write this out. Str is on a wikibreak so
won't contribute here for a bit. Let's put this on hold
until Str can respond to this proposal (which I will copy up
to the compromise section). -- Joebeone (Talk) 18:14, 23 May
2006 (UTC)
```

Excerpt 2: Conciliator anticipating a breakdown at the utterance level.

In this example the conciliator (Joebeone) has identified that one of the parties (KV) is eager to move the debate forward (`I appreciate you taking the initiative, KV, to write this out`). However, one of the other participants (Str1977) is on a break from participation in _Wikipedia_ (`Str is on a wikibreak so won't contribute here for a bit`). The conciliator explicitly draws attention to this to ensure that KV does not misattribute Str1997's lack of response (`Let's put this on hold until Str can respond to this proposal`).

The conciliator anticipates that the asynchronous nature of the medium might lead to a breakdown in understanding between the parties. This is caused by differing narratives for the other's behaviour and can exacerbate the conflict. There is a risk that KV may interpret Str1977's lack of response as stemming from inappropriate behaviour, rather than their break from _Wikipedia_. In anticipating a potential breakdown, the conciliator offers parties a way of maintaining a shared understanding.

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Excerpt 3 further illustrates the way that conciliators can anticipate breakdowns in an ATB environment.

Wikipedia Conciliation: Redshift

Posts by 'ScienceApologist' (03/05/06 @ 22:07); and 'Nick Y' (04/05/07 @ 16:19)

```
Here's my first attempt at writing some things that I agree
with:

* Redshift quantization is a fringe subject in cosmology.
                            ...

* Redshift quantization is lauded by modern geocentrists as
evidence that the Earth is the center of the universe. --
ScienceApologist 22:07, 3 May 2006 (UTC)

Ian?  Where do you agree?? If you do not agree. Please do
not point out the differences but he similarities. Point out
how close you are to agreeing, not why SA is wrong.--Nick Y.
16:19, 4 May 2006 (UTC)
```

Excerpt 3: Conciliator anticipating breakdown.

ScienceApologist has provided evidence of the statements that they agree with (`Here's my first attempt at writing some things that I agree with`). The conciliator (Nick Y) asks the other party (Iantresman) to comment on their level of agreement with ScienceApologist's statements (`Ian?  Where do you agree??`). The conciliator anticipates that Iantresman will put forward reasons why they agree or disagree (where their narratives differ) and thus attempts to limit the ways in which they can respond (`Please do not point out the differences but he similarities.`)

This is evidence that the conciliator has anticipated a breakdown at the narrative level. They do not judge exploration of this breakdown to be productive at this time, so they seek to structure parties' behaviour in order to avoid this. Requesting that parties focus on the areas of agreement between them can be used to avoid a breakdown and develop a shared understanding. The persistence of the message means that parties have an objective statement with which they can agree or disagree.

The above examples demonstrate that breakdowns can be anticipated in an on-line environment. Excerpt 2 shows that the conciliator can achieve this by explicitly asking for a specific interpretation of a future action to be taken. This anticipates the

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impact that the properties of the medium have on the relationship. Excerpt 3 shows that the conciliator is able to anticipate breakdowns at the narrative level and explicitly request that parties take a specific course of action. However, Conciliator F raises their concerns that the properties of the medium make anticipation harder, by promoting breakdowns and lowering the threshold at which parties feel understanding may have been lost.

5.3.2.2 Identifying breakdowns

The conciliator needs to help parties identify where breakdowns are occurring. In conflict parties may view all issues as interrelated and misattribute interaction to the other party. Assisting parties in the identification of breakdown helps them to clarify the issues that are present in the conflict and find ways that can be used to build a shared understanding. Breakdowns that occur at the utterance level are those in which parties have insufficient referential identity to build a shared understanding of a particular utterance, or set of utterances. These may be breakdowns caused by a misinterpretation of a statement (*e.g.* confusing a reference to a particular comment) or a confusion of timing (*e.g.* failing to notice a comment posted elsewhere on the page, or an uncertainty about the order of posts). Narrative breakdowns are those breakdowns which occur as a result of incompatible explanatory frameworks for events. These may include misattribution of intention, or rejection or reinterpretation of evidence that challenges a held position.

Conciliator G expressed the following views about the impact of the medium upon repair of breakdowns.

```
Conciliator G:
People can reply when convenient – when dealing with
multiple participants you can receive information
simultaneously
```

Conciliator G indicates that an advantage of the medium's asynchronicity is that people are able to reply at their convenience. This enables multiple threads of an argument to be dealt with simultaneously and can help the conciliator to quickly identify the scope of breakdowns between multiple parties. Areas of agreement can

be identified and put to one side, or used to build a framework for addressing the remaining areas of disagreement.

The following examples demonstrate the conciliator attempting to identify breakdowns at both the narrative and utterance level.

Wikipedia Conciliation: Redshift

Posts by 'ScienceApologist', 08/05/06 @ 19:41; 'Iantresman', 08/05/06 @ 21:05; and 'Nick Y', 08/05/06 @ 19:03

```
Either agree or respectively disagree. Again you may correct
word choice etc. but please try to agree as much as you can.
I'm interested in your input too Flying Jazz.

* Ian feels that there is a double standard regarding the
"verifiablity to inclusion ratio" between mainstream and
minority views
        agree --ScienceApologist 19:41, 8 May 2006 (UTC)
                            ...
* SA feels that he is defending the integrity of articles
from disproportionate and misleading representation of
minority or fringe viewpoints.
        agree --ScienceApologist 19:41, 8 May 2006 (UTC)
* Ian is easily baited into an argument which is often
tangential (not reader or article focused)
      disagree --ScienceApologist 19:41, 8 May 2006 (UTC)
* SA is sometimes baited in the same way but sometimes is
not but can also propogate  the argument with few words or
even stoicism.
      disagree --ScienceApologist 19:41, 8 May 2006 (UTC)

I concur with ScienceApologist on each statement --
Iantresman 21:05, 8 May 2006 (UTC)

I'm trying not to be too judgmental  but get down to brass
tacks. Please try to be honest and accepting of these
observations. These statements could have paragraphs of
qualifying statements but let's not do that. Please be
forgiving of any misrepresentations, I do not mean to
offend. So, is this a reasonable reprensentation  of the
problem. --Nick Y. 19:03, 8 May 2006 (UTC)
```

Excerpt 4: Conciliator identifying a narrative breakdown.

In this example, the conciliator identifies a number of issues in the dispute and seeks parties' comments on these (_Either agree or respectively disagree_). The conciliator makes clear that they are trying to identify the areas of disagreement, or breakdowns, between narrative and behaviour (_I'm trying not to be too_

judgmental but get down to brass tacks ... Please be forgiving of any misrepresentations, I do not mean to offend. So, is this a reasonable reprensentation of the problem). These statements help to identify the areas in which parties are experiencing a breakdown (*e.g. Ian is easily baited into an argument which is often tangential*). Note the time stamps on each posting. ScienceApologist first expresses a view in each of NickY's statements roughly 35 minutes after they were posted. Iantresman then agrees with ScienceApologist's responses about 25 minutes later. The parties agree with each other about the level of accuracy of all these (*I concur with ScienceApologist on each statement*).

The conciliator uses this technique to make explicit the way that each party observes the other and explains their actions. They offer a series of statements that demonstrate a narrative for each of the parties' narratives. The conciliator then uses this to identify the accuracy of the statements and to encourage parties to explore where the breakdown occurs at this level.

The use of a bulleted list to identify the breakdowns serves a two purposes. First it provides a structure for the discussions. Each party can explicitly agree or disagree with each point. Those issues where there is disparity can be identified and separated from other issues. Second, the asynchronicity of the environment provides each party with the opportunity to reflect on each point and give a considered answer, rather than reacting to the comments as a criticism and entrenching further in a position. Parties are given time to understand and reflect upon the differences between them. This technique for structuring the argument can be used to quickly identify those points in the argument where disagreement occurs. The properties of the medium allow the scope of the breakdown to be established through systematic, visual evaluation.

The conciliator must ensure that they are capable of detecting and working to repair breakdowns that may occur at the utterance level. They must be able to modify behaviour so that a shared understanding is maintained. In an asynchronous, text-based environment, identification of breakdowns at the utterance level are easy to identity; there is a permanent record of discussions that can be used to quickly identify what has been said. However, the loss of social cues may make it difficult to

identify narrative breakdowns, as conciliators lose the ability to identify parties' underlying emotions and concerns.

The above examples demonstrates that a conciliator is able to identify breakdowns in an asynchronous, text-based environment. Excerpt 1 shows the conciliator identifying a breakdown in understanding and proposing ways to repair or mitigate these that may strengthen the relationship, such as asking parties to assume good faith. Excerpt 4, and the statement from conciliator G, demonstrate how the properties of the medium allow the conciliator to structure interaction to quickly scope the magnitude and nature of breakdowns. This is not afforded to the conciliator in a VMC environment and is attributable to the permanent and asynchronous properties of the medium. In a face-to-face setting, the argument cannot be structured in such a way. Parties must raise and debate points sequentially. This can lead to issues becoming entangled, or parties feeling reluctant to show agreement on one issue for fear of being seen to have relinquished their view on another related issue. The multiple threading of arguments in the *Wikipedia* environment allows parties to quickly reach agreement on areas that are not contentious, refining the dispute.

5.3.2.3 Repairing a breakdown

In a situation of conflict, parties may be reluctant to instigate breakdown repair, or even may fail to see that repair is possible. According to Clarke and Brennan (1991), the presence of CMC is likely to be an added hurdle to re-establishing a shared understanding. As a result of this, the conciliator may need to act as a proxy for repair, taking the initiative to build a shared understanding.

In the interviews, *Wikipedia* conciliators discussed their role in repairing breakdowns as follows.

```
Conciliator F:
Make statements as clear as possible and encourage parties
to restate ambiguous utterances
```

Conciliator F outlines their perceptions of the way in which they help parties to identify breakdowns in the *Wikipedia* environment. They see their role as making explicit references to ambiguity or uncertainty, to foster clarifications and reformulations and thereby reduce potential misunderstanding. This can arise due to

the restriction of information that may normally be transferred to help parties decode the meaning in the messages.

Excerpts 5 & 6 demonstrate ways that the conciliator repairs breakdowns that have occurred.

Wikipedia Conciliation: Hezbolla

Posts by: '*Wikipedia*'s False Prophet' 10/09/06 @ 21:33; 'JiHymas@himivest.com' 10/09/06 @ 21:50; and 'Elizmr' 11/09/06 @ 18:36.

```
Thanks, this helps, I think that from that we get this:

Elizmr promises to respect what has already been discussed
on the talk page; to ensure that a high level of clarity in
discussion has been achieved prior to taking action based on
such discussion; and, when in the minority on contentious
topics important to her, to add to the talk page a clear and
precise statement of changes she considers necessary in
order for her to join the majority. JiH regrets his
incivility (violating WP:DICK, WP:CIVIL, and WP:NPA) when
listing possible explanations for the deletion of a talk
page post and apologizes to Elizmr for any distress caused.
Wikipedia's False Prophet holla at me Improve Me 21:33, 10
September 2006 (UTC)

That's what we get so far, yes, by way of currently mutually
agreed line-items. But there are two sentences I want added
(as noted in the table) before I'm happy with the package as
a whole; I am currently awaiting Elizmr's response to this
post. I cannot, of course, speculate regarding Elizmr's
views. JiHymas@himivest.com 21:50, 10 September 2006 (UTC)

On the second to last point, could we add the word
"accidental" before deletion? Then I will support 100%. I
did not do this on purpose, woudl  not do this on purpose,
and don't want to sign something saying that I did do it on
purpose and apologize for that. I'm sorry to have to be a
stickler on this point, but feel it is advisable. Elizmr
18:36, 11 September 2006 (UTC)
```

Excerpt 5: Conciliator initiating breakdown repair.

In this example the conciliator responds to a post from Elzmir that outlines the areas of agreement and disagreement that exist between the Elzmir and JiHymas@himivest.com (`Elizmr promises to respect what has already been discussed on the talk page; … JiH regrets his incivility (violating WP:DICK, WP:CIVIL, and WP:NPA)`) Both parties then comment on the accuracy of the conciliator's statement (*That's what we get so far, yes, by way of*

currently mutually agreed line-items.) and (*On the second to last point, could we add the word "accidental" before deletion? Then I will support 100%*.) In doing this, the conciliator offers strategies for narrative repair, and parties are able to provide evidence of their level of agreement with these.

The loss of incremental input allows the conciliator to simultaneously suggest a number of areas of agreement. This helps parties to quickly indicate the areas where breakdown still exists. Parties are able to suggest and explore small changes to some of the statements, without being seen to relinquish other positions. They can then work together to build mutual agreement on specific statements even if disagreement remains on others.

Similarly, the conciliator needs to encourage parties to repair breakdowns that occur as result of a misunderstanding of each other's perspectives, or from incompatible narratives. The following example demonstrates this.

Wikipedia Conciliation: Redshift

Posts by: 'Art Carlson' (02/05/06 @ 11:56); 'Iantresman' (02/05/06 @ 12:14); 'Nick Y' (02/05/06 @ 19:51); and 'ScienceApologist' (02/05/06 @ 19:55)

> Redshift quantization redirects to Quasars, Redshifts and Controversies, the book by Halton Arp, whereas Quantized Redshift redirects to Redshift (which doesn't mention quantized redshift at all), and Quantized redshift and the English spellings (with an *s* instead of a *z*) are all red links ... I don't know how much belongs in this article, but the issue of quantized redshifts in *Wikipedia* certainly needs some cleanup. --Art Carlson 11:56, 2 May 2006 (UTC)
>
> I agree with that. I suspect that there is no decent article on the subject yet, and someone just redirected it to where they thought best. And if your points are verifiable, then they should definitely go into the article. --Iantresman 12:14, 2 May 2006 (UTC)
>
> Perhaps someone should get to work writing such an article. May that is a place where Ian and SA could work well together. Ian knows about it and is interested in it enough to read and follow it. SA seems to know the reasons why it is not accepted by most scienctists . Together you guys could write a great article. In any case having a link that leads nowhere is totally useless to the reader, so it's inclusion is kind of pointless. Even it being mentioned without any further info available is useless.--Nick Y. 19:51, 2 May 2006 (UTC)
>
> I agree on writing this article. I'll create it right now. --ScienceApologist 19:55, 2 May 2006 (UTC)

Excerpt 6: Repair of a breakdown

In this excerpt Art_Carlson raises their concern that 'Redshift quantisation' is not dealt with adequately by the article (`I don't know how much belongs in this article, but the issue of quantized redshifts in` *`Wikipedia`* `certainly needs some cleanup`). The term 'Redshift quantisation' has been debated by the parties for some time. Iantresman indicates that these points may be valid and should be addressed somewhere in an article (`I agree with that. I suspect that there is no decent article on the subject yet, and someone just redirected it to where they thought best. And if your points are verifiable, then they should definitely go into the article.`) The conciliator suggests that the parties could work together on a new article for this topic (`Perhaps someone should get to work writing such an article. May that is a place where Ian and SA could work well together. Ian knows about it and is interested in it enough to read and follow it. SA seems to know the reasons why it is not accepted by most scienctists . Together you guys could write a great article`), drawing attention to ways in which the disputants' skills could be combined. ScienceApologist agrees to this idea (`I agree on writing this article. I'll create it right now`).

By providing the disputants with a way of moving some of the debate to a different domain, where the dispute can be explored more fully the conciliator instigates repair. The conciliator shows parties how a working relationship can develop between them. The structure of the medium allows a section of the dispute to be migrated to a different forum. This can be used to refine the dispute to those issues that are salient to the relationship. In doing this, the parties are now able to proceed with further discussions, as the breakdown about the role of redshift quantisation in the article has been repaired. The reduction of uncertainty ensures that parties are able to develop and maintain a shared understanding based on their shared information. They are aware that a 'successful' part of their relationship can be preserved at a different site.

The above examples demonstrate that the conciliator is still able to repair breakdowns in a mediated environment. Example 5 offers evidence of the way that a conciliator can propose a strategy for repair. Parties are able to debate this strategy, making

explicit reference to wording or clauses. Excerpt 6 demonstrates that the conciliator cam identify areas of the argument which may not be detrimental to the relationship and move these to a separate forum for debate. This preserves the space as a safe environment (as discussed in Chapter 3); parties now have a shared understanding in the second forum that they wish to preserve. The conciliator can continue to work on repairing the salient breakdowns for the current topic. The example from Conciliator F shows that conciliators must work to make shared understanding explicit if they are to reduce ambiguity and uncertainty.

Without conciliator interventions, CMC reduces parties' propensity to expend resources to repair breakdowns. It also exacerbates breakdown by skewing cues, identification of breakdown and attempts at repair. The conciliator works with the properties of the medium to create a dispute resolution environment. In situations of conflict in CMC, the conciliator must be aware of the magnified impact of breakdowns. Their role in the conflict is to restore a working relationship between the parties. This is achieved by actively constructing a shared understanding that allows the parties to explain each other's actions in a consistent manner. The conciliator gives consideration to the way that they can manage breakdown using asynchronous, text-based CMC. To achieve this, the conciliator anticipates, identifies and repairs breakdowns.

5.3.1.4 *Breakdowns in conciliation in ATB environments*

It ca be argued from the above examples that breakdowns occur when there is evidence of incompatible narratives that prevent parties from maintaining a shared understanding, or when parties are unable to incorporate information into appropriate narrative schemas. Parties may interpret information differently at the narrative level. Breakdowns occur when this incompatibility becomes apparent. Conciliators must identify that this has occurred and instigate strategies to explore and mitigate this incompatibility. The above examples show that conciliators are still able to manage breakdowns in an asynchronous, text-based medium, but that the nature and range of these breakdowns is different.

Excerpt 4 offers an example of the conciliator requesting that parties state the degree to which they accept or reject statements. In this way, parties can quickly identify the

areas of agreement/disagreement and incrementally respond without fear of interruption or censure. This is not possible in synchronous and ephemeral communication; multiple threads of an argument cannot be addressed simultaneously. Parties may be reluctant to 'give ground' on one issue, for fear of appearing to concede too far. Structuring the debate so that statements that are compatible are separate from incompatible statements allows the conciliator to ascertain the scope of the breakdown.

Example 5 shows the conciliator offering a suggested wording, and requesting parties to comment upon this. Parties disagree with the conciliator in a spirit of enquiry, rather than with each other in a way that could be construed as an attack. This gives parties the ability to debate issues without being seen to concede a point. The conciliator can also use this as a way of reframing the debate. The permanence of the message allows parties to refer back to the exact proposed wording (Excerpt 3), rather than use their recollection, which helps specificity, but may hinder them in shifting positions.

Finally, the structure of the Wikipedia forum allows parties to migrate areas of agreement or disagreement to other locations where it may be more appropriate. In Excerpt 6 the conciliator suggests that one area of debate between the two parties would form a good basis for a new article. This moves threads of dispute into a different domain. The properties of the medium (allowing separate environments) can be used to structure and compartmentalise the dispute. If this move is successful, it may also generate a positive effect between the parties, that can be used where there is still disagreement.

5.3.2 Can a conciliator successfully manage emotional expression when using ATB environments?

As discussed in Chapters 3 & 4, venting serves a number of functions. It is a way for parties to feel that they have been listened to, and it can force the other party to take notice of what has been said by the ventor. Venting has been identified as statements that use emotive language, diatribes and are of the form of a narrative exposition.

They focus on the parties' actions and motivations, rather than on the objective merits of any given communication. In these disputes, any use of defamatory language was taken to be venting.

It is expected that a conciliator practicing in an asynchronous, text-based environment faces difficulty managing venting, given the reduction in control over the rate and nature of information exchange.

5.3.2.1 Demonstrating listening

One of the main aims of venting is to enable parties to feel as though they have been heard. However, as the examples of flooding show, venting exacerbates tension. The conciliators interviewed expressed the following concerns about the ability to demonstrate listening:

```
Conciliator F:
It is important to acknowledge the emotions that parties are
experiencing

Conciliator H:
Summarising and extending a viewpoint are best ways to
demonstrate listening
```

Conciliator F expresses their concern for ensuring that parties feel that they have been listened to. This precisely mirrors the findings of Chapter 4. It is necessary to acknowledge the emotions that have been expressed, even though the medium can be seen to limit the transfer of emotions. In this way, explicitly naming emotions shows that the intentions of the party have been understood. The conciliator fills in the gaps.

Similarly, Conciliator H demonstrates that they feel that rephrasing and summarising points are a tool for demonstrating listening in an asynchronous text-based environment, The absence of paralanguage or other cues that can be used to quickly demonstrate that a point has been acknowledged or understood, means that a conciliator needs to make explicit that shared understanding has been achieved. They cannot assume that any agreement has been reached. Once made explicit, there is a permanent record of the agreement. This can be used to form part of the common ground. Furthermore, the idea that extending a viewpoint is important for

demonstrating listening (Conciliator H) is also significant for the objective presentation of the arguments.

The following excerpts provide evidence of the conciliator demonstrating listening in a text-based environment.

Wikipedia Conciliation: Zhukov

Posts by: 'Sigitas' 24/07/06 @ 13:08; and 'BrownHornet21' 25/07/06 @ 02:23

```
My contributions are neutral and referenced, unlike the
article in general which is mostly unreferenced collection
of Soviet propaganda. As for "reversing referenced text", I
remember few times reversing text where references provided
did not support the Wikipedian's claim. Problem is that
opposing Wikipedians sometimes add references to the sources
which are not confirming text in article (e.g. case with
"strategical  brilliance".
```

```
                                . . .
```

```
Words "History ...must use accurate, objective and sourced
information" are so hypocritical when you compare my own
well referenced changes with article in general, entire
sections of which are unreferenced. Sigitas 13:08, 24 July
2006 (UTC)
```

```
                                . . .
```

```
I noticed that Sigitas/Legionas objected to one or more
sources, e.g., "Problem is that opposing Wikipedians
sometimes add references to the sources which are not
confirming text in article (e.g. case with "strategical
brilliance". Many sources added simply did confirm this
claim." Which ones did or did not confirm the claim? Out of
the ones that do not support the claim, what do you claim
those sources actually say? Not trying to call anyone out,
just trying to get everyone to be as specific and detailed
as possible. BrownHornet21 02:23, 25 July 2006 (UTC)
```

Excerpt 7: Conciliator demonstrating listening

In this example Sigitas expresses displeasure about the way that some of the references do not support the claims they are designed to support (*My contributions are neutral and referenced, unlike the article in general which is mostly unreferenced collection of Soviet propaganda*). The conciliator seeks clarification on this point. To demonstrate that they have been listening, they recap what Sigitas has said, by quoting the text verbatim (*e.g., "Problem is that opposing Wikipedians sometimes add references to the sources which*

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are not confirming text in article (e.g. case with "strategical brilliance")). They then ask for examples to clarify the claim (*Which ones did or did not confirm the claim?*).

In this way, rephrasing becomes a joint effort. The conciliator makes clear that they are not attempting to undermine an argument (*Not trying to call anyone out*), but that they are seeking to help parties to better understand each other's concerns (*just trying to get everyone to be as specific and detailed as possible*). The conciliator encourages both parties to consider and further articulate the points each other has raised. Listening is demonstrated and venting is managed, even though there is a permanent record of issues.

If the conciliator chooses to reframe in a text-based environment which affords a permanent record of discussions, they must be confident of success. Failure may lead parties to lose trust in the conciliator's credibility. To move the debate forward parties have to be able to look at something that they have written previously and experience a degree of disagreement with it. The conciliator ensures that their own questions and suggested reframing takes precedence over the similar but one-sided attempts of the parties. To achieve this, the conciliator must justify the recapping that has occurred (see section 3.3.3 for more examples of conciliators rephrasing statements).

The persistent nature of the text-based environment means that each party can assume that the others have 'heard' what they have to say. The statements are displayed in their entirety and all parties have an opportunity to read them. However, the conciliator needs to overtly demonstrate that they have listened to what the party was trying to say, as opposed to relying on the assumption that the conciliator has simply read the comments.

One way to achieve this is to paraphrase what has been said, and link it to appropriate aspects of the debate. The following excerpt demonstrates this.

Wikipedia Conciliation: Redshift

Posts by 'ScienceApologist' (19/04/06 @ 17:12); and 'Nick Y' (19/04/06 @ 18:22)

```
Since we already do all that the mediator suggests to do in
the article including the disambiguation to alternative
uses, linking to alternative mechanisms through nonstandard
cosmology, and explaining misconceptions, I'm convinced that
abiding by your decision would mean the article stays as is.
Correct? --ScienceApologist 17:12, 19 April 2006 (UTC)


                              . . .


SA- Your conclusion that the article is good as is is
essentially correct. The one point that maybe you are
missing is that the article is somewhat lacking in clearly
presenting (and I don't mean with particularly greater
proportion) the other uses. The two uses should be clearly
distinguished in simple language which is both clear to the
novice and correct to the expert. Yes, I do not think there
needs to be much more than links for the most part to other
explanations/contributions that do not fit the strict
definition but more clarity could be achieved. Again the
readers that do come here for the other definition should be
both educated as to the difference and easily find
additional information. I think they can also be well
served.
--Nick Y. 18:22, 19 April 2006 (UTC)
```

Excerpt 8: Conciliator demonstrating listening

In this example, ScienceApologist has put forward their opinion about the reasons why the article should remain as it is, citing the conciliator's recommendations as evidence of this. The conciliator could simply have replied with a brief affirmative. However, NickY expends considerable resource to restate the point and to expand on the viewpoint of the other party. He demonstrates that they are listening to ScienceApologist by first summarising their statement (*Your conclusion that the article is good as is is essentially correct*). They then highlight where they believe that ScienceApologist's view is under-elaborated (*The one point that maybe you are missing is that the article is somewhat lacking in clearly presenting ... the other uses*) and offer a way forward that helps both parties to reach an agreement (*I do not think there needs to be much more than links for the most part to other explanations/contributions that do not fit the strict definition but more clarity could be achieved*). This keeps the debate moving forward, without ratifying one party's viewpoint.

The constructive critique of ScienceApologist's statement, is an opportunity for Nick Y to demonstrate that they have listened to ScienceApolgist's point of view. The

acknowledgement of the basic assumption shows the party that they have been listened to, taken seriously and understood. The critique of the current argument not only preserves the conciliator's impartiality and offers a way forward for the debate, but is a clear indication that they have given consideration to the information the ventor presented. This acknowledgment demonstrates that the conciliator has listened to, rather than simply read, the ventor's statements.

In a text-based environment, the permanence, or persistence, of a statement may make this difficult for a number of reasons. First, a persistent message may obviate the need for parties to feel that they have been heard; the fact that a message has been posted means that it is likely to be read by all parties. Second, the fact that the message is permanent, means that the conciliator may encounter difficulties rephrasing; the statement is permanent and therefore can be referred to by parties, irrespective of the conciliator's rephrasing.

The above examples show that a conciliator is able to demonstrate listening in an asynchronous text-based environment. Excerpt 7 provides examples of the conciliator explicitly quoting sections of a party's posts, before offering an interpretation of the statement. This demonstrates that the conciliator has registered what has been said and offers a way for the other party to perceive what the conciliator considers salient. Excerpt 8 shows the conciliator drawing attention to aspects of the party's utterance and gently challenging these, whilst acknowledging their underlying concerns. This ensures that parties feel that they have had their say, even if the conciliator suggests that it may not be entirely appropriate. Both conciliator H and F support these as techniques for demonstrating listening. In the absence of other ways of showing that an utterance has been acknowledged and understood, the conciliator must make emotions and content explicit.

5.3.2.2 Managing venting

It is important for a conciliator to allow venting. Parties feel able to express themselves freely and demonstrate that they have both heard and been heard by the other parties. The *Wikipedia* records show that the conciliator allows venting in a similar way to a face-to-face environment: through asking questions, inviting parties to begin or to continue discussions. The *Wikipedia* conciliation template (Figure 5a &

5b) offers limited support for parties to begin to vent. The party requesting conciliation is asked '*What is going on?*'. This invites parties to talk about the issues as they perceive them. The question makes no distinction about whether the dispute is attributable to behaviour, content irregularities or tone/style. In this way, before a conciliator has been assigned, an open-ended invitation including a degree of directed venting.

The conciliators interviewed about their practice in *Wikipedia* detailed the following concerns.

```
Conciliator G:
People find it difficult to express themselves in words
alone, this leads to issues with emotions and thus you have
problems with escalation caused unnecessarily
```

Conciliator G expands on the problems experienced by text-based conciliators. They assert that the distortion of communication channels result in an extra barrier to expression. Parties are unable to fully express their concerns through this medium. This also limits the way that they are able to vent. The conciliator must alter their practice accordingly, attempting to ensure that emotions can be expressed and acknowledged, despite the restrictions placed by the medium.

```
Conciliator I:
impersonality imparted by a text medium makes it incredibly
easy to ignore the fact that it's a person behind the screen
on the other end of the debate.
```

In this example, Conciliator I indicates that the lack of presence engendered by the media properties can result in a deindividuation of the other. As the literature suggests this can lead to deregulated behaviour. The conciliator therefore encourages parties to reflect on the way that they are perceived by the other. This may limit the effectiveness of venting. The ventor is unable to see the impact that their venting has had on the other party. Parties may no longer feel 'listened to' by the ventee. The conciliator must 'individuate' the other party. This enables productive venting.

Excerpts 9 and 10 provide examples of the conciliator attempting to manage venting:

Wikipedia Conciliation: Zhukov

Chapter 5: Section 3 – Discourse Analysis

(Posted by: 'Grafkim' 19/07/06 @ 17:31)

> **`What's going on?`**
>
> `For several months now (albeit with breaks),` <u>`User:Legionas`</u>
> `makes arbitrary additions and deletions of content. Everyone`
> `who disagrees with him gets instantly reverted and his`
> `(sourced) contributions.`
>
> <u>`User:Legionas`</u> `seems to have a deep hate towards Zhukov.`
> `While it might be understandable at a personal level,`
> <u>`Wikipedia is not a soapbox`</u> `and must stick to` <u>`WP:NPOV`</u>`.`
> `What is really funny is the fact that several months ago, I`
> `had a content dispute with Legionas about the fact whether`
> `Zhukov was considered as a brilliant strategist or not.`
> `Despite some obstination  from his part, he finally had to`
> `give up. (see` <u>`this thread`</u>`). However, I would not like to`
> `repeat the same thing again, so I'm getting it up at MedCab.`

Excerpt 9: Use of template design to encourage emotional expression.

The conciliation template is structured in such a way that the party seeking conciliation must first detail their view of the conflict (*`What's going on?`*). In this case, Grafkim vents their concerns with other parties' (i) motivation (*`While it might be understandable at a personal level,`* <u>*`Wikipedia is not a`*</u> <u>*`soapbox`*</u>); (ii) behaviour (<u>*`User:Legionas`*</u> *`makes arbitrary additions and deletions of content. Everyone who disagrees with him gets instantly reverted`*); and (iii) shared history (*`What is really funny is the fact that several months ago, I had a content dispute with Legionas ... Despite some obstination  from his part, he finally had to give up.`*). These three categories are consistent with the findings of the literature that explores conflict (Chapter 2 sections 5 & 6) and conciliator practice (Chapter 4)

This simple question, encourages one party to begin to vent (typified by the use of emotive language such as '`deep hate`' and '`obstination  from his part`'). Although they are unaware specifically to whom they are venting, they are aware that they are giving this information to a neutral third-party. They are also aware that the other parties to the dispute are able to view and amend these details. Reflecting upon this encourages them to detail the most salient issues, in an objective manner. They begin to selectively self-present.

Conciliators usually encourage parties to continue to vent in a controlled manner. However, in *Wikipedia* the breaks in communication created by the medium's asynchronicity means that parties lose focus, or subsequent events change their perceptions. Individuals may use these breaks to gather a large amounts of evidence. This encourages parties to dwell on particular topics, or ignore others.

<u>*Wikipedia* Conciliation: Redshift</u>

Post by 'Nick Y' 21/04/07 @ 18:31

```
Interpersonal Relations Part 2


                          . . .

First assignment:
List 5 bullet points of the redeeming qualities you see in
each other.

Second assignment:
List 5 bullet points of the annoying qualities you see in
each other
```

Excerpt 10: Conciliator encouraging a degree of venting

In this excerpt, the conciliator (NickY) indicates that the parties need to address more than the content dispute (`Interpersonal Relations Part 2`). They ask each party to detail personal characteristics of the other that they feel are redeeming (`List 5 bullet points of the redeeming qualities you see in each other`) and five points that they perceive are annoying (`List 5 bullet points of the annoying qualities you see in each other`). This simultaneously limits and enables emotional expression.

This excerpt demonstrates the importance of appropriate emotional expression in dispute resolution. Although the debate revolves around the inclusion of various sources the conciliator acknowledges that interpersonal perceptions are also a key factor. The conciliator therefore encourages parties to express their emotions about the relationship. However, to overcome the threat to the safety of the environment, the conciliator encourages a restricted expression of emotion. They exert control over the rate and volume of emotional information in the space. This is discussed in greater depth in relation to Excerpt 12.

The above examples demonstrate that conciliators are concerned about managing venting in an asynchronous, text-based environment. Excerpt 9 demonstrates how the structure of the template itself permits parties to vent, and reflect on how this venting will be perceived by other participants. Excerpt 10 provides evidence that the conciliator can impose a structure on the responses that parties make in order to limit the way in which they are able to express emotions.

However, the conciliator is unable to incrementally manage the tone and amount of information that parties divulge to one another. Similarly, the conciliator is unable to prevent parties from venting in ways that include verbatim statements or links to evidence. The conciliator must therefore impose a structure on the exchange prior to allowing parties to express the nature of their grievance. They must use specific questions to ensure that the parties vent about specific topics. Therefore the conciliator substitutes structural control for the incremental control over venting that they would have in a synchronous environment.

The interviews with the *Wikipedia* conciliators also highlighted their concerns with the ATB environment's ability to allow venting. The conciliators have concerns that parties are unable to express themselves adequately in such an environment. They feel that the loss of cues may lead to a dehumanising of the other and a reduction in articulation. The conciliator must take this into consideration when deploying their skills.

5.3.2.3 Managing flooding

Flooding occurs when venting ceases to be productive. It can be attributed to the heightened emotional state experienced by parties in the conflict. Flooding can be typified by parties beginning to 'go round in circles', or beginning to make personal attacks at the other parties. In an environment of conflict, flooding can exacerbate tensions that exist between parties, and needs to be managed effectively by the conciliator.

Conciliator H offered the following reflection on the way that asynchronicity is inherently likely to mitigate flooding.

```
Conciliator H:
 [The] medium encourages more reflection, which can moderate
behaviour.  Time lag makes it difficult for parties to talk
over one another, - keeps things cooler
```

In this example the conciliator demonstrates how the asynchronous properties of the medium serve to encourage reflection. They feel that these properties limit the potential for parties to talk over one another and this helps to keep things cooler. In this way the emotional climate is shaped by the communication medium and this can be used by the conciliator to limit flooding. However, as the previous section shows, if parties are too restricted they may not be able to vent sufficiently. The impact of asynchronicity leads to a dampening or 'cooling' effect. This can reduce flooding. Parties have the opportunity to compose themselves before replying.

The conciliator must identify that flooding has occurred, or is likely to occur, and take steps to lower the emotional tone of the interjection before reasserting the structure of the debate. The use of strike-through is one way for the conciliator to manage flooding. A conciliator may not be aware that flooding is occurring until the comments appear in the shared space. To manage flooding effectively they must acknowledge the emotions, but steer the parties away from the behaviours that are perpetuating flooding. By using strike-through, the conciliator can highlight the inappropriate behaviour, whist at the same time draw attention to the way in which the argument would have progressed, were parties able to prevent themselves from making personal attacks. This encourage parties to reflect on the way that they will be perceived before they post a comment. It also alters parties' expectations of what is appropriate behaviour with in the environment. Excerpts 11 & 12 provide evidence for this.

Wikipedia Conciliation: Zhukov

(Posts by: 'Grafkim' 27/07/06 @ 11:21; 'Sigitas' 27/07/06 @11:52; and 'BrownHornet21' 27/06/06 @ 20:34)

> ~~Yes, the problem is that you never bother presenting other opinions.~~ You only quote Suvorov and Sokolov (whose works, incidentally, are not recognized by most Western researchers) and don't provide an alternate opinion. ~~This is a kind of anti-Zhukov crusade you're leading, and that's why I filed this medcab in the first place.~~ -- **Grafikm** **(AutoGRAF)** 11:21, 27 July 2006 (UTC)

~~Other opinions are already over-represented thanks to the~~
~~decades of Zhukov's personality cult building by soviet~~
~~propagandists. And I'm not quoting Suvorov in the article.~~
Sigitas 11:52, 27 July 2006 (UTC)
~~"Other opinions are already over-represented thanks to the~~
~~decades of Zhukov's personality cult building by soviet~~
~~propagandists." To the mediator: do you see what I mean now?~~
-- **Grafikm** **(AutoGRAF)** 12:09, 27 July 2006 (UTC)
                              ...
~~It is not my fault that documents and facts show~~
~~incompetence and sadistic nature of Zhukov.~~ I do not invent
anything. I'm not against consensus building. ~~Quite~~
~~contratry , it is Zhukov's fans who are pushing~~
~~controversial claims, like that "brilliant strategist"~~
~~thing.~~ There is no consensus on strategy skills of Zhukov,
so why push it? Sigitas 14:30, 27 July 2006 (UTC)
~~Do not reduce the discussion to strategy skills.~~ We argued
on a number of other subjects, such as Leningrad defense,
Kiev defense, and Zhukov's supposed order to kill families
of captured soldiers, just to name a few. And the strategy
skills thing is indeed the least controversial of them all.
-- **Grafikm** **(AutoGRAF)** 14:35, 27 July 2006 (UTC)
                              ...
I struck a lot of the above lengthy exchange because it
consisted of a lot of personal attacks by both sides, but
really to establish that *Wikipedia* doesn't care what your
personal opinions are on Zhukov. Attacking the other side as
a "Zhukov lover" or "Zhukov hater" undermines your
credibility and arguments. Please cite sources and
authority, not your personal opinions. If both sides
continue with a "Zhukov lover"/"Zhukov hater" exchange, I
think we will have to conclude mediation without a
resolution. BrownHornet21 20:34, 27 July 2006 (UTC)

Excerpt 11: Conciliator managing flooding.

The parties are venting about the way that they feel the other party is behaving (*Yes, the problem is that you never bother presenting other opinions.*, or *Quite contratry , it is Zhukov's fans who are pushing controversial claims, like that "brilliant strategist" thing*). This results in the language becoming abusive, which may not be productive to resolution. The conciliator uses 'strike-through' to demonstrate to the disputants how their language could be improved (*I struck a lot of the above lengthy exchange because it consisted of a lot of personal attacks by both sides.*) They then ask the parties to reflect on the way that they use language to keep their discussions productive (*If both sides continue with a "Zhukov lover"/"Zhukov hater" exchange, I think we will have to conclude mediation without a resolution.*)

In this example, the parties are involved in a heated debate about the sources used, interpretations of the sources, as well as parties' behaviours and parties' motivations. There are a number of instances where one party levels a personal attack at the other, or phrases a statement in an emotive way. These can all be seen as evidence of flooding. The conciliator interjects, having 'struck-through' the emotive statements and personal attacks. They indicate that this level of flooding is not conducive to settlement and may result in the debates being abandoned. The same conciliator is seen to attempt to limit flooding in Excerpt 1, requesting that parties calm down when a content dispute appears to be becoming hostile and reminding parties of the importance of assuming good faith.

The following example shows the conciliator Nick Y attempting to limit flooding by structuring the environment.

Wikipedia Conciliation: Redshift

Post by 'Nick Y' 21/04/07 @ 18:31

```
Interpersonal Relations Part 2
Since the last one got out of control. I will keep this very
constrained. Let's keep focused on the article as we build
this part slowly. I just want to start the dialog since that
is why we are in mediation. I have been focusing on the
article because that is the area in which you will put into
practice working constructively and harmoniously together. I
may go slow here but be patient.
--Nick Y. 18:31, 21 April 2006 (UTC)

First assignment:
List 5 bullet points of the redeeming qualities you see in
each other.

Second assignment:
List 5 bullet points of the annoying qualities you see in
each other
```

Excerpt 12: Conciliator structuring venting to anticipate flooding.

The conciliator attempts to address the interpersonal relations between the parties. This has been attempted previously but with little success (*Interpersonal Relations Part 2: Since the last one got out of control*). The conciliator indicates that they intend to constrain the topic, to slowly improve the relationships between parties (*I will keep this very constrained. Let's*

keep focused on the article as we build this part slowly. I just want to start the dialog since that is why we are in mediation). They then structure the debate to limit the degree to which parties are able to vent about each other, rather than the objective arguments (*First assignment: List 5 bullet points of the redeeming qualities you see in each other. Second assignment: List 5 bullet points of the annoying qualities you see in each other*).

In this example the conciliator attempts to address difficulties in the interpersonal relations between the parties. It is implied by the heading section that this is the second time that the conciliator has attempted to achieve this. The conciliator indicates that they expect flooding to occur (given the last attempt) so they will seek to constrain the scope for parties to vent. This is achieved by asking each party to list five redeeming qualities and five irritating qualities of the other party. In an asynchronous, text-based environment, it is difficult for a conciliator to control the emotional content of any given statement. A conciliator may not be aware that a party has begun to flood, until a statement is posted. The conciliator has to predict that flooding might occur and take steps to manage this.

In doing this, the conciliator limits the scope for flooding. Both parties now have an expectation that the other party will provide information that they may construe as an attack. However, because it has been requested by the conciliator, they are less likely to challenge them.   The conciliator has also made it clear that this is being undertaken to open dialogue between the parties. By structuring the debate and making parties aware of the reasons behind this structuring, the conciliator ensures that the parties' expectations of appropriate behaviour change. They highlight the difficulty in addressing emotional issues in an unstructured manner and indicate that this could exacerbate damage to the relationship.

Venting in an asynchronous environment is a different phenomenon to that found in a synchronous environment. A synchronous environment affords parties the opportunity to observe increases in the emotional level in the environment, and according alterations in parties' behaviour. This makes it easier for a conciliator to identify and address venting behaviour. In an asynchronous environment, it is

possible for venting to have already have happened before any other party has had the opportunity to identify the behaviours that typify an increase in emotion. Therefore, managing flooding in an asynchronous environment is difficult, as statements appear fully-formed. Once a party has begun to flood, there is little the conciliator can do but address its impact.

These observations must be interpreted in the light of the MedCab disputes. That is, asynchronous dispute exchange that will be witnessed by an impartial MedCab conciliator. This casts the process of reflection in a very different light than reflection on a message that will only be responded to by an antagonist.

The above examples provide evidence of the conciliator using the properties of the medium to manage flooding. Excerpt 11 demonstrates that the conciliator can use techniques such as 'strike-through' to encourage parties to reflect upon their behaviour. This allows parties to see where flooding, or uncontrolled/unproductive venting has occurred and reflect upon the impact of this. They are then encouraged to alter their behaviour to make communication more appropriate. Excerpt 12 shows how the conciliator anticipates flooding and mitigate it by restricting the range of possible responses, to ensure that venting remains productive.

Both of these examples demonstrate that the properties of the medium can be used to structure interaction in such a way that venting can be used as productive behaviour. Conciliator H further expands on this, suggesting that the time-delay introduced by the medium delays reactions to flooding, cooling things down and encouraging reflection on what has been said.

5.3.2.4 Managing Interruption

In an asynchronous environment it is difficult for an individual to interrupt one party. Statements are issued and parties are unable to interject. However, a wiki-enabled environment that allows editing, means that participants to a debate have freedom to place their comments within sections, or even within statements. Interruption becomes asynchronous. This creates difficulties for the conciliator. The permanent record means that parties can challenge or edit statements at various points throughout the debate. The conciliator must address this through the use of structure. In

following examples it is important to note the time stamps of the postings to see how the linearity of the text has been circumvented by later contributors.

Wikipedia Conciliation: Redshift

Posts by 'Iantresman' 14/04/06 @ 23:35; 'ScienceApologist' 15/04/06 @ 05:59; and 'NickY' 15/04/06 @ 22:28

```
...For example, the Wolf effect is described as a Doppler-
like redshift (not a reddening). Not only is this peer-
reviewed, it is apparently demonstrated in the laboratory,
and there are reportedly over 100 papers on the subject.
This is not trivial. And there are many other examples. How
about theoretical (Here, Ian means "hypothetical".--
ScienceApologist 05:59, 15 April 2006 (UTC)) redshifts, such
as Intrinsic redshift, or "Redshift quantization"? Again,
all peer-reviewed with more than one article and more than
one researcher.
Jimbo Wales himself said that "Usually, mainstream and
minority views are treated in the main article, with the
mainstream view typically getting a bit more ink, but the
minority view presented in such a fashion that both sides
could agree to it."[1].( Ian fails to include the next part
of the quote becuase  it contradicts the very next thing he
writes. After this "Jimbo Wales himself" wrote: "Singular
views can be moved to a separate page and identified
(disclaimed) as such, or in some cases omitted altogether."-
-ScienceApologist 05:59, 15 April 2006 (UTC)) But in some
cases, we have NO view, and in other cases minority views
are represented inaccurately, or reduced to a link. --
Iantresman 23:35, 14 April 2006 (UTC)


                          . . .


SA - Although I think your intentions were good. Responding
within Ian's statement might offend him. Also I asked you
not to repsond  to him, yet. With that said I would like
your repsonse  now. ...--Nick Y. 22:28, 15 April 2006 (UTC)~
```

Excerpt 13: Conciliator managing interruption.

In this excerpt Iantresman details their concerns with the article (e.g. _Not only is this peer-reviewed, it is apparently demonstrated in the laboratory, and there are reportedly over 100 papers on the subject. This is not trivial._) ScienceApologist takes issue with some of the statements and places comments, in a bold typeset, directly in the article at the position where they have disagreement (And there are many other examples. How about theoretical (**Here, Ian means "hypothetical")**); and (but the minority view presented in such a fashion that both sides could agree to it."[1].(**Ian fails**

to include the next part of the quote becuase it contradicts the very next thing he writes.)). The conciliator requests that ScienceApologist desist from doing this, indicting that Iantresman may react to it as inflammatory (*Responding within Ian's statement might offend him*). However, the conciliator makes explicit their assumption that ScienceApologist was acting in good faith (*Although I think your intentions were good*) and invites them to explore their views in the next section (*With that said I would like your repsonse now*).

In doing this, the conciliator maintains control over the way that the debate unfolds. They ensure that disagreement occurs in a different section. This is undertaken to avoid causing offence which would risk exacerbating tension between the two parties. To prevent conflict the conciliator makes an explicit assumption of good faith. The conciliator defines the norms for interruption and makes parties clear about the reasons why interruption needs to be minimised. This helps parties to develop an expectation of what constitutes normal behaviour.

The following example also highlights how interruption can be managed by the conciliator.

Wikipedia Conciliation: Redshift

Posts by 'Iantresman' 27/04/06 @ 23:22; and Nick Y 28/04/06 @ 00:27

```
The flat earth example would be an objective comparison to
others' judgment on what the reader wants to see, if it
weren't such an extreme example. Remember my intuitionism
example? Also, the "ScienceApologist does not want to
include links that mention certain minority ideas" sentence
seems at least incomplete, without mentioning what's already
in the redshift article. Art LaPella 22:21, 27 April 2006
(UTC)


                            ...


I would like to ask ScienceApologist (1) How Wiki policy
distinguishes between tiny and minority views (2) What
proportion of an article, Wikipedia policy suggests we give
to them? --Iantresman 23:22, 27 April 2006 (UTC)

Sorry to interupt too early but I would like everyone to
remember that we are supposed to be talking about what is
best for the reader. Let's not get distracted. I would like
to see some of the points made in the context of "it would
```

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```
be more clear if..." and a response of "Are you insane!!!
That would be totally confusing." (I'm joking about the
overly exclamatory language)--Nick Y. 00:27, 28 April 2006
(UTC)
```

Excerpt 14: Conciliator interrupting to manage venting.

In this example the parties are debating the validity of evidence, using the analogy of the 'flat earth' theory (`The flat earth example would be an objective comparison to others' judgment on what the reader wants to see, if it weren't such an extreme example`). This leads to the parties beginning to move off-topic and discuss *Wikipedia* policy (`I would like to ask ScienceApologist (1) How Wiki policy distinguishes between tiny and minority views (2) What proportion of an article, Wikipedia policy suggests we give to them?`). The conciliator interjects in order to keep them on track (`Sorry to interrupt  too early but I would like everyone to remember that we are supposed to be talking about what is best for the reader`) and suggests ways that parties could move forward (`I would like to see some of the points made in the context of "it would be more clear if..." and a response of "Are you insane!!! That would be totally confusing"`.) However, the conciliator indicates that this type of language is exaggerated and not to be the format for the following debate (`(I'm joking about the overly exclamatory language)`).

The excerpt shows the conciliator interjecting to keep parties focussed on the discussion. The conciliator attempts to prevent parties from starting a dispute about the merits or appropriateness of *Wikipedia* policy. They politely inform parties that they feel that this is likely to be unproductive. The asynchronicity of the medium makes it harder for the conciliator to judge the most appropriate time to interject. Instead they have to act once the statement has appeared fully-formed. This may lead to parties becoming further entrenched prior to interruption, or may lead to the conciliator feeling that they have interrupted too early.

In the above excerpts show that the conciliator can manage interruption in an asynchronous text-based environment. This can be by gently challenging parties

when interruption occurs. Alternatively it can arise from interrupting parties to ensure that the discussion remain on track.

In an asynchronous environment, such as a wiki-enabled one, information is not always transferred incrementally, but can arrive in one large section of text. This helps the ventor to feel that they have been listened to – they can assume that all of their text has been read. However, this can make interruption difficult for the other party. In addition, the permanence of the message means that parties can interrupt statements that have been made in the past. This can re-open old disputes or move the discussions to a different site.

5.3.2.5 Managing emotional expression in conciliation in an ATB environment

The above examples demonstrate that the conciliator is able to manage exchanges between parties in a conflict in the *Wikipedia* environment. They are able to encourage venting, manage flooding and interruption and demonstrate listening. However, evidence suggests that their practice is interacts with the properties of the medium. The asynchronicity of the medium allows parties to craft and post responses without the conciliator's intervention. This restricts the conciliator's ability to manage venting. They are unable to assist in construction of utterances, reducing their practice to responding to utterances, or providing a structure in which appropriate interaction can occur.

In addition, parties' ability to revisit statements that have been posted, may also lead to a reluctance to vent, or encourage participants to reflect upon what has been said. This is an affordance not granted to parties using other mediated environments. The conciliator's presence as an impartial witness is made persistent by their postings. Their interventions can act directly on prior statements by inserting comments and striking through parties' comments that they perceive to be inappropriate or detrimental to the creation and maintenance of a safe environment (as discussed in Chapter 3).

Venting can be perceived as a transfer of social information that threatens to violate the expectations of appropriateness for the space. Alternatively it may be the transfer of social information in such a way that the safety of the space is threatened. In an asynchronous, text-based environment, the permanence of any utterance means that the impact of the vented information may persist longer than they would in other environments. Utterances can be objectively referenced: they are permanent and observable. An expression of emotion can persist long after the emotion itself has subsided.

The above examples show conciliators attempting to overcome this, by placing their own structure on discussions. They aim to limit the range of interaction and the tone in which it occurs. Similarly, the opportunities for reflection that the medium engenders can assist the conciliator in encouraging parties to consider how they might be perceived by the other. There is a greater scope for parties to selectively self-present, rehearse and review the presented self. Furthermore, their own statements are accessible to themselves in exactly the same manner as they are to their antagonist and the conciliator. Metaphorically, it is as though they are permanently acting before a mirror. They have the opportunity to try out various forms of expression, before committing them to the others. This can be utilised by the conciliator to manage inappropriate behaviour early in the discussions to assist in creating a safe space.

5.3.3 Can a conciliator successfully manage power differences in an ATB environment?

Many of the behaviours experienced by parties to a dispute can be linked to power differentials. Parties in conflict have invested resources in reaching a particular outcome. They are concerned that losing the conflict can result in some or all of these resources being forfeited. The conciliator's role is to address these power and resource differences in such a way that parties are able to develop a working relationship that is able to accommodate these differentials.

Power is difficult to interpret in *Wikipedia* since all registered users are equally able to make or propose changes to articles (although some users retain administrative privileges - see section 6 for a discussion of the impact of these properties on community behaviours). Conciliators are empowered to strike-through information that they deem to be inappropriate in the discussions and detrimental to the environment. However, time and access to the world-wide-web may differ between all contributors; this results in varying capacities to post. The capacity to post is one way that parties are able to gather, control and present their resources to the other parties in the form of an argument. Each party attempts to portray their argument as more legitimate than the other's. This is achieved by increasing the legitimacy of their own argument, reducing the legitimacy of the other's , or a combination of the two. Legitimacy can stem from the quantity and quality of evidence; congruity of argument and perceived site aims, norms and policies; and appropriateness of the behaviour of the other party (often challenged as *ad hominem* attacks).

The conciliator manages power differences in a number of ways. These include: (i) equalising participation, ensuring that each party is able to have their say about topics salient to the discussion; (ii) disclosing power differences, making parties aware of the differences that exist and ensuring that these are mitigated in such a way that the parties feel that they are free to discuss topics without fear of retribution or commitment; and (iii) reframing power displays by encouraging parties to discuss the topics using language or behaviour that do not make inappropriate calls to status, legitimacy or blame.

5.3.3.1 *Equalise participation*

One of the conciliator's roles is to ensure that all parties are able to discuss the issues freely. Chapter 3 demonstrates that conciliators are concerned that there may be barriers to participation if one party is more experienced than others with the technology. Similarly, in *Wikipedia* disputes, topical expertise or familiarity with the community norms may also alter the dynamics between participants. These can be viewed as resources which give the power of legitimacy to an individual's arguments. Disputants try to marshal their resources to demonstrate that their argument is the most legitimate and therefore should be accepted as the correct narrative. The conciliator must encourage parties to have their say and accommodate these

differences in such a way that participation is seen to be equalised – a disparity in the rate of participation, or in parties' awareness of the conventions of the site should not unduly advantage one of the disputants.

Conciliators discuss the impact of CMC on their practice as follows.

> Conciliator G:
> *Lots of participants slow things down*

Conciliator G raises their concerns that an increase in the number of participants may slow the process. After messages are sent, parties need to receive them, reflect on them and respond. The lack of co-presence means that this is not an instantaneous process, but can take a long time to occur. As the number of participants increases, the time delay increases, slowing the process.

> Conciliator F:
> *One of the most difficult parts of mediation is garnering*
> *the attention of all the participants and holding that for*
> *the length of the mediation. I've found that the process can*
> *be frustrating at times for the participants, and one of the*
> *keys is making sure that all participants feel involved at*
> *all times*

Conciliator F details the way that the medium impacts upon the conciliator's ability to equalise participation and engage the parties. They are concerned that those who are able to view the site more frequently and have the time to respond, are able to reply more quickly and potentially dominate the process.   The conciliator may wish to control the timing of messages to ensure that participation is equalised. This can lead to frustration for other parties.

In addition, they indicate that the presence of a the *Wikipedia* medium makes it difficult to hold parties' attention throughout the whole exchange and to ensure that parties are contributing equally. A loss of attention can result in reduced involvement and be harder to address. This reduction in involvement can be attributed to the length of time that the conciliation lasts for (*e.g.* the asynchronicity of the medium can mean that there are large delays between each utterance and this process may stall); alternatively it can be attributed to the reduction in social cues that reduces, or retards, the impact of conciliator strategies for encouraging participation.

Excerpts 15 and 16 provide evidence of this.

Post by: 'BrownHornet21' (21/07/06 @ 01:11)
```
I'd like to invite all the parties above to provide their
thoughts and comments, especially Legionas. --BrownHornet21
01:11, 21 July 2006 (UTC)
```

Excerpt 15: Conciliator equalising participation

In this excerpt, the conciliator is explicitly inviting one party (Legionas) to present their version of events. The *Wikipedia* conciliation template, allows the person requesting conciliation to detail their version of events. This means that they are able to set the agenda for debate. This may restrict the second party's perceived scope for response. It is likely that they will respond to the allegations made by the person who has requested conciliation. By specifically inviting Legionas to discuss issues, the conciliator can demonstrate that the conciliation is an opportunity for both parties to have their say. They equalise participation by explicitly encouraging participation from the party who is yet to have their say.

In forcing asynchronicity, the properties of the medium mean that one party has the advantage of presenting their argument first, encouraging the other to respond in defence. The permanence of the medium means that this argument is persistent when the second party comes to respond. By explicitly inviting the second party to present their thoughts and comments the conciliator encourages equal participation. The second party is made aware that they are free to present their argument rather than respond to the allegations of the first (should they so chose). The conciliator attempts to mitigate any disadvantage to one of the parties' participation wrought by the asynchronous properties of the medium.

Similarly, the conciliator can use the visual structure of the argument to equalise power differences, as the following example demonstrates.

Posts by: 'Nick Y' 13/04/06 @ 23:33; 'ScienceApologist'; and 'Iantresman' 14/04/06 @ 08:46.

```
Well I have been assigned as your [conciliator]. Let's start
by trying to find places where we can agree.

I would propose that:

* we agree to have civil discourse on this page
* we agree to avoid arguments about semantics

                              ...

* we agree that any single citation is not definitive
* we agree that there are some theories that are not
sufficiently prevalent to warrant inclusion
  we agree that there is room to present alternative
theories of sufficeint  merit (as alternative theories)

Let me see if we can agree on these principles before we
proceed. I would very much appreciate your cooperation. I
would hope that we would all end up satisfied with the
eventual results. Let's start a new era of consensus
building.

Are we all agreed on these principles??--Nick Y. 23:33, 13
April 2006 (UTC)

SA? Yes on talk page

IT? Agreeable but not definitive yes, yet. --Iantresman
08:46, 14 April 2006 (UTC)
```

Excerpt 16: Conciliator equalising participation.

In this example, the conciliator explicitly outlines the norms of behaviour considered appropriate for the interaction. By laying ground rules and seeking parties' agreement with these rules, the conciliator ensures that parties have shared expectations of legitimate behaviour. The persistence of the medium allows participants to refer back to these rules at any time during the process, should they feel that these have been violated.

The use of ground rules equalises participation by restricting the use of irrelevant and unequal resources. By way of example, the conciliator attempts to 'avoid arguments about semantics'. This can be seen to prevent those who have a skill at argumentation from dominating the discussions, if their evidence is not congruent with the aim of the joint project. In addition, the points that encourage parties to 'agree that there are some theories that are not sufficiently prevalent to warrant

inclusion', and `we agree that there is room to present alternative theories of sufficient merit (as alternative theories)', equalises participation by restricting the ability of an individual who may be an expert in one theory of Redshift, from automatically rejecting those theories that disagree with them. However, it also prevents an individual with a broad knowledge from presenting many unsubstantiated and irrelevant theories. The use of ground rules to set expectations of legitimate participation encourages parties to consider the legitimacy of their own resources and behaviours and can equalise participation.

Both of these examples highlight the way that the properties of the medium (here permanence and visual structure) impact on the way in which parties are able to participate. Excerpt 15 demonstrates that the permanence of the medium may restrict one party's participation to one of defending their position against the challenges of the other. Excerpt 16 illustrates that this permanence can be used to generate accepted behaviours for the space, with explicit agreement.

In each case, the conciliator's intervention is adapted to the limitations of the medium through explicit management of expectation. Excerpt 15 shows the conciliator managing expectation through an explicit invite to one individual to participate. The conciliator is highlighting potential imbalances in the freedom to participate caused by the structure of the template and mitigating these through alteration of expected levels of participation. In Excerpt 16 the conciliator is addressing potential power imbalances through the explicit representation of appropriate participation in the space.

The above examples demonstrate that a conciliator is able to deploy strategies to equalise participation in this environment. Excerpt 15 shows that the combination of asynchronicity and the permanence of the medium may also restrict participation. There is a risk that whoever 'goes first' is able to set the agenda. In a more ephemeral setting this can still occur but to a lesser extent, as each party has to respond to their own memory of what has been said, rather than having a permanent record. The conciliator adopts strategies to overcome this by explicitly requesting participation about particular topics form the second party, to ensure that they are aware of the ability to present their argument, rather than respond to that of the first party.

The conciliator needs to take explicit action to overcome barriers to participation inherent in the environment. Excerpt 16 shows that the conciliator can structure the environment itself to equalise participation. The use of ground rules helps to establish the expectations and parameters of normal behaviour. The permanence of the record ensures that parties can refer back to these at any given time. The conciliator can use the properties of the medium to equalise participation.

However interviews with the conciliators who practice in *Wikipedia* show that asynchronicity needs to be addressed to ensure that parties are able to participate fully. Conciliator G indicates that the more people that participate, the slower the discussions progress. This can be attributed to the magnification of delays caused by the medium. Conciliator F demonstrates that the medium inhibits the ability to garner and hold attention, leading to frustration. Again, those who are more familiar with the medium are likely to anticipate and accommodate these issues. The conciliator needs to be aware of this and take steps to accommodate these differences,

It can be seen from the above that the conciliator needs to be aware of the way that permanence and asynchronicity interact to alter parties' ability to participate in the discussion.

5.3.3.2 *Freedom from retribution/commitment*

Participants in a conflict are concerned that, by exploring options available to them, they commit themselves to a particular course of action.   For the parties to fully explore a potential solution, they need to trust that that they are free from commitment or retribution, until a mutually-satisfactory solution emerges. It is necessary for the conciliator to encourage parties to divulge information that may be detrimental to their position - if withholding this information is something that may hinder long-term resolution of the problem. Similarly, the conciliator must allow parties to rescind on commitments that they may have previously made, should they feel it is something they can no longer adhere to. The conciliator needs to reassure the party that they will not suffer a detriment as a result of this, allowing parties to divulge the reasons why they are changing position, without fear of retribution.

Interviews with *Wikipedia* conciliators demonstrated their concerns about retribution and commitment in this environment.

> <u>Conciliator I:</u>
> *Pages of edit histories make it very easy to build up a case against the other person, making ad hominem attacks appear more convincing.*

In this example, Conciliator I raises their concerns about the way in which the permanence of the medium alters the strength of *ad hominem* attacks. They indicate that the nature of the *Wikipedia* environment (with its ability to store information about edits) means that parties have access to a record of parties' behaviour prior to and during the conflict. This can be used to develop a case against the other party, grounded in objective statements (although the interpretation and context of these statements may alter).   This can make it difficult for the conciliator to move parties from entrenched positions. It also makes parties reluctant to express themselves for fear of retribution.

Excerpts 17 and 18 provide examples of the conciliator addressing commitment and retribution:

<u>*Wikipedia* Conciliation: Christianity</u>

Post by: 'Joebeone' (29/05/06 @ 16:48)
> Str, can I ask you to do the same that KV has done: post a
> compromise version (with cites) in the Compromise section of
> this page. Note that your original wording wouldn't be a
> compromise as that's clearly at one end of the dispute. Try
> to construct a passage that takes into account both your and
> KV's point of view. If we can agree on one of these as a
> starting point, we can refine that one later to meet other
> requirements. -- Joebeone (Talk) 16:48, 29 May 2006 (UTC)

Excerpt 17: Conciliator mitigating commitment.

In this example the conciliator attempts to encourage one party to offer a suggested compromise version of events (Str, can I ask you to do the same that KV has done: post a compromise version). This can then be used as a basis for debate, with no obligation on the party to commit to it as a final statement (If we

```
can agree on one of these as a starting point, we can refine that one
later to meet other requirements.).
```

The conciliator encourages parties to move forward by exploring positions that are different to those that perpetuate the conflict.   Demonstrating that there is freedom from commitment increases parties' inclination to explore alternative positions. Parties perceive that they are free to abandon them should they be impractical or detrimental. The conciliator draws attention to the fact that the record is permanent and anticipates parties' reluctance to be seen to commit to a particular course of action. Explicitly acknowledging this (in a permanent medium) allays these fears; parties are aware that these are statements for discussion, rather than immutable positions.

Similarly, the conciliator needs to ensure that parties perceive that they are free from retribution.

Wikipedia Conciliation: Zhukov

Posts by: 'Grafkim' 25/07/06 @ 17:05; and BrownHornet21 26/07/06 @ 00:37

```
Oh, btw, how about that wonderfully polite quote: "Look you
trolls, none of pages quoted says that Zhukov was good
strategist, except of quote of Vasilevsky. Why you keep
pushing this crap?" [6] If this is a way of reaching
consensus... BrownHornet21, if you say that personal attacks
are not allowed, maybe you should warn Legionas against
making them. -- Grafikm (AutoGRAF) 17:05, 25 July 2006 (UTC)

* I'm not going to chide people for comments made over a
month ago -everyone starts the mediation with a blank slate.
If things get out of hand here, then I'll say something.
Let's stick to the content of the article. BrownHornet21
00:37, 26 July 2006 (UTC)
```

Excerpt 18: Conciliator mitigating retribution.

In this excerpt Grafkim directly copies and pastes statements that other parties have made (*Oh, btw, how about that wonderfully polite quote: "Look you trolls, ... Why you keep pushing this crap?*) that they feel are inappropriate. They ask that the conciliator take action (*BrownHornet21, if you say that personal attacks are not allowed, maybe you should warn Legionas against making them*). The conciliator refrains from this, citing the degree of time

between the comments and the changed context (*I'm not going to chide people for comments made over a month ago -everyone starts the mediation with a blank slate*). However, they then indicate that if behaviour changes subsequently they may consider taking action, and requests that parties focus on the article (*If things get out of hand here, then I'll say something. Let's stick to the content of the article.*)

The conciliator reassures parties that any information not directly relevant to their behaviour in the conciliation will be given little credence. Parties are reassured that they can be open in discussions and not fear unnecessary retribution should inappropriate remarks they have made be introduced at a later stage. However, the conciliator also draws attention to the fact that they intend to ensure that the space remains safe. In this way the conciliator overcomes the difficulties of accountability and retribution that are afforded by the persistence of the medium.

In a text-based environment, the permanence of the message can reduce the perception of freedom from commitment or retribution. There is a permanent record of utterances that can be referred to at any point by the conciliator or other parties. This leads to a reticence to discuss issues, for fear of being seen to commit to a particular course of action. It can also lead to parties avoiding certain statements for fear of retribution.

The above examples demonstrate that conciliators are able to create an environment in which parties are free from retribution or commitment. This can be achieved by explicitly addressing parties' concerns, *e.g.* by setting a ground rule for participation that reassures parties that they are not committing to a course of action. Alternatively it can be achieved by reassuring parties that prior behaviour to the discussions will not necessarily be treated as inappropriate. It is behaviour within the conciliation meeting that is significant.

The interview with Conciliator I echoes these concerns. Conciliator I raised the difficulty of addressing the history of edits that parties can bring to a conciliation meeting. This makes it difficult to move parties from entrenched positions, they may

feel that they can suffer retribution should they move from these well established and justified positions (given the histories they have brought to the meeting).

However, this raises concerns about the degree to which the space is safe from power displays. These are discussed in section 3.3.3.

5.3.3.3 Reframing power displays

Conflict is realised and perpetuated through communication. Parties discuss their issues in ways that are designed to portray themselves in a more positive light and/or which denigrates or undermines the other. This is achieved by using emotive language that makes explicit reference to power resources. These are intended to promote a preferred interpretation of behaviour and can include a person making calls to legitimacy, additional resources, consequences of freedom to act. These power displays are deployed with a view to promoting a preferred course of action.

The interviews with *Wikipedia* conciliators raised the following concerns about the use and availability of power resources:

> <u>Conciliator E</u>
> *People are much more likely to become entrenched when they are not actually there, but rather in the home/office just saying "no" to whatever solution the mediator proposes …* {Need to} *be unafraid to tell parties that they are being unrealistic and emphasise objectives*

Conciliator E demonstrates that role of the conciliator in *Wikipedia* is to encourage parties to be realistic about their goals and behaviour. However, they express concern that this may be harder to achieve in an online environment. They believe that parties to a dispute are more likely to be able to refuse suggestions of behaviour because they are not co-present. If these suggestions threaten to reduce the legitimacy of their power resources, or increase that of their antagonists, parties may be reluctant to give them much credence. This indicates that parties are able to draw on additional power resources in the environment, or that the conciliator's influence is reduced by the lack of co-presence. In turn this attenuates the impact of any reframing strategies that they may chose to deploy.

Chapter 5: Section 3 – Discourse Analysis

Excerpts 18 and 19 examples provide evidence of conciliators addressing power displays.

Wikipedia Conciliation: Redshift
Posts by: 'Iantresman' 25/04/06 @ 09:21; and 'BrownHornet21' 25/04/06 @ 20:29

```
I've taken the liberty of reading through the Wikipedia
policy pages on Verifiability and Neutral Point of View, and
summarised those statements that appear to support the
inclusion of minority views in an article on a majority
view.

From Verifiability
* The threshold for inclusion in Wikipedia is verifiability,
not truth.[60]

                            ...
        {Iantresman copy-and-pastes links 61 – 105}
                            ...

* On many scientific, technical or social problems,
different points of view may be held by different experts.
This is especially the case, for instance, in areas of
conjecture (e.g. estimating the future importance of global
warming). Wikipedia should report all major points of views;
however, it should do so in proportion to the credibility of
the experts holding the various theses.[106]
                            ...
  --Iantresman 09:21, 25 April 2006 (UTC)
                            ...

It's about the readers guys
Ian I understand your point; however, it does not relate to
the question I asked. You answered a different question.
                            ...
  What I would like both of you to do is to disscuss  amongst
each other what would be best for the reader leaving all
else behind. Forget about proportionality and even acuracy
for the moment and place the reader first.
                            ...
The rules are here to help us write good articles for the
reader not to encourage incessant arguing. As Art points out
above the rules require judgements and thus there are
judgements to be made regardless and we are to make those
judgements. Our judgements should be about what is best for
the reader. Let's not mislead by mentioning small minority
views unduely  nor by selectively excluding views. What's
best for the reader. What's best for the reader. What's best
for the reader.

--Nick Y. 20:29, 25 April 2006 (UTC)
```


Excerpt 18: Conciliator mitigating power displays

In this example user Iantresman makes a power display that is intended to legitimise their position. They copy and paste the exact working of *Wikipedia* policy and provide links to this policy. This is used to provide a framework for debating the way in which the point-of-view (POV) discussions should proceed. (`I've taken the liberty of reading through the Wikipedia policy pages on Verifiability and Neutral Point of View, and summarised those statements that appear to support the inclusion of minority views in an article on a majority view.`) The links are numbered from 60 – 106, demonstrating that Iantresman believes that 47 different policies support their argument. This can be seen as the deployment of legitimacy as a power display. The volume of links can be used to argue that Iantresman's point of view is closest to that of *Wikipedia* policy and is thus more legitimate. The conciliator addresses this by encouraging the parties to reflect upon the purpose of the article. (`What I would like both of you to do is to disscuss  amongst each other what would be best for the reader leaving all else behind. Forget about proportionality and even acuracy  for the moment and place the reader first`). They then offer an explanation for the use of rules as guidelines for the article, rather than debating which polices and guidelines are appropriate (`As Art points out above the rules require judgements and thus there are judgements to be made regardless and we are to make those judgements. Our judgements should be about what is best for the reader.`) They reiterate that the focus should be on providing the best article for the reader, rather than that which best fits with *Wikipedia* policies (`What's best for the reader. What's best for the reader. What's best for the reader.`)

The above demonstrates how the permanence of the medium allows parties to make calls to legitimacy. Parties are able to copy and paste explicit norms of behaviour into the article and use these to claim 'objective' support for their position. If unaddressed, this can result in the dispute becoming a debate about the legitimacy of various policies and their relation to the article. The party who is best able to argue their view is legitimate, in terms of these policies, will be able to dominate the other. The conciliator seeks to address this power display by reframing the debate to one in which the legitimacy of the article in terms of reader-value is significant, rather than in terms of *Wikipedia* policy.

Similarly, the conciliator must resolve issues of rephrasing and transparency in a persistent medium. *Wikipedia* conciliation policies do not allow the permanent deletion of other parties' edits. This prevents the conciliator from directly deleting language they deem to be unacceptable. Even if it were considered acceptable to do so, deletion without both parties' permission may be seen to be a heavy-handed and controlling technique, that may jeopardise a conciliator's legitimacy. The conciliator needs to find some way of changing the language when the information is permanent, but without transgressing the formal and informal conventions surrounding edits of other's statements. Excerpt 19 provides evidence of this:

Wikipedia Conciliation: Zhukov

Posts by: 'Sigitas' (25/07/06 @ 11:43); and 'BrownHornet21' (26/07/06 @ 01:41)

```
Indeed it is not a term suitable for encyclopedia in most
cases but some uncritical Wikipedians are fighting for it
bitterly. I personally would apply title "brilliant
strategist" to a commander who mostly won big battles and
did not suffer big defeats against the enemy with the same
or larger resources. Zhukov have nothing of this. He
suffered many defeats from the enemy with much smaller
resources, especially in 1941, while his victories were very
costly and not based on strategical  thinking but blindly
sending people and machines to the battle. Sigitas 11:43, 25
July 2006 (UTC)
```

Excerpt 19: Conciliator mitigating power displays

In this example Sigitas has used language which undermines the argument that Grafkim is proposing, labelling them as an 'uncritical *Wikipedian*' (`Indeed it is not a term suitable for encyclopedia in most cases but some uncritical Wikipedians are fighting for it bitterly`). This label serves to encourage others to view Grafkim's argument as illegitimate as they have not given full consideration to the sources they are quoting. BrownHornet21 challenges this by the use of 'strike-through' (`but some uncritical Wikipedians`).

The removal of the term 'uncritical' changes the focus of the argument from one in which the position held by Sigitas are correct and Grafkim's is at best naïve; to one in which there is simply a difference of opinion. However, to preserve their impartiality, the conciliator needs to ensure that this change is visible and considered appropriate by all parties. This is achieved by the use of strike-through. The reader is encouraged

to view the sentence both with and without the powerful language and reflect on the way that the meaning changes. They can then consider how this can feed into a productive discussion. In this way, the conciliator resolves the difficulties of the persistence of the medium through reframing and encouraging reflection on the reframing.

In an environment using CMC, with established norms and expectations for appropriate behaviour, it is likely that parties refer to these norms, in order to promote their own view as most legitimate. Similarly, the persistence of the medium means that this language is continually present, making it difficult for the conciliator to rephrase. The conciliator needs to draw parties' attention to the difficulties of the language use, whilst the language remains present

The above examples demonstrate that conciliators are still able to mitigate power displays through reframing. Excerpt 18 demonstrates that the norms of the community and the properties of the medium interact to potentially reduce the scope of interaction between participants. The use of copy-and-paste to remind participants of objective standards of behaviour appropriate for the community can be seen to be a power display that attempts to legitimise one party's view over another. The conciliator must reframe this display by changing the focus of the dispute from the presented norms, to the overall shared goal. This is consistent with conciliator practice in face-to-face settings (see Chapter 3). Excerpt 19 highlights how a conciliator's attempt to reframe a power display could potentially jeopardise their impartiality. The permanence of the medium means that any conciliator intervention is recorded. The conciliator must therefore make their intervention explicit, in order that parties posses a transparent understanding of the conciliator's behaviour. This also serves a secondary purpose of encouraging parties to reflect on the nature and the impact of the conciliator's intervention. The media properties can be used to make explicit how discussions might occur with or without the conciliator.

However, the excerpt from Conciliator E shows that there are added difficulties to conciliating in an environment in which parties are not co-located. The lack of co-location means that parties are able to draw on resources of which the conciliator is unaware. This leads to a reduction in the efficacy of the conciliator's intervention.

They need to address this by encouraging parties to reflect on their behaviour and the degree to which they are being reasonable.   In this way the conciliator sets new standards for legitimate behaviour that help to facilitate resolution.

5.3.3.4 Power displays in ATB conciliation

The above examples demonstrate that the conciliator is still able to manage power and power displays in an asynchronous text-based environment, However, the nature of the media properties means that their practice may be altered.

One of the main alterations results from the way that media properties reduce parties' perceptions of their freedom from retribution or commitment. The permanence of the discussions mean that power displays become permanent and referential. Individuals can copy and paste, or otherwise refer to previous issues, in an attempt to change the way that they or the other are perceived as participating legitimately. The conciliator is able to overcome this by reducing the salience of the display , or by using visible reframing techniques to demonstrate how communication could be improved without overt displays of power. This helps to reduce the effectiveness of future power displays.   Similarly, the nature of the environment also allows parties to make reference to policies and guidelines for the community. Inserting this information is an attempt to force the other party to alter their narratives, by changing their expectations.

The properties of the medium also allow the conciliator to structure interaction in attempt to equalise participation. Strike-through is deployed as a method of structuring, or editing one parties' text in order to reduce antagonism between the parties. This ensures that parties discuss the matters at hand in an appropriate way. By making the alterations visible, the conciliator demonstrates that changes to communication can improve discussions.   Similarly, the conciliator is able to use the structure to invite explicit participation, or request that certain things are omitted. Unnecessary power differences and displays are mitigated.

5.4 Discussion of findings

The study presented in this chapter was intended to assist in answering the research question: *How does a conciliator effect a desired relational change in an online environment?* The findings suggest that conciliator practice is altered by the properties of an asynchronous and text-based environment. Conciliators who practice in this environment have stated that there are unique considerations engendered by the lack of presence, loss of cues and permanence of the message. These shape the way in which conciliators are able to address communication and bring about a change in the relationship between the parties. The discussion of the above evidence explores the implications of this for conciliation practice and CMC theory.

5.4.1 Caveats

Before considering the evidence, it is necessary to reflect upon a number of issues that may also shape conciliator practice. These need to be accounted for in order that an accurate picture of the effect of media properties can be drawn.

The first of these is that conciliators in *Wikipedia* are untrained volunteers. Many may have experience of conciliation in their day-to-day lives; others may be laypeople who have an interest in resolving a particular dispute. This results in a greater range of conciliator skills and attitudes within the dispute, alongside differing impressions of the impact of CMC. Second, *Wikipedia* is an established community with its own formal and informal guidelines, policies and procedures (see section 6). Disputants are likely to be aware of many of these, and this shapes interaction accordingly. Parties attempt to use these to legitimise their own arguments, or to show the other as unreasonable. Third, *Wikipedia* disputes are generally concerned with content. This can lead to an argument which focuses on facts rather than emotions. However, a successful approach to conciliation is one that attempts to restore the relationship between communicators so that they are able to collaborate in the future. The relationship between antagonists beyond the specific dispute is uncertain. The presence of conflict may lead to communication behaviours that are inappropriate.

This study opted to maximise ecological validity. This was considered to be more relevant to the overall research aims and goals. The above caveats do not render the observations invalid or unreliable. Clear criteria were used to select conciliators and conciliations were selected, provided a context for *Wikipedia* disputes and help to give consideration to the impact that unique properties of *Wikipedia* may have on parties' interaction. However, the above caveats mean that generalisation of the findings to the wider Alternative Dispute Resolution (ADR) contexts must be undertaken with caution. Chapter 2 addresses the different tests of reliability and validity for quantitative and qualitative data and the appropriate methods for generalising results.

5.4.2 Environment

The above observations highlight how properties of a medium are appropriated to create and constrain an environment in which conciliation occurs. As stated previously, the conciliator seeks to create an environment in which it is safe for parties to express emotion, explore and repair breakdown, construct compatible narratives and consider the impact and relevance of power resources and differentials. The properties of the *Wikipedia* conciliation environment have been found to be intimately related to the way that conflict is managed and resolved.

One significant property of the medium is the permanence of any contribution to the discussion. This has been found to impact on the relationship between antagonists in a number of ways. It alters parties' ability to express their emotions. The permanence of each contribution means that parties consider how they wish to appear to the other, and use this to selectively self-present. This opportunity to reflect provides conciliators with a mechanism to encourage parties to consider their responses in a specific manner. However, parties may be reluctant to express their true emotions for fear of retribution, as statements made without consideration can be copy-and-pasted into the discussions at a later date. The conciliator must take steps to mitigate this by encouraging parties to express themselves freely and making explicit their freedom from retribution. The temporal record itself can be used to contextualise statements in the evolving dispute. In addition, breakdowns at the utterance level are less likely –

there is a permanent record of what has been stated. However, narrative issues may still arise.

A second property of the medium, that serves to alter the environment in which conciliation occurs, is the ability to visually structure the argument. The above examples show the conciliator using this property to scope the areas where breakdown is occurring. This impacts on the argument by allowing multiple threads of discussions to be considered simultaneously. Through the use of multiple threads, parties can quickly identify areas of agreement and disagreement. Areas of agreement can be put aside and resources can be expended on repairing the remaining issues. In extreme examples, this allows parties to migrate aspects of the dispute to an entirely different forum. In this way the environment structures the way in which breakdowns can occur and be repaired.

5.4.3 Conciliator practice

One impact of the medium on conciliator practice is the loss of shared understanding being built in successive managed increments. In an environment of real-time communication, the formation of contributions are observed by all parties. The conciliator is able to interrupt, or otherwise modify a contribution as a party is uttering. This can be used to preserve the safety of the space and ensure that discussions remain on-track. However, in an asynchronous environment, parties are able to prepare a lengthy contribution without the conciliator's supervision, before adding it to the discussion. This alters the way in which parties are able to vent. The conciliator is unable to pre-empt venting or flooding behaviour, but must take steps to retrospectively address this when it occurs. The examples above show use of techniques such as 'strike-through', interposition of comments and recapping to manage this when it occurs.

The loss of incremental utterance construction also means that the conciliator has reassess the way in which they demonstrate listening. In a synchronous environment, the conciliator can use continuers to encourage a party to keep talking (see Chapter 4). In a text-based environment they must demonstrate listening by recapping and

expanding on issues, to indicate that they have heard and understood what the party has meant. It also has implications for the topics that might be discussed. In a synchronous environment, an individual may begin to discuss an issue that they find difficult to talk about. The conciliator can encourage their participation if they become reticent. In a text-based medium, the conciliator is unaware of any aborted attempts to communicate. Parties may have begun to raise a topic, and then on reflection, decide that it is not something they are conformable discussing. The conciliator has no way of gaining awareness of these issues, as so is unable to address deep seated reticence on behalf of one or all participants.

A second issue is the conciliator's ability to overcome the loss of presence. The conciliator does not have the same channels of communication open to them, that they would in a FtF environment. This makes it difficult to encourage participation or maintain attention. Conciliators must keep parties focussed throughout the delays imposed by the medium. In addition, parties are able to draw on resources from without the current conciliation environment and the conciliator may be unaware of these. The conciliator must engage parties in the dispute, through encouragement and remaining enthusiastic, or explicit requests for participation.

A third is issue is the way that conciliators attempt to overcome power displays. In an ephemeral environment, the conciliator is able to deploy subtle techniques to rephrase or reframe the debate, in order to mitigate power displays. However, in an environment which has a permanent record of all interaction, attempts by the conciliator to address these will be available to all parties. The conciliator must openly address power displays, making explicit why they are doing so, otherwise they could jeopardise their impartiality.

An added difficulty of the *Wikipedia* environment (which can be extended to any established community) is the existence of rules and policies for behaviour or contribution. Participants are aware of these rules and may draw attention to any perceived violation of these policies. If the conciliator focuses on whether these policies have been breached, it can move the discussions from a concern with finding a 'win-win', to a zero-sum game. The conciliator must establish the environment as being one in which these policies are not as important as ones of appropriate

behaviour. This can be achieved by setting explicit ground rules and challenging any calls to group norms. Migrating the dispute to a unique environment can also help to alter perceptions of norms of behaviours. However, it may make it difficult to deploy any resolution in the environment if it breaches these rules. Policy can hinder resolution.

5.4.4 Dimensions of safety

This thesis investigates the impact of media properties on relational communication, through examination of conciliation in a variety of settings. The Grounded Theory interviews presented in Chapter 3 indicated that conciliators aim to create and maintain an interaction space in which it is safe for parties to: (a) experience breakdowns; (b) express emotions; and (c) explore power differences. Chapter 4 indicated that the use of video-mediated communication changes the dimensions of safety. The findings presented in this chapter indicate that the use of asynchronous, text-based environments also alters the dimensions of safety. Figure 6 represents the dimensions of safety for conciliation in an ATB environment.
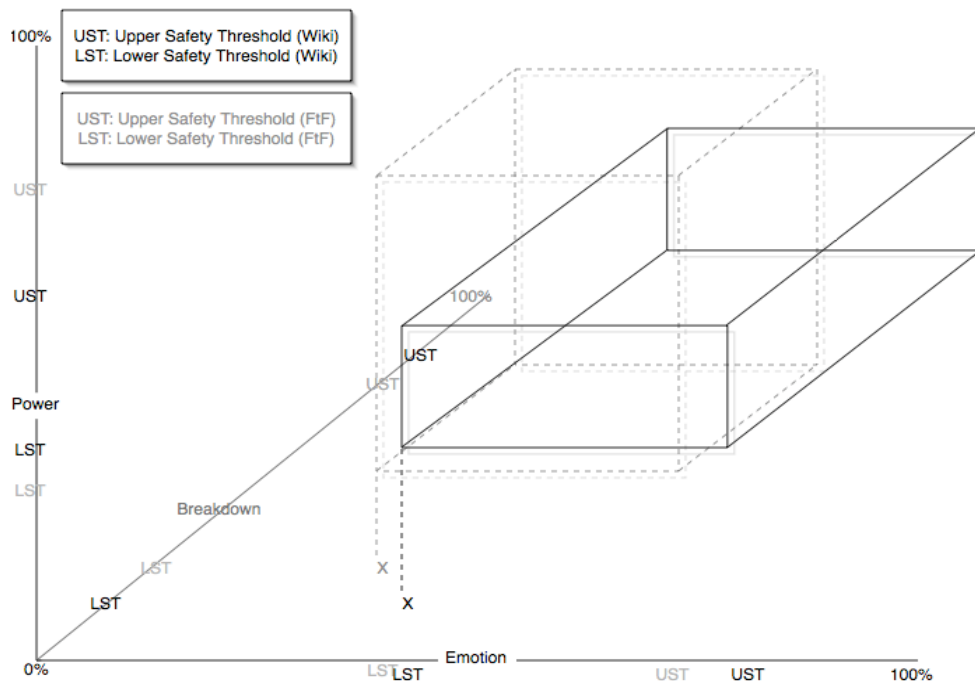
FIGURE 6: The dimensions of safety for conciliation in an ATB environment.

Drawing on the findings from this chapter, Figure 6 indicates that the dimensions of safety are altered from that of a face-to-face environment.

First, the thresholds of safety for parties to experience breakdowns are altered. The permanence of the message means that parties are able to quickly clarify what has been said, either through the use of 'copy-and-paste', or by reference to a specific utterance. This ensures that conciliators can quickly identify and address breakdowns at the utterance level. Similarly, the ability for arguments to be structured using techniques such as bulleted-lists or partitioning of threads, allows the parties to quickly locate areas of agreement and disagreement, identifying breakdowns at the narrative level. There is the potential for a greater range of breakdowns to be effectively and safely addressed in an ATB environment than one of face-to-face.

Second, there is a change to the dimensions of safety for conciliators to assist in the expression of emotion. The reduction in the rate and availability of cues means that conciliators cannot easily pick up on identifiers that give an indication of emotional state. Similarly, the imposition of asynchronicity restricts conciliator's ability to incrementally manage venting, they have little control over message formation. These combine to raise the threshold a which it is sufficiently safe for parties to express emotion. However, the 'dampening' effect of the medium, the opportunity for reflection, and the lack of any kind of physical presence, may mean that parties are able to experience or express stronger emotions than they would in a face-to-face environment.

Finally, the ability for conciliators to assist in the exploration of power differences is also altered by the properties of the medium. The permanence of the medium allows parties to copy-and-paste statements. This not only increases their concerns that they will be compelled to commit to a course of action, but limits the conciliator's ability to subtly rephrase statements: parties have an objective record of each utterance posted. In addition, conciliators are unaware of the environment in which parties are situated, so cannot identify or address may of the resources that parties may be using.

Chapter 5: Section 4 – Discussion of findings

It is apparent that the properties of the medium impact on relational communication, in situations of interpersonal conflict. The examples in this chapter demonstrate that conciliators can still practice in ATB environments. It can be seen that the properties of the medium afford interlocutors the ability to structure the timing, the layout and the persistence of information. However, this has an impact on the availability and transmission of cues; the creation and maintenance of presence; and certainty about the information received. In turn this shapes the dimensions of safety for the space.

Conciliators were observed attempting to accommodate these changes in a number of ways. First conciliators attempted to reduce uncertainty by explicitly drawing attention to particular interpretations of information, (*e.g.* delays in messages), or by offering their own interpretation of an argument. This helps parties to maintain a shared understanding. Second, conciliators addressed the impact on presence by moderating the tone of information in the space. This was achieved by the use of techniques such as strike-through, to reduce the impact of emotive language, or by imposing a structure on the discussions to limit the scope of discussions in particular topics. Finally, conciliators addressed changes in the impact and availability of cues by limiting the types of information that could be included, *e.g.* discounting evidence of behaviour that occurred prior to discussions, preventing parties form posting too many links about policy, or explicitly encouraging a response form one individual.

The findings from this chapter, and from Chapter 4, demonstrate that conciliators are still able to practice in online environments. They are able to use their skills to continue to create and maintain a safe environment that allows parties to resolve conflict. The findings indicate that the differing properties of the various media have differing impact on the dimensions of safety for the space; these differences are discussed in greater depth in Chapter 6. It is anticipated that conciliators will deploy different techniques to accommodate the variation in media properties associated with VMC and ATB environments. The following section uses the conciliation ontology coding schedule developed in Chapter 3, to analyse variations in the patterns of conciliator utterances in the two environments.

5.5 Using the Conciliation Ontology to Explore Different Distributions of Conciliator Behaviour

The previous studies used a qualitative approach to investigate the impact of media properties on relational communication. This has been undertaken through interviews with practicing conciliators and observations of conciliator practice in a variety of mediated environments.

The previous studies provide an account of conciliators' practice in various on-line environments and offers evidence of a qualitative difference between media. Chapter 3 provides an overview of the conciliator's role in the process of conciliation and develops the argument that the conciliator seeks to create a safe space. This safe space is a unique environment in which parties are safe to: a) experience inter- and intra- personal breakdowns; b) express emotions; and c) explore power differentials. The way that conciliators achieve this was encapsulated in the conciliation ontology. This chapter uses the conciliation ontology as a coding schedule to compare the different environments. (Figure 1).
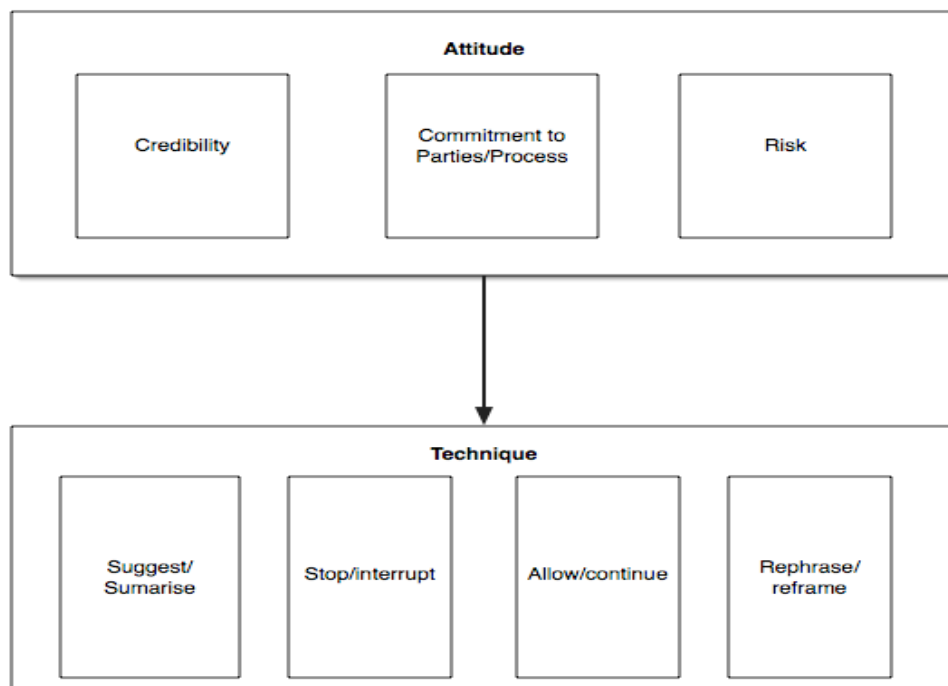
FIGURE 1: the conciliation ontology as a coding schedule (note that the 'Function' level is omitted)

The conciliation ontology provides quantitative data that can be used to ascertain if there are differences in the way that conciliators act in varying on-line environments.

The method adopted for this study was designed to maximise ecological validity. In accordance with McGrath's principles of 'Dillematics' this raises concerns about the findings' validity when generalised to the population. A result of this is that each observation within each sample contributes a varying amount to the sample total. Table 1 shows the number of utterances coded at the 'Attitude' and 'Technique' levels for each conciliator in Sample 1(VMC) and Sample 2 (Wiki).

	VMC1	VMC2	VMC3	VMC4	Total(V)
Attitude					
Commitment	54.84%	50.82%	60.38%	51.64%	54.74%
Professional	12.90%	27.87%	25.79%	25.35%	25.00%
Risk	32.26%	21.31%	13.84%	23.00%	20.26%
Total	*100.00%*	*100.00%*	*100.00%*	*100.00%*	*100.00%*

	Wiki1	Wiki2	Wiki3	Wiki4	Total(W)
Attitude					
Commitment	46.88%	51.22%	55.17%	45.14%	46.80%
Professional	31.25%	29.27%	24.14%	25.68%	26.46%
Risk	21.88%	19.51%	20.69%	29.18%	26.74%
Total	*100.00%*	*100.00%*	*100.00%*	*100.00%*	*100.00%*

	VMC1	VMC2	VMC3	VMC4	Total(V)
Technique					
Allow/Continue	48.39%	36.07%	52.20%	41.78%	45.04%
Recap/Suggest	35.48%	40.98%	30.82%	36.15%	34.91%
Reframe/Rephrase	9.68%	21.31%	15.09%	14.55%	15.30%
Stop/Interrupt	6.45%	1.64%	1.89%	7.51%	4.74%
Total	*100.00%*	*100.00%*	*100.00%*	*100.00%*	*100.00%*

	Wiki1	Wiki2	Wiki3	Wiki4	Total(W)
Technique					
Allow/Continue	21.88%	26.83%	27.59%	15.95%	18.66%
Recap/Suggest	56.25%	48.78%	44.83%	66.93%	62.12%
Reframe/Rephrase	15.63%	14.63%	27.59%	12.45%	14.21%
Stop/Interrupt	6.25%	9.76%	0.00%	4.67%	5.01%
Total	*100.00%*	*100.00%*	*100.00%*	*100.00%*	*100.00%*

TABLE 1: Distribution of conciliator utterances coded.

The above table demonstrates that the total number of utterances for each observation is highly spread, *e.g.* VMC4 & Wiki4 both contribute disproportionately to each Sample Total.   However , it is apparent that the distribution of utterances changes between the conditions. At the Technique level, conciliators appear to substitute Recap statement for Allow statements in the Wiki condition. Similarly, at the Attitude level, conciliators were observed to make more utterances that demonstrated a commitment to the party and the process in a VMC environment. Further

investigation is needed to ascertain if these differences are significant, but the findings from the content analysis provide tentative support for the findings of the previous two studies, which suggest that in mediated environments the properties of the media impact upon communication behaviours.

However, it is important to consider that *Wikipedia* is one established on-line community among many. Behaviour on the site will be governed by the norms and values that are engendered by: a) the design of the site; b) users' experience of the design of the site; and 3) users' experience of the norms and values of other similar on-line communities.

Section 6 explores communication behaviours in a number of on-line communities and provides an indication of how design decisions can shape relational communication. This can provide a degree of context for the findings of the previous study.

5.6   Communication Behaviour in On-line Communities.

Thus far this thesis has been concerned with interpersonal relations in conflict situations. It may also be useful to explore relational communication as realised in online communities. In an environment such as *Wikipedia,* communication will be mediated by the norms and values of that community. An investigation of the way that design decisions can impact upon relational communication should provide a context for the findings of this chapter, allowing the results to be generalised to a wider population.

5.6.1 Defining On-line Communities

Erickson (1999) discusses communities in terms of the *conditions of membership*. For Erickson, the term community suggests a dichotomy between membership and exclusion (echoing Tajfel and Turner's (1986) notion of in-group and out-group interaction), built around inter-personal relationships, commitment, reciprocity, shared

values and practices, collective works and duration of interaction. Those who conform most closely to the in-group traits are perceived as valued members of the community. This is refined by Preece (2001) who considers the varying conceptions of 'community' across a variety of disciplines. Preece asserts that there is no accepted definition of what constitutes an on-line community, but suggests the following: *"any virtual social space where people come together to get and give information or support, to learn or to find company"*. (pg. 348).

Once a community has been established, members participate by offering information and participating in discussion. The way that this behaviour is assessed, controlled and enforced leads to the creation of formal and informal rules of behaviour.

Wei (2004) studied blog communities and found that each community has its own established practices and appropriate behaviours, only some of which are determined by explicit community guidelines. Furthermore, argues Wei, there is a difference between the stated normative guidelines (*i.e.* policies) and actual practice. However, Lampe and Resnick (2004) raise concerns that as a site becomes larger and more diverse, this increases the diversity of goals for contributors. These multitude purposes hinder the emergence of shared norms that can be used to assess whether a contribution is 'good' or 'bad'. These studies suggest a tension between the aims of the community and the aims of the individual contributors.

One way that the creators or administrators of on-line communities can address this tension is through the design of the interaction space. Shneiderman (2000) argues that trust can be built into a community through careful consideration of the way that design contributes to the creation of social norms. This is echoed by Erickson (1997) who argues that a community requires regularity of both form and substance. *Regularity of form* arises from careful consideration of the design of the space. *Regularity of substance* arises from the norms that emerge from users' interaction with and within the space. Design can be used in the creation, presentation and reference to formal policies.

De Souza and Preece (2004) view policy as a usability component that promotes sociability. They argue that the content, location and presentation of a policy are

design decisions that shape interaction within a shared space. Preece (2004) asserts that consideration must be given to the way that moderation and role models promote various norms of behaviours. The perception and availability of site properties and affordances depend upon design decisions.

The above suggests that the design, aims and membership of a community space all influence contributors' behaviour in that space.   Design dimensions shape: a) the policies that govern behaviour; b) the way that roles are ascribed; c) how contributions are rated and moderated; and d) the accountability of members. These promote various norms of behaviour and permit sanctions for violations of these norms; although specific norms and penalties for violation vary across the sites. This chapter investigates the links between site-design, norms of behaviour and observed behaviour in on-line communities

5.6.2 Investigating on-line communities

The above literature suggests that site properties (*i.e.* the site design and aims) impact upon the communication behaviour of interlocutors, irrespective of the content of their interaction. As part of an investigation of the way that conflict can be conciliated in an asynchronous text-based environment, it is necessary to investigate the relationship between the site's properties and user behaviour.

First, a descriptive scheme is presented. This scheme identifies the dimensions of five distinct design characteristics of online communities. These are:

1) Degree of anonymity: The role of anonymity in relational communication is raised by the SIDE and Hyperpersonal models. Both argue that a paucity of identifying factors has a distinct impact on relational communication.
 2) Allocation of roles: Roles are discussed, to some degree in the Reduced Social Cues model (Chapter 2 section 3). Information that identifies status or other roles also exert an influence on relational communication.
3) Prevalence of policy: As discussed above, Wei's study demonstrates that formal and informal norms and rules govern behaviour in online communities.

4) Rating value of contributions: This is realised by Eriksson's argument that an environment must have consistency of substance; ratings offer one way of achieving this.

5) Moderation of contributions: This is raised by Preece, who argues that moderation of contributions influences norms of behaviours.

These characteristics are used to identify seven online communities that are suitable for investigation (see section 6.2.1).

Second, an analysis of observed behaviours within each community is undertaken. The findings from this chapter can be used to investigate how media properties shape interaction when a conciliator is not present.

5.6.2.1 Properties of On-line discussion Communities.

The properties of each site are rated in terms of the degree to which the site allows users the freedom to interact as they feel is appropriate, rather than placing restrictions on their behaviour design and policy constraints. Higher ratings represent fewer behavioural restrictions imposed by the site's design. These properties are: 1) anonymity; 2) role allocation; 3) prevalence of policy; 4) rating contributions; and 5) moderating contributions. These are expanded on in sections 6.2.1.1 – 6.2.1.5.

5.6.2.2.1 Anonymity

An individual's anonymity is related to the degree to which users can be identified and held accountable for actions attributable to identifying information. Chapter 2 provides an overview of existing CMC research into the role of social identifiers in shaping relationship *e.g.* Walther (1996, 2002), Olson (2000), Spears, Lea & Postmes (2000). Increased anonymity can lead to freedom of expression, as actors feel free from fear of retribution and commitment. Equally, the perceived decreased accountability of the other can lead to a reduction in trust.

Anonymity is best captured with four categories: 1) low, 2) partial, 3) mixed, 4) full.

Low (1): Sites that do not offer anonymity only allow users to participate once logged-in to the site. Logging-in requires an account that is linked to a real-world identity. Each user has a single, unique username that consistently identifies them in all interactions on the site.

Partial (2): A site that offers partial anonymity allows users to contribute only if they are signed in under a registered username which provides users with a degree of accountability.

Mixed (3): A site with mixed anonymity allows users the discretion to either post without an identifier or under a particular user name. This level of anonymity affords users the greatest control over the information that they place into the shared space.

Full Anonymity (4): Sites categorised as offering full anonymity are those in which users are only able to post comments completely anonymously. No user names or other identifiers are given. Contributions can neither be grouped by sender within the site, nor traced back to senders beyond the bounds of the site.

Anonymity is strongly linked with identifiable information that allows users to be held accountable for their actions. The greater anonymity afforded by a site, the greater parties' freedom to act, as the potential for retribution is reduced. However, this may in turn reduce interlocutors' willingness to adhere to community norms. Consideration needs to be given to the impact of anonymity when designing online communities.

5.6.2.2.2 Roles

These are the tasks that users are expected to or are allowed to perform. Preece (2004) suggests that the norms and etiquette of any on-line community can be established by the selection of role models. These roles provide interlocutors with goals and a delineation of duties. Some roles afford greater scope for participation in the governance and technical administration of the site. Knowledge of roles that people are able to perform will shape behaviour and expectations of behaviour.

Chapter 5: Section 6 – Communication behaviours in on-line communities

A role's affordances arise from the design of the site; offer privileges and can be seen as indicators of status, expected behaviour, accountability or participation. Roles can be seen to be a persistent representation of some or all expectations of behaviour in the social space.

The sites were categorised according to the degree to which the site impose constraints on user behaviour through the allocation of roles.

All defined (1): These are sites that have established a strict hierarchy of roles for users (*e.g.* commentator, moderator, editor *etc.*). Each participant is assigned a role. Movement between roles requires satisfaction of certain criteria. Each role possesses a socially-meaningful identifier that other users can associate with the various properties of that role.

Some defined (2): There are differing roles, participants are free to adopt some or all of these roles. However, participants must satisfy certain criteria to move between roles (*e.g.* election, selection, experience).

None defined (3): There are no specifically defined roles, users are free to participate as they see fit. All users are be able to participate equally. However, the selection of one role over another can be interpreted by other interlocutors as a source of social information.

Thus, identification that an interlocutor has adopted a specific, identifiable community-designated role, exerts an influence over the interaction. Participation within a role renders associated privileges and norms persist to interlocutors. In turn, this promotes expectations of behaviour. Those individuals in roles which represent consistent contribution and adherence to the community values, are likely to be treated differently from those who may adopt roles that are less restricted.

5.6.2.2.3 Policies

Policies are formalised and recorded statements about required standards of behaviour and conditions of participation (de Souza 2004; Preece 2001).. Policies can take the form of rules and regulations, or stated aims and agendas for the site. These can be

agreed through individual policy, committee or group consensus, or custom and practice. They are typically presented in the form of "Frequently Asked Questions" (FAQ) lists, or a section of the site specifically hosting 'terms and conditions' pages. The number, scope and nature of these policies vary according to the site.

The sites were categorised in accordance with their approach to explicit community policies.

Comprehensive (1): The site has a wide-ranging set of policies that govern most aspects of interaction. Sites with comprehensive policies will have a designated 'policy section' on the site. Participation in the site requires an appreciation of the policy and a commitment to uphold it.

Basic (2): The site has a limited number of formal policies and indications of penalties for infringement of these policies. These are represented in a form akin to a FAQ list. Participation is be dependent upon adherence to explicit norms of behaviour, alongside other implicit norms.

None (3): There are no formal policies for the site. Expectations of appropriate behaviour are based upon implied norms and values of the site, and wider participation in the discussion forums. Participants do not need to refer to any particular policy for the interaction, beyond those implicit policies that are derived from their shared history.

In sites with comprehensive policy arrangements, the policy documents not only are a persistent record of community norms, but also shape interaction and expectation and provide a context for interpretation of others' behaviour. Interlocutors refer to these documents in disputes and use them to reinforce community norms, or provide extra credence to their actions. Some policies may be perceived by the community, or individual interlocutors as more significant than others. The implications of a policy violation vary accordingly.

5.6.2.2.4 Rating

The rating of comments or contributions can be used to shape a site's content. The degree to which support for rating has been designed-in can have a profound effect on the way that participants interact. Ratings are an aggregated representation of a contribution's perceived relevance and value to the community, site or article. Some designs provide a method for arranging content based on ratings, this allows participants to selectively view a site. Ratings shape expectations of posting quality and relevance. A participant's reputation is determined (at least in part) by the ratings that their contributions attract.

The following scheme was used to categorise sites according to the way that participants are able to rate contributions:

Autocratic (1): User contributions can only be rated by those in an administrator role. Comments rated as good are those that best fit the stated aims of the site. Negative ratings demonstrate that a comment does not fit with these aims.

Mixed (2): User contributions can be rated by all users.   However, administrator ratings are seen as representing the formal community norms and therefore have a greater impact.

Democratic (3): All users have an equal opportunity to rate contributions. Comments rated as good are those which represent the aims of the audience. The converse is true for comments given negative ratings.

None (4): Users' contributions are not rated. Comments are judged on their own merits. Contributors are be able to concentrate on portraying their own view, rather than on conforming to their expectations of appropriate or valued behaviour for the site.

Thus, ratings represent information that shows whether users believe a particular utterance to be relevant to the perceived aims of the site. Ratings are frequently

debated by community members. Individuals interpret a comment's rating in relation to their perceptions of the way in which ratings are given.

5.6.2.2.5 Moderation

Moderation is the ability of participants to formally evaluate participation (including ratings). Moderation may take the form of adjusting ratings or censoring/editing comments and is a method for restricting or assessing user behaviour. It may take the form of censure, or editing of contributions such as comments or ratings and provides a method for enforcing appropriate behaviour. Should contributors have an expectation that they may be moderated, their contributions will be structured accordingly.

The degree to which sites allow moderation is categorised in the following way:

Administrator (1): User contributions can be moderated only by those in administrator roles. As administrator roles are often granted to those who participate fully in the site, moderation is likely to occur if contributions are perceived to violate the norms or expectations of the site.

Mixed (2): User contributions can be moderated by all users; administrator moderations have greater weighting. Moderation can occur when the norms of the site are perceived to have been violated.

User (3): All users have equal opportunity to moderate contributions. Moderation is based on individual assessment of a contribution.

None (4): user contributions are not moderated. No moderation means that actors have greater freedom to participate in discussion.

Moderation can be seen as being manifest in two ways. The first is through the act of moderation. A moderator may delete or censure a contribution in an attempt to alter the way that a contribution from an individual is perceived by others (reduction). Alternatively a moderator may add comments, or link a contribution to other sources, encouraging a particular interpretation (addition). Again this alters the way that the

contribution is perceived by others. This alteration to the perceived value of the contribution changes parties' expectations of the contributions and produce a resultant change in behaviour.

The second way that moderation can alter interaction is through interlocutors' awareness and expectation of moderation. Before posting contributions, interlocutors are aware of the potential for moderation. They have an expectation that violations of the community norms (or group norms if moderation is not restricted to administrators) may result in moderation. They modify their contribution accordingly.

 This section has outlined the dimensions of a number of properties that shape community behaviour (anonymity, roles, policy, rating, moderation). These dimensions can be given consideration when designing environments to facilitate community discussion. It is apparent that designers can implement these properties to afford varying degrees of freedom for user behaviour in the site. Sites which are designed with the least potential for user freedom are likely to have explicit community norms and goals, creating and reinforcing a strong community identity. However, users who do not conform to this identity may not chose to participate. Conversely, sites which afford the greatest user freedoms will provide opportunity for a diverse range of interlocutors to participate. However, this may come at the expense of a strong, uniform community identity, and promote sub-groups with competing aims and agendas.

Section 6.2.3 categorises seven sites according to the design decisions that have been made in the categories presented in section 6.2.2. These are used to frame discussion of the properties of Wikipedia as site designed to facilitate an online community.

5.6.2.3 Aggregated Properties

Seven on-line communities were selected for investigation. Several criteria were set for selection. Each of these communities were established prior to 2006, so norms would have settled. Each community has a large number of contributors (in excess of 1,000), affording a diversity of interaction styles and goals. The communities share a

tradition of participation in the form of comment and discussion, and are designed to support exchange of viewpoints. They also vary in their explicit and implicit rules, guidelines and behaviours.

The sites selected were:

1) *Comment is Free (CiF):* a site hosted by the Guardian newspaper, where selected stories from the comment/opinion section of the newspaper are discussed;

2 & 3) *Digg* and *Reddit:* both sites where users post links to, and comment upon, current affairs and news articles;

4) *eBay*: an on-line auction site, where users can leave feedback commenting on each transaction;

5) *Kuro5hin*: a site at which users write, publish and discuss their own articles;

6) *SlashDot*: a site which provides links to, and discussion of, articles which have a science and technology focus; and

7) *Wikipedia* an on-line encyclopaedia that anybody can edit..

Table 1 shows the aggregated properties for each site, along the dimensions described in section 6.2.2; higher scores represent greater user freedom.

	Anonymity	**Role**	**Policies**	**Moderation**	**Rating**	*Total*
Comment is Free	2	1	2	1	4	*10*
Digg	2	1	2	2	2	*9*
eBay	1	1	1	1	3	*7*
Kuro5hin	2	2	2	3	3	*12*
Reddit	2	3	2	4	3	*14*
Slashdot	3	2	2	3	2	*12*
Wikipedia	3	2	1	2	1	*9*

TABLE 1: Representation of site properties. The higher the number, the greater agency each user has in each category.

It is evident from the above that no two sites possess the same combination of socio-technical properties: there is great variation in the way in which norms and expectations of behaviour are governed. However, it is apparent that these sites are well established and have a persistent community of users that are content to participate within these formal and informal behavioural constraints.

5.6.2.4 Caveats with the framework

Prior to analysis it is necessary to consider the following issue for the framework of community properties. The first issue is that categories are treated as consistent for the whole site. However, it is conceivable that there may be sections of a site which have different properties (*e.g.* varying degrees of anonymity). The second issue is that the coding schedule is descriptive. It doesn't allow inference about combinations of properties *e.g.* the combination of high-anonymity and autocratic policies, may allow greater agency than democratic policies and low-anonymity.

Section 6.3 explores how these design decisions structure communication. It reports findings from an observation of contributors' behaviour within each community. Particular attention is paid to behaviours observed in all communities. These are behaviours which are established on-line conventions or norms of communication. It is likely that anybody using an on-line forum for discussion will be familiar with these behaviours.

5.6.3 Behaviour in online communities

Once the properties of each site have been identified, observations of behaviour in each on-line community can provide an insight into established and novel communication behaviours that conciliators may expect to encounter in an on-line environment.

5.6.3.1 Selecting the sample

Five discussion topics were sampled from each of the sites. The criteria for selection was to identify posts that best reflected discussion behaviour on each site. For the

discussion sites, the five most popular stories for at the time of investigation were chosen. (Appendix 9 sections a - e). For *eBay*, the feedback pages for established sellers (those with more than 30 feedbacks), with a positive feedback score lower than 99% (see Resnick (2002)) for a discussion of the significance of the smallest number of negative feedback scores) (Appendix 9 section f). For *Wikipedia*, those articles tagged as 'controversial' and with history of debate were chosen. (Appendix 9 section g).

5.6.3.2 Categorising behaviour

Each post was analysed for recurrent communication behaviours. If a behaviour was identified three times on a site, by unique users, it would be recorded as a behaviour common to that site. In total 23 unique behaviours were observed.

Four behaviours were categorised as common to all communities. These are displayed in Table 2.

Feature	Example	Purpose
Emoticon	:-)	Convey emotion.
Structured text	"I *really* dislike that"	Alter salience or emphasis of information.
Shorthand	IMHO, LOL	Increase speed, show experience of conventions.
Meta-commentary	"You must be new here!" (an established community phrase on *Slashdot*)	Show group membership, community norms.

TABLE 2: Behaviours observed in all communities

Table 2 shows behaviours common to all communities. These are: the use of emoticons (icons or a textual arrangement used to denote an emotional state, *e.g.* " :-) " for a smiling face); the use of text structure and font within a post to accentuate

meaning (*e.g.* the use of bullet points, numbered lists, italics or capitals); the use of shorthand phrases (*e.g.* IMHO for 'in my humble opinion'); and meta-comments that contextualise contributions in terms of various site norms of behaviour (*e.g.* comments about the author's, site's or audience's vested interests or behaviours).

Many of these behaviours can be seen as a way of adapting to the paucity of cues and retarded cue transfer in a text-based environment. The uses of emoticons have been discussed at length by Walther (2005). They can be viewed as adaptive strategies to convey emotion in an environment where the transfer of complex social information is restricted or retarded. The meanings of emoticons are broadly established and afford an informal way of denoting a degree of emotion otherwise absent in a text-based forum. Similarly, the use of short-hand phrases can be seen as a way of overcoming the retardation of cue transfer. It takes less time to type out the shortened phrases, accelerating the transfer of information. The use of structuring to accentuate meaning also assists parties in accommodating the limitations of text, allowing accentuation of certain parts of the text, or highlighting inter-relationships between sections of information. These techniques can be viewed as a method for bringing attention to culturally-established expectations about emotional state.

The use of meta-commentary to contextualise contributions can reinforce site norms. Those more familiar with the broad aims of the site are able to interpret these comments in a fuller fashion. These comments can be seen as requiring a specific level of participation to fully understand, or even be aware of, some utterances (for example, if one is unaware of the conventions of the emoticon, rather than denoting emotion, they will be interpreted as random punctuation). It is likely that a level of experience that allows a member to of interpreting these utterances in an appropriate manner affords a sufficient degree of compatibility with the community norms

5.6.4 *Discussion*

The above investigation offers an insight into the link between design of environments, norms and behaviours. Policy, moderation, anonymity and rating all

vary in the way that they afford interaction. The above sites show that these can be deployed to create and enforce specific behaviours.

5.6.4.1 Behaviour in online communities

It is evident that normative community behaviour stems from: (a) group evaluation; (b) stated policies and sanctions; and (c) the interaction between the two. Ratings and moderation can be used to filter comments or behaviours that are perceived to violate group norms. The degree to which users can participate in this process determines how interaction occurs between parties. The decision to implement comprehensive policies means that users have an explicit expectation of the norms that govern behaviour.

As argued by Lampe & Resnick (2004), as communities grow, a variation of purposes develop. This leads to disagreements about the content, ethos and principles of the community and the environment that affords interaction. Designers have the ability to anticipate or respond to these debates through structural changes to regulate the community (Schneidermann 2000). However, as each change is made, the design is co-opted by participants in accordance with their multivariate goals and needs. For a community to persist, its design must continue to evolve.

Designers, who wish to regulate and dictate exchanges within the community, to promote or preserve various norms, must impose a structure on the interaction. In this way, designers of online community environments are analogous to conciliators. They leverage media properties to create and maintain a specific interaction environment. However, unlike conciliators who deal with small groups on a moment-by-moment basis, designers are potentially facilitating communication between many thousands of individuals. Although the medium which creates the environment may appear to be static, reactions to communication behaviours will be reflected upon and implemented over longer-time periods. The designer/administrator is reflexively assessing how to deploy media properties to influence the relational communication that is occurring within the mediated environment. However, reflection for designers will generally occur over a longer reference period. Media properties therefore have a

profound impact on relational communication at the individual and the community level.

5.6.5 Conclusions

The research presented in this section demonstrates that the design of environments that support community interaction has implications for communication behaviours. It is evident that designers can consider and react to changes in relational communication, in much the same way as a conciliator would in a dispute. However the timescale of this reflection and the number of interlocutors affected increases. Designers are able to make changes to the deployment of properties to bring about community change. These properties are: (1) anonymity; (2) roles; (3) policies; (4) rating; and (5) moderation. These structure the environment by altering the availability, salience and expectation of information and appropriate behaviours.

It can be seen that the greater the restrictions on interlocutors, the greater the consistency of form. However, this lead to a reduced scope for participation from interlocutors who do not wish to, or are unable to, adhere to the norms and rules associated with the community. Conversely, if fewer behavioural restrictions are designed into the site, the number of potential contributors are likely to increase. However, this increases the potential for there to be competing goals and aims, and can create tension between individual and community norms.

Chapter 6: Discussion

This thesis investigates the impact that media properties have on relational communication. It argues that existing accounts of mediated interaction are not sufficiently robust to give an account of the diversity of settings in which communication occurs. This results in research findings that are inconsistent and sometimes contradictory. Conciliation was chosen as a lens for exploring mediated communication as it represents a novel test for existing accounts of mediation.

This chapter discuses the empirical contribution of this thesis. First, it recaps the aims of this thesis. Second, it explores the implications of the findings for theories of mediated interaction. Third, it considers the way that conciliation occurs in a mediated environment. Finally it presents a framework and model for considering the impact of media properties on relational communication.

6.1 Aims of the thesis

This thesis demonstrate that conciliators are able to practice in an online environment, although their practice may alter to accommodate the impact of media properties. The properties of the media distort the way that parties experience the dimensions of safety in the environment. Media properties such as asynchronicity, retardation or attenuation of cues, or the changing of salience of cue channels, shape the way relationships are formed and maintained.

The thesis demonstrates that conciliators can account for this impact by: (i) changing the way in which information is available - structuring the presentation or timing of information; (ii) changing the salience of information - rephrasing or reframing information in the environment; or (iii) encouraging a specific perception of the information - reducing uncertainty and different interpretations of information. Therefore, conciliators share consistent properties with other media. It is a finding of this thesis that these properties are consistent to all forms of mediation.

6.1.1 Mediation framework

One of the aims of the thesis was to give an account of the impact of media properties on relational communication. Conciliation was chosen because it addressed conflict, relational asymmetry and used a reflexive medium. It was considered that this would provide a novel test for existing accounts of CMC.

Table 2 draws on the findings from this thesis. It extends the accounts of mediated interaction as outlined in Table 1, to offer a framework for understanding the impact of media properties on relational communication for all mediated communication.

Medium	Properties' Influence	Relational Impact	Mechanisms (Theory)
Any medium	Structures space Structures timing Structures cues	Changes certainty Changes control Changes presence	Norms/expectations Exaggeration/Attenuation Interpretation/experience (A model of relational communication)
CMC	*Impact on experience of:* *Space* *Time* *Channels*	*Shape trust* *Altered disclosure* *Flaming* *Hyperpersonal*	*Cues Filtered-Out* *(Daft & Lengel; Keisler & Sproull)* *Social Models* *(Walther; Spears, Lea & Postmes)* *Interactivity/Expectation* *(Burgoon et al)*
Conciliation	*Manipulation of:* *Safety* *Information-salience* *Goals*	*Build trust* *Encourage disclosure* *Reduce conflict*	*Problem Solving* *(Deutsch)* *Narrative* *(Winslade & Monk)* *Transformative* *(Busch & Folger)*

TABLE 2: Framework for discussing the impact of media properties on relational communication.

The findings from this thesis suggest that the properties of any medium, or combination of media, exert a relational impact by imposing a structure on: (i) the spatial environment (by designating a space that is unique to the interaction and different from normal face-to-face interaction); (ii) the temporal environment (variations of delay between turns and rate of information exchange); and (iii) the way that cues are transferred and interpreted (changes in the salience of various cues and their inter-relationship). The impact of these structures influence norms and expectations of behaviour, exaggerates or attenuates the impact of various behaviours, and alters the way in which these behaviours are interpreted or experienced. These shape interlocutors': (i) control over the information transmitted or received; (ii) certainty about the information they are receiving and transmitting; and (iii) their presence in the environment. This is explored in greater depth in sections 1.2 and 1.3.

6.1.2 The influence of media properties

Media properties are categorised by the table presented in Table 3 (reproduced from Chapter 2).

Medium	Properties
Face-to-face	Copresence, visibility, audibility, cotemporality, simultaneity, sequentiality
Telephone	Audibility, cotemporality, simultaneity, sequentiality
Video-conferencing	Visibility, audibility, cotemporality, simultaneity, sequentiality
E-mail	Reviewability, revisability
Wiki	Reviewability, revisability, cotemporality, simultaneity,

TABLE 3: Media and their constraints (adapted from Clarke and Brennan 1991)

It is evident from the findings of this thesis that the impact of these properties on relational communication can be grouped into the three categories presented in table

2. These are 1) structures space; 2) structures timing and 3) shapes presence. And are explored in sections 1.2.1 – 1.2.3.

6.1.2.1 Structures space

Media properties exert an influence on the space in which parties interact. The medium may allow certain cues to be transmitted, it may restrict or attenuate the transmission of others. This creates the sense of a specific mediated environment as a space unique from other mediated environments. The way that the medium alters the availability of cues can be said to structure the interaction space. Engendering a sense of *copresence* is one way that the medium can be said to structure space. Interlocutors are aware of the space as allowing interaction to occur with an individual who would not otherwise be present. Similarly, the degree to which information in the environment can be altered (its *revisability*) is another way that the medium structures the space. The fact that information can be referred to and provides a structure for the interaction environment. Interlocutors will build a shared history in the space, developed in part from these edits.

6.1.2.2 Structures timing

Media properties exert an influence on the timing of information. The medium may impose a delay between turns, shaping *cotemporality* and *simultaneity*. In addition, the properties of the medium may impose turn-taking, shaping the *sequentiality* of information exchange. Finally, the medium may allow previously posited comments to be reviewed long after they have been presented, shaping the *reviewability* of information. As the combination of media properties alters, so to will the way that the temporality of the information is structured. This shapes interlocutors' expectations and experiences of the mediated information.

6.1.2.3 Structures cues

Finally, media properties exert an influence over the types of cues that can be transmitted. The use of a medium can limit the transfer of some cues and enable the transfer of others. Other media may allow all cues to be transferred, but influence their salience and impact. Various combinations of visible (*visibility*) and audible (*audiability*) cues can impose a structure on the cues that are available to parties. This

too shapes interlocutors' expectations of the information that they received and the adaptive strategies they should adopt.

These sections indicate that the media properties identified by Clarke and Brennan can be categorised according to the way that they structure information. This thesis contends that all media exert an influence by imposing a structure on: the interaction space; the timing of information; and the informational cues available to interlocutors. The impact of these properties on relational communication arises from the way that interlocutors accommodate these structures. This is explored in greater depth in section 1.3.

6.1.3 The relational impact of media properties

The findings from this thesis demonstrate that a reflexive medium accommodates the impact of media properties on relational communication by: exerting control over information in the environment; reducing uncertainty about information in the environment; and managing presence in the environment.

6.1.3.1 Uncertainty

It is evident that various combinations of media properties structure space, timing of information and the availability of cues. This structuring occurs as a result of: a) the inherent properties of the medium; b) interlocutors' expectations associated with the medium; and c) their anticipation of the impact of the media properties on relational communication. The interaction between these three factors creates a degree of uncertainty about the information available to interlocutors and how information will be interpreted. This uncertainty is reduced by interlocutors' familiarity with each other and with the communication medium. The findings of this thesis demonstrate that in situations where trust is low (such as conflict, or communication between strangers) this can be ameliorated by explicitly drawing attention to salient information, or through creation and maintenance of relational or community norms.

6.1.3.2 Control

In addition, the medium exerts a degree of control over the information that is presented in the interaction space. Various media properties may prevent certain

information from being directly transmitted (*e.g.* audio information cannot be directly transmitted in a text-environment); may control the rate of information exchange (*e.g.* imposed turn-taking in asynchronous environments); or may control the persistence of information in the space (*e.g.* in an ATB environment there is a permanent record of all discussions).   This control limits the way that interlocutors interact. They are limited in the type and amount of information that can be shared. They may also be reluctant to transfer information related to specific topics, for fear of retribution. The findings of this thesis demonstrate reflexive media accommodating to this control by substituting untransmittable cues, for those which can be conveyed in the environment; altering the salience of information to accommodate changes in permanence; and imposing a control on the length and timing of messages.

6.1.3.3 Presence

Finally, the properties of the medium combine to shape interlocutors' experience of presence. Media properties can ameliorate temporal or geographical distances, allowing a degree of shared presence between interlocutors. However, the availability and experience of cues may mean that this presence is qualitatively different to presence created when parties are face-to-face. The changed salience of some cues may mean that presence is reduced, the information transmitted is insufficient to create a shared sense of 'being there', parties are continually aware that they are communicating through a medium. Alternatively, the reduction of individuating cues may lead to behaviours that increase interlocutors' experience of the other party as present. The findings of this thesis demonstrate that reflexive media adapt to this changed presence by specifically inviting one interlocutor to contribute (increasing their presence), or through the use of identifiers and ratings. These change the salience of identifying information in the space and enable presence to be managed.

Section 1 indicates that the impact of media properties on relational communication can be categorised in a consistent manner. However, this does not imply that the effect of the medium is consistent. The various properties and various communication settings interact to shape the way that interlocutors communicate. The findings of this thesis have demonstrated that consistency arises form the way that media properties impose a structure on timing, space and cues and that this is manifest in a relational impact of uncertainty, control and presence. The findings further

suggest that reflexive media can adapt this impact to effect a desired relational change.

6.2 Research Questions

This thesis aimed to address the base understanding of 'mediation' in CMC. It sought to achieve this by answering the three research questions presented in Chapter 2. This section evaluates the degree to which these questions have been addressed by the research.

Question 1: What does a conciliator bring to a relationship to set the properties of a mediated environment and how are these deployed?

Chapter 3 demonstrated that conciliators manage the environment to bring about relational change. The conciliation ontology indicates that conciliators achieve this by acting at a number of levels. They simultaneously: project Attitudes, to delineate the space as qualitatively different to the normal interaction environment; perform a Function to guide parties through the conflict; and deploy Techniques to manage the moment-by-moment exchange and interpretation of information. The conciliator acts as a reflexive medium which operates at these multiple levels to change the way that the parties view the relationship.

Furthermore, it is apparent that the conciliator deploys these properties to create and maintain a safe environment for the parties to interact. The dimensions of safety for this environment are safety to: (1) experience breakdowns in communication; (2) express emotions; and (3) explore power differences. In situations of conflict, without a conciliator present, the environment may be unsafe for parties to address these issues. The properties of the conciliator (as outlined in the conciliation ontology) are deployed by the conciliator to regulate the communication between parties, to ensure that the tolerances of safety, along each dimension, are not breached. The conciliator mediates (*i.e.* structures, regulates and controls) information to create and maintain a unique environment in which relational communication can occur.

Chapter 6: Section 2 – Research Questions

Question 2: How does a conciliator effect a desired relational change in an online environment?

Chapters 4 and 5 explored the impact of VMC and ATB environments on conciliator practice. Findings indicate that the properties of the environment are manifest in phenomena such as: asynchronicity, permanence, cultural norms, rephrasing, listening and acknowledgement. Combinations of these phenomena structure an environment to distinguish it as distinct (although not necessarily unconnected) to other interaction spaces. These structures change interlocutors' certainty over the information received, increasing or decreasing the trust that interlocutors have in the information.

The findings demonstrate that the various properties of communication media adjust the tolerances for safety along all three dimensions of safety.   This impacts on the conciliator's role as they attempt to mitigate, or leverage the impact of the media properties on the dimensions of safety.

Conciliators were observed to address these altered dimensions of safety. First they sought to exercise greater control over the flow of information in the space, by directly asking for specific contributions, or through the use of closed questions. This allowed the conciliators to address any difficulties created by the properties of the medium influencing the timing of messages. Second, conciliators sought to structure the information in the space, either by explicitly drawing attention to information, excluding or introducing information, or encouraging a specific interpretation of information.   This allowed conciliators to address any issues arising from uncertainty caused by the medium's influence on the availability and permanence of information.

Furthermore, conciliators reported their concerns that this increased regulation of information and salience hindered their ability to help parties reach resolution. They believed that parties may not be as committed to resolution, or that they may be frustrated that they had not been able to express themselves freely.

Question 3: Can these findings be linked with the literature at a theoretical level?

Finally, Table 2 uses the findings of this thesis to provide a framework for discussing the impact of media properties on relational communication. It is apparent that there are consistencies in the way that the presence of a medium influences interaction.

Table 2 further contends that a model that is capable of explaining the research presented in the literature and the findings form this thesis, could provide the theoretical underpinning necessary to discuss, in general terms, the impact of media properties on relational communication.

The Model of Relational Communication, presented in the next section is designed to meet these aims.

6.3 Integrating Research and Literature – The Model of Relational Communication

The previous chapters have used a variety of mediated environments to investigate the impact on communication behaviours wrought by various media properties. This chapter synthesises these findings into a Model of Relational Communication (MoRC) that seeks to address the following issues, raised by existing research:

1) Drawing on Craig (1999) this thesis argues that differences between existing accounts of Computer-Mediated Communication arise from differing conceptualisations of the phenomenon of communication. Therefore a successful MoRC would have sufficient power to integrate and explain each of these accounts.

2) Drawing on Spears, Lea and Postmes (2001) this thesis argues that relational asymmetry (such as disparate goals and resources) is under-explored in existing accounts of CMC, yet occurs frequently in relational conflict. Therefore a successful MoRC would have sufficient power to identify sources or sites of relational asymmetry.

3) Drawing on theories of conciliation (Deutsch 1987, Winslade and Monk 2000, Baragh-Busch and Folger 1994), this thesis argues that observations of a reflexive medium can provide a novel insight into the way that media properties can be deployed to effect desired relational change. Therefore the MoRC should have sufficient power to explain existing accounts of conciliation and conciliation in an online environment.

Investigation of conciliator practice in on-line environments provides a test of the consistency and scope of the MoRC. The interaction between the various media properties offers a situation in which existing accounts of mediated communication are insufficient; namely: situations of asymmetry; and environments involving a reflexive medium.

The MoRC must identify the properties of the medium and locate their influence on the relationship. A successful account of mediated communication should differentiate between the impact of these various properties. It is anticipated that various media, or combinations of media, present different salient properties (See Chapter 2 table 1). These properties interact with the various characteristics of the relationship to exert an influence over the way that communication unfolds. For the account to be successful, it must:

a) Allow identification of the salient media properties at any given point of the interaction. These properties are conceived of as being attributes such as: synchronicity/asynchronicity; permanence/persistence/ephemeral; channel availability; rate of cue transfer.

b) Locate the influence of these properties on the MoRC.

c) Describe how these properties alter the relationship.

These tests assess the *explanatory power* of the MoRC, *i.e.* the degree to which the MoRC is capable of offering a consistent interpretation of different situations in which mediated communication is observed. This section argues that further research must be undertaken to assess the *explanatory force* of the MoRC, *i.e.* the degree to which the MoRC can be used to make predictions about the relational impact of differing forms of mediated communication and the mechanisms through which they occur.

6.4 Reasoning about mediated communication: The Model of Relational Communication

Chapter 2 outlines existing research into mediated communication. It explores the phenomena of computer-mediated communication and conciliation. An examination of their similarities and differences raises questions about the scope of existing accounts of CMC. One reason for differences between the accounts of CMC is that they adopt different positions on the purpose and process of communication (drawing on Craig). In turn, this directs the focus of various accounts of CMC. The conciliation literature investigates specific concerns about communication in conflict, *e.g.* encouraging reflection on behaviours (Winslade and Monk 2000), productive management of emotions (Baragh-Busch and Folger 1994), or recognition of asymmetrical resources (Deutsch 1987). These concerns were explored in face-to-face conciliation (Chapter 3) or online (Chapters 4 & 5). These concerns go beyond the scope of existing CMC accounts (*e.g.* Daft & Lengel 1984 , Walther, Loh et al 2005, and Burgoon, Bonito et al 2002).

This chapter proposes a Model of Relational Communication (MoRC) to encompass this set of concerns in a manner consistent with prior accounts of CMC. This is achieved through the integration of existing accounts of mediated communication and communication theory and with the findings from Chapters 3-5. This model can then be used to frame discussions into the ability of conciliators to practice in an on-line environment in such a way that lessons can be learned for CMC theory.

The theories of communication and computer-mediated communication outlined in Chapter 2, sections 3 and 4, indicate that communication is a process of social information transfer, that is predicated in part on the arrangement and exchange of social cues. At the heart of communication is an exchange of information that is intended to have a shared meaning.

The MoRC (outlined in sections 4.1 - 4.2), portrays communication as a process of social information exchange, through the arrangement and transmission of social cues between interlocutors. For the purpose of simplification, communication in the

MoRC is initially explained as a didactic, turn-based approach. However, in multi-party communication, MoRCs can exist between each pair of interlocutors. In addition, the MoRC does not assume that communication is turn-based; multiple combinations of behaviours and response can occur simultaneously within the MoRC. If interlocutors are communicating synchronously, simultaneous occurrence of multiple reactions, observations and reflections can occur. The MoRC is illustrated with a vignette in section 4.2.1

6.4.1 The structure of the MoRC

The Model of Relational Communication (MoRC) arises from a synthesis of literature which describes theoretical accounts of mediated communication (*e.g.* Walther 1994, Spears & Lea 2001, Daft and Lengel 1987, Deutsch 1987 *etc*) and their relational impact (*e.g.* Olsen 2000, Maybury 1997, Jarvenpaa 1999 *etc*), and from the results of case studies and observations of conciliators using CMC. A didactic, step-by-step account of MoRC is outlined below.

In accordance with accounts of CMC and conciliation, the MoRC focuses attention on: (i) the steps in the communication process at which social information may be reduced, introduced, attenuated and exaggerated; (ii) the facets of relationships that may be affected by this; (iii) and the mechanisms for this impact. Sections 4.1.1 to 4.1.3 describe the structure of the MoRC in terms of (i) Levels of Abstraction; (ii) Expressed Social Context Variables; and (iii) Interpretative Narrative Frameworks.

6.4.1.1 Co-presence and Levels of Abstraction (LoA)

For interaction to occur two entities (*A* and *B*), must be present. Loomis (1992) describes presence as: '*a basic sense of consciousness, the attribution of sensation to some distal stimuli or environment*'. Rettie (2003) describes being-present as '*a performance created through expressions and directed at the maintenance of a particular perspective*'. Presence is therefore an intention to act toward a distal stimulus or environment in such a way that a particular perception is created or maintained. Parties that experience co-presence, exchange information about attitudes that determines their own and others' perceptions. Conciliators report that one impact of computational media on their practice, is to shape the experience and management

of presence. This affects how conciliators are able to uncover and accommodate relational asymmetry.

This presence must occur at a compatible 'Level of Abstraction' (*LoA*) . At a compatible *LoA*, both entities have the potential to observe and describe the same phenomena in terms that are conceptually congruent.

Floridi (2005) illustrates the concept of compatible *LoA*s with the example of using a motion-sensing device to look for a cat. The user of the device and the cat may be physically co-present. However, should the cat be out of the user's line of sight, and sitting perfectly still, it will be undetectable. The entities are not present at a compatible level of abstraction (the cat may be aware of the user however, leading to an asymmetry of awareness). If the cat observes the user and begins to move, it becomes detectable to the user. Both entities are now present at a compatible *LoA*. Certain properties of the cat (*i.e.* speed and direction) are now observable at the *LoA* used by the motion-sensing device. This illustration demonstrates that, even if entities are co-present, there may only be certain properties of each entity that are observable and salient (*e.g.* the cat's direction and speed are observable, its colour and breed are not).

This concept of a *Level of Abstraction* is evident in Chapter 5 Section 6. The variant structures within and between online communities means that interlocutors may contribute in different ways without ever interacting with other specific users, even though they belong to the same community. Lampe and Resnick (2004) found that as communities grow, the aims of members fragment and splinter. These members could be said to be operating at different *LoA*s. They all use the same site, but may not interact, or be aware of specific others who are using the site for different purposes. This is best illustrated with Wikipedia. Users may contribute thousands of edits on a handful of topics and never become aware of other Wikipedians with a similar level of participation, because these contributions do not occur on pages viewed by each interlocutor. These contributors are operating at incompatible *Levels of Abstraction*. This is shown in Step 1.
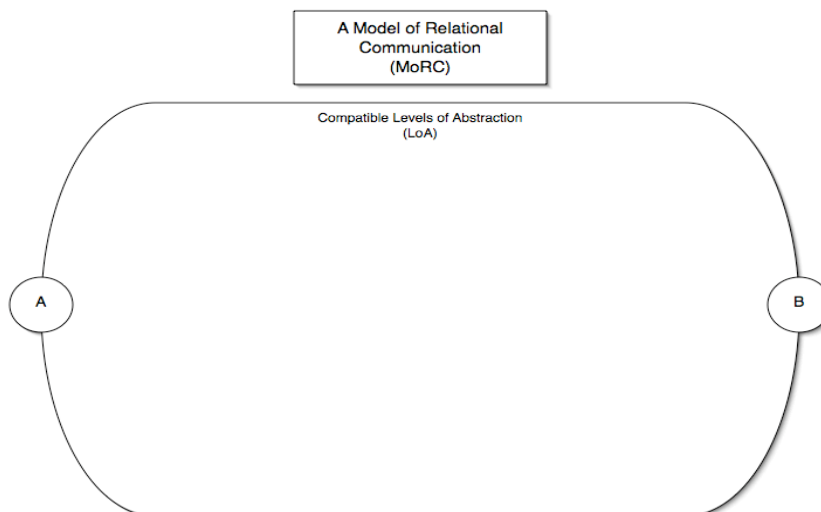
STEP 1: *A* and *B* become aware of each other at a compatible *LoA*

Step 1 indicates that both entities must be aware that there is another entity present with whom interaction can occur.

6.4.1.2 *Expressed Social Context Variables (ESCVs)*

In terms of relational communication, once *A* and *B* become aware that they are operating at a shared *LoA*, this privileges or makes salient certain properties of each entity. These properties (adapted from Spitzberg 2006) may be physical (salient personal characteristics such as age or appearance); temporal (shared or divergent temporal co-location, or timing of interaction); and place (geographical and environmental information. Sproull & Kiesler (pg. 1494; 1986) also suggest that the role of contextual variables are significant in shaping meaning in communication.

This thesis adopts Sproull & Kiesler's term 'Social Context Variables' (*SCV*s) to represent the information available to each interlocutor at a compatible *LoA*. However, it is amended to *Expressed* Social Context Variables (*ESCV*s) to highlight that interlocutors have a degree of control over the *SCV*s that are expressed, whether or not intentionally, and therefore potentially observable in the *LoA*.

Interlocutors are able to observe some or all of the *ESCV*s that are salient to the interaction. For the purpose of the MoRC, 'observation' of *ESCV*s means that a

particular *ESCV*s may be salient to the interaction. However, interpretation of these *ESCV* and their inter-relationships arises at the narrative level (see Chapter 2, section 4.4 for a discussion of narrative in perception).

There is a subtle but significant difference between the expression and observation of an *SCV* in the shared space. It is possible that an interlocutor will express certain social context variables, however an individual may be unable or incapable of observing these. This can be illustrated when one considers cultural differences; or the extreme case of interaction with someone with Asperger's Syndrome, or other autistic-spectrum conditions. *ESCV*s are not always observed by an interlocutor. This difference is not explicitly acknowledged in CMC literature. However, both narrative (Monk and Winslade 2001) and Transformative (Baragh-Busch and Folger 1994) models of conciliation point toward this possibility.

*ESCV*s have been observed in the findings of the research presented in this thesis. In Chapter 4 (section 5.1.2) the conciliator encourages one party to express more information about their family, to alter the salience of certain information. In Chapter 5, (section 3.2.2), the conciliator uses 'strike-through' to downplay the salience of certain information expressed in the environment. In both these cases it is evident that there are many variables that are salient, but unexpressed in interaction. A role of the conciliator is to change the rate, salience and expression of such variables.

The second step of relational communication is thus:

A Model of Relational
Communication
(MoRC)

Compatible Levels of Abstraction
(LoA)

Expressed
Social Context
Variables
(ESCV)

Expressed
Social Context
Variables
(ESCV)

A

B
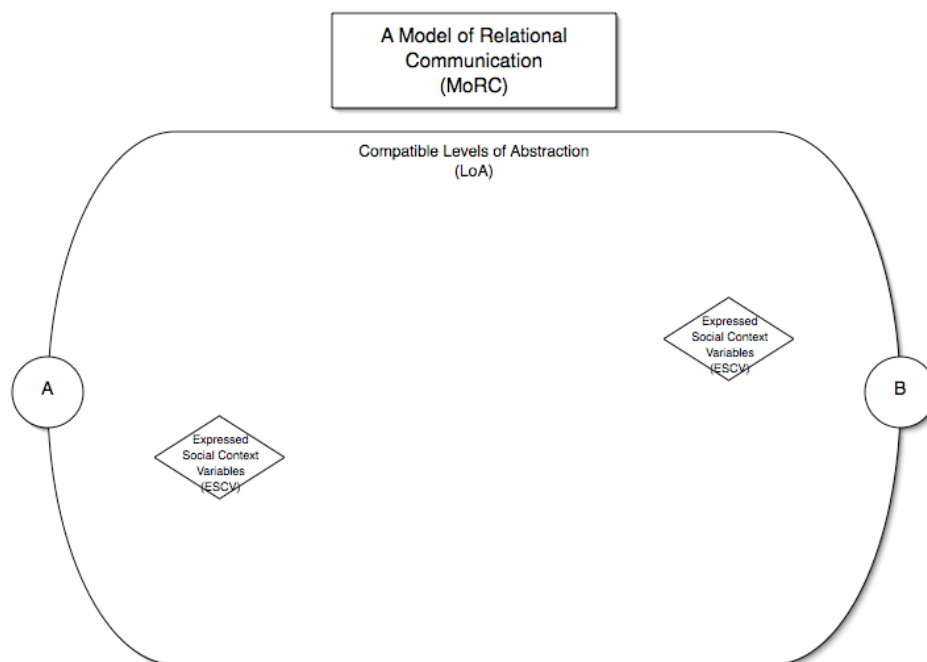
STEP 2: *A* and *B* observe *ESCVs* that are salient for the interaction

Step 2 demonstrates that both entities observe various salient characteristics that render information observable.

6.4.1.3 Expectations and 'Interpretative Narrative Frameworks' (INFs)

The observed *ESCV*s and their interrelationships promote expectations of appropriate behaviour associated with these *ESCV*s. These expectations are essential elements in the perception of these observed *ESCV*s (adapted from Burgoon, Bonito *et al* 2002). In turn, these expectations privilege various Interpretative Narrative Frameworks (*INF*) (*e.g.* Bruner 1994, Labov 1997, Gover 1996).

*INF*s promote various explanations for observed behaviour. These are multi-dimensional and including: (i) cultural (such as cultural norms and values); (ii) relational (shared history); and (iii) functional (shared or divergent goals for the interaction) (adapted from Spitzberg 2006).

This is evident from findings of Chapters 4 and 5. Chapter 5 demonstrates how the use of formal and informal policies shape behaviour. These policies can be seen as

*ESCV*s salient for the interaction. Interlocutors have an expectation that these policies will be adhered to by participants, or a range of sanctions may apply. Observed behaviour can be (in part) explained by the degree to which it conforms or violates these policies. Chapters 4 & 5, both provide a number of examples of the conciliator encouraging parties to expand on how they perceive aspects of the conflict. This is enables the conciliator to make explicit sections of *INF*s visible.

These *INF*s are used by A and by B to explain observed phenomenon at the *LoA*. Both A and B have a perception at the narrative level of the *ESCV*s through which they can be rendered observable to the other interlocutor. They also have a perception at the narrative level of the *ESCV*s through which the other interlocutor is rendered observable to them. However, this perception may not necessarily be accurate, or consistent between interlocutors. Information that is compatible with the narratives is used to explain the other interlocutor. Information that is incompatible is rejected, distorted to fit the narrative, or necessitates a revision of the narrative that is held.

When one considers the MoRC in relation to mediated communication, it is evident that a part of the *INF* is specifically related to the medium used for communication. Interlocutors have an expectation of the way that the observed properties of the medium are influencing the other observed *ESCV*s present for the interaction, *e.g.* the *INF* privileged may mean that interlocutors perceive that the medium restricts the transfer of paralanguage and take steps to anticipated this effect.

In Chapters 4 & 5 the conciliator is observed highlighting the impact that the media properties have on the timing of the message. In Chapter 4 the conciliator indicates that the slight delay may lead to parties interrupting each other, and requests that parties alter their narratives accordingly. In Chapter 5 the conciliator is observed encouraging one party to explain a period of absence by the other in a particular way. In both cases, the properties of the medium distort the explanations that parties give to account for observed, *ESCV*s.

The area bounded by the inter-interlocutors' *ESCV*s, expectations and *INF* creates a Shared Space (*SS*). This *SS* is an environment unique to the interaction, in which each entity can be rendered observable. The *SS* possesses its own norms and expectations

of behaviour, promoted by the unique combination of observed *ESCV*s, associated expectations and privileged *INF*.

Chapter 5 shows the impact of this in conciliated conflict in an ATB environment: one party uses the *ESCV*s of a number of Wikipedia policies to create a narrative that their argument is the most consistent with the aims of the project. Furthermore, Chapter 5 demonstrates that the mediation template itself encourages parties to expound their narratives explanation for the conflict and the other parties' behaviour. These contribute to the creation of a unique *SS* bound by the rules and guidelines associated with the site. In addition, a consistent theme for this thesis (first argued in Chapter 3), is that the presence of the conciliator creates a safe environment, that is unique and novel to the parties.

Thus the third and fourth steps of relational communication are as illustrated in the diagram below:

A Model of Relational Communication (MoRC)

Compatible Levels of Abstraction (LoA)

Interpretative Narrative Framework (INF)

Create expectations that influence

Expressed Social Context Variables (ESCV)

Social Space (SS)

A

B

Create expectations that influence

Expressed Social Context Variables (ESCV)

Create expectations that influence

Interpretative Narrative Framework (INF)

Create expectations that influence

STEP 3: The observed *ESCVs* promote expectations of behaviour that privilege specific *INFs*

STEP 4: An *SS* is formed that is bounded by these *ESCVs,* expectations and *INFs*

Steps 3 & 4 indicate that observation of the salient *ESCVs* and their interrelationship, encourages each interlocutor to anticipate certain behaviours. These are integrated into *INFs* which privilege certain perceptions of events.

The relationship between *ESCV*, expectation and *INF* can be illustrated by extending Floridi's example of the cat and the user of the motion detector. The cat observes the user as possessing the salient *ESCV*s: user's height, shape, scent and 'holding an artefact'. These are the same characteristics as the last entity to catch it, which then force-fed it medicine. This promotes an expectation that a similar event may occur. An *INF* is privileged that encourages the cat to perceive that the user's goal is to locate and catch the cat and once again administer medicine (building on the perceived shared history between the interlocutors). Further attempts by the user to catch the cat, promote expectations that this is indeed the user's aim, thus reinforcing the cat's *INF*[4]. However, information that the user is also carrying a saucer of milk may be ignored (the cat does not integrate this into its *INF*); interpreted in terms of the dominant *INF* (the cat perceives it as a bribe or an attempt at distraction); or alters the dominant *INF* (the cat perceives a different motive for the user's behaviour).

Interaction between interlocutors occurs within an *SS*. Changes in the observed *ESCVs,* the expectations that they promote, or the *INFs* privileged, alter the way that the relationship between interlocutors are formed.

This is evidenced in Chapter 4 (Excerpt 19). The conciliator uncovers that Party 2 is unaware that Party 1 works shifts. When this is communicated to Party 2, their *INF* is subtly distorted – they acknowledge that they had not been aware of this contextual variable and that their expectations of Party 1 are now altered. It is entirely possible that this alteration in the *INF* can change the way that Party 2 explains their observations of Party 1.

As interaction occurs, the *ESCV*s change, (*e.g.* an individual's organisational status becomes more salient,). This alters or reinforces expectations, necessitating a

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4   The question of whether cats are truly capable of creating and deploying interpretative narrative frameworks is beyond the scope of this thesis.

corresponding alteration or reinforcement of the *INF* each interlocutor uses to make meaning from the interaction (*e.g.* a shared history develops).

Section 4.2 uses the MoRC to outline the process of interaction.

6.4.2 Explaining the communication process with the MoRC

The process of communication is portrayed by the MoRC in section 4.2 and illustrated with examples in section 4.3.

 A reacts to the presence of *B*. This reaction involves the transmission of information, intentionally (semantic) and/or unintentionally (paralanguage). The transmission of information is rendered observable in the *SS* by changing, or reinforcing, the salience of *ESCV*s present in the *SS*. In this way, the *ESCV*s can be seen as an informational entrance into the *SS*; through their altered interrelationship, some or all of the information transmitted becomes social information.

Step 5 is illustrated below:
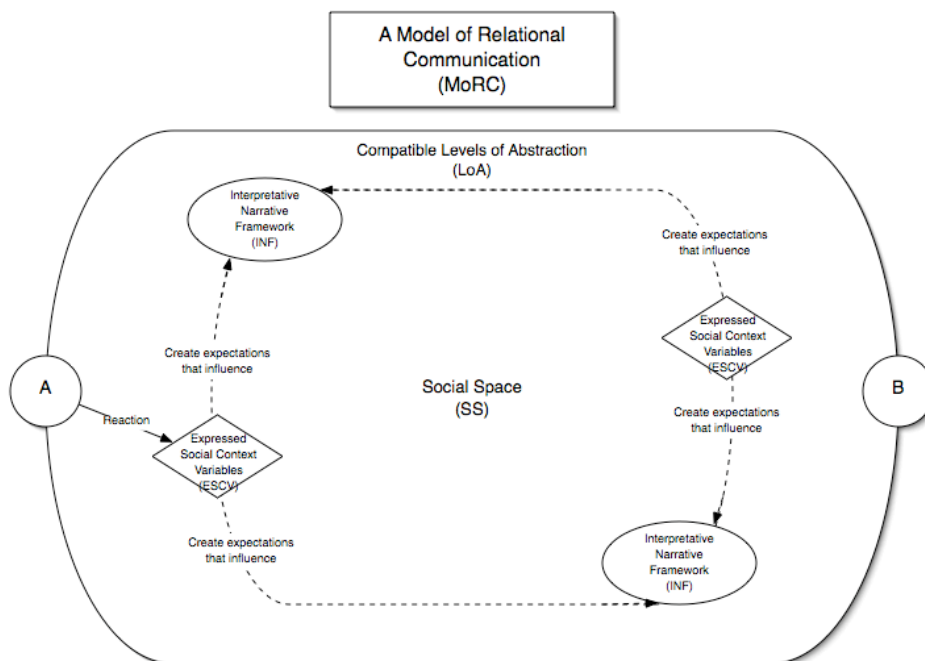
STEP 5: *A* reacts to the presence of *B*

A's reaction results in the transmission of information, some or all of which can be observed in the *SS*.

A becomes Observed A (*A(O)*), in the *SS*. However, not all of *A*'s reaction is rendered observable by the *ESCV*s and is therefore unable to be perceived in the *SS*. This is congruent with Walther's Hyperpersonal model of communication, in which CMC allows selective self-presentation, as interlocutors use the properties of the medium to moderate the information that is available in the *SS*.

This can best be illustrated by the example of receiving unwanted news via e-mail. Reading the e-mail may promote a reaction such as a frown, hand gestures or a verbal comment. However, in the written reply these cues are not present - they are not be directly observable by the other interlocutor. The *ESCV*s present in the interaction, arising from the use of e-mail, have acted as a gateway to some of the information that can be transmitted.

The interviews with conciliators with conciliators who used CMC (presented in Chapter 5) demonstrate that this difference between *A* and *A(O)* is a phenomenon of relational communication that is exacerbated by technological mediation. Conciliators report that it is harder to understand parties' 'true meaning', when there is a paucity or retardation of cues. Similarly, conciliators interviewed in Chapter 5, report that this can lead to difficulties assessing resources that parties may be drawing on from outside the *SS*.

Step 6 in the communication process is illustrated as follows:

A Model of Relational Communication (MoRC)
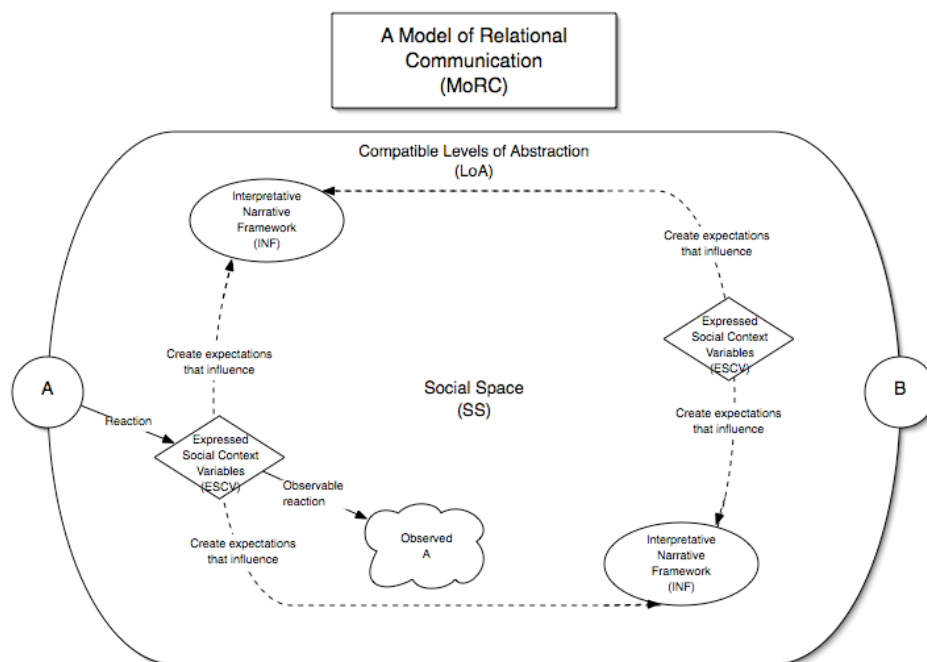
STEP 6: *A* becomes *A(O)* in the *SS*

Some or all of *A*'s reaction is directly observable by *B*, in relation to the *ESCV*s that are salient for the interaction.

B observes some or all the social information that is present in the *SS* as *A(O)*. This information is explained using the *INF* promoted by their observation of the salient *ESCV*s and their associated expectations. This notion of differences in observation and perception of phenomenon is explored by Wertsch (1991) and is deployed in a relational setting by Winslade and Monk's model of 'narrative conciliation' (2000), which attributes conflict to incompatibilities in parties' *INF*s.

Chapter 5 provides an example of a conciliator attempting to ascertain the degree of compatibility of parties' narratives. They use a bulleted list to encourage parties to disclose how they perceive each other. This helps parties to clarify how they are perceived in the *SS*. Chapter 4 shows the conciliator exploring how the lack of an apology has contributed to the dispute. Again, this helps parties to uncover how their actions are perceived in the *SS*.

Steps 7 is outlined below.
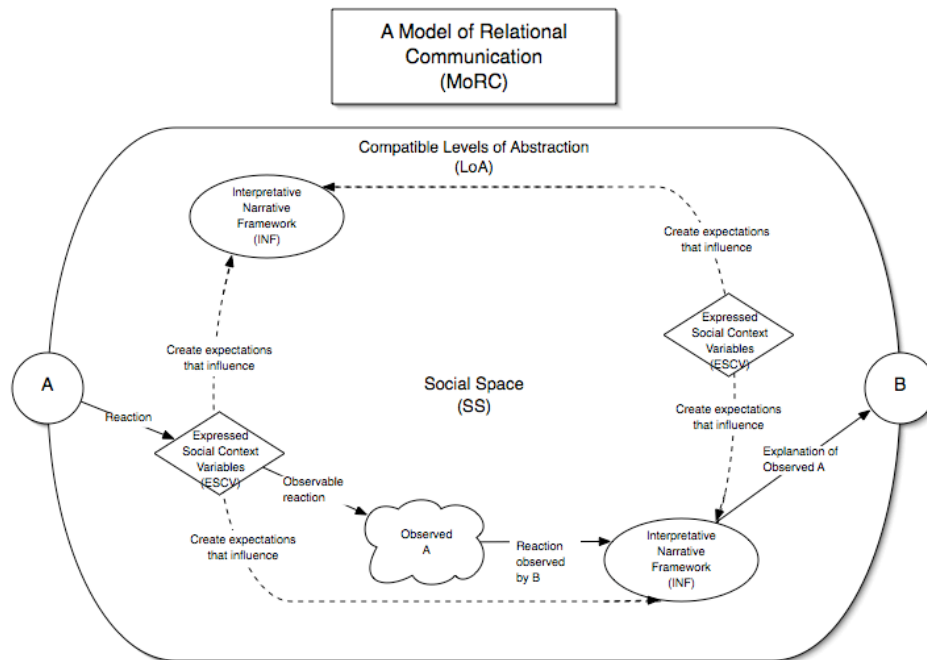
STEP 7: B observes some or all of *A(O)*

Step 7 demonstrates that *B* observes aspects of *A* within the *SS*. They perceive this in terms of the narratives that they hold.

B's reaction to their explanation of *A(O)*, is in turn rendered observable in the *SS*, by the salient *ESCV*, A observes and interprets this reaction and the cycle continues.

Step 8 shows the final step and represents the complete Model of Relational Communication (MoRC).

A Model of Relational Communication (MoRC)
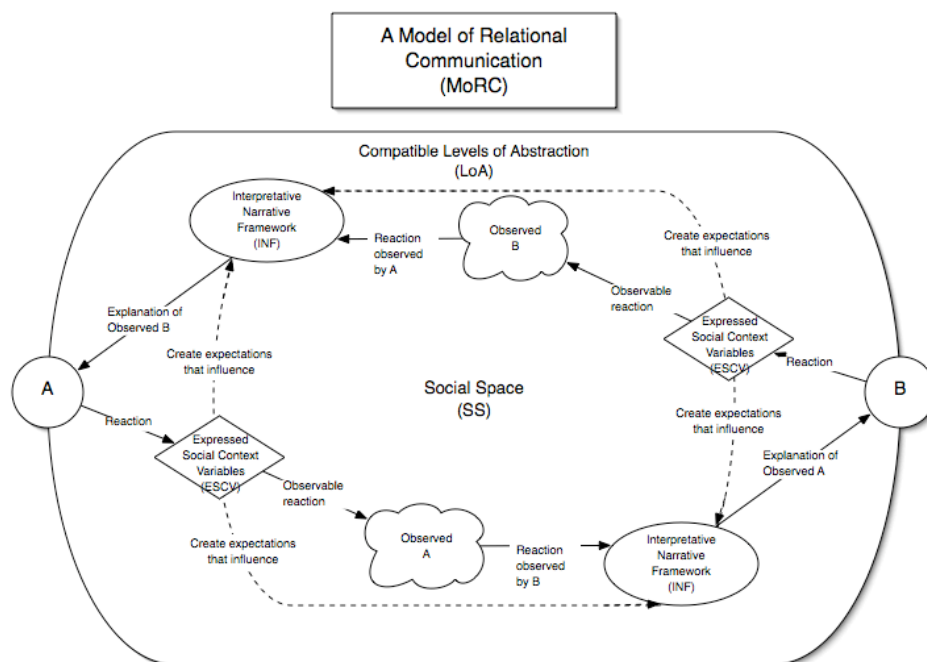
STEP 8: *B* interprets *A(O)* in terms of the *INF* promoted by the *ESCV*s present in the *SS*.

As *A* and *B* observe each other and react to the observation, their perception and expectations of the *ESCV*s change, either through alteration or reinforcement. This is akin to Heidegger's (1926) notion of 'throwness', in which inactivity in a joint project can be seen as a form of participation. Heidegger uses the example of a jazz ensemble, where the selection of temporary inaction is a form of legitimate participation that provides meaning in the creation of a joint project. This promotes a revision of the narratives that the interlocutors use to explain each other.

The properties of the *SS*, and by extension, the relationship, are continually developing. In this way, interlocutors develop learning strategies to overcome, or reinforce, asymmetry caused by contextual variables.

A full account of the MoRC can be illustrated by considering a vignette of two interlocutors (Mindy and Orson) working on a joint-project, using a variety of communications media.

6.4.2.1 Framing Mindy and Orson's relationship using the MoRC

Mindy works in the UK. She receives a request from her manager that she assist Orson in editing a report that he has written. Orson is based in the USA. Both Orson and Mindy are aware of each other as entities with whom interaction can occur: they can operate at compatible *LoA*s.

Characteristics of the interaction become salient in the relationship. These include: (i) the report to be edited; (ii) the deadline; (iii) the geographical distance between them; (iv) the temporal distance between them; and (v) unique identifiers such as name, age, and status within the organisation. These are examples of *Expressed Social Context Variables* (*ESCV*s) observed to be salient by the interlocutors.

These promote expectations within the interaction. These include time-delays, the impact of status differences, work plans *etc.*. In turn, this promotes specific *Interpretative Narrative Frameworks* (*INF*s) that shape the way that individuals perceive behaviours of the other.

Mindy's *INF* has been constructed in part from conversations with other colleagues, and from working with Orson on previous tasks. Mindy has a privileged interpretation of Orson as someone who completes tasks close to the deadline and does not take kindly to people reminding him that they are approaching. She also knows that, although he is brusque, he is committed to producing good work and making valid contributions. These privilege a narrative structure with which Mindy creates meaning from observed information in the shared space.

For the joint project, certain media properties influence the relationship. Initially Mindy and Orson communicate through e-mail. The temporal distance caused by working in different time zones can be mitigated by the asynchronicity of the media properties (*i.e.* the need for temporal co-location is obviated).

Potentially, the temporal differences are salient because of Mindy's perception of Orson's reluctance to complete tasks until the deadline is looming. However, they may also be mitigated by Mindy's perception of Orson's commitment to the project.

The salience of these different *ESCV*s is shaped by the *INF* privileged by Mindy's expectations associated with these *ESCV*s.

Mindy observes that the deadline is approaching and that there are sections of the document that need to be finished. Mindy reminds Orson that he had agreed to complete many of these sections. Orson's response via e-mail is terse. Mindy's *INF* considers their shared history, prior reputations and the medium's limited ability to carry complex emotional information and interprets Orson's response as rude. Therefore, way that Mindy addresses relational issues depends on the narrative that is privileged.

To overcome this, Mindy schedules a meeting through VMC. This changes the salience of some of the *ESCV*s. Differences in timing now become less salient and more emotional information becomes available. However, Mindy observes that the time of the meeting is after she would normally finish work. She therefore has to stay late in order to have the meeting. She perceives that she is investing more resources than are necessary: the altered salience of *ESCV*s (*e.g.* time differences) alter her *INF*. Orson observes that there is still sufficient time for the project to be completed prior to the deadline. He perceives that Mindy does not trust his ability to complete the work on time.

These altered narratives privilege a different interpretation of each interlocutor. Although Mindy and Olson are now able to communicate synchronously and with a fuller range of emotional information available (due to the altered observed media properties), the movement to a different medium has privileged differing narratives that may exacerbate relational tension.

This demonstrates that moving to a medium which is closer to face-to-face interaction, does not necessarily lead to an improved relationship or more efficient information transfer. There are other considerations at the narrative level (*e.g.* perceived obligation and distrust) that exert considerable influence over the relationship, beyond media properties.

The above vignette illustrates how media properties can change the salience of specific *ESCV*s, privileging changes to *INF*s used to explain observations of each other.   Section 4.3 provides the first test for the MoRC's capacity to frame investigation into the relational impact of mediated communication. It explores the extents to which it is capable of providing an account of existing theories of communication.

6.4.3 *Where does the medium reside in the MoRC?*

The previous section discussed communication as a process. For the MoRC to be effective in furthering understanding of CMC, it needs to be able to account for the varying properties of any medium through which communication occurs. If it has the explanatory force to accommodate exiting accounts of CMC and also accommodate conciliation, then it can be argued that the MoRC overcomes the problems inherent in current theories of CMC. It is capable of considering the role of conflict in on-going relationships, and the attendant uncertainty and asymmetry that this produces.

To establish how the MoRC accounts for the specific case of mediated communication, it is necessary to evaluate the communication process with respect to the varying accounts of mediated communication outlined above: cues filtered-out and relational models (Chapter 2 section 3); and conciliation (Chapter 4 section 6).

The following sections outline these varying processes of mediated communication in terms of the MoRC.   The descriptions of the accounts start from Step 5 ('*A* reacts to the presence of *B*'), the prior 4 steps are consistent for all of the existing accounts of mediated communication described in Chapter 2. In each case, the diagrams represent the highlighted section in Figure 1.
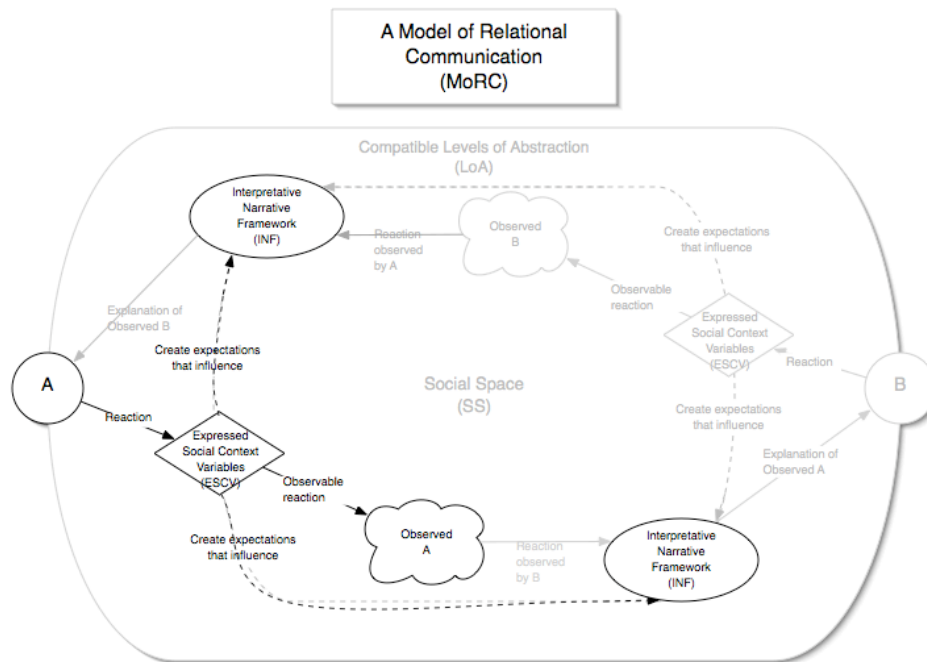
FIGURE 1: The section of the MoRC discussed in sections 4.3.1 – 4.3.3

Each step is illustrated using Mindy and Orson as examples.

6.4.3.1 Cues filtered-out models of CMC

The way that the influence of the properties of the communication media are explained by the cues filtered-out accounts are outlined below and represented diagrammatically in Figure 2.
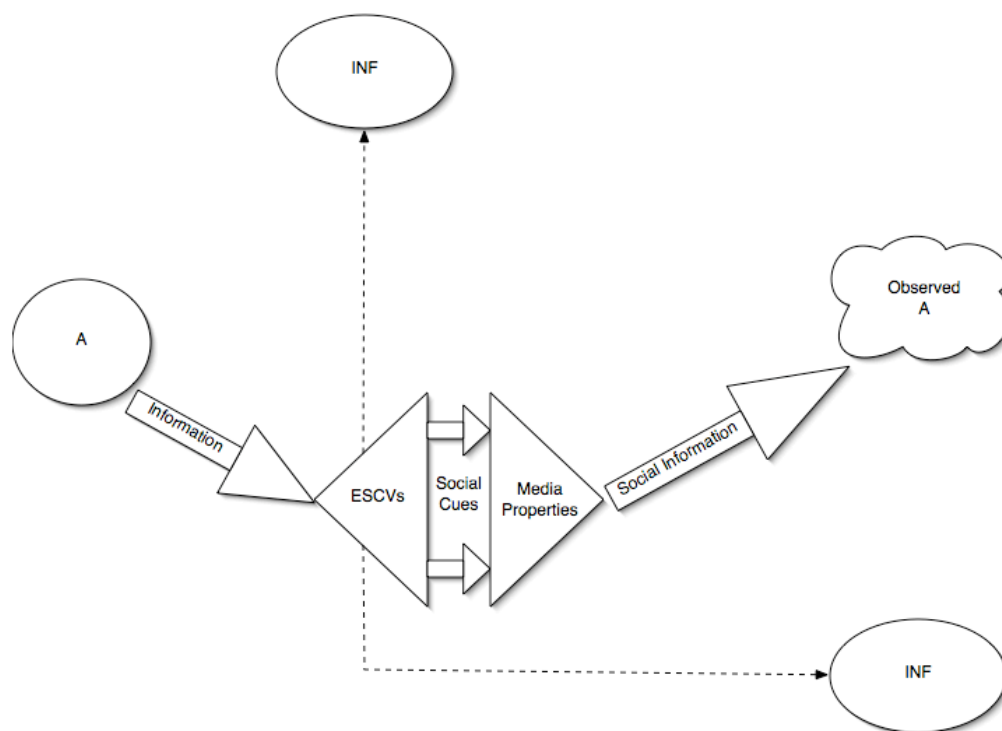
FIGURE 2: A 'cues filtered-out' explanation for the presence of the medium in relational communication.

Figure 2 uses the MoRC to offer a 'cues filtered-out' explanation for the impact of media properties on relational communication. These early models of CMC suggest that the message is constructed using the *ESCV*s present in the interaction (salient for the compatible *LoA*). Social information is transmitted in the form of social cues that are appropriate for the *ESCV*s observed in the interaction. These social cues are shaped by the media properties, rendering *A* observable in the *SS*. The 'cues filtered-out' approaches posit that the medium is distinct from other salient *ESCV*s. The way that a interlocutor arranges social cues to allow communication to occur does not necessarily give consideration to the impact of the media properties on the information transmitted. The same is true of the expectations that promote the *INF*; these too are determined by the salient *ESCV*s, rather than by consideration of media properties.

Step 5: A *reacts to the presence of* B

The medium through which *A* reacts is selected dependent upon the *ESCV*s that *A* perceives as present in the *SS e.g.* the task, or media availability. *A*'s reaction is independent of the properties of the medium, yet the presence of the medium constrains *B*'s opportunity to observe, and hence perceive, *A*'s intentions.

Step 6: A *becomes A(O)*; & *Step 7:* B *observes some or all of A(O)*
Social Information is transferred in the form of social cues. *A*'s arrangement of these social cues attempts to adhere as closely as possible to the way that information is transferred in Face-to-Face communication. Cues filtered-out accounts indicate that interlocutors consider the impact of the medium on their communication when selecting the medium from available alternatives; they do not indicate that interlocutors consider the impact of media properties when constructing or interpreting a message. Therefore, the difference between *A* and *A(O)* is directly attributable to the attenuating properties of the medium.

Those *ESCV*s present shape the information to be transferred. This is then transmitted through the medium. Certain cues cannot be transmitted, are delayed, or otherwise changed in salience. The medium acts as a filter.

Step 8: B *interprets A(O) in terms of the INF promoted by the ESCVs present in the SS*
Observed A is explained by the expectations that *B* has for face-to-face interaction. Little consideration is given to the way that the influence of media properties may have been anticipated by *A*. In cues filtered-out models, misunderstandings or inefficient communication arise from a reduction of the information that would have been transmitted in face-to-face communication. This is as a result of the attenuating, or diminishing, properties of the communication medium. Clarke and Brennan (1991) address the issue of the medium as an exacerbating factor in breakdowns in shared understanding.

Step 9: B's reaction changes the salience of the ESCVs. This has an attendant effect upon expectations and the INF

Changes in *ESCV*s, expectations or the *INF*, arise from the success or failure of individual communication acts within each interaction. The cues filtered-out models give little credence to learning over time

In the example of Mindy and Orson, the interlocutors initially select e-mail for its ability to enable asynchronous communication (geo-temporal *ESCV*s) and allow editing of text (task and artefact *ESCV*s). Their subsequent selection of VMC arises when the *ESCV* of the deadline becomes increasingly salient.

In either setting, not all of their responses are visible. Orson is unable to perceive Mindy's gestures and utterances of annoyance when she receives e-mails from Orson postponing agreed deadlines. Mindy is unaware that Orson shares an office with his manager who was present when the VMC conversation took place, leading to less than frank responses on Orson's behalf.

As soon as they begin to work together, Mindy receives terse e-mails from Orson. Although she is aware of his reputation for brusqueness, she feels that he is rude. She does not give consideration to the impact that e-mail may have on the transmission of social niceties. It would be expected that the longer Mindy and Orson communicate, the greater the likelihood that they accommodate the impact of media properties on communication styles. However, according to the cues filtered-out accounts, Mindy will continue to perceive Orson as rude, even if this can be directly attributed to the medium; Orson will not learn strategies to accommodate the media properties, allowing him to represent his messages in a form that is more acceptable to Mindy.

It is evident that the MoRC goes beyond the cues filtered-out accounts of CMC, by introducing the concept of narratives that facilitate learning strategies for communication.

6.4.3.2 Social models

The way that 'social models' of CMC explain the impact of media properties on communication is displayed in figure 3.
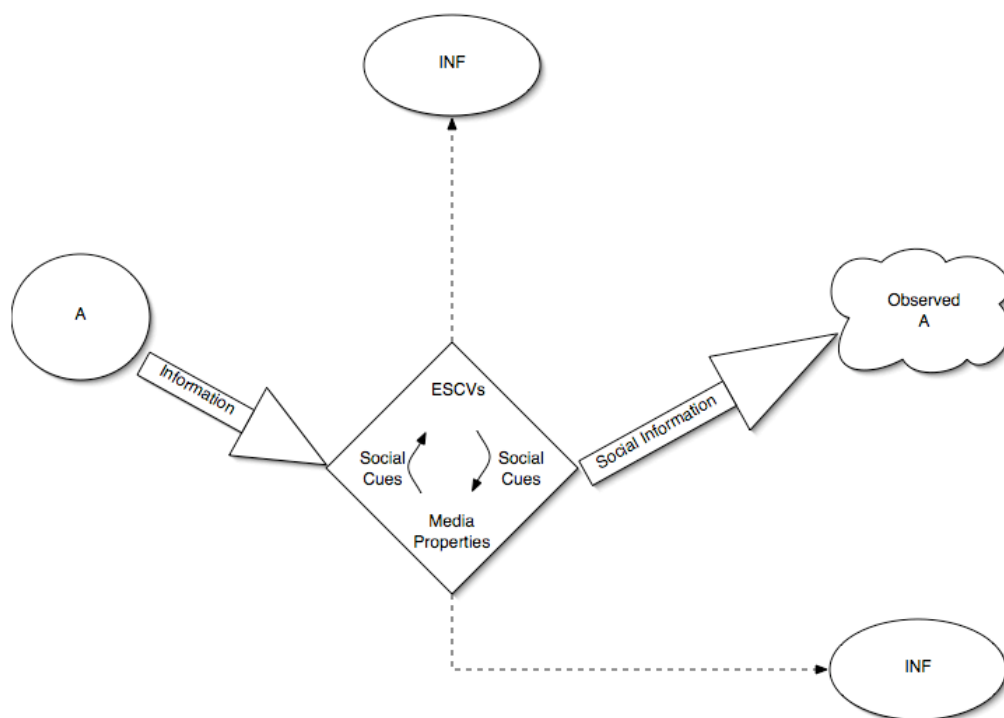
FIGURE 3: A 'social model' explanation for the presence of the medium in relational communication.

Figure 3 offers a 'social model' explanation for the presence of a medium in relational communication. Social models of CMC posit that the impact of the medium is dependent upon the *ESCV*s observed in the *SS*. Social information is rendered observable by the *ESCV*s associated with: (i) the media properties; (ii) other *ESCV*s salient at the *LoA*; and (iii) the interaction between these two.

Relational models indicate that there is no specific media property or *ESCV* that is the main driver for the impact of CMC on relationships. Rather, the exchange of social information through the arrangement and transfer of social cues, is shaped by the relationship between various media properties and *ESCV*s. The expectations that privilege the *INF* arise in part from awareness of these relationships.

The process of communication in social models of CMC is as follows:

Step 5: A *reacts to the presence of* B

A's reaction depends upon the *ESCV*s observed in the *SS e.g.* the salience of group norms (Spears, Lea and Postmes 2001), experiences of communication channels (Burgoon, Bonito *et al* 2002), experiences of the relationship (Walther 1994). *A*'s reaction to the presence of *B* is determined by the interaction between the various properties of the *ESCV*s in the *SS*. These include intrinsic properties of the medium and *A*'s beliefs about the properties of the medium.

Step 6: A *becomes A(O)* & Step 7: B *observes some or all of A(O)*

A transfers social information in the form of social cues. This arrangement of social cues takes into account perceived properties of the medium and considers the relationship between the *ESCV*s present in the *SS*. *A* is rendered observable by the properties of all entrance *ESCV*s that are present. These include both the *ESCV*s associated with the medium and other *ESCV*s salient for the interaction. *A*'s perception of the medium's influence on their communication is shaped by the interaction between the narratives that they hold for the *ESCV*s, including those specific to the medium.

Observed A is qualitatively different to *A*. Depending on the salience of other individuating cues, *Observed A* has the potential to form a *hyperpersonal*, or deindividuated relationship.

Step 8: B *interprets A(O) in terms of the INF promoted by the ESCVs present in the SS*

Observed A is explained by *B*'s *INF*s. This is promoted by *B*'s observation of *ESCV*s, including media properties and the expectations associated with them. This leads to *B* developing compensating, or goal-oriented strategies for explaining *Observed A* in a way that compensates for the perceived impact of *ESCV*s and *A*'s anticipation of these.

Step 9: B*'s reaction changes the salience of the ESCVs. This has an attendant effect upon expectations and the INF*

Perceived changes in the observed state of *A* alters both interlocutors' expectations, allowing greater understanding. The changes in *Observed A* lead to a reassessment of: (i) the properties of the medium; (ii) relational cues; (iii) expectations associated with these cues; or (iv) the narratives used to explain these cues.

The social models of CMC attest that Mindy's reaction is shaped by her experience and pre-conception of Orson. She considers how she would wish to be perceived by Orson and how the properties of the medium can be used to facilitate this.

Mindy is aware that Orson prefers task-focussed communication. She therefore uses the ability to refine her e-mails to match this aim of Orson. She is able to present a version of her self that conforms closely to Orson's preferred communication style. When they move to a video-mediated environment, Mindy is more loquacious. This may jar with Orson's preferred communication style. However, in the presence of more individuating cues he perceives Mindy as 'co-worker', rather than as an anonymous individual from the UK office. He becomes more accepting of her communication style.

6.4.3.3 Conciliation as a form of mediated communication

The way that models of conciliation explain the impact of media properties on communication is displayed in Figure 4.
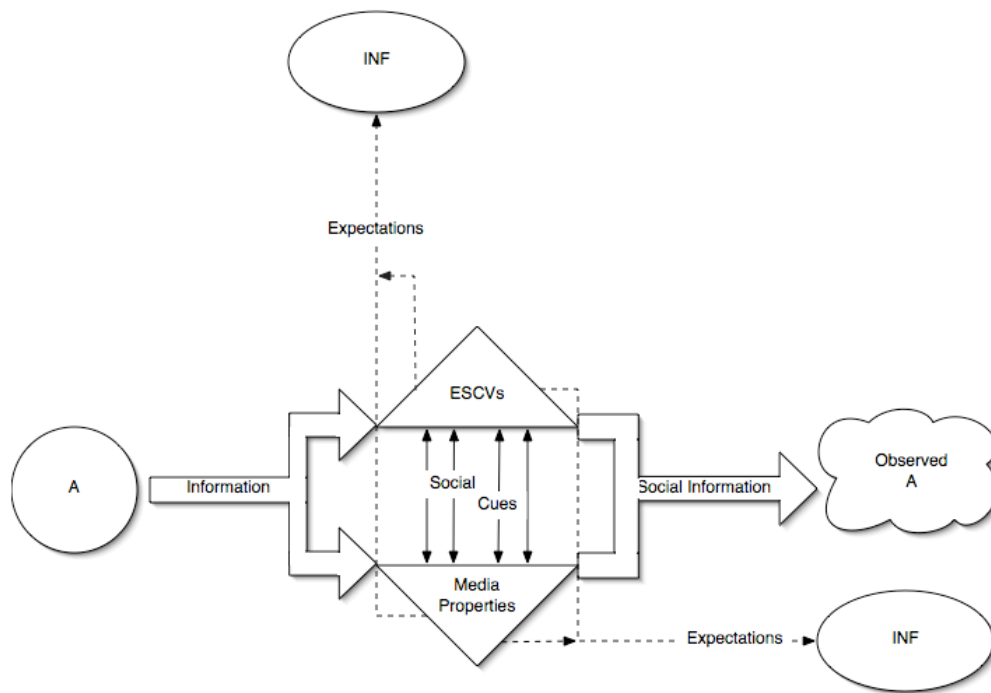
FIGURE 4: A 'conciliation' explanation for the presence of the medium in relational communication.

Figure 4 offers an explanation for the presence of a medium in relational communication, in terms of conciliation. As a medium, the conciliator's properties are the deployment of dispute-resolution strategies (outlined in Chapter 3) intended to recognise, reflect upon, and exert an influence over, the *ESCV*s present in the interaction. Social information is shaped simultaneously by the salient *ESCV*s and by the media properties (the conciliator's actions). This helps to create and maintain a safe space.

This process leads to *A* being rendered observable by both the *ESCV*s present in the *SS* and by the way that the media properties (deployed by the conciliator) attempt to exert an influence over these. *B*'s observation of *A* is as someone with whom they have conflict – *B*'s observation and perception of *A* will be shaped by this salient information. However, this is altered by the medium's impact. Some aspects of *A* are

rendered observable by the conciliator's attempts to change the *ESCV*s. The expectations promoted by the *ESCV*s combine with the expectations associated with the medium to promote various narratives for interpreting observed behaviour. *B* must develop a narrative that explains both *A,* with whom they are in conflict, and *A* as they are encouraged to perceive them by the conciliator. It is the tension between these narratives that the conciliator uses to bring about relational change.

Step 5: A *reacts to the presence of* B

The presence of the conciliator's properties limit interpretation of the *ESCV*s. There may be a 'dampening' effect to the reaction, as the conciliator attempts to downplay certain aspects of the relationship. The conciliator can deploy properties to encourage different reactions. Similarly, parties may behave differently with a 'witness' present (Chapter 3).

Step 6; A *becomes A(O) & Step 7:* B *observes some or all of A(O)*

A transmits information to *B* using an arrangement of social cues. However, in anticipation of the properties of the medium (*i.e.* the conciliator's input), this arrangement alters from the normal arrangement of information. In conciliation, interlocutors differentiate between the normal *ESCV*s for their interaction and the *ESCV*s introduced or altered by the conciliator. However, each exert a degree of influence over the other; alteration of the salience or interrelation of either *ESCV*s or media properties, changes the way that *A* can be rendered observable in the *SS.*

Observed A is under constant revision in light of the conciliator's influence, (*e.g.* through the conciliator encouraging reflection and offering reframing). Media properties, in the form of conciliation strategies, are deployed to determine the way that the *ESCV*s render *A* observable. *B* observes both *A* and the medium's reaction and influence over *A*.

Step 8: B *interprets A(O) in terms of the INF promoted by the ESCVs present in the SS*

Observed A is interpreted in terms of *B*'s expectation of *ESCV*s; their observation of the *ESCV*s associated with the conciliator, and their perception of the interaction between the two.

Step 9: B*'s reaction changes the salience of the ESCVs. This has an attendant effect upon expectations and the INF*

The medium (the conciliator) actively encourages reflection upon: (i) perceptions of *ESCV*s; (ii) the expectations associated with these; and (iii) the narratives used to make meaning from them. Changes in these are used to move interlocutors from an *INF* that promotes conflict, to one which privileges symmetry of perception.

Mindy and Orson are in dispute. A manager is called in to intervene. Both Mindy ad Orson observe the *ESCV*s that are present for their interaction. They also observe the way that each interlocutor alters their communication with respect to the manager. Initially, Orson introduces information in a manner that Mindy perceives as politer than usual. She interprets this as Orson being obsequious. Orson perceives Mindy as being less talkative than normal and interprets this as hiding something from the manager.

As communication continues, both interlocutors observe changes in the *ESCV*s wrought by the manager. These are perceived both in terms of the alteration in the Observed other, but also in the changes in the conciliator's behaviour. The motivation of the manager in performing such actions, and their impact is significant in restoring Mindy and Orson's relationship.

Sections 4.1 - 4.3 indicate that the MoRC is capable of describing current models of mediated interaction. Chapter 2 section 4 that the differences in accounts of CMC arise from differing conceptualisations of communication. These privilege different aspects of the communication process (*e.g.* with the purpose of communication, what is transmitted, the cause of breakdowns). These differences result in disparate findings for the relational impact of CMC. The Model of Relational Communication can consistently explain these different accounts. It is therefore capable of addressing the inconsistencies created by taking differing perspectives on communication. This is explored in section 4.4.

6.4.4 Mediation in relational communication

The above section outlines the Model of Relational Communication and makes the claim that the MoRC offers theoretical account for differing conceptions of mediation in relational communication.

The MoRC indicates that communication is a process of social information transference that requires the arrangement and transmission of social cues. These social cues are shaped by the *ESCV*s present in the *SS* alongside the properties of any communication media. For transmission to acquire meaning, this information transfer is explained by each individual in accordance with the narrative frameworks that they hold. These frameworks are made salient by interlocutors': i) awareness of the *ESCV*s present in the *SS*; ii) their perception of the media properties present in the interaction; and iii) the expectations or preconceptions associated with these.

The MoRC contends that the impact of media properties on interaction is described by various theories of mediated interaction as a result of differing conceptions of communication and/or conceptions of the relationship between media properties, *ESCV*s and expectations. In cues filtered-out models, the medium exerts an influence once social cues have been arranged, while narratives are shaped from expectations associated with the *ESCV*s, rather than the media properties. The cues filtered-out models conceptualise the medium as a 'black box' which influences the transmission of social information, by restricting or attenuating the transfer of social cues.

Social accounts of CMC suggest that the influence of the medium arises from the interaction between the media properties and *ESCV* prior to and during the arrangement of social cues. Narratives are shaped by expectations associated with both *ESCV*s and media properties. The properties are no longer static and immutable, but arise from inter-subjective experience.

Models of conciliation assert that the role of the medium is to influence the arrangement of social cues in accordance with the changing salience of *ESCV*s. The medium is reflexive and can adapt its properties to influence, and be influenced by, the arrangement of social cues. Narratives are privileged by the combination of

expectations associated with the media properties and with the change perceived in the *ESCV*s. In models of conciliation the medium is no longer simply an artefact, it is a reflexive agent.

The MoRC's ability to explain the impact of media properties on relational communication for a variety of media, indicates that it goes beyond existing accounts of CMC and extends models of conciliation. By integrating the various communication approaches presented in Chapter 2 Section 4, the MoRC has the power to explain various forms of mediated interaction, without privileging any particular existing conceptualisation of communication.

Section 4 has presented the MoRC as a way of framing relational communication. The MoRC provides an account of the creation and maintenance of understanding between interlocutors at the level of the relationship. A strength of the MoRC is that presents and describes a variety of 'sites' in the communication process at which social information can be introduced, omitted, attenuated or exaggerated. It offers a number of ways that asymmetry can be introduced in communication; either in the *ESCV*s, the expectations these promote, or the narratives that these privilege. The MoRC also offers an account of the way that multiple layers or chains of mediation can occur. It has further demonstrated that the MoRC offers an adequate account of relational communication, for a variety of conceptions of the medium; it is capable of providing a meaningful description of the way that various media properties and relational contexts combine to shape relational communication.

Section 5 uses the MoRC to frame and explain the findings of the research presented in this thesis.

6.5 Describing Research Findings with the MoRC

This section uses the MoRC to explain findings from the research presented in this thesis. The MoRC is used to describe the impact of media properties on relational communication, using conciliation and computer-mediated conciliation as a lens. This section first recaps the concept of conciliation as a 'safe-space', before exploring in-depth what each of these dimensions of this space mean in terms of the MoRC. Furthermore, it considers how these dimensions are altered when varying media properties are deployed in relational communication.

Conciliators attempt to create a safe environment for interaction (Chapter 4). The dimensions of safety for the environment are: (i) safety to express emotions; (ii) experience breakdowns; and (iii) explore power differences. (Figure 4)
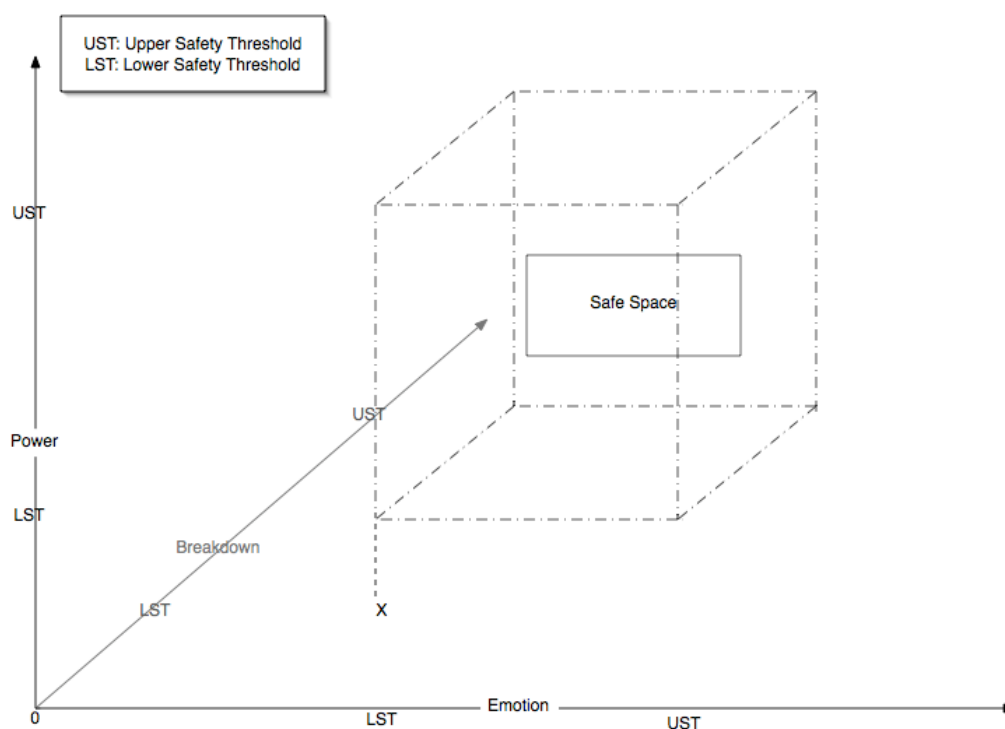
FIGURE 4: The dimensions of safety for a conciliation environment.

Figure 4 shows the dimensions of safety for a conciliated environment. This chapter draws parallels between computer-as-medium and conciliator-as-medium. Both are seen to possess properties that exert influence over communication to effect relational

change.   It is argued that the MoRC is capable of giving an account of mediated interaction that includes conciliation.

One test for the MoRC is its ability to give an account of the relational impact of various media properties. These accounts can be used to describe the media properties' influence on relational change. Section 5.1 examines whether the MoRC offers an adequate account of the way that conciliators manage emotional expression, experience of breakdowns and exploration of power differences to creates and maintain a safe space in a variety of settings. These are explored in greater depth in sections 5.1 – 5.3.

Section 5.1 uses the MoRC to explore the findings of the thesis in terms of breakdowns in communication.

6.5.1 MoRC: experiencing breakdowns

Section 5.1 explores how parties in mediated communication experience breakdowns. This section uses the MoRC to explain the experience of breakdown in conciliation; conciliation using VMC (5.1.1) and conciliation in an ATB environment (5.1.2).

When parties communicate, they develop a shared history and shared references. These can be categorised as *INF*s that privilege specific perceptions of the other party. Breakdowns occur when the behaviour of the other party violates these expectations and the narrative is incapable of adequately explaining the other party. Parties aim to re-establish a coherent narrative that can accommodate, or re-interpret this narrative. Explicit in the MoRC is that attempts at repair form part of the shared history and therefore become incorporated into the *SS* at the narrative level. The speed and ease with which parties are able to repair or mitigate breakdowns, form part of their *SS* and have a subsequent effect on shared understanding. The role of the conciliator is to anticipate, identify, or help to repair breakdowns.

It is evident that the MoRC describes conciliator attempts to manage breakdown to preserve the safety of the space. The MoRC indicates that breakdowns can arise at the level of narratives. Thus interlocutors are unable to adequately explain their observations of the other in terms of the expectations that they associate with the

*ESCV*s that they observe to be present. The conciliator's role is to ensure that these narratives are made compatible; or that incompatible narratives do not jeopardise the safety of the space.

6.5.1.3 *Implications of the MoRC for discussions of breakdown in CMC*

The use of the MoRC to explain breakdowns in communication in mediated environments has implications for existing concepts of common ground. The MoRC provides a clear indication that breakdown are not simply phenomenon at the utterance level, but also can occur at the narrative level. The findings from Chapters 3, 4 and 5 indicate that conciliators take steps to ensure that these breakdowns are identified and repaired.

The use of mediated environments demonstrate that the presence and persistence of information is important in the creation of a shared understanding. The findings from this thesis argue that conciliators assist parties in maintaining a shared understanding, either through addressing the interrelationship of *ESCV*s or elucidating narratives and their incompatibility. Chapter 4 demonstrates that the lack of permanence and the skewed timing can led to uncertainty about the information that is in the *SS*. The conciliator addresses this by making explicit *ESCV*s and the *INF*s they perceive that parties are using, This can be used to steer parties toward a compatible narrative. Chapter 5 demonstrates that the permanence of information alters parties perception of breakdowns. They are clear and explicit. The conciliator must therefore structure the environment to ensure that the location of the breakdown does not hinder relational communication. This can be achieved by migrating it to a new domain, or isolating it from areas of agreement.

Section 5.2 uses the MoRC to explore how emotions can be managed by conciliators using online environments.

6.5.2 *MoRC: expressing emotions*

In terms of the MoRC, emotional expression is the introduction of information which has asymmetrical meaning for all parties. Asymmetry in the MoRC arises when parties

observe different information, or perceive information differently. Extreme emotional expression, in the form of venting, can be seen as asymmetrical for a number reasons.

First, it is a process of catharsis for the ventor and a way of presenting information that they feel is important to the debate. Second, for the ventee it can be interpreted as an attack, or as an over-the-top positioning statement. Third, for the conciliator venting provides information about the issues that are at stake, but also about parties' underlying emotional state. Emotional expression therefore serves asymmetrical functions for parties in a dispute.

Emotional expression increases the information that is available to participants, both in terms of what has been said, but also how it has been said. Emotional expression, and reactions to emotional expression, provide an indication of parties' emotional states. Conciliators are able to acknowledge these states, making them part of the common ground. The explicit acknowledgment of an emotional state may highlight its significance as an Expressed Social Context Variable (*ESCV*). Parties' expectations change in accordance with this altered salience of *ESCV*s. This has a subsequent effect on the Interpretative Narrative Frameworks (*INF*s) that they are using in the Shared Space (*SS*). Emotional states, and their influence on relational communication are explicitly acknowledged by the conciliator and thus reduce asymmetry.

The conciliator uses their skills to ensure that parties feel that the space is sufficiently safe for emotional expression. This is achieved in a number of ways. First, the conciliator can encourage parties to express emotions through empathising and demonstrating listening. By allowing emotional expression, and acknowledging parties' underlying concerns, the conciliator alters the expectations of what constitutes normal behaviour. It is now seen to be acceptable and productive for emotional expression to occur. Parties to the dispute alter the *INF*s they hold to explain their own and others' actions.

Second, the conciliator is able to manage 'flooding' (unproductive and extreme emotional expression), by influencing the way that parties are rendered observable and explained by others in the conflict. The conciliator structures outbursts so that

extreme emotional expression does not jeopardise the safety of the space. The conciliator manages expectations of what constitutes productive emotional expression and draws attention to flooding. Parties may have asymmetrical expectations as to what constitutes flooding behaviour. The conciliator must use their judgment to alter parties' narratives accordingly.

Third, the conciliator must manage interruption, ensuring that parties feel that they can contribute freely, without hindering emotional expression. As with the other two categories, by altering the expectations of appropriate behaviour the conciliator can help parties to 'feel heard' and encourage them to express themselves fully.

The MoRC is able to give an account of the way that the medium (the conciliator) is able to manage emotional expression in the environment. The conciliator manages expectations so that parties are able to interpret emotional outbursts in such a way that the safety of the space is preserved. The conciliator achieves this by explicitly drawing attention to emotional states, thus rendering them as *ESCV*s that must be considered when one interprets the actions of the observed other. They also take care to ensure that interruption is managed in such a way that parties are prevented from flooding. This is achieved by setting an expectation at the narrative level of what constitutes flooding and controlling the flow of information into the *SS* to ensure that discussions remain productive.

The MoRC therefore explains the way that conciliators address emotional expression as a process of: 1) Identifying behaviours that can be labelled as emotional expression; 2) Regulating the follow of information into the *SS*, to ensure that it remains safe; 3) setting expectations about what constitutes appropriate emotional expression; and 4) encouraging parties to alter their *INF*s to accommodate differing perceptions of appropriate emotional expression.

The ability of a conciliator to achieve this in the online environments (as explored in Chapters 4 & 5) are outlined in sections 5.1.1 – 5.1.3.

6.5.2.3 Implications of the MoRC for discussions of emotional expression in CMC

Arising from this is the idea that conciliators can manage conflict by incorporating the properties of the medium into their practice. Management of emotional expression requires changing the rate or availability of information transmission, or the salience of *ESCV*s. The presence of a medium alters the rate, availability and interpretation of any observed *ESCV*s.

The MoRC is capable of explaining the distortion of emotional expression created by the presence of multiple media. It offers a number of sites at which information that can be construed as emotional expression can be shaped by the presence of the medium in a relationship. The MoRC indicates that the changes in emotional expression explored in the CMC derive from a paucity of information (caused by the properties of the medium), perceived accountability (emerging from the interrelationship of *ESCV*s) and/or existing relational tension (part of the *INF*). However, exploration of the way that conciliators manage emotional expression in mediated environments indicates that directed effort by a medium can overcome the impact of these relational characteristics, to ensure that emotional expression is productive.

Section 5.3 uses the MoRC to explore the way that conciliators can address power differences in online environments.

6.5.3 MoRC: exploring power differences

Power is an amorphous concept but can be seen as a mechanism by which one party seeks to exert an influence over the other. The MoRC views power displays as a way of bringing attention to asymmetrical resources that can be deployed as *ESCV*s in the *SS*, or asymmetrical interpretations of these observed resources   This promotes various expectations that restrict how one party is able to behave.

In a conflict, parties aim to maximise the influence of their power resources and minimise the impact of the other's. This is achieved by claiming the legitimacy of

one's own resources and illegitimacy of the other parties'. The MoRC describes legitimate resources as *ESCV*s that are observed and perceived in a compatible manner by all parties. Rendering a resource as illegitimate disputes its salience in the *SS*. Power can also stem from the perceived legitimacy of narratives, legitimacy of information, or range of alternatives to choose from. The conciliator can introduce *ESCV*s, or alternative ways of viewing *ESCV*s, that alter the way that parties perceive the salience of resources.

6.5.3.1 *Implications of the MoRC for discussions of power displays in CMC*

The MoRC's exploration of conciliation in VMC indicates that the medium itself can be a power resource with which parties must contend.   MoRC indicates that resources (and properties) are not inherently powerful, but derive power from inter-relation and perception. Furthermore, the MoRC indicates that there is a relationship between the permanence of the medium, interlocutors' uncertainty about the appropriateness of their *INF*s and the legitimacy of power resources.

Permanence means that social information is recorded and available. This reduce immediate uncertainty. Parties have a record of what has been said. However, parties may become uncertain of the meaning of an utterance as time moves forward. Even a permanent *ESCV* will be interpreted differently by parties at different stages. If the meaning is in dispute they will attempt to convince the other that their own is the most legitimate. The MoRC indicates that it is possible to parties to observe the same *ESCV*s, but to attribute different salience or legitimacy to them, resulting in different *INF*S.

The conciliator must impose a structure on the *ESCV*s to ensure that their legitimacy is not disputed, this reduces parties' uncertainty about the appropriateness of their *INF* for the *SS*. The conciliators have been observed to achieve this by making explicit a certain salience of *ESCV*s – either through open floor control (VMC), strike through (Wikipedia) or altering expectations about commitment and retribution for the environment (VMC and Wikipedia).

The above sections indicate that the MoRC can describe observations of conciliator behaviour when attempting to create and maintain a safe-space in online environment.

Sections 5.3 – 5.4 provide evidence that the MoRC has sufficient explanatory power to describe the mechanisms through which conciliators are able to create and maintain a safe environment in: a face-to-face setting; an environment using VMC; and an ATB environment., based on qualitative enquiry. It is also evident that the MoRC is capable of explaining the different patterns of conciliator behaviour in VMC and ATB environments, uncovered from quantitative data. The implications of this for CMC theory are explored in section 7.   However, there are limitations to the MoRC. These are discussed in section 6.

6.6 Implications for MoRC

The foregoing section has shown that the Model of Relational Communication capable of accounting for the consistent relational effect of mediation. This section outlines the areas of the MoRC that warrant further investigation.

*6.6.1 The temporal scope of Expressed Social Context Variables (*ESCV*s)*

Chapter 5 raised the issue of copy-and-paste being used by parties to ensure that statements are referred to continually throughout a discussion. Utterances are no longer simply an exchange of social information, but can also become *ESCV*s in the space.   This is different from the communication that occurs in a more ephemeral environment, where interlocutors have to expend resources to remember or record any statement that they wish to draw on at a later date. The fact that each attempt to share social information forms a permanent part of the *SS*, means that the shared history between inter-actors has an increased importance and influence the relationship between other *ESCV*s present in the interaction.

This raises the question of the relationship between social information and expressed social context variables (*ESCV*s). Interlocutors create and maintain their relationship

through an exchange of social information (SI). The way that this SI renders interlocutors observable depends upon the *ESCV*s observed and the way that these are explained using *INF*s. In a text-based environment, any utterance is permanent, it can be referred to later in the discussion. It can be argued that this makes it an *ESCV*. The MoRC lacks clarity when one considers what happens when a statement is copy-and-pasted into a subsequent argument. The utterer may be introducing a new *ESCV*; they may be changing the salience of the existing *ESCV*s; or they may be doing both. The MoRC lacks the explanatory power to clearly differentiate between these.

In addition, the use of a text-based medium alters turn-taking. Rather than enforcing it, a Wiki environment distorts temporality even further. In an ephemeral environment, interlocutors are able to interrupt and even refer back to points that have been raised previously. However, whilst interlocutors in a Wiki environment cannot interrupt each other *at the stage of message formation*, they are subsequently able to interrupt any message once it has been posted. Statements made hours, days or even weeks previously can be countered as new information comes to light and opinions change. Parties can also break an utterance down into smaller parts and deal with each individually. Therefore, future work could be undertaken in which the temporal scope of the MoRC is refined.

6.6.2 Conciliator influence

The permanence of ATB environments raise a second concern for the MoRC. As all comments are likely to be permanent and visible the conciliator must develop strategies to ensure that their own comments are seen to be more salient than those that they seek to address *e.g.* the ground rules that they set can be referred to, but disparaging comments should be ignored.   Both are present and persistent, yet the conciliator is able to ensure that theirs has the greatest salience. The conciliator can achieve this by altering the salience of some or all of the *ESCV*s present in the *SS*.

This also has implications for the relationships between *ESCV*s, expectations and narratives. In an ephemeral face-to-face environment, meaning can be inferred from various cues and an incomplete and varying record of interaction stored in each

individual's memory. Individuals can use this record to infer narratives and expectations. The conciliator seeks confirmation and makes explicit each of those expectations or narratives that they feel are relevant to the discussions before instigating reframing. All of these stages are transient. In a text-based environment, all cues in the *SS* are present and persistent. The conciliator draws attention to each of these cues and uses reframing strategies to alter the salience of others. Each stage of this process is recorded. This blurs the lines between *ESCV*, expectation and narrative. If a party has explained their narrative frameworks, this *INF* can be referred back to as an *ESCV*, it can be copy-and-pasted back into the discussion. Parties may experience greater reluctance to move from a narrative that has been explicitly stated in the *SS*. In addition, expectations are more explicit - they are persistent in the *SS*. In its current form, the MoRC is unable to give an adequate account as to why some reframing techniques are more successful than others when there is a permanent record of interaction, expectation and narratives.

The implications of the MoRC and its power to explain mediated communication are discussed in Section 7.

6.7 Framing mediated communication with theory

The findings from this thesis can be explained by the MoRC and suggest that it is capable of providing an explanation of mediated interaction in a variety of settings. The relationship between *ESCV*, expectations and *INF* are an adequate device for exploring the impact of media properties. It is possible for MoRC to identify media properties, their influence on communication and the way that they shape the relationship. *ESCV*s, expectations and *INF*s can all be identified and their interrelationship observed. The MoRC (Figure 5 below), is a robust descriptive tool.
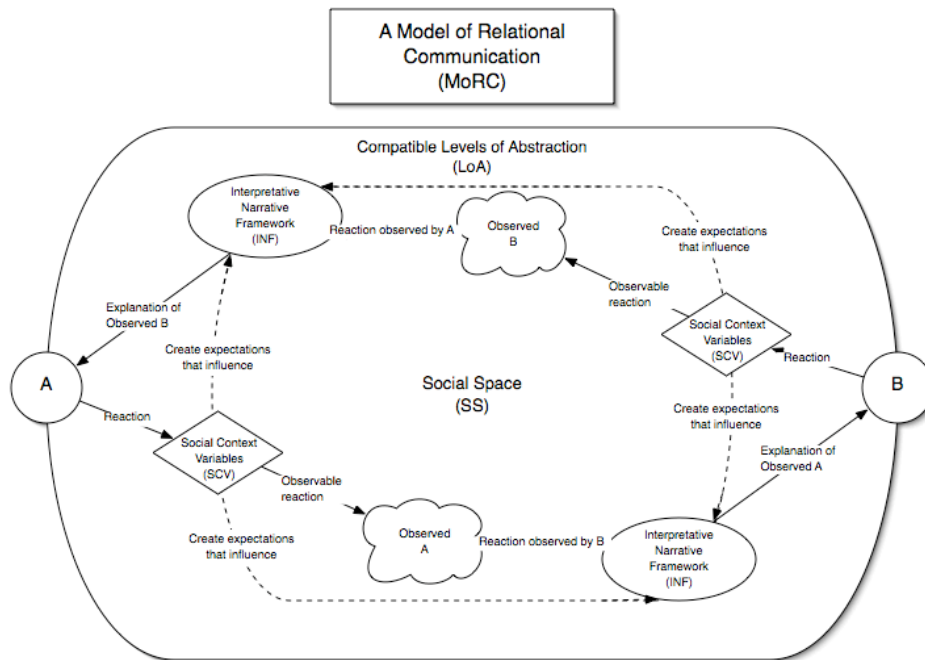
FIGURE 5: The Model of Relational Communication

An aim of this thesis is to provide an account of mediated interaction that could accommodate (i) asymmetry, (ii) relational change and (iii) a variety of communication perspectives. Section 4.3, demonstrates that the MoRC satisfies aim (iii). The remainder are discussed in sections 7.2.1 and 7.2.2. Section 7.2.3 presents an additional test for the MoRC, not originally envisaged – its ability to locate and accommodate community norms and values

6.7.2.1 Asymmetry in the MoRC

An aim of this thesis is to investigate differing forms of mediation. This can then be used to develop a broader description of the relational impact of media properties. One of the concerns associated with mediated interaction in a conciliated environment, that is not fully addressed in existing accounts of CMC, is relational asymmetry. Findings from previous chapters indicate that relational asymmetry is a fundamental aspect of relationships that can be exacerbated by properties of a medium.

The MoRC is capable of explaining relational asymmetry in the following way. The MoRC allows properties of the media to be explained with respect to other relational characteristics. This is achieved through the separation of observed Expressed Social Context Variables (*ESCV*s), associated expectations and perceived Interpretative Narrative Frameworks (*INF*s). The MoRC also incorporates concerns associated with conciliation: asymmetry of resources and attitudes can exist within communication. This separation gives consideration to the impact of differences between the relational variables observed by each party. This is the first location at which asymmetry could be introduced. Interviews with practicing conciliators (Chapters 3, 4 & 5) have shown concerns that parties draw on resources that are not directly observable by the other parties. Asymmetrical resources arise from different observations of salient *ESCV*s (some *ESCV*s may be given greater significance by one party).

Second, the MoRC allows consideration of the expectations associated with these observed *ESCV*s. Again, asymmetry can be introduced at this stage. Interlocutors may have compatible observations of *ESCV*s presenting the interaction, but the expectations that these promote may differ. Differing expectations lead to interlocutors perceiving disparate violations of norms of behaviour, shaping interaction accordingly.

Finally, the MoRC accounts for individuals' perceptions of *ESCV*s at the narrative level. This is another site at which asymmetry can be introduced. Interlocutors with asymmetrical narratives differ in their explanations of *ESCV*s and violations of the expected behaviour associated with these. This may lead to conflict or communication breakdown.

Existing accounts of CMC (with the exception of SIDE) are largely silent on the prospect of asymmetry as a fundamental characteristic of relationships. However, this thesis demonstrates that this is something that is addressed by conciliators. Relational asymmetry appears to be natural and inevitable and is potentially the cause of conflict. In providing a variety of locations where asymmetry can be included in the interaction, the MoRC goes beyond existing accounts of CMC.

6.7.2.2 Relational Change

In addition, the MoRC gives consideration to parties' individual preconceptions, learning strategies, adaptive behaviours and communication orientations. The MoRC is a model which can account for longitudinal relational change. The use of *INF*s means that the way that parties learn and develop adaptive strategies are incorporated in the model. This gives the MoRC great explanatory power, it is not restricted to specific contexts. The MoRC also has the capacity to describe contextual changes (along the dimensions outlined by Spitzberg 2006). This is achieved by the flexibility of the *ESCV* category.

Similarly, by acknowledging individual's preconceptions and their adaptive strategies to accommodate violations of these preconceptions, the MoRC can account for relational change from a variety of sources. This goes beyond existing accounts of CMC and is something that is evident from the findings in Chapters 3 and 5. The medium itself can exert an intentional relational effect through considered deployment of its properties. These may be through design conventions (Chapter 5), or considered, reflective reaction to the relationship (Chapter 3).

This thesis describes the conciliator as a medium that explicitly attempts to bring about relational change. This is achieved by altering the salience of some or all of the *ESCV*s observed by the parties. However, this raises the issue of salience of *ESCV*s within the MoRC. The MoRC does not make explicit how parties alter the salience of *ESCV*s. If one considers the example of ground rules in a Wiki environment, the conciliator can explicitly state the ground rules and refer back to them at any point. They are observable *ESCV*s. However, parties are also able to refer back to any comments that have been made by the other. These are also potentially *ESCV*s. The MoRC does not have sufficient explanatory force to predict why one *ESCV* is given greater salience than another *ESCV* and why this results in a specific relational change.

The concept of relational change again raises the issue of the temporal scope of the MoRC. This thesis has tended to use the MoRC to describe relational communication that occurs over series of utterances. However, it is feasible that the MoRC has the

descriptive power to cover a single utterance, or a long-term relationship. The MoRC has sufficient explanatory power to accommodate different ranges of temporality, raising questions not directly addressed by this thesis. First, how long does the same relationship persist if parties are no longer communicating? In an asynchronous medium parties may have periods of inactivity. Second, when parties communicate after a period of inactivity is it the same relationship? It is conceivable that similar *ESCV*s and *INF*s are salient, although the period of inactivity may have become an additional observed *ESCV*.

It is evident from the above that the MoRC is sufficiently flexible to accommodate relational change. It is capable of accommodating learning strategies and contextual changes over differing lengths of relationships. However, this flexibility comes at the expense of predictive power.

6.7.2.3 Norms, narrative and culture

Norms, as shown in Chapter 5, promote expectations of behaviour that privilege a particular *INF*. As the MoRC is presented, it is not clear where norms reside, unless one considers that *ESCV*s have a normative aspect. However, unless the normative aspect of the *ESCV*s have an objective definition, this introduces a perceptual dimension to the *ESCV*s. Parties' interpretation of norms result in expectations of appropriate behaviour that then privilege narrative frameworks. The MoRC conceives of *ESCV*s as observed variables that promote expectations of appropriate behaviour. Introducing a perceptual aspect to them reduces the clarity of the category definitions in the MoRC.

An alternative way of considering the relationship between norms and the MoRC is to take into account the socio-cultural situation of the MoRC. The selection, or privileging of specific narratives is seen by the MoRC to arise from the observed *ESCV*s and the associated expectations. However, as Chapter 5 shows, interaction in a community has its own inherent norms of behaviours. The MoRC doe not make explicit the role that wider community or cultural norms play in privileging narratives.

In Chapter 5 sites such as *Digg* or *SlashDot* have a culture of behaviour that could be seen as 'flaming' were it to occur in *CiF* or *eBay*. These can be explained by

considering the way that the shared history aspect of an *INF* is associated with the observed *ESCV*s that tell an interlocutor that they are communicating in a site that allows/prohibits this kind of behaviour.

Without this acknowledgement of a wider socio-cultural context, the concepts of *INF* are inflexible. *INF*s are created by the observed *ESCV*s and changes to the *INF* can only arise from the interaction. However, as the studies show, interaction outside of the *SS* (especially in an asynchronous environment) can privilege certain *INF*s and lead to a moderation of the *INF*s used in the *SS*. The MoRC needs to acknowledge the wider socio-cultural setting of the interaction.

This issue becomes more important when one considers the role of the conciliator in altering the explanations that parties hold for the conflict. The conciliator is able to achieve this by altering the salience of *ESCV*s, resulting in altered expectations. In turn it is assumed that these alter the narratives held. However, the previous chapters have shown that the conciliator can offer alternative narratives that call to the wider community (*e.g.* the audience of *Wikipedia*), or can call attention to flaws in a currently held narrative. The MoRC needs to have another mechanism, other than expectations, that can bring about a change in *INF*s.

The ability of the MoRC to give an account of the relational impact of any mediating artefact has highlighted similarities between the two forms of mediation. In both conciliation and CMC the media properties encourage reflection, enable selective self-presentation and management of presence. The MoRC is able to describe this impact of differing media properties in consistent terms. This indicates that the MoRC is one account that has sufficient explanatory power to describe the relational impact of any combination of media properties. Again, this extends existing account of CMC and conciliation. This is discussed in greater detail below.

6.8 Conclusions

This chapter attempted to answer the final research question proposed by this thesis:
3) Can the research findings be linked with the literature at a theoretical level?

Chapter 2, Table 3 framed the similarities between the relational impact, and mechanisms for this impact, of a variety of media. It implied that media properties exert a general effect on communication. This can be conceived of in terms of structure, information and behaviour.

6.8.1 Structure

It has been argued that the impact of media properties is to impose a structure on the geographical environment, on the temporal environment and on the timing of cues. The MoRC would attribute this to the properties of the medium altering the *ESCV*s that are observable in the *SS*.

One way for this to occur is through attenuation of information (the medium simply being incapable of allowing these *ESCV*s to form part of the *SS*) *e.g.* visual information cannot be transmitted through an audio channel. Alternatively, the properties of the medium may result in the salience of certain *ESCV*s increasing. This is congruent with the *Hyperpersonal* model of communication. Parties must establish relational norms that structure communication as a result of the media properties. Certain narrative frameworks or structures may be imposed by the observed or perceived properties of the medium.

The idea that the properties of the medium attenuate or retard information transfer is familiar to the earlier cues filtered-out accounts of CMC. However, the MoRC asserts that media properties impose a structure on the transfer of information by privileging certain forms of communication, or expectations associated with communication. This closely follows the way that communication is described in the interactivity principle (Burgoon, Bonito *et al* 2002). However, the interactivity principle asserts that the greatest communication freedom arises in those media that afford the greatest interactivity. The MoRC asserts that communication is most effective when the perceived structural impact of the media properties is compatible between interlocutors.

6.8.2 Information

The MoRC explains changes information in the following way. Interlocutors are aware to some degree, of the media properties and their impact. They have an awareness that the *ESCV*s they observe have been affected by these media properties. In certain situations, this leads to uncertainty about the validity of these *ESCV*s and the consistency of the interpretation that they are drawing from the other parties' behaviour. Interlocutors are uncertain about attributing mannerisms to the media properties, the individual or an interaction between the two. They are also aware that media properties are exerting an influence over the way that they are perceived by the other interlocutors. They use this information to selectively self present, exerting a degree of control over the information that is present in the *SS*. These combine to give an indication of the impact that the media properties have over the way that they are present in the space.

This closely resembles the social presence and *Hyperpersonal* models of CMC. The former indicates that interlocutors are aware of the impact that a medium exerts on presence. Therefore they select that medium which is most appropriate for the task. The *Hyperpersonal* model indicates that parties are aware of the degree of selection that they have over information and use this to their advantage. The MoRC differs from these accounts in the way that it integrates these ideas in a wider relational context, in particular power asymmetry and a contested account of the effect of uncertainty introduced by a medium.

6.8.3 Behaviour

The MoRC explains changes in relational behaviour brought about by various media properties as emerging form these differences outlined above. Altered uncertainty, control and presence, mean that parties develop differing norms and strategies for behaviour. There may be distrust, or quick trust. Parties may develop accommodating strategies or resort to flaming behaviour . The variation in these behaviours stems from the narratives parties hold and their perception of the perceived and observed altered structures in communication. These altered structures may exaggerate or attenuate certain information or resulting behaviours.

This chapter has shown that the MoRC extends existing accounts of CMC by extending the context of communication to incorporate the relational state of conflict, in which interlocutors experience asymmetry and uncertainty. It is evident that the MoRC has sufficient explanatory power to model relational communication in mediated settings. These settings include those that are explored in CMC research, or those explored in alternative dispute resolution.

However, a flaw of the MoRC is its lack of explanatory force. The strength of the MoRC is its ability to offer an explanation of all kinds of relational communication. This flexibility comes at the expense of predictive power. This thesis has not been able to hypothesise and test predictions arising from the MoRC. However, this was not an aim of this thesis. The work in this thesis can form the beginnings of a battery of tests to explore the explanatory force of the MoRC.

The full implications of these findings for practice, design and theory are considered in Chapter 7.

7 Conclusions

7.1 Introduction

This thesis has explored the impact of media properties on relational communication. It has brought together a number of complimentary analyses of various types of media in conflict situations. Using conflict as a domain of investigation, furnishes a special case of communication that places great emphasis on the value of social information. As Morley and Stephenson (1969) put it, interpersonal and interparty factors are critical to the resolution of disputes. These factors are precisely those which mediating technologies struggle to support. Thus, an examination of communication in conflict represents an exacting test for any account of the relational significance of media properties. It is a situation in which there is relational asymmetry, in terms of aims and resources, and in which the current shared understanding may be hindering interaction.

Conciliation was selected a lens for examining how media properties influence relational communication. It is a process through which a human medium deploys techniques to effect relational change in situations of conflict. Conciliation also provides novel tests for accounts of the relational impact of media properties. First, conciliators can be thought of as reflexive media. That is, they are able to iteratively assess a situation and decide which technique is most appropriate. Second, conciliation is beginning be conducted in environments created using computational media (*e.g.* online forums). This allows the relational impact of one medium to be incorporated, leveraged or otherwise integrated with the relational impact of another medium. Existing accounts of the relational impact of media properties have yet to explicitly address this phenomenon.

7.2 Implications of findings for accounts of mediated interaction

This thesis has been concerned with the relational impact of media properties. Existing accounts of computer-mediated interaction were explored and critiqued with reference to the literature on conciliation. It is argued that the variation in findings from different accounts of CMC can be attributed to the variation in the conceptions of 'communication' that underpin them. A model of communication, the MoRC, was proposed in Chapter 6, with the intention of encapsulating these different conceptions of communication.

The MoRC provides a model for organising the set of factors that were influential in facilitating and enabling relational communication. The MoRC integrates factors drawn from prior models, giving consideration to information transfer, social cues and bandwidth (inherited from cues filtered-out accounts of CMC) and inter-subjective experience, relational goals and adaptive strategies (inherited from social accounts of CMC). The MoRC also adds a narrative dimension to these accounts and accommodates the potential for relational asymmetry to exist and be managed during communication (inherited from models of conciliation). The MoRC conceptualises mediated interaction as a set of influences that are introduced through a set of 'sites'. Sites represent points of the communication cycle at which social information may be added, removed, attenuated or exaggerated.

Integration of existing accounts of mediation, including those beyond computational media, affords the development of more sophisticated accounts of relational communication. The impact of media properties can be located at individual and multiple steps on the MoRC.   This gives the MoRC excellent explanatory power – it has the power to describe a variety of communication situation environments, goals and settings. However, the drawback of developing a model with this degree of flexibility is that its explanatory force is not so apparent. This thesis has not explored the ability of the MoRC to make predictions about the way that changing relational or

Chapter 7 - Section 2: Implications of findings for accounts of mediated interaction

media properties may impact on communication behaviours. Rather, it is a vehicle for bringing together the findings of the studies. It has also sought to provide future investigators with a new way of conceiving interactions in mediating environments.

From a CMC perspective, the strength of the MoRC arises from: (i) its inheritance of characteristics of conciliation models; (ii) its ability to address conflict as a natural and inevitable part of relationships; and (iii) its ability to account for asymmetry in goals, resources and experience. Typically, prior accounts of CMC either do not address conflict, or else cast it as a breakdown in communication. Furthermore these accounts assert that conflict is likely to be exacerbated by the properties of computational media and implicitly position it as a destructive activity. Conciliation models suggest that conflict is not only natural and inevitable, but also that conflict presents constructive opportunity. Parties need to communicate the fact that they are in conflict. Therefore, conflict is not a communication breakdown, but a normal facet of interaction. Exploration of the way that media properties can facilitate communication between parties in conflict provides a further test for existing models of CMC. Failures in communication may not be attributable to the medium, but may simply be transitory states in relationship formation and maintenance.

A second issue is that of relational asymmetry. As discussed in Chapter 2, existing accounts of CMC (with the exception of SIDE) do not typically account for disparity in resources, experience goals and aims. Conciliation models assume that these are inherent in interaction and need to be addressed to bring about resolution. The MoRC offers a way to represent communication without positioning shared understanding and relational asymmetry as antithetical constructs. The MoRC offers various sites at which asymmetry can exist. These include observation of phenomena, expectations associated with observed phenomena, or interpretations of phenomena or groups of phenomena. Again, this affords the MoRC with strong explanatory power – the diversity of steps at which asymmetry can be introduced enables the MoRC to encompass diverse communication settings and variables. However, once again, this is at the expense of explanatory force. It is difficult to make predictions about the relational impact of different types and locations of asymmetry, since the influence of these contribute concurrently to an on-going relationship.

This thesis provides a new theoretically-derived and empirically-grounded model of communication in the form of the MoRC. It extends existing accounts of CMC by integrating various conceptualisations of communication and by inheriting features from other models of mediated communication, beyond those concerned with computational media. In doing so it provides an integrative account that does not privilege one perception of communication over others. It also offers a way of addressing the natural and inevitable relational states of conflict and asymmetry. However, to achieve this the MoRC has sacrificed obvious explanatory force to maximise its explanatory power. Furthermore, the mapping of CMC accounts to types of communication theory (as proposed by Craig 1999) allows these accounts to be situated in, and exposed to scrutiny from, the domain of communication theory.

The following section considers the findings of the thesis in terms of the impact of media properties on conciliator practice.

7.3 Implications for conciliators using a CMC environment

An aim of this thesis is to investigate the way that conciliators can use an online environment to resolve disputes. This provides insight into the way that that CMC technologies can influence interaction. It also extends existing accounts of CMC by exploring the relational impact of chains or layers of mediation. The implications of these findings for conciliator practice in a CMC environment are discussed below.

Observations of, and interviews with, conciliators who used the various computer-mediated environments indicated that conciliators were still able to effect appropriate relational change. The influence of computational media's properties can be mitigated, accommodated or even appropriated by the conciliator in their attempts to resolve conflict (Chapter 6 Table 2).

Conciliators indicated that there was an increase in the levels of uncertainty in the environment. This uncertainty persisted along all the dimensions of safety of the space. Uncertainty occurs when the conciliator has insufficient information to be able

to gauge: (i) the degree to which parties share an understanding; (ii) the emotional state of each party; or (iii) the availability and applicability of resources called on by the parties. In Chapter 3 it was argued that the role of the conciliator is to create and maintain a safe space. This uncertainty results impacts upon the dimensions of safety of the space. The implications of this distortion for conciliators practicing in VMC and ATB environments are explored in the following sections.

7.3.1 Conciliation using Video-Mediated Communication

In the VMC environment conciliators reported a narrowed range in which they could effectively manage emotion. Conflict 'ramped up' and 'cooled down' more quickly than it would in a face-to-face environment. Conciliators were found to overcome this by explicitly labelling emotional states, avoiding potentially contentious topics and exerting stronger control over turn-taking (through the use of closed questions).

Conciliators also reported that it was harder to keep track of where parties were in the dispute and difficult to address short delays caused by the medium. The resulted in a narrower band in which breakdowns could be explored. Conciliators were found to address this by explicitly drawing attention to breakdowns and attempts at repair, questioning parties to gauge their shared understanding and making clear the point at which shared understanding was reached.

Finally, conciliators reported that the medium skewed awareness of resources available to parties and the impact of their deployment. Certain resources became more salient, others decreased in salience and the impact of many was reduced. This made it safer than a face-to-face environment for addressing certain power differences but meant that others increased dramatically in potency (*e.g.* the threat of a walk-out). Conciliators overcame these changes by drawing attention to particular resource imbalances, avoiding topics where these imbalances were magnified and addressing language to ensure equal participation.

The way that the properties of VMC change the dimensions of safety for the environment are shown in Figure 1.
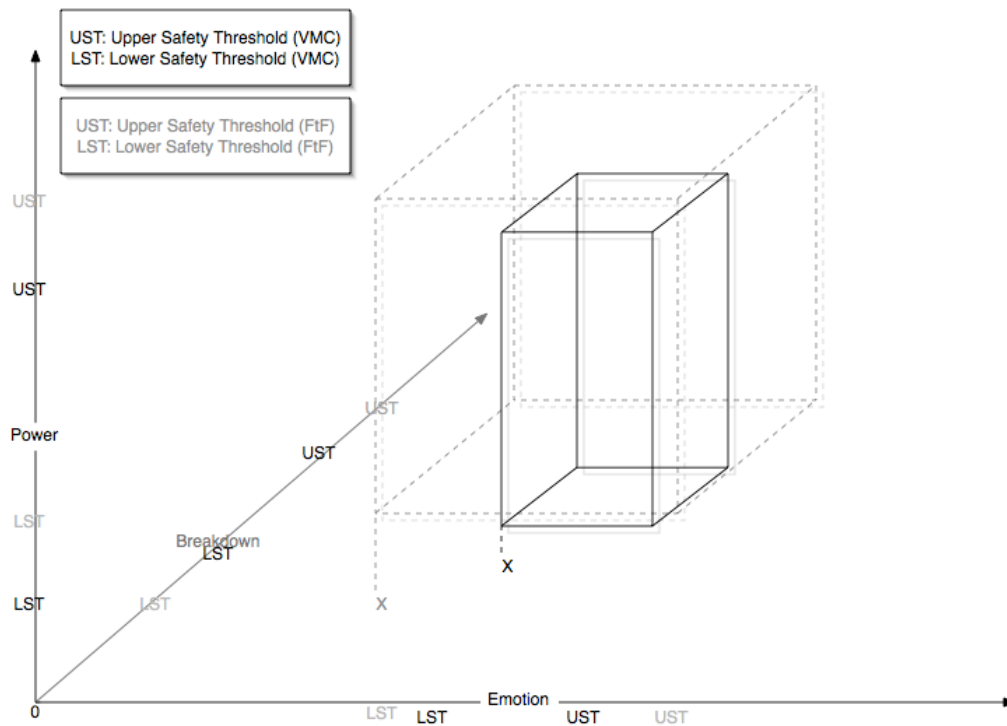
FIGURE 1: The dimensions of safety for a VMC environment.

Figure 1 represents the way in which the dimensions of safety differ in a VMC environment than a FtF one. As discussed in Chapter 3, the scale of the x, y, and z axes may differ. What is evident from Figure 1 is that the total volume of the safe space, represented by the tolerances of safety is diminished. The conciliators have a restricted scope for action to create and maintain a safe environment. The relational impact of the properties of the VMC medium reduce the overall safety of the environment. However, Figure 1 shows that in some instances (exploration of power differences) the medium lowers the tolerances at which the environment becomes/ceases to be safe. The properties of the medium compliment the goals of the conciliator.

7.3.2 Conciliation using Asynchronous, Text-Based Communication

In the ATB environment conciliators reported that the loss of visual cues for gesture, nuance and other forms of paralanguage increased uncertainty about parties' emotional state. Conciliators felt unable to ascertain the emotional impact of statements. They also reported a loss of control over managing the rate and volume of emotional expression. Conciliators were observed to attempt to overcome this by encouraging parties to make explicit their emotional states. Alternatively, conciliators were observed to regulate the flow of information into the space with the use of closed questions and the imposition of a visual structure on sections of the debate. However, conciliators also reported that the asynchronicity imposed by the medium's properties afforded parties time for reflection; they reported that it 'cooled things down'. Conciliators were observed to use this to encourage parties to consider statements before they were posted, preventing parties from reacting to an emotive statement. These properties of the medium therefore skew the threshold of safety for the ATB environment.

Conciliators in the ATB environment were observed to use the properties of the medium to structure the debate so that the extent of the narrative breakdown could be quickly scoped and identified: the properties of the medium allow multiple threads of discussions to be addressed simultaneously. Similarly, the permanence of the medium allowed parties to refer back to specific breakdowns to facilitate repair. However, the asynchronicity imposed by the medium, meant that the timing of messages may have been problematic, especially when large groups were communicating. Conciliators were observed to overcome this by making explicit the likelihood of delays and exploring the reasons why this may be. In this way the properties of the ATB environment make it safer to experience breakdowns: parties are able to quickly identify and scope specific breakdowns. This widens the tolerances for safety along this dimension.

Finally, conciliators reported that the properties of the medium distorted the exploration of power differences. Conciliators had concerns that the permanence of the medium meant that parties were able to 'copy-and-paste' verbatim statements, or

links to evidence. This greatly increased the value of these resources and reduced parties' impression that the environment was safe from commitment or retribution. Similarly, conciliators were concerned the they could not easily uncover or address disparity between the users' experiences of the medium, or resources that they may have been drawing on from outside of the environment. Conciliators were observed to try to overcome these by downplaying the significance and legitimacy of copy-and-pasting statements and links, thus reducing their impact. In addition, the lack of co-presence means that the environment is safe from physical intimidation and retribution. Conciliators believed that this made the environment more suitable for some forms of dispute. This indicates that the range in which power differences can be explored is reduced.

Figure 2 represents the changed dimensions of safety for conciliation in an ATB environment.
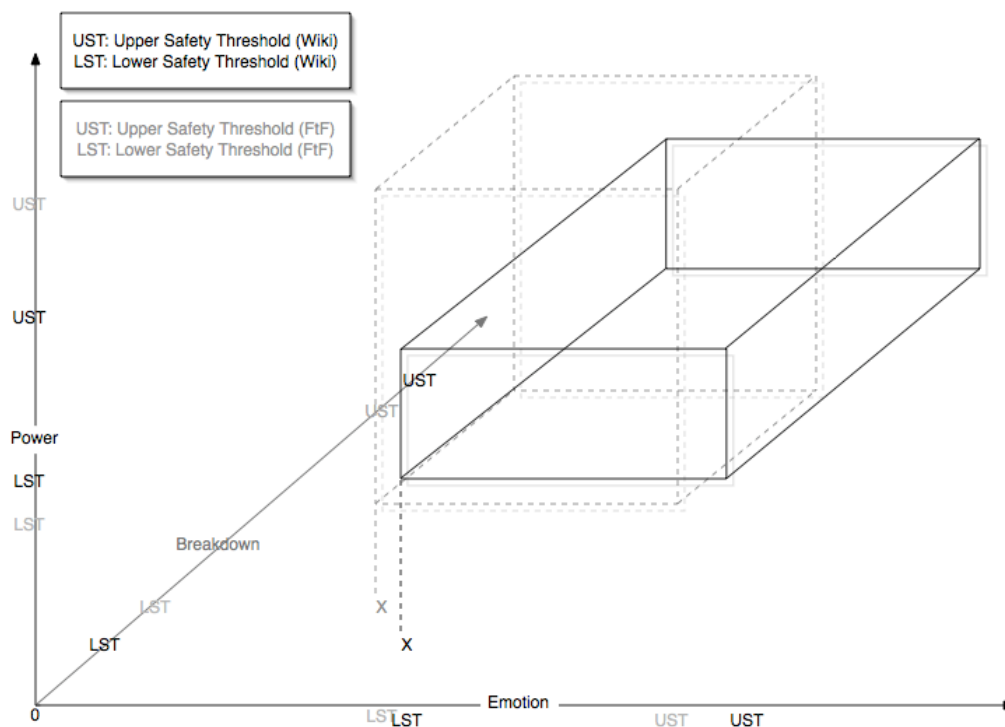
FIGURE 2: The dimensions of safety in an asynchronous, text-based environment

Figure 2 highlights the way that the dimensions of safety are altered by the properties of an asynchronous and text-based media. The diagram indicates that these altered thresholds mean that the volume of safety may be equivalent to that of the face-to-face environment, but its shape is altered. Conciliators have greater scope of action along the dimensions of emotion and breakdown, but are restricted in the way in that they can address power differences. This indicates that the properties of asynchronous, text-based conciliation have an impact on the way that parties experience the safety of the environment. In turn this determines conciliator practice.

7.3.3 *Implications for conciliator practice*

Figures 1 & 2 indicate that the properties of the medium distort the dimensions of safety for the space. These are generated from interviews with, and observations of, conciliators using CMC. In addition, these observations and interviews demonstrate that conciliators alter their practice in attempt to overcome the limitations of the medium and to take advantage of the additional safe space afforded by the properties.

This thesis sought to explore relational asymmetry in the form of conflict. It argued that conciliation is one way to explore and manage relational communication. The research in this thesis implies that the dimensions of safety for the space are experienced objectively. However, there is potential for them to be experienced subjectively and therefore, potentially asymmetrically. The role of the conciliator is to deploy their skills so that these different perceptions are not incompatible with the purpose of creating and maintaining this safe space, despite any existing asymmetry.

This accounts for the consistent finding of conciliators making explicit observations of emotions, shared understanding and power resources. The properties of the medium not only shapes the information available, but it determines the inter-subjective experience of safety, greatly increasing uncertainty. This uncertainty may reduce parties' experience of safety of the space. By making things explicit, the conciliator scopes the dimensions of safety, rendering resources, emotions and understandings objectively visible.

Other changes to conciliator practice, namely avoidance of contentious issues or highlighting the potential impact of properties of the computational media, can be attributed the fact that the environment is a novel one. In VMC both the technology used and the presence of a conciliator represented a departure from the normal way in which interaction occurred, for all parties. In the ATB conciliations, the environment may have been familiar to the parties, but the presence of the conciliator was a novel introduction to the communication process. This novelty meant that parties were unsure of the way that the conventions and expectations of communication would be altered by the media properties. Conciliators in VMC may have felt less confident addressing the most contentious topics as their unfamiliarity with the medium meant that they were unsure of the thresholds of safety for the environment. In both the conditions, conciliators were observed to draw attention to the properties of the medium on communication (*e.g.* timing). This can be seen as an attempt to manage the expectations that parties have to ensure that the novelty of the medium (either computational or conciliatory) would not hinder relational communication.

The work undertaken by this thesis indicates that the relational impact of any medium is to influence the way that parties are able to experience breakdown, express emotions and explore power differences. However, there are two issues that need to be considered when Figures 1 & 2 are discussed.

The first is whether these represent the impact of the properties of computational media on the safety of the space, or whether they represent the result of conciliators' attempts to accommodate the impact of these properties. Strategies deployed to incorporate or mitigate the impact of the properties may result in overcompensation or avoidance techniques that result in the changed dimensions represented in Figures 1 & 2. However, this argument presupposes that conciliators automatically wish to create an environment equivalent to face-to-face. Interviews with conciliators indicate that, although many feel that face-to-face is a beneficial environment, it is not optimal in all circumstances. Therefore, it appears that conciliators moderate their practice to maximise the volume of safety for the interaction, rather than seek equivalency with face-to-face.

The second issue that arises is that of the relationship between the dimensions. Figures 1 & 2 represent the dimensions of safety as having linear inter-related but independent. The conciliator is able to increase the dimensions in one, two or all dimensions simultaneously and with varying magnitude. This approach was adopted for simplicity of representation. It is conceivable that there is high degree of interdependence between the dimensions *e.g.* as the conciliator approaches the threshold of safety for emotional expression, the threshold of safety for exploring breakdowns diminishes. Exploration of the relationship between the dimensions at the safety tolerance thresholds is beyond the scope of this thesis, but could be used as a foundation for further work.

7.4 Implications of findings for the design of communication environments

An aim of this thesis was to investigate how conciliators are able to practice in an online environment. The findings offered by the research can be used to suggest a number of considerations when designing to support conciliation. The findings of the thesis indicate that a main aim for conciliators is to manage the environment to effect relational change. This is achieved by creating a space in which it is safe to: experience breakdowns; express emotions; and explore power differentials. The properties that the conciliator brings to the interaction to achieve this are described in the conciliation ontology. This thesis has investigated the way that the properties of computational media interact with the properties described in the conciliation ontology, alongside the impact that this has on the conciliator's ability to create and maintain a safe space. The findings demonstrate that the properties of the medium influence the dimensions of safety for the space. They further demonstrate that the conciliator's practice changes to overcome this alteration and indicate that consideration of the impact of these properties on conciliator practice can be used to inform the design of environments that compliments the conciliator's aims in creating and maintaining a safe space.

Chapter 7 - Section 4: Implications of findings for the design of communication environments

The following are recommendations for the design of environments to support conciliation.

1) Allow conciliators the ability to control image fidelity.

This thesis has shown that conciliators exert control over the flow and salience of information into the shared space. This is undertaken to preserve the safety of the space, influencing power displays and displays of emotion. In a VMC environment, conciliators reported a loss of control over their presence and ability to manage presence in the environment. The first design recommendation is to allow conciliators the ability to control image fidelity. This would allow the conciliator to 'grey-out' parties if they wished to reduce their presence, perhaps during a period of venting, or other hostile action. This would afford the conciliator greater control over the ability to mange presence and preserve the safety of the space.

An extension of this in the video environment is to provide the parties with a 'walkout button'. Conciliators expressed concern that in the video condition, the threat and impact of walkouts are greatly magnified. If a party wishes to withdraw their participation then it is difficult for the conciliator to re-establish contact with parties. To mitigate this, the environment should be provided with a way for either party to 'pause' the interaction and open a private communication channel with the conciliator. This would reduce the impact of threats of walkouts and allow the conciliator a final option for managing flooding, rather than forcing parties into a situation of non-participation.

2) Prevent flooding in ATB environments by limiting post length

Chapter 5 highlighted the difficulties that conciliators faced in an ATB environment with respect to flooding. The asynchronicity of the medium meant that conciliators did not always retain control over the incremental increase in emotion. In an ATB environment conciliators may find that parties have vented or flooded when a lengthy paragraph appears. Conciliators then have to address the impact of the emotional expression, rather than seek to control it. Providing conciliators with the option to specify post-length in particular cases would offer one way of mitigating this. If provided with this option, when conciliators believe flooding is likely to occur they would have the option to exert control over the flow of information into the space.

This would allow them to preserve the environment by affording them incremental control over emotional expression.

A further recommendation would be to provide conciliators with the ability to impose asynchronicity in an ATB environment. The affordances of this are twofold. The first would be to provide the conciliator with a way to equalise participation and prevent the discussions being dominated by those who have more time, or are faster at typing. This may prevent misattribution due to delays and ensure that parties are able to participate in an equal manner. The second is that it promotes time for reflection on what has been posted and the way that an individual wishes to be perceived in the environment.   Providing the conciliator with the ability to impose asynchronicity reduces some of the uncertainty created by the ATB environment and affords the conciliator an additional way of managing emotions through imposed reflection.

 3) Controlling the permanence of information in the environment

A third recommendation is for environments to be designed to control the impact of the permanence of information in the environment. Observations of, and interviews with, conciliators who operated in an ATB environment indicate that the permanence of the message restricts parties' freedom from commitment and retribution. Parties are able to refer back to statements that have been made previously, creating difficulty for the conciliator to move the debate forward. Parties may also be reluctant to express themselves fully for fear of retribution should their comments be referred to a later stage.

One way to mitigate this would be to design an environment that recorded the interaction, but that only made it accessible to parties for a limited period of time, or number of utterances/topics (although the conciliator would retain the option to view all aspects of the text and make the text visible to all participants). This would ensure that the parties are free from retribution from comments that they have made previously. Conciliators are able to keep the debate moving forward.   Parties will not be able to refer back to topics made hours, days or weeks previously.

A further issue that arises from the permanence of the message is the ability for parties to 'copy-and-paste' verbatim statements from the other party, or insert links to

evidence that they feel supports their position. This skews the power resources available to parties, they can draw on information from outside the shared space. Restricting parties' abilities to do this would again ensure that the conciliator can keep the debate moving forward, without parties having increased fear of retribution.

4) Integrate all three environments (VMC, Face-to-Face, ATB).

The research undertaken by this thesis indicates that the properties of the medium have a relational impact. This relational impact is addressed by conciliators in an attempt to create and maintain the safety of the space. The dimensions of safety are altered by the differing media properties. The implications of this are that differing mediated environments may be more suitable at different stages in the conflict, or with different determinants of conciliation. It is envisaged that conciliators may benefit from considered application of the different environments at different stages of the dispute.

One suggestion would be to initially deploy a VMC environment for parties to discuss the dispute. In this environment, parties' do not experience extremes of presence; there is safety from physical intimidation and other resources. The conciliator can use this environment to outline the concerns and allow parties to vent without fear that the emotions expressed will cause too great a discomfort on the other parties' part. Once this has been achieved and parties are committed to the processes, the conciliator can then migrate the debate to a face-to-face environment.

Conciliators reported that there was something inherent in meeting face-to-face that assisted conflict resolution and mode parties more committed to the outcome. In this environment the conciliator can build on the relational improvement achieved in the VMC environment and explore the dispute in an mediated environment in which co-presence helps parties to individuate the other.

Finally, once parties have started to explore potential solutions the dispute could be migrated to an ATB environment where parties begin to commit to outcomes. The permanence of the information means that parties can be confident that the other side is committed to a course of action. The permanence also means that parties can explore specific breakdowns an identify areas that may still need to be addressed with

an additional face-to-face meeting. In this way the various properties can be used to compliment the differing role of the conciliator at different stages of the process.

7.5 Further work

The purpose of this thesis was to investigate the relational impact of media properties. This was undertaken through an examination of the way that conciliator practice is altered by the use of computational media. To achieve this, the thesis developed and tested a model of relational communication (MoRC) and an ontology of conciliator behaviour. These were used to explore and explain the relational impact of various media properties. Conciliation was chosen as it addressed conflict; relational asymmetry; and layers or chains of mediation. These are issues that are not fully explored in existing accounts of CMC.

The findings suggest that the deployment of media properties exerts an influence of relational communication. This is explained with the MoRC by locating the impact of properties as observed Expressed Social Context Variables (*ESCV*s) – phenomena that are distinct and observable in the shared space; or as differences in Interpretative Narrative Frameworks (*INF*s) – the meaning-making schema with which individuals explain the combinations of observed *ESCV*s. However, the findings raise further research questions.

The findings of this thesis demonstrate that the MoRC has a high-degree of explanatory power: it is arranged in such a way that it can explain a wide range of communication settings. However, the thesis has not fully explored the explanatory force of the MoRC: the degree to which predictions can be made about various combinations of *ESCV*s or alterations to *INF*s.

Further work could be undertaken to explore the explanatory force of the MoRC. This could take the form of exploring the relational impact of changing communication settings in conciliation. One design recommendation is to explore an integrated approach to mediated communication in conciliation (*e.g.* VMC, FtF,

ATB). The explanatory force of the MoRC could be tested by using it to predict the relational impact of altering the order of these conciliation settings.

A second strand would be to further explore the conciliation ontology. This has been demonstrated as an adequate tool for use as a coding schedule. However, this thesis has not fully explored its potential. The findings suggest that the categories in the conciliation ontology could be further refined to develop a more detailed and comprehensive account of conciliator behaviour. Alternatively the conciliation ontology could be used to frame quantitative investigation into behaviours between different conciliation determinants. It provides an objective measure against which the changes of variables can be assessed.

Finally the high-stakes nature of conciliation and its sensitivity to idiosyncratic traits of individuals and contexts has presented a novel challenge for investigating conciliator behaviour. Although not a direct aim of the thesis, the research process has offered an insight into how to approach requirements analysis in situations of complexity. This thesis used grounded theory and conciliator training to uncover conciliator concerns and behaviours, without simplifying the phenomenon under investigation to such an extent that it became meaningless. These findings could be applied to a usability evaluation of systems designed to support alternative dispute resolution, offering a novel test for existing usability methods.

7.6 Final conclusions

This thesis sought to address the base understanding of 'mediation' in computer-mediated communication. It used the phenomenon of conciliation as a lens for evaluating existing accounts of CMC. Furthermore it argues that, in addressing communication in relational conflict and being a reflexive medium that can adapt its properties to meet its goals, conciliation provides a novel test for existing and future accounts of CMC.

Chapter 6 drew parallels between conciliation and CMC and demonstrated that it is possible to discuss mediated communication at an abstract level. It used the literature

and the research findings to argue that different combinations of media properties exert a varied relational impact. It indicates discussed this impact in terms of the way that the properties impose a structure on: (a) the environment (both physically and cognitively); (b) the timing of information transfer; and (c) the availability and persistence of information in the interaction space. It is argued that these structures impact on relational communication by influencing: (a) the degree of certainty that interlocutors possess about the information in the interaction space and the way that it is perceived by others; (b) the availability and efficacy of strategies for interlocutors to control the information that is in the space; and (c) the inter-subjective experience of presence.

This framework is integrated with the Model of Relational Communication presented in Chapter 10 and therefore provides an account of the impact of media properties on relational communication. The MoRC, indicates that there are a number of sites at which various media properties exert an influence on communication: (a) expression of social context variables; (b) perception of social context variables; (c) expectations associated with the perceived social context variables; and (d) the narrative frameworks used to make meaning from the perceived social context variables.

The Model of Relational Communication achieves this by integrating various accounts of mediated communication and allowing for relational asymmetry. It also offers a way of conceptualising layers or chains of mediation. This gives it great explanatory power. It is a flexible tool for future researchers who wish to explore the phenomenon of computer-mediated communication, conciliation or relational communication. Furthermore, this integration allows existing accounts of CMC to be situated in the wider domain of communication theory.

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Appendices

Appendices 1a – 1k

Minutes from Conciliator Interviews

Bibliography

Appendix 1a

Conciliator 1

Practicing since: 1997.
Domains: Community

Question 1 (use for question 2 – was most difficult mediation of their career)

1. Had to withdraw (1st time) – this was very unusual.
2. Checked surnames before taking part, and there may have been a potential conflict of interest.
3. Normally mediate in twos.
4. There was a catalogue of disasters
5. Had the wrong address, turned up late had to make apologies
6. There was no chance to 'gear-up' or prepare.
7. Had to go straight in – we were 'flustered'.
8. Both parties seemed intransigent
9. 'Wouldn't move' – on and on and on and on.
10. No chance to give feedback, or to prepare
11. In the 1st caucus – knew the parents of one of the clients.
12. Already did not appear professional and did not want to accentuate this image.]
13. 2nd visit the party was very intransigent
14. 'Couldn't get her off or move her on'.
15. Resistant to 'round table' although had originally requested mediation.
16. Tried to the usual selling of the mediation. Explained the shortcomings of shuttle.
17. Was attempting to force the issue then I remembered myself and backed-off.
18. Emphasised that it was the client's decision and in their control – she then wanted it.
19. Reflexive
20. Been on the back foot all along. All skills were 'out of the window'.
21. Analyse afterward.
22. Felt that neither mediator had a chance to be cool: clarifying summing up, feeding back or acknowledging – led to intransigence.
23. 'You can still forget your skills if the context is poor and you're on the run'
24. not a failure –parties at a 'round table'
25. Normally would have time to brief oneself, how to approach the mediation.
26. Go in with a plan who's going to introduce, who's going to do what.
27. If it's a really bad scene your skills are diminished.
28. Need time to debrief between the two visits and feed back on that.

Question 2
29. Worked well with the other mediator
30. Council estate abutting onto a private, residential area.

31. Different sorts of people
32. Owner/occupiers had lived in area for years, raised children and were now in late 50's and 70s
33. Council estate – numerous children played in cul-de-sc. Damage to houses, cars and gardens.
34. Very difficult thing to mediate
35. The context that the parties were forced to live in no-one could control.
36. Visited representatives of each area (asked owner occupiers to elect two representatives)
37. Party that was reluctant and monosyllabic unexpectedly took over.
38. ***… she was like a cracked record – I took it on myself to say 'I'm going to have to be really bossy and stop you there, looking at the time'*** – more firm.
39. Controlling her by taking responsibility for the time.
40. A concern that the mediator has – possibly too controlling.
41. Very good – by the end, not resolved, but the parties were talking, apologies were made, all learned things, left together in understanding and acceptance, good faith and a good mood.
42. Can't completely turn things around – because the situation is still there.
43. Hope to make things better.

Question 3
44. Paperwork about what has been said
45. Don't like to dash – plenty of time to arrive calm
46. Think self into the role of the mediator
47. 'I think it's quite important to be present'
48. Presence: being in the now, not thinking about external factors.
49. Clearing the mind and dealing with the moment.

Question 4
50. Only facilitate, don't advise, don't do it for them
51. Provide a scenario, context venue, structure which the mediators hold within which they can do it themselves
52. Treat people as grown-ups - allowing people to take responsibility for the conflict and settlement not delegated.
53. Not legally-binding
54. Things might slip back (but never as bad)
55. Not as cut and dried – far more open-ended
56. Not punitive – restorative
57. Resolution is the ultimate aim, but probably only make things a lot better.

Question 5
58. Facilitator, encourager, supporter, non-judgmental, not advising
59. Hold a process and enable people to sort it themselves: enablers
60. Address imbalance of power
61. Offer parties to bring in a supporter
62. Differences in level so articulation – give more time to, or draw out the feelings r experiences of the less articulate.
63. Always try to achieve balance or symmetry – use experience.
64. Appear professional

> **65.** *A professional mediator will be one that appears to be able to understand the situation that the parties find themselves in and will be more likely to be successful*

Question 6
66. Experience from training, job or other skills – complimentary
67. Always learning
68. Learn of others
69. Have to be in the now – be extra sensitive to everything
70. Always concentrate, never glaze over.

General discussion
71. Video would be second best
72. Coming to a round table show a great commitment
73. Bravery to trust mediators and host it
74. Scariness of presence – having got there shows such commitment – that commitment can be built upon for resolution.
75. 'It makes them more wanting to solve something'
76. It's a little bit safer to be on video – you haven't got so much to lose.
77. It's extremely difficult to sit in the presence of someone you're at war with.
78. If they're risking themselves that much, they are wanting a resolution.
79. Control – through self depreciation
80. Being open about the process
81. Control by being open, saying why performing certain actions
82. Not holding secrets – sharing the process
83. 'Always make it very, very transparent – the process'
84. The more open you are about the process, the less power you have,
85. Knowledge is power – if you give away the knowledge by making the process transparent – you give away an perception that you might have power/control over them.
86. The more transparent you are – the less dominant you become. Even though you are holding the process.
87. Transparency is vital.
88. Mediation is not about power –or should not be.
89. It's about ending power games
90. Communication is fundamental.

Appendix 1b

Conciliator 2

Practicing since: 1976.
Domains: Community, family, victim-offender, special educational needs.
Trainer and manager.

Could you take me through your last mediation?

1. Didn't settle
2. Dispute with children
3. Court deadline.
4. Needed to resolve a specific issue (school for oldest child).
5. Had divorced 4 years previously and this was on-going.
6. *The parties' main problem was their difficulty communicating, this prevented them reaching agreement. I wanted to help them to understand why the communication hadn't worked.*
7. Unusual – difficulties had been fermenting for four years.
8. Struggled with the issues themselves for this time.
9. No guidance or strategy. This had led to the issues becoming embedded.
10. Usually parties come to mediation during divorce and are able to deal with issues as they happen.
11. Argument was caused by lack of communication
12. 4 years of not talking.
13. Needed to establish what the real issues were
14. This would help to uncover the deeper issues.
15. Focus or aim needed to be on the first issues.
16. Lack of time and deadlines made this impossible
17. However, parties are talking and may well return, so some good came out of mediation.
18. *The mediator guides the talks and discussions by helping parties to work out how they should make decisions.*

Could you take me through a particularly successful mediation?

19. Parties were amicable, but frosty
20. They seemed to want to resolve things
21. Children lived with their father
22. The mother had an affair
23. The children wanted nothing to do with the mother.
24. Parents had agreed to split everything 50-50 and children would spend their time between them.
25. Children did not agree so father needed to have a much greater share of the possessions.
26. They were in effect controlled by the girls.
27. The mediation looked to be going 'pear-shaped'
28. Involved the children and gave feedback on the discussion to the parents
29. Girls wanted to be present
30. Told mother how they felt
31. Mother became very emotional and left in floods of tears.
32. Father and the girls then dealt with the issues that they had been avoiding.
33. Mother came back into the room and the girls gave her a hug.

34. Reviewed 1 year on and everything had been resolved.
35. *Sometimes to resolve issues you need a therapeutic approach.*
36. *Some moments you feel like you're there, and then it all goes wrong, It's really important to persevere.*
37. *You do get a gut feeling about if a mediation is going well*
38. *You can get things back on track by showing a commitment to the process, you have no view on what the issues should be., you just demonstrate support in the process.*
39. Emotion can be dealt with by the party leaving the room (would like to go wth them).
40. Offer soothing advice
41. Give an option to take a break
42. Find out what is causing the outburst
43. Use this to try and calm things.

What makes a good mediator?

44. *A few things: balance and fairness, neutrality – this is a sort of a 'removal of self', ignoring your own views or preconceptions. You attach no blame, no fault.*
45. Being assertive (although not own power or interest)
46. Authoritative and n control of the procedure
47. Compassionate and understanding
48. *Neutrality is not making suggestions, offering own comments, or expression own views.*
49. *This can be difficult, especially if one has strong views about a particular situation.*
50. *You may over-compensate if you disagree with one party's attitude."*
51. Exercise control by establishing ground rules
52. Outline the process (what the stages are)
53. Elicit expectations
54. Remind of ground rules
55. Enforce if necessary
56. Ensuring what has been agreed

What is the role of the mediator in the conflict?

57. Intervene and understand the nature of the conflict.
58. *The mediator guides the talks and discussions by helping parties to work out how they should make decisions.*
59. Reduce conflict
60. Apply various techniques and skills
61. *There is an assumption that conflict is overt and loud, but it's not, it's often silent and emotional. You must draw out emotions*
62. Find common ground
63. Talk about practicality for the future.

What role does experience play in the development of a mediator? *i.e.* is it an art or a science.?

64. *The process is developed from a toolbox of skills Experience helps you to discover which tools to use and when, you develop feelings about what is going to work*
65. Techniques vary from mediation to mediation
66. It can be learnt, but experience is vital (observation and pairing in training).

Is there a role for VMC or chatrooms in mediation?

Bibliography

67. Not really – maybe for finance and property (although figures can still cause emotion)
68. Loss of emotion
69. Too easy to lie
70. Emotion is key
71. Removes personality

Additional Thoughts

72. Mediation is a therapeutic process
73. Work through emotions
74. Hopefully come out of it feeling better

Appendix 1c

Conciliator 3

Practicing since: 2000.
Domains: Community, Family
Trainer and manager

Could you take me through your last mediation?

1. Mixed-race couple divorcing.
2. Had been married for 15 years.
3. Had 3 daughters (9, 6, 3)
4. Were selling house (although this was not the current issue)
5. They had themselves already identified the '*sticky situations*'
6. Had already agreed most *'key things'*
7. Needed to resolve issue of contact.
8. Not unusual, but every case is different.

Could you take me through a particularly difficult mediation?

9. Attempting to resolve children's issue.
10. Both parties were incredibly affluent.
11. Money itself was not the problem but money caused problems.
12. Issue of contact around a three year old daughter
13. School education was a concern.
14. Suggested an independent assessment from an educational psychologist.
15. Still unsure how the conflict resolved.
16. *What made this one particularly difficult was that there was no room for compromise on a 'sticking issue' – it was either or*

What makes a good mediator?

17. In terms of personality:
18. Temperamentally suited to doing the job
19. *You need the ability to hold on to conflicting or negative emotions – that's your own and that of others.   You need to not react to situations, you have to have a sort of inner calmness.*
20. *You also really need to be interested in people and have the capacity to be an observer, without getting drawn into the debate – although this is hard.*
21. *It helps if you feel ok with being in a situation where finding a solution isn't always possible*
22. Dealing with 'messy' situations.
23. In terms of values:
24. *You must value people as worthwhile in themselves – this means seeing people 'how they are', as distinct from 'what they do'.*

25. *As a mediator you must treat people as an individual and as possessing equal value, even if personally you do not approve with their behaviour or ideology – this is what I mean by being non-judgmental.*
26. In terms of skills possessed by the mediator:
27. *A mediator should be able to 'lay down structures' that help the participants to feel 'safe', 'respected' and 'heard'.*
28. *They need to know when to intervene and when to remain quiet and be able to ask the sorts of questions that will steer people toward solution*s.
29. In order to remain impartial need to reserve own judgement.
30. Recognise that one is responding to something in the person that resonates with the mediator.
31. Recognise that this reaction is about that trigger, not about the person
32. Recognise that no behaviour occurs in a vacuum - therefore the mediator must appreciate that this trigger may be caused by a variety of things.
33. Mediator must see/unpack how this context is relevant to the mediation.
34. The sorts of questions a mediator needs to ask are those that may promote the best possible way forward (if the mediator feels that one solution is a possible beneficial outcome).
35. *Good questions are those which force parties to engage with themselves, with one another, rather than reinforcing their views.*
36. Describe a situation as about the behaviour of parties, rather than as about their position.
37. *A bad question is one which invites parties to re-iterate their statements or views.*
38. *A mediator hopes to get people to think about change, or differences in opinions and how or why this may have come about.*

What is the role of the mediator in the conflict?

39. *The mediator brings a sense and expectation of safety to the interaction. This is safety in terms of physical, safety to be open about thoughts and feelings.*
40. *This safety takes the form of a freedom from retribution for these actions – the mediator is in control.*
41. The mediator reinforces this throughout the process, they won't allow bullying or domination by one party over another.
42. The mediator provides an environment for exploration.
43. Hopes to show parties that something positive can come out of the conflict.
44. Make parties realise that it is ok to feel stress – be creative and develop workable solutions.
45. *It will hopefully make participants less fearful of conflict.*
46. Mediator can help to control meetings by having separate meetings beforehand, in which concerns and issues can be expressed/uncovered.
47. Can use this to develop a view of the history of the conflict and how each party views the other.
48. This can then be used to see if there are any special conditions needed to help to make the environment safe.
49. The mediator also needs to be clear about the ground rules, often making them explicit.
50. However, it could be argued that by drawing attention to various unacceptable behaviour, the mediator invites those behaviours.

51. The mediator needs to deal with breaches to the ground rules, as and when the breaches arise.
52. **This must be done in a firm, clear and consistent matter, otherwise the mediator may lose their credibility.**
53. **They offer the potential to move from old scripts.**

What the indicators that a mediation is going well or badly?

54. Indicators may be:
55. One party has a very clear mindset that mediation is not going to work.
56. This mindset can be changed by getting the party to engage with the process.
57. Parties going 'round in circles' – this makes it difficult to 'shift' parties
58. Parties too attached to their views.
59. Parties can be moved from this by:
60. Reframing the language, describing things in different was that subtly shift or alter meanings.
61. Introducing these reframings allows room for manoeuvre.
62. Encourage questions that explore positions and the assumptions that underlie these positions .
63. *If you can change the assumptions you can change the positions.*
64. Parties see that believe that there is only one solution possible (often comes out in the single meeting)
65. Demonstrate potential for openness in the mediation

66. This will be an idea that is not a compromise, but is different. It enables parties to take a dispassionate view

67. In addition, the conciliator can also explore alternatives *e.g.* the consequences of the lack of settlement, or the implications of what might happen if the other party holds their view just as strongly.
68. **Introduction of doubt into their held 'right or wrong' positions can be exploited to facilitate settlement.**

Technology in mediation

69. Has a place as a resource for processing data (*e.g.* spreadsheets)
70. Mediation doesn't make much use of technology and consciously avoids doing so.
71. *Technology gives a sense of 'distance', can give a sense of psychological blockage from what they are doing.*
72. Low technology s 'more immediate', everyone can adapt to.

73. *These are human situations, not technological situations so they require human solutions, not technological solutions.*

74. {Facilitating technology, such as whiteboards}

75. Video might be useful for certain situations *e.g.* as an alternative to shuttle mediation.

76. SM has the disadvantages that
77. Mediator needs to feedback what each party has said to each other (time-consuming)
78. Act as spokesperson for other party – it comes from your lips and has been 'filtered through your voice'
79. Other parties find it harder to gauge or trust what has been said.
80. Drawbacks to efficacy.

81. When parties are together in a room:
82. Responsibility is on people in the room – 'these are your problems'.
83. They need to take the decisions away and make them work.
84. [in the real world] they must learn to deal with each other
85. Offers the ability [and incentive] to lay the relationship to rest in a constructive manner.
86. Have to listen and be listened to.
87. Pay attention to views or people that you may disagree with or dislike.
88. *Without face to face, you are still left with your feelings, which won't help resolve the conflict.*

Bibliography

Appendix 1d

Conciliator 4

Practicing since: 1995.
Domains: Community, Anti-Social Behaviour
Manager

Conciliator 5

Practicing since: 2003.
Domains: Community

1. Same skills are used for mediation/conciliation/arbitration, but applied differently and with a different focus.
2. Carry out mediation assessments, decide if mediation is appropriate, or if alternative arrangements can't be reached.
3. Not always a three-way meeting.
4. Identify most appropriate response and attempt to seek an informal resolution.
5. Often have legal framework as back-up.
6. Roots/causes in conflict may stem from lifestyle differences; anti-social behaviour; criminality *etc.*
7. Solution needs to be robust – written report to Council (success rate determines funding).
8. Traditional mediation is the best form of dispute resolution *provided* that everything is set up for it properly.
9. There is a big class issue – mediation is a 'middle-class' approach.
10. "Let's talk things through" has many implicit class assumptions.
11. The people that NFM talk to tend not to place such a high view on communication.
12. They are therefore reluctant to try mediation, or to believe that mediation works.
13 Conflict that they find themselves in will be those in which two parties find they are unable to resolve a situation.
14. Mediation/CR seeks to restore relationships; develop trust (in mediator, in each other, in the process); make parties feel that they have been listened to.
15. Conflict needs to be resolved by removing anger and frustration.
16. Anger and frustration lead to distorted thinking; parties lose their sense of proportion and perspective; this leads to them making value-judgements.
17.   People need to feel acknowledged and listened to.
18. The mediator must listen to parties and help them get out ('*pour out*') anger and frustration.
19. This allows the real issue(s) to surface – divested of their value-judgments and attendant distorted thinking.
20. Once this out-pouring has been listened to, the mediator needs to then re-focus the discussion onto the issues that have come out of it.

21. Parties will often take their lead from others in the room (emotional pitch).

22. To find out problems, the mediator needs to gain parties' trust.

23. The conciliator is also in the position of being able to use leverage from the context (threat of court/tribunal, lack of available alternatives).

24. In this way they can be more directive (which is not possible in mediation).

25. ***In mediation the dispute resolution professional cannot make suggestions or recommendations to parties, the parties own and take responsibility for the conflict.***

26. In other forms of dispute resolution the professional can make recommendations, based on their experience.

27. However, the mediation has to be lead by parties: they need to work through the emotions before beginning to offer suggestions.

28. They need to draw parties focus on to the main issues..

29. Telephone and e-mail have their place, but the mediator finds it difficult to rely on the 'gut instinct' that they develop in face-to-face meetings:

30. These gut instincts are for the "underlying issues". The mediator (FtF) uses their skill and gut-instinct to guide them to the real issues.

31. FtF the mediator is able to be seen to be engaging in the process too.

32. The process involves a contact meeting followed by an individual meeting

33. In the first meeting the mediator seeks to find out what the problem is and where the parties are at.

34. The mediator will also hope to address and unpack some of the emotional issues, in order to make it safe for parties to have a joint meeting – they have divested the emotion that clouds issues.

35. This gives the mediator knowledge of the conflict and the confidence to deal with the issues.

36. The mediator uses 'human skills' to resolve issues – by showing that it's a human-being delivering the process.

37. A human-being is essential to the process, the process doesn't stand isolated from humans

38. Can also decide how to pitch issues:

Continuum from

Very process driven   >>>>>   Engage as an individual
(take through stage by stage   (speak in own terms and be
procedure by procedure)   very direct)

39. The process also involves 'active listening' and reframing.

40. The conflict resolution practiced by the organisation is very pragmatic (use many models)

41. As funding is tied to results – 'whatever gets settlement' [Orchestrator?].

42. Very reflexive and pro-active – will judge on what has worked previously and what will work in this situation.

43. One of the main causes of conflict is that people often have difficulty communicating normally. When this is compounded by emotional content, this makes it even harder to communicate effectively. (especially if mental-health, drug/alcohol, learning issues are present).

44. This effects people's communicative skills and increases the likelihood of destructive or negative communication; as opposed to the positive and clear communication that may actually help to resolve these emotional issues.

45. Different types of mediation (and different cases) will change the communication type that is most appropriate.

46. Change of communication styles comes from encouraging parties to 'look at themselves'.

47. This is a key component of active listening.

48. Parties tend to give information as a story.

49. The mediator must listen to this narrative and uncover the who, what, where, when and with what consequences.

50. Parties tend to want to abdicate responsibility

51. After giving the story, parties tend to want to abdicate responsibility for dealing with the conflict onto the mediator.

52. They also tend to judge others on criteria that they will not turn on themselves [back to distorted-thinking].

53. These criteria can be ascertained by listening for key words that indicate value statements.

54. The mediator will then turn these around onto the individual.

55. However, it is important to let parties vent and feel that they have been listened to.

56 ***Don't attempt to make parties non-sceptical, but accept the cynicism, draw attention to the process and how the process has managed to have an effect.***

57. When people provide this narrative, they tend to start at the end of the story and work backwards.

58. The mediator needs to allow them to off-load and then re-sequence events (without disturbing the flow of the narrative) in order to uncover and identify the 'trigger-points' and their implications.

59. Often the parties will give two different versions of events and it is the mediator's role to attempt to uncover the common ground that exists between parties.

60. The mediator is also there to offer a 'reality-check' – for views solutions and attitudes.

61. Parties often want the same/similar things – and the mediator can use this to build on experience.

62. Often the mediator is able to see the areas of common ground straightaway, but cannot suggest them at that stage.

63. The mediator needs to help parties divest/unpack the emotion associated with the experience, allowing parties to 'offload'; demonstrating that they're listening, and helping parties to understand the anger and the way in which it has distorted their views.

64. The mediator will often have a 'gut-instinct' about what the causes of the problems are and also how parties' attitudes are making the communication and settlement difficult.

65. Parties may have unrealistic expectations, or incompatible value judgements

66. The mediator needs to listen to these to find the common ground that exists between them,

67. ***The mediator also needs to reserve judgement and be aware that different people do things differently.***

68. The mediator may also explain reasons behind other parties' actions, to the others.

69. One difficulty for the mediator is if people won't engage with them or the process.

70. The mediator needs to help parties uncover the issues, in such a way that parties begin to trust the mediator or the process.

71. Part of this involve demonstrating the confidentiality of the proceedings.
72. Another technique is to reflect back behaviour to the party – if their behaviour is compatible.
73. Another way is to encourage parties to realise that other people may have different views.
74. In addition the mediator may highlight the benefits of the process.

75. The mediator also lets parties vent until they are 'burnt-out'.
76. By reassuring parties, through acknowledging their concerns, the mediator can develop trust in the process and the person.

77. The environment in which mediation takes place is also relevant
78. People communicate differently FtF than over the phone.

79. They also feel more secure and safe in their own environment.
80. A mediator can glean more information from a FtF encounter.
81. The presence of others (*e.g.* children) also changes behaviour.
82. This gives a wider view into the participant's personality.
83. It can also give an indication of who may be relevant in the discussions (*e.g.* one party may be more dominant). This helps the mediator to site the best location for intervention.
84. Once parties have begun to trust, once they have off-loaded, the mediator can encourage empathy with the other parties.
85. They need to be able to trust that the mediator (and other party) is going to be reasonable.
86. The process will hopefully have given parties the opportunity to look at the conflict differently.

87. Many strategies are designed to minimise escalation, rather than resolve the conflict.
88. Parties are stuck in a state of frustration – mediator needs to uncover reasons/causes for this, before moving them on.

Is there a use for technology in mediation/conciliation?

89. Technology may well hinder relationship building, trust development, parties' commitment to the process, or their ability to feel listened to.
90. Parties may also lose their ability to take their lead from someone else.

91. Technology may be able to play a part where there are factors which mean that people have to attend mediation (lack of alternatives to resolving the conflict, or lack of alternative methods of communication.)

Bibliography

92. The lack of body-language (or reduction in body-language) means that mediators cannot rely so much on their experience, judgement or 'gut-instinct'.
93. Technology also reduces the human-side and human nature of the conflict – a human is essential to the process.

94. Changing the medium will also change the types of communication that occurs.

95. People can hide behind technology.
96. If they are adept at presenting themselves through technology, then this may confound a mediator's ability to get to the real issues – get behind the presented identity.

97. It also alters the environment in which people interact.

98. There will be concerns around access, experience, poverty
99. If parties are unable, or unwilling to communicate with people when there is only a wall/floor separating them, how will adding another medium between them?

100. Technology may also take the responsibility away from the parties.
101. People can learn and develop techniques for using technology, but there will be issues with trust and reliability.
102. Technology also increases the potentials for multiple interpretations of messages/statements.

Appendix 1e

Conciliator 6

Practicing since: 1994.
Domains: Community, family, legal services, domestic violence, disability rights, small business, employment and commercial.
Trainer, former governor of UK college of mediators.

Can you take me through your last mediation?

1) Last mediation was a family dispute.
2) There were issues surrounding age differences and money.
3) The way that the relationship had ended, and that there were still strong emotions present made it difficult for the participants.
4) There were also issues around the children and the equity that was in the house.
5) It was an 'all issues case'.
6) Applied the 5 stages of mediation:
7) Agreed setting; 2) agreed issues for day; 3) clarified issues; 4) developed options; 5) found a way forward.
8) "Ideas will 'pop up', this helps to understand what is behind the issues, which ideas will work from many options that are available because ideas help parties to 'dig over' the problem."
9) The mediator will make a note of the ideas as they arise.
10) Sometimes it's too early to latch on to the options.
11) A brainstorming approach is necessary to generate option, to decide which are pragmatically the most appropriate.
12) The serious ones are viewed from various perspectives.
13) The mediator can also help the parties to find advice if necessary.
14) "Emotions aren't irrelevant, the mediator needs to acknowledge how parties feel, without getting to into it – it's good to ask the question "*how would you like it to be different from now?*""
15) Identifying plans.
16) Any mediation is not typical.
17) The domain may be different.
18) However, they are rarely widely unusual.
19) "What made this mediation different was the dynamics between the couple. they kept revisiting the hurt – that made it hard and they also had very different expressive styles, which seemed to escalate things".
20) These differences made it difficult for the parties to communicate – one tended to want to unpick statements and to emote. The other wished to be much more pragmatic
21) The mediator needs to balance different client's needs, this helps forward motion.

22) It needs to be clear to clients that the mediator is impartial. *'there will be times when you say "hang on a minute, I just need the other one to finish"'.*

23) "A mediator must achieve a balance of time and style – and must also give the parties the permission to say if they are not happy, or if they feel that things are not fair, or if one party is not sticking to the agreement."

Can you take me through a particularly bad mediation?

24) A couple of months back.

25) A business dispute that was also a family dispute.

26) 2 business run by two separate couples, one couple had agreed to buy the other out. One of the couples was also divorcing.

27) They were disputing the accuracy of figures.

28) They were working from an accountant's interpretation of figures, not the figures themselves.

29) There was an agreement that a sum would be paid at a certain date and a further sum would be paid later on.

30) This later sum was not paid, the parties did not feel that the business was as profitable as they thought.

31) There was the added difficulty that the business community in which they were in, the dispute was well known, this led to a loss of potential business and questions over both parties' trustworthiness.

32) Both businesses were negatively affected.

33) One party was also represented by a solicitor.

34) The parties did eventually settle. They managed to come up with a way forward, without going to court.

35) The key strategies that the mediator used were:

36) Clarifying what the problem was.

37) Traced the agreement back to its roots.

38) The accountants had different interpretations of the figures, so they had to get the two accountants to talk about the issues.

39) Neither party understood their own accounts.

40) They began with shuttle mediation (more the norm in civil and commercial disputes than round table).

41) However, finds it far more productive to have a round table.

42) "The solicitor was very antagonistic, and I needed to challenge this behaviour to make the solicitor understand the spirit of mediation. This made them much more conciliatory."

What are the skills and attitudes that make a good mediator?

43) Emphasis is not necessarily on academic qualifications.

44) It is down to the attitude of the individual..

45) "They need to be a good listener, they must summarise clearly what people are saying."

46) They need to be able to pull out the bits where a way forward can be found.

47) *"pull out the bits that I think they've said"*.

48) *"Is that correct, have I missed anything?"*.
49) Things are raised in very emotive ways.
50) **"Extract the concerns without the heat, this is a form of rephrasing"**

51) **"The mediator must be able to stop parties respectfully."**
52) **"They must show parties that they have been heard"**
53) "The mediator must be non-judgemental, they must show respect for the other's position."
54) Must be able to understand difference of opinion.
55) "It's not just about agreeing, but also understanding a position."
56) Everyone in a mediation is trying to be reasonable.
57) The mediator needs patience
58) "They must appear to remain calm on the surface. Inside they may have difficulty in keeping up."
59) They are also good at getting rapport
60) They must have an awareness of the correct and appropriate behaviour.
61) They must know how and when to use calming or matching behaviour.

What does the mediator bring to a conflict?

62) They are a calming influence.
63) They can help to clear up misunderstandings.
64) *"The mere fact that they're there makes it harder for uncontrolled rants in from of a stranger.*"
65) "Ranting can be used by the mediator to pick out what the key things are without hurt and anger."
66) **Can mutualise and summarise, identifying issues as a joint problem – creating common ground.**
67) They also create joint needs.
68) **"The mediator puts a structure on discussions - identifying, clarifying, exploring, look at options, pin down with words. Structure helps parties to move away from going round in circle"**.
69) Parties often come to mediation with a way forward in mind.
70) The process helps to break this.
71) The mediator helps parties to understand where this process expectation comes from.
72) Help to understand positions, interests and needs.
73) Mutualising leads to new ways forward.

74) *What is the role of technology in mediation?*

75) Marketing, information for training, information for clients with special need/interests.
76) Contacting and admin.
77) Mediation on-line would provide a separate area.
78) "Is unlikely to replace FtF – but it might be the only possibility."
79) Seeing things in writing may inflame .

80) However, the asynchronous nature of the medium means that parties might reflect on the response, or provide a considered response.
81) It would be very much an 'add on' to existing forms of DR.
82) FtF is more productive although may be inappropriate.

83) "If the mediator is there then they can check with the person what they really mean,"
84) They can pull out the important facts/
85) Divests emotions
86) "Defensive posture arises from the idea that the other disagrees. May nor see mutual interests"

Appendix 1f

Conciliator 7

Practicing since: 2003.
Domains: Community, health services
Trainer and manager.

Could you take me through your last mediation?

1) Was not successful.
2) Owner-occupiers complaining about noisy neighbours.
3) Main concerns were that a washing machine was on in the evening.
4) There was also a ladder propped against the (external) partition wall
5) Litter was being thrown over the wall along with cat faeces.
6) The complainants felt spied upon.
7) They had a glass-roofed conservatory, and had covered the roof with paper, to prevent themselves from being observed by the other parties.
8) They had written a message on the paper, that could be observed by the other party.
9) There was also a neighbour on the other side of the second party who were supposedly unhappy with this current neighbour.
10) Much of the noise problem could be attributed to the fact that the layouts of the houses were different internally.
11) The kitchen of one party adjoined the living room of another. This meant that the washing machine was against a living room wall (and was the only place in the kitchen where there was suitable plumbing).
12) The third party were approached, they had no big issues with their neighbours (p2), but were suspicious of their children (and others in the area).
13) The husband feared damage to his car, and would frequently watch his car too protect it from damage.
14) They had a previously good relationship with their neighbours but did not want any part in the dispute. They had no major gripes with either party.
15) Party 2 had become very suspicious of party 1's behaviour. Party 1 had called the police about their behaviour and also the ASBO unit.
16) They agreed to meet the mediators at the office.
17) Party 1 also frequently asked impertinent questions about party 2's sex-life and were convinced that they could overhear them in the bedroom (party 2 had now taken their sex-life into the living room as a result).
18) Party two had complaints about party 1's CD player (again, attributable to the differences in layout of the two houses).
19) Party two also felt watched by the other party and this left them very distressed.
20) Party one was reluctant to take down their sign, although the mediator suggested that they may wish to consider replacing it with a blank piece of paper, as the current sign may be exacerbating the issues.

21) It also became clear that the ladder was stored against the wall, if it was raining, to prevent rusting.
22) Found the whole mediation very strange.
23) *At first glance, I was not so aware of party 1's underlying issues. All of their concerns seemed practical on the surface.*
24) Party one had become very used to their previous neighbour, over whom they were able to exercise a degree of authority, and wished for things to be the way that they were previously.
25) Party two had no problems with party 1 initially, but their distress and conflict had developed with the comments made to them.
26) *Were I to have approached thing differently, they may have considered approaching party 2 first of all. Had I party 2's version of events, I may have been able to begin to address the affect that the dispute was having on their feelings of security.*
27) These things were not mentioned by party 1..
28) *Had I have known the emotion that was being shown in the questioning of P1, I would have tackled things differently, but as it was p1's complaint seemed practical, with no hint of the difficulties caused by the interpersonal relationship.*
29) The emotional distress became apparent when interviewing P2, by observing their body-language.
30) P2 was reluctant to meet FtF or to try shuttle mediation.
31) Had P1 come to the service after 6 months, the problem may have been tractable.
32) However, after 18-24 months, there was too much pride invested, this prohibited a 'win-win' solution.
33) P1 were adamant that they were in the right, from the outset.

What makes a good mediator?

34) *Good listener*
35) *Able to put aside their own thoughts values and behaviours*
36) *Able to listen to what is being said, attending to what is said verbally and with body language.*
37) *An ability to observe others.*
38) *Being able to dig down beneath what's being said, to find out what makes people tick?*
    a. Examples of telling body language are:
        i. Lack of eye contact, looking away, fidgeting.
        ii. If there are two people present, it can be uncovering their background, or their body-language with each other.
        iii. Or if the words don't match up to what the problem appears to be.
39) ***Need to be able to be silent – this can allow parties to have their say, to draw out thoughts. Silence also encourages parties to speak to fill the gap.***
40) *Having ideas of how to move things forward, but suggesting it in a way that makes parties view it as their own.*
41) *Able to understand the difference between offering and telling – often using language such as 'have you thought of' or 'did you think of'.*

42) *Ability to understand that the practical issues are less important than the relationship.*

What does a mediator bring to a conflict?

43) Someone who is devoted to the parties in conflict.
44) Who has no agenda, no interests, no bad consequences.
45) Someone who is confidential and impartial.
46) Someone who will help them to focus on the issues.

47) The mediator is also a person like everyone else.
48) They are 'someone like them'.
49) Someone who can talk on the same level as them.
50) A mediator is able to mirror, and pick up parties' language.
51) It's not about having the appropriate academic qualifications, but is about having an interest in people.

52) This is becoming more difficult as the voluntary nature of mediation is reduced.
53) Many people view mediation as another box to tick.
54) This makes it more difficult because people are less likely to be open or have the willingness to take part: they haven't accepted the principles of mediation.
55) This makes it very frustrating for the mediator.

What role do you view for CMC in conflict?

56) VMC would be interesting to explore as it allows parties to see the non-verbal signals. It is more immediate than shuttle mediation.
57) However, still think that FtF is the premium option.
58) E-mail loses intonation and inflection.
59) It is more formal and colder, with confusing short-hand.
60) E-mail is good in an organisational sense, as are databases.
61) For other forms of discussion, video may be good.

62) Other forms of technology are not frequently used.
63) A flip chart is used on occasion, but there is a general lack of resources, space and desire to use them.

64) A laptop might be useful, if it had a printer and long-lasting batteries.
65) However, hand-written agreements, make it seem less legal and formal.
66) Remaining informal and relaxed is mediation's strength.

Appendix 1g

Conciliator 7

Practicing since: 1994.
Domains: Community, construction, family
Trainer

Could you take me through your last mediation?

1) Mediation between a friend (a freelance builder) and one of their clients.
2) Went as a volunteer mediator.
3) Had a declared and significant conflict of interest, which made this mediation significantly not normal.
4) Still felt able to be unbiased and impartial. But not independent.
5) Knowing one of the parties meant that he was no longer a totally neutral party, but was still able to bring certain qualities to the mediation.
6) ***To be unbiased and impartial the mediator must be able to facilitate a conflict resolution process without promoting their own agenda for the outcome.***
7) Make them aware that if they have a breakdown or are stuck, it is still their problem {the mediator has no stake in the outcome}.
8) Both parties to feel comfortable.
9) In this mediation - dual role for himself, as mediator and arbitrator (offering an expert opinion on some aspects of the work that had been undertaken).
10) However, this was a very difficult mediation.
11) It was made difficult because there was no definition of the mediator's role and the conflict of interest complicated this.
12) "*mediators always need to define their role and get parties' agreement to have that mandate to support the role*".
13) Took parties' initial statements to help define the role and uncover parties' expectations.
14) Defined role by offering to use professional skills and checked agreement with the question *'do you want that?'*.
15) Ran it like a mediation – asked parties to talk about their problems. One talked while the other listened.
16) Fed back own view of significant problems and rephrased into neutral language that didn't allocate blame, but that joined parties.
17) *The next stage was to get parties to talk directly to each other, listening carefully but taking a step back, watching to see how parties interacted, discussed, got emotional or reached sticking points.*
18) *To be successful a mediation needs to have a common agreement on what the problems are.*
19) Paul then used these observations to help parties to agree what the significant problems are.

20) Also then help to address the issues and find what resolutions they can work together with.
21) "*the reasons why disputes happen is that people do have baggage*"
22) This mediation was influenced by one parties previous experience with a similar dispute that had resulted in court action, which was still ongoing and causing continued emotional distress.
23) There was also a third party who's own concerns and agenda were impacting on the mediation.
24) This third-party had to be challenged quite strongly, by showing them where their behaviour was escalating the conflict.
25) Needed to give a boundary (time) and indicate that this may have been the best option from the alternatives that were available.
26) *There is such a thing as a normal mediation.*
27) *There are basics that underlie proper mediation.*
28) It is not about the mediator giving an opinion on the conflict or the other parties.
29) The aim is a 'win-win': both parties seek to satisfy as many interests as possible.
30) *The mediator is the process facilitator, however, parties own the content and the solution to the problem and the way that they get there.*
31) The mediator can still have a significant influence on the process, either by negotiation or through authority.
32) A normal mediation is not about meeting external structures or requirements (except as a pragmatic restraint).
33) Mediation is also a process that is empowering to both parties.
34) *It's a way for parties to get more of what they want and to begin to feel better.*
35) Custom and practice plays a part: it gives rise to normality; contexts provide constraint.
36) Mediation is also a process for negotiating. Parties meet interests through a process of negotiation and begin to feel better as a human.
37) It is a process for addressing both the rational and emotional aspects of a dispute.
38) *It also makes the problems visible and with this comes the possibility of reframing them.*

What makes a good mediator?

39) Good communication skills – not just the ability to use words, but communication in the broadest sense.
40) Need to have a genuine interest or concern in the clients (at least in that *'bubble of time'*)
41) Willing to let go of the situation once it's over.
42) ***Need to be quite self-aware. This helps the mediator to avoid being drawn into the conflict; the mediator also needs to be aware of their own buttons that can be pushed in the mediation.***
43) The mediator also needs to embody the principles of mediation – this means to understand them at different levels.

44) They have to be able to talk like a mediator, but have the experience to be able to truly understand the mediation principles. They have to '*really get it*'. This is what separates an adequate mediator from a good mediator.

45) ***The mediator also needs to be adaptable and creative and take risks, The risk is to make things up on the spot.***

46) Risks are from the individual mediator's point of view. Things that may challenge them personally

47) ***The consequence of a risk not paying off are that the mediator may be affected by their own emotional triggers -this may make them less able to be effective, or they may become one of the parties in the dispute. Mediation may re-victimise someone in the experience they have already had. The process may also breakdown and parties may no longer be willing to re-engage with the process.***

48) Either of these things may lead to the parties feeling worse and getting worse out of the process.

49) *They may also arise if people come to the mediation in bad faith. They may be there to trick one party into revealing information, or to look good to another interested party.*

50) *If mediation doesn't work it can significantly demoralise parties, they may view that they have one fewer options open to them for resolution.*

51) It doesn't set a precedent for the community at large, that others can benefit from (it's a private, not a public forum).

52) This may prevent people from learning about deeper problems.

What is the mediator's role in the conflict?

53) *They provide a safer space in which parties can be real with each other.*

54) *A safe environment is one which is physically and psychologically safe.*

55) *The mediator is a witness.*

56) *A safe environment is one in which parties are willing to take each person seriously,, to not be judgemental.*

57) The mediator does have a role in ensuring a degree of physical and emotional containment.

58) *Watching the space and deciding when an intervention is necessary e.g. 'let's stop here'.*

59) *Even if the mediator was a silent presence throughout the process, and just gave good quality attention, they would bring something to the process.*

60) ***Being an interested and a non-judgemental witness, has an effect on people and encourages reflection on their behaviour***

What might be the role of technology in mediation?

61) There is a significant value in physical co-presence.

62) There are a number of components to face-to-face meting.

63) *It also provides the opposite of safety – there is a risk attendant to being in someone else's presence.*

64) Physical presence also brings with it an immediacy and simplicity, one doesn't have to work so hard at getting understanding.

65) *Technology can 'dehumanise', people may forget that they are talking to other people.*
66) *Any device used to facilitate getting people together in the resolution process is a good device.*
67) Video is probably better than just audio as it gives indications of body language.
68) *It depends on the reasons for video being chosen – it may not be as good, but there is a pragmatic case for it.*
69) *If there is something that is getting in the way of people meeting, this may be the very thing that needs to be resolved – the video may inhibit parties overcoming this.*
70) It might be a useful tool for starting the process, or to be used when other things have not worked.
71) There is a use for technology in the room, either low or high technology.
72) It gives an immediate visual sense of the information that has come out of the process.
73) There are also considerations to be made about differing levels of familiarity and accessibility.
74) *Unfamiliarity may might bring a moderation or a stress to the process. This could bring a possible bias to the process.*

Appendix 1h

Conciliator 9

Practicing since: 1997.
Domains: Employment (mediation and conciliation)

Conciliator 9 was unwilling to discuss prior cases due to concerns about confidentiality.

What makes a good mediator?

1. *Many different mediators and many different approaches.*
2. Tend use a script and 'system-led' approach.
3. Many structures for logging the events.
4. Ensure that all the bases are covered.
5. Facilitative mediation – attempts to restore a relationship.
6. Directive mediation – attempts to report and outcome/solve a problem.
7. *Need to reassure parties as to what the process is and that they are there voluntarily.*
8. *Mediation differs to conciliation in that:*
9. *Conciliation happens after the event; there are different boundaries; it is directed with reference to legal situations; there are parameters in terms of risk, conflict, law and potential outcomes – it is all done within the framework of the ET*
10. *Mediation is designed to restore or repair relationships before it becomes a dispute; it is not a legal process; parties must address what is going wrong; what needs to change; emotions must be dealt with more than 'facts'; may deal with like/dislike/beliefs/behaviours; much more stressful and personal.*
11. The mediator must be able to control the conflict and leave it in a situation where parties are able to carry on.
12. They must be able to understand why they've got to where they are and learn to rebuild and repair their relationship.
13. *If it's too late in the day and trust is too damaged then it is difficult for mediation to work.*
14. A mediator will give parties the tools for making the relationship work better – in workplace mediation it will often be used instead of a grievance.
15. It allows a confidential airing of fears, in a safe environment.
16. *The mediator is non-judgemental and impartial.*

What does a mediator bring to the conflict?

17. Relationship between control and impartiality:
18. At the 1st meeting and at the joint meeting, the mediator will set the ground rules, so that, '*we know what the aim of the mediation will be*'.
19. Parties will be aware that they are entitled to uninterrupted time.

20. The parties and the mediator will understand the process
21. Aware that the mediator will not tolerate breaches of the ground rules.
22. They will also respect the fact that the mediator is there to help.
23. *There is a toolbox of techniques for mediation:*
    a Normalising – make a behaviour seem to be a normal behaviour or reaction.
    b Use of empathy – to show that the mediator understands and has listened

24**. *Mediator must control behaviour, without stopping what they need to address***
25. *Allow venting in a manner that is appropriate to the process.*
26. *Summarising helps to develop a shared understanding*
27. *The other party now hears it from a third party – encourages them to listen.*
28. Both sides get the equal opportunity to vent [uninterrupted time]
29. Both sides then get to discuss the conflict.
30. The mediator provides safety – not representation.
31. Mediation can be hard if both parties deny that they're guilty and you can't get beyond that.
32. Need to then do it hypothetically.
33. Need acknowledgement; a better understanding; ownership of problems.
34. The mediator also needs to know that the dispute is appropriate for mediation – is it actually going to help?
35. Disciplinary process needs to be used in conjunction – it's generally too late if the mediator is brought in at the last minute.
36. *Best timing is to bring it in very early on – this helps to repair the relationship before there is a loss of trust and confidence.*
37. Conciliation and mediation compliment each other:
38. In that: both are dealing with disputes – there are emotions and these are associated to and exacerbate the problems that have occurred.
39. Both make use of the joint meeting scenarios.
40. They are different in that:
41. *Conciliation is a [usually] financial conclusion of a legal test.*
42. *Mediation is about getting relationships restored*
43. Conciliation often occurs late in the day.
44. The conflict is often down to differences between parties – e.g. competing processes/problems/taking ownership.
45. Parties will often react to behaviours on the day
46. I use a mediation stencil to structure the process – this helps to identify problems and issues and use this as a template in the uninterrupted time.
47. Help to identify common things and a record of how far they've come.
48. They need to hand it back before the end of the mediation.
49. Stops the other party reacting to uninterrupted time.
50. The mediator hopes to assist in a positive way.
51. Think of ways that things can be better
52. *Give examples of what hasn't worked and why – what can be done differently.*
53. *Depends on personalities – are they able to come up with examples.*
54. *Share own experiences – offer suggestions 'to get them thinking'.*
55. Is it within their ability?
56. Is it within their relationship

What role might there be for technology in conciliation or mediation?

57. Loses physical commitment
58. Not necessary seeing the other person
59. Lose eye-contact
60. Perhaps difficulty building trust [and this has an impact on the lasting nature of the agreement].
61. There may be a loss of body-language
62. *It may also be hard for one party to 'see the effect' that their words have on the other party.*

Bibliography

Appendix 1i

Conciliator 10

Practicing since: 1996.
Domains: Community, healthcare and family
Trainer

Can you take me through a particularly difficult mediation?

1. Shouldn't have gone to a joint meeting.
2. Participants were making judgements about lifestyles.
3. There was also an unanticipated party present.
4. There was a lack of rapport with this uninvited party and they too were making judgements about lifestyle.
5. It was still appropriate to use the same skills in order to challenge the parties' perceptions.
6. Had to allow parties to express themselves and then attempt to normalise behaviours.
7. The issues were unresolved, due to a lack of time.

Can you take me through a mediation that went particularly well?

8. "A mediation goes particularly well if you see parties turn toward each other."
9. They begin to directly communicate.
10. They begin to co-operate together.
11. They can be honest and not defensive.
12. "This is honesty about behaviour - a willingness to admit to things; there's less blaming, they begin to take responsibility."

What characteristics make a good mediator?

13. Self-awareness and the ability to reflect.
14. Good understanding of own strengths and weaknesses.
15. Need to genuinely like people.
16. Need to have an acceptance of diversity.
17. Reflection can be assisted by co-working and giving/receiving feedback.
18. Write down what went well and what didn't go so well.
19. What could be done differently.
20. Often stages in the process.
21. These are dictated by the party.
22. There is often slippage.
23. "A mediator wants to keep parties moving forward"
24. Need to take control.

What does the mediator bring to the relationship?

25. "A good mediator is a third-party they summarise back what's been said. It helps the message to be heard"
26. "You have control over process, not the content"
27. This helps to mitigate destructive behaviour.
28. It also helps to move parties forward.
29. "Parties are emotionally 'caught-'up and a mediator brings: clarity, unmuddling issues, stripping away positions to find needs, and helping parties to recognise these needs".

What role can technology play in conciliation?

30. Issues around who nominates to use the technology and who meets the cost.
31. Can and does work.
32. Emotion needs to be at a certain pitch.
33. E-mail – there's issues about putting it in writing.
34. Lack of cues.
35. Help and aid the mediator – "there is a difference between hearing "*I* want to understand" and "I *want* to understand"."
36. Could make process difficult.
37. VMC: has the advantage that you can see and hear.
38. Not comfortable with the idea, but would consider giving it a go/
39. Feels that there would still be reduced cues.

Appendix 1j

Conciliator 11

Practicing since: 2004.
Domains: Community, employment

Can you take me through your last mediation?

1) Community mediation – four different houses on the street.
2) Had all once been friends – now acrimonious.
3) Bullying and very childlike behaviour – not speaking, threats and insults, calling police and social services.
4) Joint meeting extra people showed up who we'd not had an individual meeting with.
5) We only had the room for two hours rather than the usual three.
6) The mediation kept going-round in circles.
7) Parties had a list of issues that they kept repeating like a litany.
8) *I tried to break that cycle and get a forward focus. I achieved this by asking people what they were going to do from here- not why they were here.*
9) So many different issues and participants, that when one or two were explored in detail, others wanted to bring in their concerns.
10) *I had to promise that we would get to issues and ask them to be patient.*
11) Whole thing dominated by a personality clash between two neighbours. The fall-out was affecting the rest.
12) Managed to make a little headway, identified main issues and cleared-up relationships outside of the personality clash, but ran out of time.

Can you take me through a mediation that went particularly well?

13) Another community mediation.
14) Two neighbours complaining about noise from each other's house.
15) One woman living alone, one single mum and a hyperactive five-year old.
16) Letters had passed between them
17) Various agencies had been called.
18) Parties had never directly spoken about the issue.
19) Main problem was the noise from the TV and the child during the summer.
20) Went really well.
21) Sat parties down and discussed mediation and what they wanted out of the mediation.
22) *I Could see that they had similar aims and they were already building shared interests and rapport.*
23) *But I really had to unpick issues and get them to be pragmatic about what they wanted.*

24) We achieved this by 'reality' testing – asking how likely it was to expect certain behaviours.

25) When I asked them whether there had been any face-to-face communication they both said no, and when I asked whether they were both comfortable talking face-to-face they said yes, it was all but done.

26) Established what day-to-day noises were causing problems and what could be changed.

27) Set up informal routes for addressing the issues.

28) Parties left together and had been discussing shared frustrations and children.

Can you take me through a mediation that went particularly badly?

29) Workplace mediation.

30) Employee and two line managers.

31) Never got to a joint meeting.

32) Most senior manager did not have time to attend.

33) Felt employee was trying to waste his time.

34) Other manager incredibly frustrated with employee, but also with animosity between the other two.

35) Employee felt bullied and victimised and wanted to have his say.

36) Managers felt that it was a disciplinary issue – work and attitude was poor.

37) Tried to help parties understand what they wanted from the mediation, and what it could deliver – manage expectations.

38) I Felt most sympathy with the manager in the middle. Personally did not trust employee, felt that he was using the process as a stick-to beat manager with.

39) I spent a lot of time trying to convey to the employee that mediation may not be able to deliver all that they wanted.

40) It was similar with the senior manager - they did not believe mediation would work – they had already invested a lot of time and effort on this employee, and were reluctant to expend more on something that may not work. They preferred to continue with the disciplinary process. In this case it was attempting to make him realise that meditation could offer a novel solution.

41) Decided not to proceed. Could not manage expectations sufficiently to ensure that meeting would be productive – parties did not seem to know what they were getting in to.

42) Both relatively new mediators, so this may have contributed to the difficulties – would now have been much clearer and willing to challenge assumptions when managing expectations.

What makes a good mediator?

43) They have to have the ability to listen

44) They need to not get drawn into the conflict, but remain detached and able to steer parties through the dispute.

45) You cannot be seen to be favouring one party, even if you may have sympathy with their position.

46) May over-compensate if this is the case.

47) If you can help parties separate issues from emotions. You're someone who

can get parties to look at what the problems are, and what has been caused by their reactions to the problems. You are questioning and structuring to stop parties revisiting issues continually – you're in control, but also listening and acknowledging emotions.

48) *You are someone who can make parties feel listened to and help steer the discussions, not as a referee but as an interested party, although this jars with the idea of impartiality, I don't mean as someone who has an investment in a particular outcome, but as someone who is interested in the parties, their dispute and wants to see them resolve it – you have to convince them that you are there for them.*

49) *Then there's the skills – the ability to read and pick-up on body language, to take the sting out of words and statements and to allow parties the space to explore issues and their relationship.*

50) *This is achieved by helping parties to take turns, to not be interrupted and to consider things they may not have otherwise looked at.*

51) *A good mediator is able to do this without directing parties – they almost steer from behind.*

52) ***The mediator can also offer a completely new idea that can encourage debate.***

What does a mediator bring to the conflict?

53) *They give parties a chance to speak openly and the option to move from positions. In my experience of community and workplace disputes, when parties come to mediation they have spent weeks, months or even years refining their argument, collecting evidence and presenting it to various agencies in the hope of getting a particular outcome.*

54) The mediator offers the chance for parties to put that to one side and find their own solutions – it convinces parties that they have they power and capability to sort the dispute out between them, rather than have someone do it for them.

55) *The mediator also brings a sense of space to the arguments, parties should be aware that in the mediation they can explore different positions, they are allowed to listen to the other parties' arguments – in a way they are forced to with the uninterrupted time – this can help to breakdown parties' views of themselves as the only injured party and can explore, or at least consider, the impact of their actions on others.*

56) The disputants have the opportunity to discuss things, without worrying that a decision will be made, or that in doing so they are weakening their position. This gives freedom to explore positions and alternatives that may not have been available otherwise.

57) The mediator also offers a way of reality testing ideas – they are impartial, so can ask people how realistic a perception or argument or solution is – it helps to build a lasting resolution.

Is there a role for technology in mediation?

58) Poses difficulty
59) Lack of signals, lack of trust.

60) Will parties honour results FtF?
61) What is the value? -- if you can get parties together you should – shows commitment.
62) Impact of technical gremlins.
63) Could be useful in certain circumstances, or even in the room – drafting documents, electronic whiteboard.
64) Can provide useful distance, but what happens when this is no longer necessary.
65) Who's off-screen, who's recording it – how permanent is any record (especially in e-mail or chat).
66) How to gauge emotions and impact?
67) Safer – too safe?

Appendix 1k

Conciliator 12

Practicing since: 2004.
Domains: Employment

Could you take me through your last conciliation?

1) Between an area manager and a manager of a white goods supplier.
2) "*It went brilliantly, which was very strange*".
3) Both parties greed to go back to work together.
4) "*The main problem as a breakdown in communication; there was suspicion, things were being read into comments and silences*".
5) This had polarised a friendship between two good friends.
6) A lot of the work was done in the pre-meetings.
7) "*I listened to them, it was the first time that anybody had listened to them outside of a work environment*"
8) Parties had not met for >5 months.
9) "*I encouraged them to 'publish' the effect it was having on them and their view on the others.*"
10) There was nothing deep rooted. They had a great friendship, but drifted apart.
11) IC left the meeting and the parties were still there chatting away.
12) "*Publishing is stating the effects, feelings and why of emotions. You persuade people to discuss the why and how of things*".
13) People are persuaded by:
14) "*being up-front at the outset. They need to be willing participants. I make it clear that they will get up set and that they have to be honest.*"
15) aims to avoid 'I said, he said, we said'.
16) The only really unsuccessful mediation was when one party was being disingenuous and not approaching the discussions in good faith.

Could you take me through a conciliation that went particularly well?

17) A good mediation is one where "*parties know what it's about and genuinely want to be there and resolve issues – there is a willingness to mend bridges*".
18) Some work because people want to find out what is going on.
19) "*There needs to the right, will, environment, security, confidentiality, trust and rapport*".
20) The conciliator is not "*batting for one party*".
21) "*Good mediations are one where the mediator doesn't do a lot just listens and politely moves things along, breaks things up, listens and concentrates,*

you don't lose yourself in the issues, or make assumptions about what parties mean."

22) A good environment is one which is away from the workplace. In the workplace things come flooding back. You need a neutral venue. You don't want to compound things.

23) A secure environment is one which is away from people.

24) *"It's your time, not my time"*.

25) *"It's safe for parties to opt-in or opt-out & that's not going to be judged by the conciliator"*

Could you take me through a conciliation that did not go well?

26) Manager of a taxi company and an operative.

27) Clash of personality

28) Ulterior motives (couldn't expressly say what they were).

29) Too far gone mediation was 'relatively cosmetic'. There were politics at play.

30) They thought it was in their interests to be seen to attend.

31) There had been a pre-meeting.

32) Tried to overcome difficulties by *"reading signals and relaying them back"*.

33) Re-affirm that it was an opportunity for a bit of space and the scope for addressing the problems.

34) The first meeting went really well. Would have been more assertive in the second one. Perhaps challenge their reluctance.

What does a conciliator brings to a conflict?

35) *"It is an environment where if parties genuinely want to bring forward resolution it creates a safe environment where they won't be judged and they can publish why they are feeling the way they are and behaving the way they are"*.

36) It's time and space for them. Everything is work-focussed, it is an environment that is not always work-based.

What makes a good conciliator?

37) A good communicator.

38) *"They need to be confident in themselves; confident of saying nothing; confident in themselves and their ability"*.

39) This is not just demonstrated to the parties.

40) If the conciliator does not have self doubt they are clear in what they are doing and why.   However they reflect on what went well and not so well.

41) *"Need trust in yourself"*.

42) The conciliator builds rapport.

43) *"Parties nee trust in you as a mediator and as a persons"*

44) Mediators posses theoretical and personal skills.

45) As a person they need to believe you have life-experience to deal with issues and empathise.
46) Conciliator must know about behaviours and not make assumptions and give parties the time-out to consider things.
47) *"They act as a placeholder for the discussions"*.

Is there a role for CMC in mediation?

48) *"I think there is a role, although not in all cases"*.
49) Geography and logistics mean there is a demand.
50) It could be done but must be looked at carefully.
51) Need to consider how technology would affect communication.
52) Difficulty in allowing parties to break-away if they need time-out.
53) Both parties need to get together physically.
54) Pre-mediation meetings would work.
55) *"It's the human element that makes mediation work"*. In mediation parties may not have seen each other for 1-2 months. Seeing people on video and then face-to-face may be very different.
56) *"However, I'm discussing this as a mediator. It's really down to what the individuals think. It's what's best for the parties."*
57) It would be a safer environment in video.

Appendices 2a – 2b

Examples of Grounded Theory Memos and Axial Coding

Bibliography

Appendix 2a

Conciliator C - Memo

Mediation as a process
Highlighting the idea that mediation is a process can be a technique for the conciliator to use, in order to help parties overcome the mindset that mediation is not going to work. By getting parties to engage with the process [how, what does this mean?], the mediator can then show the results of this small degree of commitment to the sceptical parties and this will hopefully encourage them to give the process more consideration. [if this doesn't work, can it be attributed to the conflict not being suited to mediation , or the parties' attitude not being appropriate?]. Implicit in this view is that a degree of commitment to resolving the problems (in the form of serious participation) is a significant step in process. This commitment may get things moving, and give the mediator something to work with.

'Key Things'
[who decides importance of matters?]
Implies again, that mediation is a process – in which the key facts of a dispute are uncovered, distilled and discussed.
There is also an assumption that there are 'usual' sticking points and that the mediator will have developed an approach for uncovering these, or a sense of what they are. The fact that the mediator seemed surprised that parties had identified these areas themselves [mediator as expert]
[**possible subcategory of mediation as a process**]

Language used is also intriguing – 'sticky situations' – implies smooth running normally and then a patch that needs effort to get through.

Not always room for compromise
Either/or situations are often difficult to resolve. There is no room for manoeuvre. One party has to concede. This causes tension between the role of mediation to facilitate a win-win situation, and the actual. [this may make an issue particularly 'sticky']

Mediator identity
The mediator needs to be able to hold on to 'their own, or other's conflicting or negative emotions.' This implies that they must detach their perceivable reaction from their experienced reaction.

The mediator must also remain impartial, and reserve their own judgment about other's behaviours/opinions. To do this the mediator must recognise that they have a role which is distinct from their self. As a mediator, they must try to understand how or why someone is reacting in a certain way – this may be distinct to their identity of

themselves, which may be dismissive or critical of a certain behaviour. However, there may be interaction between the two identities.

There is also an interesting juxtaposition here between the idea of a mediator trying to see people as how they are, rather than what they do, and the fact that the mediator hopes that parties judges them on what they do, not on who they are. This implies that the skill or role of a mediator is something which can be learnt – normal behaviour is to see people as what they do.

Mediator skills
The mediator identity comprises a number of skills and roles. The mediator needs to be able to lay down structures that help participants to feel safe, respected and heard [this is more role of the mediator, realised through skills].
The mediator needs to be able to assess when to be quiet and when to speak [how, why and what are the consequences].

They need to be able to ask the right sort of questions, this implies that there are good questions and bad questions. [**possible subcategory: questions**]

Bad questions are those which invites parties to reiterate their statements or views. This is likely to have a reinforcing function.

Good questions are those which force parties to engage with themselves and with one another. A good question will encourage somebody to consider why they hold the views that they have and will help parties to see how context is relevant to behaviour.

Good questions will also help parties to recognise that no behaviour occurs in a vacuum and that the behaviours may be triggered by a variety of different things. They will encourage parties to think about change/differences of opinion, and how they come about.

Mediator Role
One of the mediator's role is to bring a sense and expectation of safety to the interaction. If parties feel safe, they are more likely to want to disclose and participate. In the process. [what does safety mean? How to judge?] Safety can be in terms of physical safety (depending on the nature of the conflict) but is more likely to be about safety to be open about thoughts and feelings [although what does this mean – and how is this squared with the next type of safety] and the safety to be free from [unnecessary?/unreasonable?] retribution. [although how does this square with freedom of expression?].

Bringing this sense of safety encourages an environment of exploration; parties feel that they can vent and explore the issues without retribution [how does the mediator achieve this?]

To bring this sense of safety, the mediator must be in control of the discussions. This control takes the form of being clear, consistent and explicit about the enforcing of ground rules. Without this, the mediator runs the risk of jeopardising their credibility. If parties feel that the mediator is inconsistent, they will no longer feel safe disclosing and will retreat into a defensive posture, thus ruining the opportunity for exploration.

This in turn will mean that the mediation is no longer effective. [This also links back to the mediator's skill of being non-judgemental].

Perhaps instead of talking about impartiality, it might be better to operationalise it as credibility – this implies a trust in the mediator and the process and that alternation of power differences is an integral part of the process. If a mediator (or medium) is seen to be credible then any alteration will be accepted by the parties as necessary.

Mediation requires movement
If parties are 'going round in circles', or are very committed/attached to one view point (one might be an indicator of the other), the mediator may take this as an indication that the parties are stuck on various positions. The mediator needs to move parties from these positions, in order to create room for settlement.

One approach for achieving this is reframing [**possible subcategory: reframing**]. The mediator describes things in a slightly different way, in an attempt to subtly shift or alter meanings [possible link to impartiality/credibility]. If parties accept this reframing, the mediator has created room for manoeuvre, by introducing doubt into 'right or wrong' positions, the mediator can shift parties from the positions to which they have become attached. By using questions that encourage parties to consider the assumptions they have made, which underlie their positions, movement can be made. By changing the assumptions, the positions can be changed (or perceptions about the positions can be changed). This again opens areas that can be used to highlight or frame agreement.

Another option for encouraging movement is to offer a completely new suggestion or idea. [**possible subcategory: offer/suggest**]. The mediator presents an idea to the parties in order to encourage debate. This idea does not have to be a compromise (which may force a settlement) but will be one in which sides are not already drawn. This gives parties the opportunity to debate this new idea in a dispassionate way and may encourage movement without any loss of face.

Could this be attributed to the increase in non-emotive communication? Parties will begin to work together, rather than compete. This may encourage positive effect and show parties that the process contains potential.

A further option is to consider alternative futures [**possible category: explore alternatives**]. The mediator may try to ascertain what the implications of no settlement may be, or what the e consequences of a decision are. In doing this, the mediator may encourage parties to realise that holding their current position will not result in an outcome that they desire. This may encourage further movement.

Responsibility lies with parties not mediator.
The mediator needs to make parties realise that they have responsibility for the conflict and the solutions ' *these are your problems*'. The parties are the ones who have to live with the decisions that are made, so must be

Appendix 2b

Example of axial coding

1st Stage

To develop a suitable communication environment

- To help set and enforce ground rules
- To be perceived as credible
- To give full attention to parties
- Control discussions/ [conflict?]
- Creates safe environment
- Parties feel listened to "feel heard"

Skills: Listen; Suggest; Acknowledge; Interrupt

2nd Stage

To improve [?] communication

- Encourage parties to describe their experiences
- Parties should be able to express themselves [effectively and productively]
- Encourage parties to vent ["pour out" their emotions
- Emotions are "divested"
- Parties' perceptions or "narratives" are "drawn out" [responsibilities, roles, blame, behaviour]
- Emotions are understood

Skills: Listen; Acknowledge; Question; Encourage; Rephrase; Feedback

3rd Stage

Develop an understanding of the conflict

- Uncover "underlying" issues
- Deconstruct the narrative
- Orient toward a shared understanding
- Establish and develop common ground

Skills: Listen; Acknowledge; Sum; Suggest; Question; Encourage; Rephrase; Feedback

4th Stage

Create a working relationship

- Reconstruct narrative
- Pragmatically explore narrative
- Confirm agreement
- An agreed resolution

Skills: Listen; Acknowledge; Sum; Question; Feedback

Appendices 3a – 3b

Conciliator Review of The Conciliation ontology

Appendix 3a

*Conciliator 1's comments (*in ***bold italics)***

A Model of Mediator Behaviour

Interviews with a variety of mediators were categorised using a Grounded Theory approach (as proposed by Glaser and Strauss 1967). Relationships between the categories were outlined and used to form the model of mediator behaviour (figure 1) outlined below.

Mediator behaviour can be categorised at three levels: Task; Role; Concern. Each of these levels can be sub-divided into a number of categories. It is intended that these categories are mutually-exclusive and exhaustive.

Task:
At the lowest and directly observable level is the task that the mediator is performing at any given moment in the interaction. The Task level can be sub-divided into four categories.

    1) **Suggest/Summarise:** The mediator introduces <u>novel information</u> into the discussions, or recaps information that has already been included. ***clarify this term – is it rather directive rather than receptive?***
2) **Stop/interrupt:** <u>The mediator prevents someone from beginning to talk, or interrupts someone who is already talking.</u> ***This sounds rather too directive to me***
3) **Allow/continue**: The mediator encourages a party to begin talking, or demonstrates that a party should continue their utterance.
4) **Rephrase/reframe:** The mediator <u>alters information that parties are discussing, or</u> encourages the information to be viewed in a different way***. Prefer the second as being more 'honest and less manipulative??***
Role:
At this level the mediator's behaviour can be categorised according to the role they are fulfilling when they perform a given Task. Role can be divided into three categories.

1) **Control**: The mediator is exercising control over the floor (who can speak)<u>, the topic (what they can speak about), or the tone (how they can speak).</u> ***I agree that the m has to impose some sort of structure in the proceedings but onlye demonstrate the tone by his/her own style..respect, thoughtfulness etc***
2) **Listen:** The mediator is demonstrating that they are listening to, or have listened to, the party/parties. ***Ie active listening***
3) **Facilitate:** The mediator is keeping the process and discussions on-track.

Concerns:
At the highest level are the concerns that guide a mediator's behaviour in their Role. The salience and relationship between these categories may vary between mediators and between disputes.

Bibliography

1) Credibility: This reflects the mediators' concerns with being perceived as professional, non-judgemental and impartial. Credibility serves to encourage parties to trust the mediator.

2) Commitment to the parties and the process: The mediator is concerned about ensuring that parties adhere to the process of mediation, whilst at the same time ensuring that parties maintain responsibility for the outcomes. This ensures that the mediator is not advocating their own agenda.

3) Appreciation of risk: Any mediator actions come with an attendant risk to the parties, the mediator's reputation and the environment in which the mediation is occurring. A mediator will be concerned that their behaviour minimises unnecessary risk.

Although it is impossible to accurately convey something as complex as mediation and human interaction in a small number of categories, this model is intended to provide a framework for observing and discussing mediator behaviour. It is assumed that any observable mediator behaviour can be categorised at all three levels simultaneously. For example a mediator might encourage a party to Continue, to demonstrate that they are Listening because they are concerned that they are appearing Credible.

Concerns

Credibility	Commitment to parties and process	Appreciation of risk

Role

Control	Listen	Facilitate

Task

Suggest/summarise	Stop/interrupt	Allow/continue	Rephrase/reframe
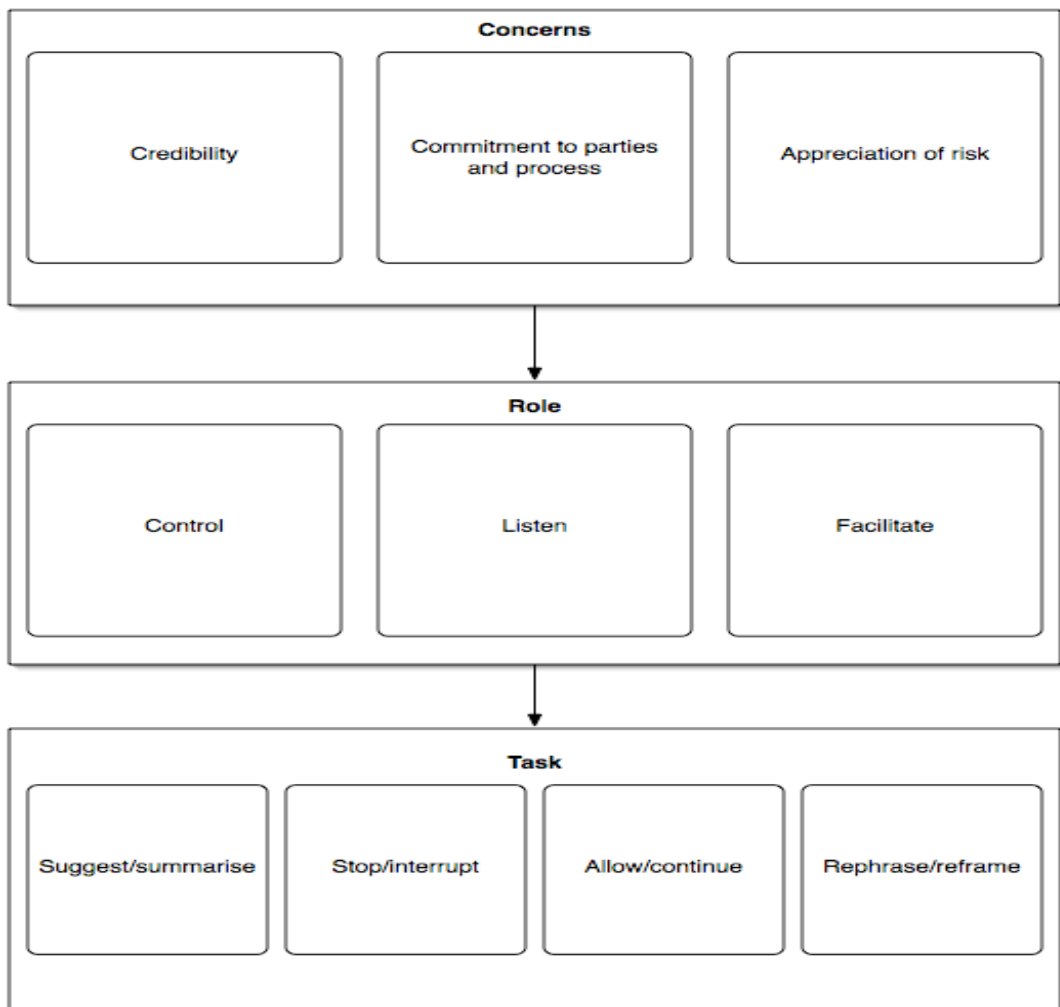
diag abaove interesting but consider the problems I suggested above?

Bibliography

Figure 1: A Model of Mediator Behaviour

__The Mediation Process__

The mediator behaviour outlined in Figure 1 is used to guide parties through the process of mediation (Figure 2). This process forms four stages.

__Stage 1: Create a safe environment.__
This is an environment in which the parties feel that they are safe from intimidation, repercussion and commitment. This give parties the freedom to 'vent', or to explore novel ideas.

__Stage 2: Improve communication.__
Parties are encouraged to move from the patterns of communication that have typified the conflict, toward communication that encourages positive co-operation.

__Stage 3: Story the conflict.__
Parties are now able to talk about the conflict and its impact in a productive manner. In this stage parties begin to develop an understanding of how their actions are affecting the other party. In this way underlying interests and narratives emerge.

__Stage 4: Develop a shared understanding.__
Parties are encouraged to work together to develop a joint and pragmatic solution to the conflict. To achieve this successfully they must have a developed understanding of the other party's concerns and interests.

Each stage must be completed before moving on to the next. However, events in later stages may jeopardise earlier stages. Should this happen, then the mediator needs to work through each stage again. For example, storying the conflict (stage three) may lead to behaviour that compromises the safety of the environment (stage 1). Before continuing to story the conflict, the mediator must concentrate on re-establishing a safe environment and improving the communication between the parties.
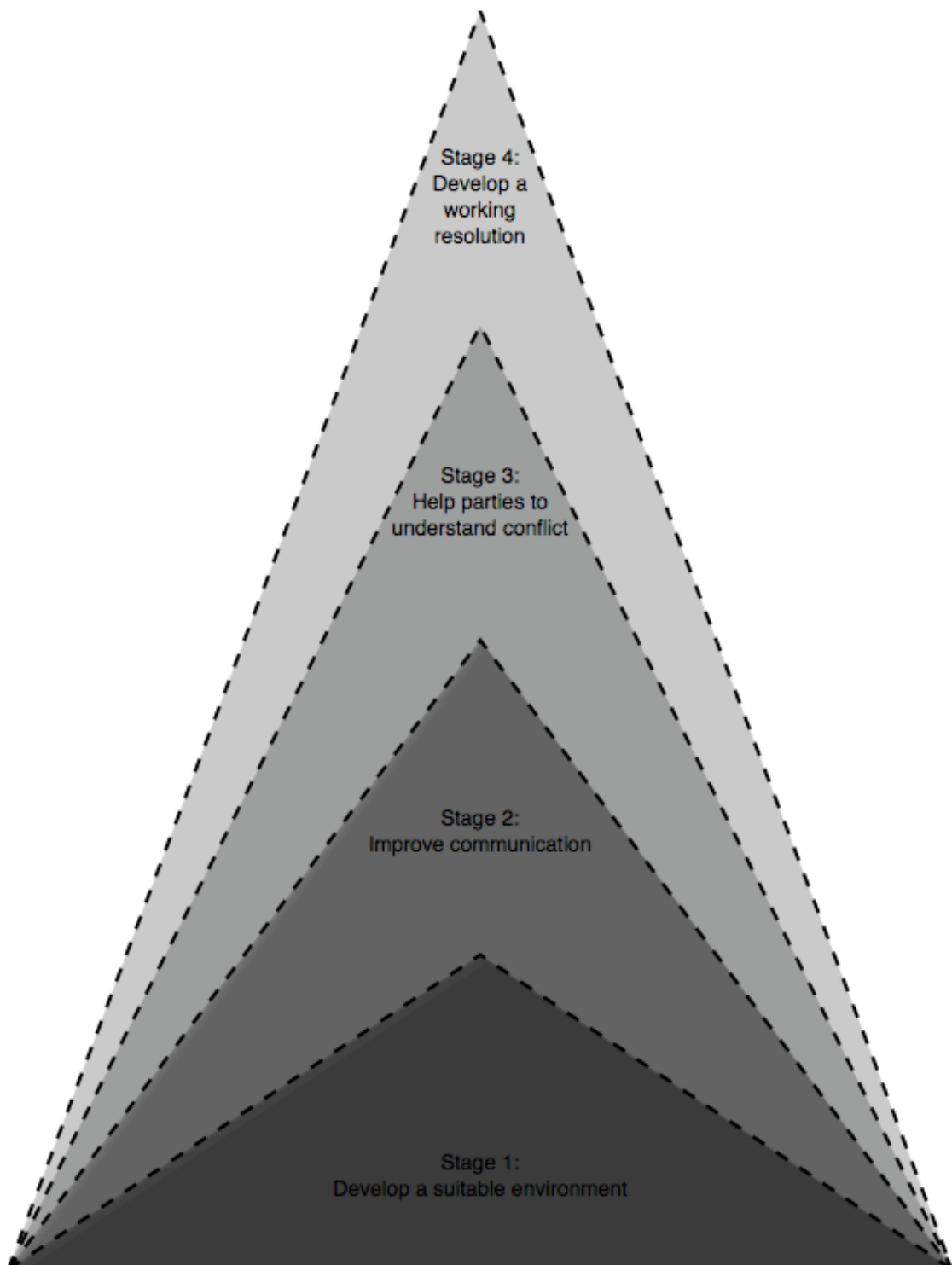
Figure 2: The Mediation Process *all the abov v. good*

Bibliography

Appendix 3b

Conciliator 6's response

Hi Matt,

Sorry it has taken me a while to get back to you regarding the model you've developed. It is an interesting way of categorising what a mediator is doing and I think that it does reflect the reality that mediators are often operating at different levels simultaneously. I was trying to think about how considering what a mediator was doing at the three levels would be of help to a mediator in managing a mediation session. Generally, mediators use the stages of the mediation process to "Navigate" their way through a mediation. We use a five stage process in family work:-

1 Agreeing Agenda - deciding what can and cannot be discussed and agreeing an order for discussion. This stage also includes the setting of ground rules for discussion and ensuring people feel safe.

2 Clarifying Issues - Slightly more detailed exploration of each parties position on given subject and also clarifying common interests and needs

3 exploring Issues - Having a much more in-depth exploration of what is behind the presenting issues and areas of common ground

4 Developing Options - Getting parties to work together to come up with a range of solutions to jointly shared problems and to achieve jointly held aims.

5 Reaching Agreement - deciding which options to go with.

Usually, things go wrong in mediation when you have skipped a stage or have not done it thoroughly enough!

One thing that I think is missing from your model is the whole issue of mutualising which is a key tool in moving disputes forward. Underlying interests and narratives emerge as you note in your model but they are only of use if the mediator actively identifies them and uses them to move the process forward - using a future focus.

You are also right about having to go back a few paces in the mediation process, something raised later effecting earlier discussions. In training mediators I often describe this motion as a series of ellipses (I can't draw this on an email!) The motion is a bit like a stretched out spring or spiral - at certain points the direction is going backwards but the overall motion is forwards (It is so much easier to explain when I can draw it!!!)

Appendices 4a – 4b

Inter-rater Reliability Transcript and Codings

Appendix 4a

Transcript for inter-rater reliability

Speaker: C = conciliator; M = Michael; D = Debbie

Section 1	Speaker	Utterance
1	C	The council has asked if you could come and see me,
2		to see if we can't work out an agreement that's appropriate for the both of you,
3		in terms of the best interests of Sa and Da
4		and I wondered if you could tell me a little about what's happened in the last month
5		Perhaps if I could ask you to begin D,
6		in terms of where the children are currently living and what the arrangements are
7		and then we can see what the differences between you are
8		and see where we go from there.
9	D	Well the children are with me in the matrimonial house. M. left a month ago and I have let him see the children on several occasions
10	C	Hmm
11	D	but the children aren't happy seeing their father
12	C	hmm
13	D	They've said they don't want to see him
14	C	Hmmm
15	D	They're very unhappy about the separation
16	C	hmm um
17	D	When they come home they're very upset and crying and it takes me hours to settle them down
18	C	mm hmmm
19		Ok . . . So, they're currently living in the family home, with [you]
20	D	[They're with me]
21	C	and they're spending time with their dad
22		M what's your feeling?
23	M	I think that D's a little … uh .. She doesn't have a grasp on the situation. I've
24	C	hmm
25	M	seen these kids now five times over the last month
26	C	hmm
27	M	they are happy to come with me
28	C	hmm
29	D	we have a good time

30	C	hmm
31	M	we've done lots of things together
32	C	hmm
33	M	they've enjoyed being with me
34	C	hmm
35	M	obviously it's been strained, because when I was living at home they were seeing me daily, constantly
36	C	mmm hmmm
37	M	in fact think they were seeing more than they were seeing their mother
38	C	ok
39	M	now they come and see me, they're apprehensive about the visits
40	C	Hmm um
41	M	I know that
42	C	ok
43	M	But I don't think that D is helping them at all
44	C	hmmm
45	M	I'm having great difficulty in coming back and watching her … oh .. Disassemble
46	C	hmm
47	M	when I bring the kids back home she starts [crying]
48	C	[how old] are the children
49	M	5 & 7
50	C	5 & 7? And the oldest one is?
51	M	Daniel
52	C	Daniel, so Daniel's 7 and Sarah is 5?
53	M	Yes
54	C	Ok
55		It's not unusual for them to have this tension and lots of crying when they go back or go forward and some apprehension
56		because obviously they're still trying to work out how to behave in relationship to each of you, when you're living apart as distinct from when you're living together
57		and it's perfectly possible for them to have a good time when they're with you M, but express real concerns when they're with you D
58		and that's not an unusual situation
59		But let me see now, what is the difference between you … what, what is it that brings you here?
60	M	Well the difference basically is this - D says that I can be a part-time parent and that I can see my, my kids every second weekend from Saturday morning through to Sunday night. If I see them alone, so long as she maintains control over it.
61	C	mm hmm, ok what does M want?
62	M	I want, I want, these are my children
63	C	hmm mm
64	M	I am one half of their parents
65	C	mmm
66	M	I want the kids half time
67	C	mmm hmm

68	M	and uh…
69	C	mm hmm
70	M	… uhm …
71	C	ok
72	M	when we were living together I was spending most of the time with them
73	C	ok ..
74		so you'd like the children to spend half the time with you?
75	M	yep
76	C	and half the time with D?
77	M	I think so… I don't see that it is inappropriate in the circumstances
78	C	Ok .. D?
79	D	I don't think he wants to see the children, he's [just using it]
80	C	[what do you want?] D what do you want
81	D	well … I want him to come back,
82	C	hmm
83	D	the children are devastated
84	C	hmm
85	D	I'm devastated
86	C	hmmm
87	D	We had these plans, we had these plans for us and the children,
88	C	hmm
89	D	and he's destroyed that
90	C	hmm
91	D	he's given me no reason
92	C	Hmm
93	D	All of a sudden after 15 years of marriage
94	C	Hmm
95	D	he says "I can't stand it"
96	C	hmm
97	D	"and I think that you should know"
98	C	Hmm mmm
99	D	and he's seeing someone else
100		and he's exposing our children to that other person
101	C	um humm
102		So you've come to see me in the hopes that I can help you work something out, so that you can get back together?
103	D	Well I don't think he knows what he's doing
104	M	no [I … I]
105	D	{I} think he's depressed, he's going through a mid-life crisis
106	C	Help me understand D, what is it you're looking for me to do
107	D	Well, I think he has to understand that if he's going to see those children he has to learn to [live properly he's got a condo]
108	C	[but that's something] that you want M to do, what do you want me to do?
109	D	Well I'm here because I don't want to go through the Court system
110	C	mmm

111	D	If we're going to separate
112	C	hmm mmm
113	D	then I don't want a lawyer or a judge shoving an agreement down my [throat].
114	C	[that's wise] that's wise
115		ok
116		so what you want me to do is mediate right?
117	D	yes
118	C	ok.
119		It's clear that I'm not going to work with you to get you back together
120		If you want to do that, there are other people competent at at that, that's not my area of expertise,
121		I don't work on putting back together. There are better people to work on that than me
122	M	C - I'd like you to open her eyes
123	C	mm ok
124	M	I think that it's time now that she realised that I'm not going to be at home any more
125	C	mm hmm
126	M	and I say \'home', it's where the children are living, it's still our home,
127	C	mmm
128	M	it's still in joint title [I]

Section 2		
129	C	hmmm mmm
130		I'm hearing D say that
131		I'm also hearing her say that they love their father and that they need their father
132		and she would like to work it out so that they can spend and be with their father
133		that's what I'm hearing on two levels
134		[tell me about]
135	M	[she's telling me] where I have to live, she's telling me who I can see, se's going to tell me what ca I I'm gonna drive. I mean
136	C	ok
137	M	I might as well move back
138	C	um hmmm
139	M	I might as well go back home and die
140	C	ok
141		Alright , so those are the issues of conflict between you.
142		And those are the issues that we need to focus on and get some agreement on
143		Right?
144	D	Because the children don't understand. What a, I to tell them?
145	C	About what?
146	D	This other woman, they see daddy kissing this other woman, he lets her stay the night, I don't think that's right
147	C	How do you know that?

148	D	The children have told me
149	C	Why did they tell you that?
150	D	Because they don't understand, they ask me who she is
151	C	hmmm mmm
152	D	Their father hasn't explained it to them
153	M	What do you [mean?]
154	C	[so] you talk to them about the other woman?
155	D	They volunteered it
156	C	mmm
157	D	They don't understand
158	C	Hmmm
159		Surely it's not fair to you to place that burden on you is it?
160	D	Well no they don't
161	C	It might be more useful if, when they raise thse sorts of questions, to tell them to talk to daddy and let daddy sort it out
162	D	He's obviously not explaining anything to them, he's obviously too guilty about it
163	C	hmm
164		so one concern is
165		le me see if I've got this right
166	C	you'd like them to be clear about the relationship?
167	D	Whatever it is
168	C	well what would you like?
169	D	Welll I don't think that he should be sleeping, letting his girlfriend stay over sleeping in the same bedroom with our children in the house, I don't think it's right
170	C	ok, now let me ask ypou now a question … …
171		excuse me one minute, what is her name?
172	M	J
173	C	J
174		If J is not sleeping over, would you feel comfortable about working out some arrangement with the children?
175	D	I'd be more comfortable if he had a house, not too far from ours, so the children can go back and forth on their bicycles
176	C	hmmm
177	D	Something more appropriate
178	C	In the long-run you'd like to have some close proximity
179		so that the children can move back and forth quire easily?
180	M	Tell him about what I should drive
181	C	ok
182	M	Tell him where I should take them on the afternoons
183	C	ok
184	M	Tell him about [er]
185	C	[would] you M,
186		Would you like to make your own decisions about these issues?
187	M	Of course, it's ridiculous
188	C	ok
189	M	it's

190	C	alright now
191	M	She's menu-driven, I end up with the same thing
192		There's notes on the refrigerator
193	C	ok
194	M	"M, when you come home from work"
195	C	alright
196	M	"please do the following six things"
197	C	hmmm
198	M	I will be home when I can. Finally I get out of the arrangement
199	C	yep
200	M	and it's the same thing
201	C	ok
202	M	It's the same [telegram]
203	C	[ok now]
204		you've been living apart for a month
205		and you're both very angry with each other
206		and that's perfectly legitimate and that's perfectly normal [too]
207	M	[if] she was angry with me that would be different, I think that she just thinks I'm sick
208	C	I think, I sense anger on both [sides]
209	M	[Can't] you tell her that what I'm doing is normal, it happens all the time, can't you explain to her where I', coming from

Section 3		
210	D	I [think]
211	C	[what] I as wondering from M much more, was not where you were coming from, but where you want to go.
212		And as I understand it
213		where you have good access to your children and you share in raising them
214		But that, in a sense, is difficult for you both to deal with right now.
215		You're both hurting a lot, there's a lot of pain
216		ad it's quite difficult at times for you to separate out the anger you have for each other as spouses and the difference you have with each other as parents
217		Interestingly enough, so far today, I've not heard any serious differences between you both as a father and a mother
218		There's a lot as wife and husband
219		There you're way apart
220		but not as father and mother and
221		I'm wondering now, where you want to go, let's see where we fit this one in
222		M sense is D
223		if I'm correct, and check me out, and M you check me out too,
224		is that if you knew that you didn't have to deal with J, with the kids when the kids came back, but you would be more comfortable at sorting out some more organised way of sharing the parenting.
225		am I right or wrong?
226	D	He is a good father

227	C	mom hmmm
228	D	he's been a good father
229	C	hmmm
230	D	I can't deny that and the children love him and he loves the children
231	C	mm hmm
232		and you're a good mother
233	D	yes
234		*silence of ~ five seconds*
235	M	What am I supposed to do>
236	D	But is it fair to the children to have them one week here and one week there?
237	M	Kids don't mind, kids [don't mind]
238	D	[how would] you like to have to move all the time?
239	M	Aaaahhh. The kids are happy, they take their videotapes with them, they're happy wherever it is they're staying
240	C	Let's make this point
241		the kids are going to move back and forth between you in some way
242		… even if it's only one weekend a month
243		They're still going to move back and forth
244		The question is the schedule around which they're going to move back and forth
245		The issue is not whether they move back and forth
246		Wih you both rght?
247		So they'll spend time with their mum, they'll spend time with their dad as they move back and forth
248		The issue is the amount of time that they spend at each of the tow house right?
249	M	If those children are busy
250	C	hmmm mmm
251	M	What's going to happen to me is that I'm going to become a stranger to them
252	C	hmmm mmm
253	M	I'm going to be an interrupter
254	C	um hmm
255	M	I'm going to end up with these kids saying to me 'daddy if I come to see you, I can't go to m's birthday party' [it's not, it's not fair anymore]
256	C	[let me ask you a question M]
257		yeah, right,
258		and it shouldn't be unfair to either of you
259		and it certainly shouldn't be unfair to S and to D
260		What do you think you two can organise, so that the kids don't get caught in the middle of your argument as spouses?
261		How can you take them out of the, in fact, moving messages between the two of you
262		for example, around J?
263	M	Well I think that the first step would be for D not to refer to her as "the beast who has taken your daddy away", or words to like effect
264	C	and if D stopped bad-mouthing you and J and your relationship with J,
265		what could you then do?
266	M	Well I think that what I would like to do

267	C	mmm hmm
268	M	I would like to establish a routine with my children
269	C	hmm mmm
270	M	and I know that D doesn't want the kids around her
271	C	mmm hmmm
272	M	and it's confusing. I mean I've done my best I mean it happened on one occasion that J and I got tied up with the kids.
273		I'm not putting her in as a new mommy, I', not
274	C	hmm mm
275	M	She's not living with me
276	C	ok
277	M	She's not moved in
278	C	hmm mmm
279	M	we don't have plans to move in
280	C	hmm mmm
281		In the short-run M could you agree that J would not sleep over when the kids are with you?
282	M	What's the short-run? … … What's short run?
283	C	Two months?
284		Could two months down the pike, when you've a little more experience of what it's like to live apart
285		give the children a sort of chance to settle in
286	M	I could live with that
287	C	You could live with that
288	M	I don't if J can, but I can live with that
289	C	Ok, so if you could live with that
290		D could you live with that?
291	M	But if I'm going to give up something like that
292	C	ok
293	M	then I want something in return
294	C	Which is?
295	M	I want the kids half time
296	C	ok, alright
297		D? If for the next two months, when the children are with M, J did not sleep over,
298		obviously she might well be around, because obviously she's playing a role in M's life and we all have to came to recognise that at some point
299		… but if she's not sleeping over at that point, how would you then feel about sharing the parenting?
300	D	Well I don't know if I even want her around. I think that when he has the children
301	C	hm mmm
302	D	he cannot have her there
303	C	mm hmm
304	D	he can see her when he doesn't have the children
305	C	that might be asking a little too much, mightn't it?
306	D	Well I don't think it is for two months. He's just going to set something up here, so that the minute it gets working, bang, she's in their life and they've got a new mother.

307	M	How about you give up half of your 'Do-Gooding' enterprises and you spend some time at home at night, instead of running around proselytizing half the community to left-wing causes?
308		How about if you give that up to spend some time with your kids when they're wit you?
309	C	You've both lost me now
310		I though we were talking about whether or not, if you agreed that J would not be sleeping overnight, whether you could make some movement over the parenting so that the children could share in their dad?
311		For a two-month period, we're talking about two months
312	D	Well I want the children to see their dad
313	C	hmm mm
314	D	But why does she have to be along
315	C	ok
316		That may be more than you can impose
317		If you can get an agreement that she doesn't sleep over, can you then be comfortable about sharing the parenting?
318	D	Well what are you going to tell the children about who she is?
319	M	I've told her, I've told them that she's my friend, she's told them, that she's someone who daddy likes, that daddy spends time with her
320	C	um hmmm
321		It's an unfortunate situation, that you haven't told them the same thing
322		humm mm
323	D	Well I didn't know
324	C	There's a lot of work to be done, by all of us in terms of working out all of the details
325		We're obviously not going to work it out today, that's clear
326		We're going to have to have two or three sessions too work it all out
327		What I was looking at was to see if we couldn't get an agreement on the short-run, to get you out of the current fix.
328		You shouldn't have to take all that stuff from the kids when they're with you
329		The time with the kids should be joyful times
330		You ought not to have to worry about whether you can see the kids, you ought to be able to have joyful times too
331		And I was wondering if we can move, just for the next two months, in a sense of trying to get a little space for both of you, so we can think through all of the issues.

Appendix 4b

Inter-rater scores (Monty)

Utterance	Rater 1				Rater2		
Section 1	**Att**	**Func**	**Tech**		**Att**	**Func**	**Tech**
1	1	1	1		1	3	1
2	1	3	1		2	3	1
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46	2	2	3		2	2	3
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52	2	3	4		2	1	4
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Appendices 5a – 5d

Transcripts of Conciliated Role-plays using Video-Mediated Communication

Appendix 5a

Transcript of VMC Conciliation

Conciliator A (low conflict role-play)

Utterance	Speaker	Utterance
1	Con	Ok. Just before we start can you guys hear me ok?
2	R	I [can] yeah
3	M	[Mm]
4	Con	Yeah Ok
5		Right and . . . R. . . . You're on the right there in my screen at least yeah? . . Yeah? Hi!
6	R.	Yeah
7	Con	And M., Hi I'm L.
8	M.	Yep. {waves} Hello L.
9	Con	Hiya.
10		Now . . Erm . . Before we sort of kick off properly . . . Erm . . .
11		I understand we've sort of till about 10 to 12 today . . Erm

12		and I understand [that]
13	M.	[Sorry] could you repeat that
14	Con.	Yes
15		Actually could we just check that you can hear each other ok
16		Is that the best thing to do?
17		Is it a bit [quiet?]
18	M.	[I've] turned you up a bit
19	Con	Ok
20	M.	That's better
21	Con	R. can you hear me ok as well?
22	R.	Yes I can hear you
23	Con	Alright then
24		Right well let's kick-off then
25		Erm My understanding is erm from the er yeah, the er resident's warden,
26		Erm suggested that you both came to see me regarding an issue that's come up between you.
27		Is that correct?
28	R.	Yeah that's right
29	Con	Yeah?
30	M.	{nods}
31	Con	R. You're still looking like you can't hear me.
32		Can you hear me ok?
33	R.	Yes I can hear [you]
34	Con	[ok]
35	R.	Can you hear me?
36	Con	yes I can
37		That's fine, lovely.
38		If at any point either of you can't hear me, or there are any other difficulties let me know.
39		Ok? And we'll see what we can do about that [ok?]
40	M.	{nods}
41	R.	[yeah]
42	Con	Right. My understanding is that there's been an issue between you that you both have decided to come and talk about today at mediation
43		I should explain a little about myself and what I do . . . My job is
44		My job is really helping people sort out all sorts of disputes ok?
45	R.	Ok
46	Con	I have very little information in terms of what the situation is between you
47		so I'll probably ask you both a little bit about that in a while
48		one thing I would say obviously is that it's my job not to sort of listen to you both and then tell you what should happen, or who's right and who's wrong, or anything like [that]
49	M	[oh] that's a shame
50	Con	{Laughs} . . . Yes unfortunately that's not my role there.
51		There are other places you can probably go for that.
52		My job really is to help you both talk through what the issues are
53		and see if there is a way forward that you both think is fair ok?
54	R	{nods}
55	Con	I have no power to impose a decision on either of you ok?
56		Er. . . What I do need to though as part of my job I guess, is to make sure you do both get to have your say. Ok?
57	R	{nods}

58	Con	and so in doing that erm you will find me from time to time erm sort of saying 'do you want to just hang on a second, let the other person finish'
59		which is [very frustrating for both of]
60	M	[{nods vigorously}]
61	Con	I know
62		but particularly given the arrangement we have here . . . The sort of videoconferencing arrangement
63		It could be very confusing if we end up talking over each other
64		Yeah? Does that [make sense]?
65	M	[the other thing] is
66	Con	Sorry M.? [you were saying]
67	M	{the other] thing is there is, there is a slight delay as well
68	Con	Yeah. There's a bi[t]
69	M	[It's} a bit like those interviews that you hear on radio when um you know the interviewer's trying to ask a question, yet they're speaking over the answer from the previous question
70	Con	{nods} [yeah]
71	M	[you know] I guess we just need to try and leave a little gap maybe?
72	Con	That's really helpful thank-you
73		because I think that's going to be one of those things that is, that is quite unusual for all of us. Erm.
74		is trying to talk - ere you know - having even a uh - an ordinary conversation in this situation
75		uh an d obviously given that this one might be a difficult one in parts
76	M	{smiles}
77	R	{smiles}
78	Con	that's going to be even more difficult.
79		so yes if we can be aware of that sort of delay
80		and if it gets difficult for either of you to hear do please say so.
81	M	{nods}
82	R	{nods}
83	Con	and from my point of view I'll be sort of, sort of reminding both of you that you know, you do both need to give each other a bit of space to sort of, you know, finish what you're saying.
84		Are you both ok with that?
85		Do I have permission from you [both]
86	R	[yeah]
87	Con	to shut you both up [if need be]
88	M	[{nods vigorously}]
89	Con	Yeah?
90	M	{nods} ok
91	R	{nods}
92	Con	Ok lovely.
93		The other thing I'd say as well is that if at any time either of you are thinking 'I've had enough of this, I don't want to do it anymore' you are perfectly entitled to say 'look can I have a break?' Alright
94	M	{nods}
95	R	{nods}
96	Con	I'd much rather you say that than get so hacked . . .angry with the other person that you get up and walk out
97	M	{nods}
98	R	{nods}
99	Con	You know, if you want a break for five minutes, just say so
100		and you don't have to give a reason

101		and we'll stop
102		and erm . . I don't know if there is a facility here for us to be able to talk separately, but that is normally what I would do.
103		Ok?
104	R	{nods}
105	Con	but hopefully we won't need to get to that stage
106		Are you both happy about all of that?
107	M	{nods}
108	Con	yeah?
109	M	[yep]
110	R	[yes] I am
111	con	You're happy with that too. Great.
112		ok then.
113		I mean what, what would be really helpful for me in the first instance is to hear a bit form both of you about what the situation has been and what it is you both would like to sort out. . . .
114		Either of you can start
115	**Pause 3secs**	
116	R	Do you want to start M..?
117	M	Oki I'll [go]
118	Con	[ok yeah]
119	M	uhm . . The reason we're here is that Renfred uhm, owes me some money . . .
120	Con	um humm
121	M	Basically.
122		Uhm . . . He's broken . . . A personal item of mine . . .
123	Con	un humm
124	m	uhm . . You know
125		he has er . . He's refused to sort of acknowledge this . . .
126	Con	Ok
127	M	and uhm it's not on really.
128		He came into my room when I wasn't there
129	Con	un humm
130	M	and he uh. . .
131		He broke an item of mine.
132		It uh it was not only a valuable item it was a sentimental Item.
133	Con	Uh humm
134	M	He hasn't even acknowledged that what he did was wrong.
135	Con	ok
136	M	uhm . . . If it were . . . If it were only that then we'd probably of sorted it out quite amicably
137		and straightforwardly. But I think that the problem is that this is just the straw that broke the camel's back
138	Con	{nods} um hmm.
139	M.	and that it's all been building up to this because of um just the way, just the way things have been going between us.
140		and basically the way R is um you know, acting with me on the uh in the halls of residence.
141	Con	{nods}
142	M	It seems that uhm. He's just got a problem with me
143		and it's been building up, and building up and building up
144	Con	uhm hmm
145	M	and this is the latest thing and you know, I've had enough frankly
146	Con	Ok.

147		So there sounds like there's quite a few things there
		I mean the thing, as you said, that has finally brought you here is the fact that there's been an issue between you regarding uhm, well two
148		things you mentioned.
149		The fact that you feel you're owed some money by R.
		and also that there's been an item of yours that has been broken
150		which [as you say]
151	M	[a piece of pottery][
152	Con	What was it sorry {leaning in}
153	M	A piece of pottery [from Mexico]
154	Con	[a piece of pottery] ok which [had both]
155	M	[from a holiday] yeah
156	Con	Sentimental value and monetary value as well [from]
157	M	[yes]
158	Con	what you're saying yes
		But what you're also saying I think is that this as just being for you the latest in a series of things that have, that you have been
159		concerned about with R.
		and what I also think you're saying there is you feel that, do I understand you correctly? That you feel that R. has a bit of an issue
160		with you in some way.
161	M	Well. . Y - y- y .. . I haven't got a problem with R.
162		It just seems that he can't . . He just has a problem with me I think.
163	Con	Thank-you for that
164		Can I just check with R.?
165		I mean obviously you just heard what M said there
166	R	{nods}
167	Con	and I appreciate that you've both got a side to this
168		erm what would you want to say . . . At this stage
169	R	Er yah. Well I heard everything that he said
		and er I think today, the reason we are here are because of some issues that's been building up over the period of time that we have
170		been staying in the halls of residence?
171	Con	yeah ok
		and uh yeah, just for the record, I never denied ever having broken
172	R	his pottery piece
173		I did do that and yeah I'm kind of feeling sorry for that
		and uh the thing is, the reason that that piece of pottery was broken,
174		unfortunately.
175	Con	uhm
176	R	it was because things keep disappearing from my room
177	Con	ok
178	R	Often with no reason
179	Con	um humm
180	R.	and very often as I go to M's room
181	Con	yeah
182	R	I will find my belongings lying there
183	Con	Ok . . . Right
184	R	Without me knowing
185	Con	right ok . . Right
186	R	For example . . . He took a tennis racket from my room
187	Con	um humm
188	R	A few months ago?
189	Con	Yeah
190	R.	and I haven't seen that tennis racket since

191	Con	Ok
192	M	a what did you [say]?
		[Um] I think if I understood you correctly R. was that you said that
		uh that last t bit was that you uh a tennis racket that you had has
193	Con	gone [missing]
194	M	[oh] yeah the racket yeah
195	Con	ok before we go further with that
		let me make sure that I've got it clear with you R. what you're
196		saying as well
197	R	{nods}
198	Con	because again . . . Quite a few different things there.
		Like M I think that your saying uhm you know, there's been stuff
		building up between you for a period of time now. While you've
199		been in the halls
		you've been concerned about things going missing from your room,
		which you've then felt you've found in M.'s room afterwards. Is that
200		correct? Yeah?
201	R	{nods} Yeah that's right
		the other thing though I heard you say, which also seems quite
		important, is that you acknowledge that there was a piece of pottery
202	Con	of Martin's which you broke
203	R	{nods}
		and the other thing I thought I heard you say was that you were quite
204	Con	sorry about that
205		Did I hear you correctly there?
206	R	Yes you [did]
207	Con	[good] ok
208		Can I just check with M - were you aware of that?
		were you aware that erm R was er uh you know had said that yes he
		had said that he'd broken that piece of pottery and that er and that it
209		was something he'd regretted?
		uh No uhh. We haven't spoken really since this all came to a head
210	M	so I [didn't]
211	con	[right]
212	m	know that er R. had er admitted he broke it and er. Uhm
213	Con	um hum
214	M	and it's uh good that he's uhm admitting that
215	Con	ok
		and that he's uhm, he's showing that uhm he's a bit sorry about it as
216	M	well
217		because er I didn't have the first idea that he felt like that
218		that is a good thing I think.
219	Con	ok
		so I mean again, it sounds like you guys haven't spoken for a little
220		while at least
221	M	not since it happened
222	con	how long has that been?
223		How long has it been since you both spoke about this?
224	R	I think it's been a week
225	Con	Yeah? About a week or so? Yeah? Ok
226		Would you agree about that M.?
227		Has it been [a week since]
228	M	[yeah more] or less
229	Con	ok
230		so it sounds like in this last week things have festered somewhat

231		This is quite common in these situations
		and in fact the fact that you're talking about this now, something has
232		been clarified already
233		such as erm
234	M	{nods}
		M. you are saying, sorry R. is saying that yes he did break that piece
235	Con	of pottery and that's something he's sorry about
236		and presumably that is something that you wanted to hear
237	M	yes it was [definitely]
238	Con	[yes] good ok then.
		So is there anything further that you'd like to er I mean the pottery
239		issue maybe needs to come up later on
		but er can we put that to one side just for a moment and maybe talk
240		about some of these other issues?
		because what you're also both saying. What's interesting about this
241		is that you're both identifying similar problems I guess
		In as much as you're both saying that things have slightly fallen
242		apart between you over a period of time
		erm and uhm that erm that er M. you're saying that you feel uhm that
243		er R. has a bit of a problem with you.
		and that R. you're saying that you've got some concerns because
		things are going from your room and and am I right in thinking from
		what you're saying that you are concerned that it's M that's taking
244		them?
245	R	Uhm yes indeed and uh may I add something for the record?
246	Con	sure yeah
		Yeah. The reason why I went into his room was that I was looking
247	R	for a book urgently.
248	Con	Could you say that to [me again]?
249	R	[and that]
250	Con	Sorry R what were you looking for?
251	R	Yeah. . . I was looking for a book
252	Con	A book yeah sure
253	R	yeah. That I'd borrowed from the library.
254	Con	uh huh
255	R	Earlier that day.
256	Con	uh hum
257	R	but it disappeared from my room.
258	Con	ok
259	R	I just had a suspicion that
260	Con	um hum
261	R	I would be able to find that book in his room
262	Con	Right ok
263	R	And indeed that is what I did.
264	Con	ok
		and is that when that piece of pottery got broken? When you were
265		looking for the book?
266	R	I pulled that book out
267	Con	uh huh
268	R	From his [bookshelf]
269	con	[bookshelf] uh huh
270	R	but the book right next to it fell right down on to the desk
271	con	right, ok.
272	R	yeah.
273	con	right

274	R	that's how it happened
275	con	ok
276		M. Were you aware of the circumstances in which the pottery got broken?
277	M.	uhm, no. I mean, I kind of guessed that that was probably what it was because they were both in the vicinity of each other
278	Con	mm hmm
279	M	but er uhm you know, it's a bit surprising you know that er R. was er you know had er the suspicion that the book was in my room because I made no er uhm.
280		You know I went in and asked Phil his er roommate
281	Con	uh huh
282	M	about the book
283	Con	right
284	M	Could I borrow it, I needed it 'do you think R. would mind?, I'm not going to have it a ling time, I'll return it as soon as I can.
285	Con	um hm
286	M	You know, if all he had to do was to say to Phil was uhm 'do you kn0ow where the e book is?'
287		Then uhm Phil could have told him.
288		You know I just, I did as much as I could to try and make it clear
289	Con	uh hm
290	M	that he has something that I'd looked for in the library . . I couldn't get it in the library
291		I found out that R. had it - I mean he's my neighbour.
292	Con	ok
293	M	you know - it was quite convenient that I could just go next door and speak to Phil
294	Con	um hmm
295	M	and say Phil can I have it?, do you think r.. Would mind?
296		Phil said 'I guess not'
297		You know, we come and go - as you can see we come and go from each other's rooms
298		That's, that's , that's my position, but er. If I can just, can I just say about R.s er other point he said about the eh tennis racket?
299		I'm sorry about the tennis racket - I forgot frankly. It's down the side of my bed - I i did borrow it
300	Con	Ok
301	M	And I used it
302	Con	mmm hmm
303	M	and I forgot about it basically, that's why I didn't give it back. It wasn't because I was like trying to steal it, or anything.
304	Con	Ok, ok, alright
305		So again then it seems that erm, from what you're saying there M. is that yes there have been uh a couple of things that you borrowed, in your point of view, that you borrowed from R. In the case of the book - erm - you'd asked Phil if that was Ok and assumed that [Phil would have told R.]
306	M	[{nods vigorously}]
307	Con	About that
308	M	[Yeah}
309	Con	[and] uhm with regards to the racket uhm, I think what you're saying there is that yes you did borrow it.
310		Did R. know that you borrowed it?
311	M	[Uhh]

312	R	[No]
313	M	But I can't remember because it was a weekend and we were going to play tennis [and]
314	Con	[um hmm]
315	M	and I didn't have a racket and I just I guess again I just went in [there]
316	Con	[ok]
317	M	I didn't think it would be a big deal you know , but I should have returned it.
318	Con	ok and but what I've also heard you do there is I heard that you, you just apologised I think to R. there for, for not returning it.
319	M	Oh yeah - yeah - I'm not trying to permanently deprive him of his eh tennis racket - I just forgot it was down the side of the bed - you know.
320	Con	Ok - yeah. Heah
321		I mean R. I mean obviously eh is that the first time you've heard that? I mean
322	R	Yes absolutely that's the first time
323	Con	um hmm
324	R	I've heard that
325	Con	mm hmm
326	R	and to me those incidents
327	Con	um hmm
328	R	are not separate incidents
329	Con	Mm hmm
330	R	They keep occurring in a pattern
331	Con	Ok.
332		Can I just check something with you both?
333		Because it would seem from certainly what's been said here that there may be a slight misunderstanding, or difference in view as to what is ok or not about popping into each other's rooms and borrowing things
334		I mean M. you've said that it's just something that happens between neighbours [in the]
335	M	[{nods}]
336	Con	Halls of Residence that people do pop next door and borrow stuff and [that's]
337	M	[{nods}]
338	Con	Ok both ways round and that has been your view of it.
339		R. Is that your view too?
340	R.	um, Honestly if someone would like to borrow my stuff
341	Con	um hmm
342	R	I wouldn't mind terribly
343	Con	u hmm
344	R	But the thing it is common decency for the guy borrowing my stuff just to make sure that I'm aware of them borrowing it
345	Con	ok
346	R	and just for the record - I never went into any other people's rooms to borrow stuff, without him or her knowing it.
347	Con	Ok [so you]
348	R	[yeah]
349	Con	you would, you broke up a bit at the end there, but did I hear you say that you wouldn't go into and borrow other people's stuff without asking them first?
350	R	No I would never [do that anyway]

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351	Con	[you wouldn't do that]
352		Alright
353		I mean I don't know how both of you want to take this forward
		I mean clearly you both have a difference in view about, not about whether or not you can borrow each other's stuff, but because, certainly R. I've heard you say you've got no problem with lending
354		stuff to people, as long as you [know]
355	R	[{nods]}
356	Con	And you've been asked yeah?
357	R	{nods}
		and M., from your point of view are you, you know are you happy also if say R. wanted to borrow something off you is that, is that
358	Con	something that's ok?
		oh yah, I mean I don't I don't have a problem, I mean I you know its
359	M.	kind of a unique way of living in a hall of residence
360	Con	mm hmm
		I have a lot of people over to my room as well which I think gets up
361	M	his nose a little bit
		because uhm you know - it's a noisy place. It isn't like living at
362		home [when]
363	Con	[sure]
		when you've got a few people around and they come and go. Here you've got people around all day every day, into the night and that['s
364	M	what being a student is all about
		and I have people over and sometimes you know, I know R. isn't too happy with it because erm he's said as much and you know banging
365		on the wall and what have you
		and we always keep it down but, erm that's what, that's what being a student is al about - you know - you have friends over - you come
366		and go
		and er as far as I can see - he told me to chill out about the er about
367		the er pottery
		but er I think that R. needs to chill out about being a student and
368		that's how, that's how I see it
369	Con	Ok
		Do er you've raised something else there M. which is around,
370		perhaps around a difference in view that you both have around noise and er R. that you've not mentioned that but it may be something
371		that you want to raise too?
372		Could I?
		I mean if you are both willing to talk about that I'd be happy to
373		discuss it.
		Can I just note whether you would before we sort of get into the
374		detail of it?
375	M	I don't [know]
376	R	[I uh]
377	M	sorry [R.}
378	R	[Were you] were you speaking to [me?]
		[I was] asking both of you but R. do you want to , can I just check
379	Con	with you that, if that is something you'd like to talk about?
380	R.	Yeah sure.
381		Can I go ahead or?
		Well just before that, what I was wondering was just when that came up on the tail end of talking about this issue of borrowing of each
382	Con	other

383		and I just didn't want to lose that one because I think that what you have both said
384		Is that neither of you have a problem with borrowing each other's stuff. It's really more a matter of how it's done
385		and R. what you have suggested there is that you would be ok with M. borrowing your stuff as long as he made sure you knew about it
386		Yeah do I understand that correctly?
387	R	yes that's right
388		As I say, my book was missing
389	Con	yeah
390	R	And it ended up on his bookshelf
391	Con	mm hmm
392	R	Was a very good example
393	Con	mm hmm
394	R	Of what I'm talking about
395	Con	ok
396	R	because all I knew that day was that I needed that book urgently
397	Con	mm hm
398	R.	But I couldn't find it
399	Con	OK
400	R	But I didn't know where it is
401	M	{raises hand}
402	Con	right so it was urgent that you found that book because you need to get that piece of work done.
403		and M. I think that what you said earlier on was that you thought you had let R. know via Phil.
404		Is that correct
405	M	{nods} yeah [and]
406	Con	[right ok]
407	M	and I did as much as I could at that time. Regarding the [book]
408	Con	[yeah]
409	M	With regards to the tennis racket
410	con	yeah
411	M	that was a spur of the moment thing
412	Con	yeah
413	M	it was on the weekend, I knew he wasn't using it and I forgot to return it
414	Con	yeah
415	M	I admit I probably should have left a note or [something]
416	Con	[yep]
417	R	[{nods}]
418	M	but I though with the book I thought I'd done enough to
419	Con	Um hm
420	M	make it clear
421	Con	ok
422	M	that I had the book . . . I'm only next door you know, just come and knock on the door or something.
423	Con	Ok
424		and I guess the thing is when, things start to get a bit difficult between people again it's perfectly natural for those things that normally you would both door is knock on the door and ask the other person
425		It gets harder and harder to do that so it's understandable that communication is broken down a bit between you
426	M	[{nods}]

427	R	[{nods}]
428	Con	but there's nothing you can both do
429		[Fire alarm goes off]
430	Con	it would appear from what you're both saying here though is that there's not a lot you can do about what's happened already
431		and I can appreciate that that's hacked you both off.
432		What I guess you can talk about is you know, how can you do it differently from now.
433		and given that you both actually say that you don't have a problem with borrowing each other's stuff, it's just about how you can do it without these misunderstandings taking place
434		Do either of you have any suggestions about how that could happen from now?
435	M	well to be fair, form my point of view it's not just about the book and the pottery, I mean R. has apologised about the pottery
436	Con	ok
437	M	which is good of him
438	Com	um hummm
439	M	but I get a sense that he's got a problem with my friends coming over
440	Con	ok
441	M	He's got a problem with the noise that I create, or that we create
442	Con	um hmm
443	M	and the way he talks to me about it makes me feel like he thinks he's superior
444		and maybe that's what's brought us to this point.
445		Maybe you know, we're just different and erm and the way I am erm in halls of residence he doesn't like
446		and that's what's brought us to this position
447		because, nobody else seems to think I'm noisy
448	Con	[ok]
449	M	[on the floor]
450	con	It sounds as if what you're saying M. that you're concerns about R.'s views on you regarding the number of friends you have round and the amount of noise
451		Is for you perhaps a real sort of a concern that you really want to talk about before we take it any further
452		Is that correct?
453	M	I think - you know - it's probably the thing that's underpinning the whole of this er issue about er the book and the pottery
454	Con	ok
455	M	is that we're just
456	Con	hmm
457	M	probably not seeing eye-to-eye
458	Con	ok
459		Well let's just talk a little bit about that if that's ok then M. sorry R. as well
460		We'll come back tot the issues of the practicalities of borrowing later - we can probably make some headway there
461		Let's talk if we can a little about this noise issue
462		You've said M. quite clearly that you think that R. has got a real problem with that
463	M	{nods vigorously}
464	Con	I haven't heard that from you though R.
465		What's you're opinion on this?
466	R	Well actually I don't have a problem with people being sociable

467	Con	um hmm
468	R	or having social gatherings in his or her own room because that's none of my business
469	Con	right
470	R	But from my point of view - anyone who is paying rent
471	Con	um hmm
472	R	in any accommodation
473	Con	mm hmm
474	R	has the right to live in that accommodation peacefully and quietly
475	Con	ok
476	R	I'm not asking that something should be done at 4 in the afternoon - not at all
477		I'm asking whoever is living next door to me to keep it down after midnight
478	Con	hmmm
479		Ok [so]
480	R	[and] to me I think that would be a very reasonable thing to ask
481	con	Ok
482		So what you're saying there it seems, is that you don't have a problem with M. having friends round or anything like that and you don't have a problem with the noise except if it's carrying on after midnight
483		Is that correct?
484	R	Yeah that's right
485	Con	ok so what you're saying there is that what you would like I think is, is for some understanding there e between you about noise after midnight.
486	R	{nods}
487	Con	When you say noise is there anything particular that is causing you a problem late in the evening?
488	R	Well basically just music and banging the doors at one or two in the morning
489	Con	Ok
490	R	Yeah
491	Con	Ok right,
492		So I mean, it's gone M. from being a sort of a general concern, form your point of view that, R. doesn't like you having lots of people around and making a noise all the time
493		To actually something quite specific, which is that it er seems that there is a concern he ahs about noise and banging doors and music, very late in the evening, sort of after midnight.
494		Uhm were you aware that that was what it was particularly?
495	M	No not particularly, I mean um you know one o'clock or later
496	Con	um hm
497	M	in the morning
498	Con	mm hm
499	M	We keep it down and you know I think that that's quite unusual I mean I'm not saying that it hasn't happened
500	Con	mm hm
501	M	but that is fairly unusual that we would, er , that we would be making a lot of noise that late
502		and you know, that's fair enough and if that's like the point where we need to be quiet then I'd be willing to er try and er keep it down after midnight
503	Con	ok

504	M	So that it doesn't bother people
		But er you know, if that's it then we're ok but, nobody else has approached me, nobody else seems to have a problem with me on
505		the floor.
506		Nobody else seems to have a problem about the noise, it's only R.
507	Con	um humm
		and er the way he talks to me as well is he makes me kind of feel
508	M	inferior to him
509		you know and he's kind of some superior person
510	Con	hmm
511	M	and erm I'm a bit of an idiot really I think
512	Con	um hm
513	M	because of my lifestyle or whatever - the way I am
514	Con	mm hm
515	M	and I don't appreciate that either
		I can appreciate that very late isn't acceptable and we'll do
516		something about that
		but I'm not going to say that I'll live like a saint and that I won't have
517		people round, because erm that isn't practical.
518	Con	Ok
		I mean I'm not sure R.'s asking you to live like a saint and not have
519		anyone round
		Am I right in thinking that R,. You haven't got a . . . You're ok
520		about M. having friends round
521	R	Yes you're right yeah.
522	Con	ok
523		So it's really just the after midnight issue really
524	R	Yeah
		n and M. what I've heard you say there is that seems reasonable to
525	Con	you and that you offered to ensure that the noise is kept down
526	M	{nods}
527	Con	After midnight ok?
528		[uh]
		[Yeah] can I just say - we've got a bit, some more time before we
529	M	finish our time in halls
530	Con	mm
		and I can't guarantee that one time we're not going to go past
531	M	midnight [or]
532	Con	[ok]
		I'm not going to have friends and it's going to go on and we're going
533	M	to make some noise and someone's going to bang a door
534	Con	mm hmm
		It might not even be me and my friends, but someone's going to
535	M	bang a door and wake R. up
536		You know I can't guarantee that but I will try
537	Con	ok mm sure
		So what you're saying is that you can't be responsible for other
538		people's actions
		but obviously you can ensure after the event that if people are
539		making a noise you [can ask them not to]
540	M	[{nods}] yes
		although you have raised a point there in as much as in anything that
		you both work out between you here, there is a chance that for
541	Con	whatever reason it may not work out you know

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542		Somebody ends up making a noise round at your place 10 minutes after midnight, before you have a chance to stop them, which would
543	m	[{nods}]
544	Con	which would potentially disturb R. and you can easily perceive that R. as M. not sticking to the agreement
545		I mean, one of the things you have possibly both highlighted and M. I think you have particularly mentioned - is that there appears to have been a bit of a communication problem between you at times, which has probably made it difficult for either of you to raise with the other one some of these issues
546		Which perhaps mean now that you're talking to each other there isn't a lot of areas in which you actually disagree so far
547		I mean M. you said that you feel er that there are ways that R. talks to you sometimes which makes you feel that erm he doesn't have a lot of respect for you?
548		Would that be what you're saying?
549	M	yeah definitely
550	Con	could you just give R. an example there, it may well be that he doesn't quite know what you mean
551	M	it's just, it's just erm. It's just he way I perceive it I guess
552	Con	hmmm
553	M	it's just . . You know maybe he could be a bit more friendly about er asking me stuff or when he sees me, but it just feels like he's bugging me all the time
554		and er and I don't think I deserve it because I don't think that anybody else has got a massive problem with me so erm.
555		Just if we just erm tried to make a it of an effort and er.
556	Con	uh huh
557	M	appreciate what each of us is like
558	Con	uh huh
559	M	and then you know
560	Con	ok
561		Now R. do you know what he's talking about there?
562		Does that make sense to you at all?
563	R	Well I guess but er there's something I don't agree with
564	Con	mm hmm
565	R	Which is I don't quite see why is it that he, he can not be responsible for the behaviour of his guests
566	Con	ok
567	R	because that is actually one of the rules of the accommodation
568	con	mm hm
569	R	that anyone who is inviting guests over is responsible for their behaviour
570	Con	ok yeah?
571		Would you agree with that M., that you?
572	M	I'm not saying - i think that's your interpretation. I'm not saying 'I can't be responsible for other people's actions'.
573	Con	Mm hmm
574	M	Because that's like signing people into a private club
575	Con	mm hmm
576	M	you're responsible for them
577	Con	mm hmm
578	M	it's a similar concept about having people in the rooms.
579		what I'm saying is . . . All I'm asking is for a level of reasonableness, which means that if something happens after 12,

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		once or twice, it's not the end of the world and
580		and erm, maybe I've done all that I can to keep people quiet, but if something happens I'm wiling to er . . To . . Keep everything down after midnight
581		All I'm saying is I can't guarantee that you know an I don't want it to crate er to cause er another issue with R.
582	Con	um hmm
583	M	if that happens
584	Con	ok
585	M	and er it's just about reasonableness - do you understand?
586	Con	I know what you're saying there
587		that you, what you're asking there is that R. recognises that there may be times, although you will do your very [best.]
588	M	[oh yeah]
589	Con	to ensure people keep that you are responsible for your guests, which you both agree you are obliged to do.
590	M	{nods}
591	Con	that if one of them does something that if before you can stop them that R.. Won't immediately assume that you're just breaking the rules there, or no [longer]
592	M	[no!]
593	Con	You can come to some other arrangement
594	M	{nods}
595	Con	R. what's your feeling on that?
596	R.	Well I guess he's right in saying that it wouldn't be the end of the world if anything happened again say at 3 or 4 in the morning
597	Con	uh huh
598	R	But ~I wouldn't be very pleased either
599	Con	sure - well yeah
600	R	[Yeah}
601	Con	{and er] M. could you appreciate R.'s point of view on that?
602		That er [he wants]
603	M	[Oh of] course
604	Con	yeah
605	M	but erm you know I've said
606	Con	mm
607	M	I'll respect
608	Con	mm hmm
609	M	R.'s wishes
610	Con	Mmhm
611	<M	But at the same time - this is our student halls of residence
612	Con	m hm
613	M	Yeah? . . . You know . . It's not going to be absolutely so quiet every night after that
614		I might not even be me you know but I feel that if there is a noise on the floor
615	Con	mm hmm
616	M	R.'s going to think it was me
617	Con	Ok [I mean]
618	M	[yeah?]
619	Con	if er if the issue arises that erm you are disturbed after midnight R. and it is coming from M. although as M. has said it may not actually be M. it could be coming from someone else

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620		If it was and you were being disturbed is there any way that you could both deal with it at the time
621		would it immediately burst into an argument or is there a way that you could both handle it?
622	R	Well I guess what I could do is help him to keep it low, politely
623	Con	ok
624	R	But if I'm awake, then I'm awake
625	Con	Mm hmm
626	R	I need to get up at 5
627	Con	mm hmm
628	R	for a morning job
629	Con	[so are you]
630	M	[what are] {raises hand} can I ask [him]
631	Con	[yeah]
632	M	If it's a one off thing
633	Com	um hmm
634	M	erm forget about it. You know and let it go. You know if it happens again the next night, or if it happens again every week then come and say something you know and I'll, I'll sort it out
635		but if it's an isolated incident then you know we'll . . . My view is well c'est la vie you know - that's life in a student residence
636	Con	mmhmm
637	M	that's how I see it you know
638	Con	Well M. You've said a few times now that you feel that a bit of noise late in the evening is just a part of living in a halls of residence
639	M	Up to a point
640	Con	up to a point - ok.
641		R. Is your view o that different?
642	R	Yews absolutely. Why is it that a Hall of residence should necessarily be noisy?
643	Con	mm hmm
644	R	I don't quite see your point - it's someplace for us to sleep the night too
645		So I would expect it to be reasonably quiet and peaceful
646	M	{nods}
647	R	So that I can have my sleep
648	M	[{nods}]
649	Con	[mm hmm]
650		So you have quite different expectations from the sound of it
651		Of what the halls of residence should be like [and]
652	R	[yes absolutely]
653	Con	and I guess that neither of you have complete control over what's going to be happening in the halls
654		what I think I have heard you agree between you is that noise should be kept down after midnight
655	M	{nods}
656	Con	and M. you will do anything you can to ensure that happens
657	M	{nods}
658	Con	but you've acknowledged that their may be occasions when there's a noise
659		If you are disturbed by something erm that one of the options would be, presumably if it continues, and it isn't just a one off - if you've got a constantly loud music one evening for some reason
660		that you could just erm what pop round to M.'s and ask politely I think is what you said [I]

661	M	{if} it it it, if it's ;ate and it's past midnight and it's going on
662	con	mm hm
663	M	and it's keeping R. up. Come round, knock on the door and we'll sort it quick you know.
664	Con	yeah? You're saying that would be alright [M.? That would be reasonable]
665	M	[Yeah. Definitely oh yeah] I'm not unreasonable.
666	Con	and would that be ok R.?
667		Should that in the end, hopefully in the unusual event that that would happen?
668	R	well yeah , I think I could live with that
669		But I'm just wondering why some of us always need other people to remind us constantly whether we are bothering other people or whether it's fine to be loud
670	Con	mm hm
671	R	I wasn't brought up that way so
672	M	well it's not, well nobody else is worried about it, no one else is complaining to me about you know
673		It's not like I'm you know the anti-social erm - what are you going to do about it? Give me an ASBO on the floor?
674		You know, no-one else has complained
675	Con	Mm ok
676		I've heard you mention it a few times M.
677		As far as you're aware it's only R. that's got a problem with it.
678		And I don't know and maybe you both know better whether that's to do with where you are placed in relation to each other
679		Or whether it is from R's point of view that you feel that you need some quiet at night
680	M	{nods vigorously}
681	R	{nods vigorously}
682	Con	This is something you've certainly indicated is that correct?
683	R	Yeah that's right
684	Con	yeah?
685		Is there a particular issue for you about getting enough sleep?
686		It seems like you getup quite early did you say 5 o'clock?
687	R	Yeah I have to get up at 5 every morning.
688	Con	Right ok
689	R	Yeah
690	Con	Ok so you still to get to sleep a bit earlier yeah?
691	R	I need to go to bed at like 10 every night,
692		but on the one hand I can appreciate that it is very difficult for people to keep it
693	con	mm
694	R	absolutely quiet
695	Con	mmm
696	R	Before midnight
697	Con	yeah
698	R	So I'm not asking for that at all
699	Con	ok
700	R	yeah
701	Con	yeah
702		So I mean it sounds like what you're both saying is that you need to be a bit a bit flexible with each other
703		M. you're saying that yes you'll do your best to keep it quiet
704	M	{nods}

705	Con	but you can't put your hand on your heart and say that it will never be noisy after midnight again
706		but you';; do everything in your power to ensure that it isn't noisy and if it gets noisy you'll shut it up pretty quick
707	M	{raises hand} can I just say that for example you know, in the last week of term
708	Con	mm
709	M	running up to Christmas on the last couple of nights, you know, everyone's going to be out having a great time
710		all I'm saying is that sort of situation its give and take
711	Con	mm
712	M	If I try and keep it down all through term
713	Con	mm
714	M	and then we have a big party or something happens late on one instance, I don't think that's unreasonable and I'm willing to keep it down for the rest of the time
715	Con	Mm ok
716		Well what's your view on that R.?
717		I mean I think what M.'s saying is if he can manage to keep it down 99 of the time
718		If there is a particular thing like a Christmas party or something would you . . How would you feel about that going on a bit alter
719		or would that still cause a difficulty for you?
720	R.	I wouldn't say what he said is unfair
721	Con	hmm
722	R	because I mean we have to live with a degree of reasonableness
723	Con	m hmm
724	R	but the thing is that even during the Christmas week I do have to get u0p at 5
725	Con	yeah
726	R	every morning
727	Con	ok
728	R	But I guess that's my problem
729	Con	ah well yeah, but then I guess that perhaps you have to get up at 5 every morning.
730		Can you say a little more about that. Is it personal choice or is it a work thing?
731	R	I have a morning job which means I have to be up at 5 every morning
732	Con	Oh right so that's a pretty early start
733	R	yeah
734	Con	Were you aware of that M.?
735	M	I knew R. did something, but I didn't know he was going off to work every morning
736		I mean to be honest, I don't see 5 o' clock very often
737	Con	right {laughs}
738	M	But on the occasions that there is a party, why doesn't he just stay up with us and go straight to work afterward
739	Con	right ok
740	M	That's a joke!
741	Con	{laughs} good!
742		but I mean for you R. then it, it sounds like it's not just the matter of you er choosing to getup at 5 in the morning or anything like that you , have to work [early in the morning]
743	M	[{raises hand}]

744	Con	and so, if you're not getting any sleep that causes you some problems
745	M	Can I {just} {raises hands wildly}
746	R	[yes}
747	M	{can I just}
748	Con	{I'll just check that with R.] and I'll come back to you on that
749		Is that correct R?
750	R	Yes absolutely. If I have a choice I would like to sleep in and get up at maybe 9 or 10
751		but I don't
752	Con	ok
753		Sorry M. I didn't mean to interrupt you there
754	M	no I wanted to say I didn't want to sound completely flippant, but If R. is going out to work at 5 every morning then
755	Con	mm hmm
756	M	I will respect that because erm everybody's trying to get by and if R, is doing that then that's fair enough
757	Con	yeah. Hmm
758		So does that sort of change things a little bit for you ?
759	M	well it er my position is the same as before which is I'll do my best to keep it down
760	Con	yeah
761	M	now I know that he's got to get up and work you know
762	con	mm
763	M	yeah I'll, I'll do my best.
764	Con	Ok so if nothing else hopefully that just makes the reasons behind why R. you take that position a little bit clearer

Bibliography

Appendix 5b

Transcript of VMC Conciliation

Conciliator A (high conflict role-play)

Number	Speaker	Utterance
1	C	Ok can I check you can both hear me alright first of all?
2		R yeah?
3	R	Ok
4	C	M and you too?
5	M	yep
6	C	Ok that's lovely
7		Ok then
8		uhm well we may as well make a start
9		There is a bit of a buzzing noise, if that gets really annoying or if either of you can't hear me at any point do please let me know and we'll see if we can sort it you
10		uhm my understanding to day is that uh, you've both decided you want to come along to mediation to sort out an issue I'm aware has arisen between you.
11		uhm I have a little bit of information already, but there's probably a lot more that you can both tell me about that.
12		so in a minute it would be quite helpful to hear from both of you what you see the situation as being at the moment and how feel it might be sorted out ok?
13		Before we start though there's a couple of things I should say
14		I'm assuming because you've both come along today I'm presuming that you'd both like to sort this thing out if you possibly can
15		The way we're working with us both being in separate rooms means that obviously it's going to be quite difficult for people not to talk over each other.
16		Part of my job is to make sure that you both get to have our say about the situation and that you also get to hear what the other person ahs to say
17		so erm if I could ask that both of you if it gets to a point where one person is talking and if you want to come in, if you could hang on for one second to let them finish and then I can come straight back to you on that one
18		The other thing I would say is that it is quite common when people are discussing things for you to start talking over each other anyway.
19		If that happens, do I have permission from both of you to sort of interrupt and to stop you and say can I come back to you in a minute on that?
20	M	{nods}
21		yep
22	C	Are you both happy for me to do that?
23		R are you happy for me to do that yeh?
24	R	Yes, yeah *ok*

25	C	*You're ok* with that
26		and M. You are too?
27	M	Yep
28	C	Yeah? Ok then
29		So if at any point either of you feel I've had enough of this for now. I really feel I could do with a break, do please say so, you don't have to sit and put up with this if you feel that you would like five minutes to yourself, five minutes to get your head together and if necessary i'm quite happy to talk with you both separately for a while.
30		Can you both hear me? Because I can other . . . Others talking
31	M	Yeah
32	R	Yeah
33	C	I've just realised it's me (laughs)
34		Sorry about that, there's some feedback going on.
35	R	*unintelligible*
36	C	Ok, something's happening, insomuch as we're all echoing. I don't know if the volume is changed at all. We're just seeing if we can sort that out a sec.
37	M	That's better isn't it?
38	C	Yeah it's a bit
39	R	*It's ok now*
40	C	Ok how's that?
41	R	fine
42	C	And M. can you hear me ok?
43	M	Yeah super
44	C	You guys are a bit quiet to me, but we'll see how we get on and I might have to ask you to repeat some things
45		Ok has anyone got any questions about things that I've just said at all?
46	M	{shakes head} no
47	R	no
48	C	both happy with that?
49	M	yep
50	R	yep
51	C	ok so, who wants to start in terms of why we're here today and what we'd like to get sorted out?
52		Silence for 5 seconds
53	R	M can start
54	C	So R you're
55	M	*well we* got to do something because this guy's .. Lost it, he's attacking me now.
56		I mean we we've, we've, we've er. This problem's been getting worse and worse and we're now at the point where the police are involved and it's making everybody just er … well we're getting into trouble everyone's unhappy, everyone's getting stressed out and ill about it and someone's got to do something about this problem because it's just ridiculous now.
57	C	Ok so, the situation is that it is really getting out of hand from your point of view, that you feel that it needs sorting out fairly urgently sounds like you need
58	M	*Yeah he needs to* sort his kids out and that's the crux of it basically.
59	C	Ok so it sounds like one the issues you'd like to sort out today is the children.
60		I think probably the first thing I need to do is get a list from both of you about what it is we need to cover today
61		and then we can perhaps, we may not get through all of it, but we can at least decide what order we need to sort it out in.
62		So one of the issues you've raised is 'sort his kids out'. Is this R's children?

63	M	Of course it is yeah .I mean these three kids that er ah, running amok in the streets and er no-one's got any control over them.
64	C	ok.
65	M	And they're causing everyone's life to be a misery and especially mine and my wife's.
66	C	ok, so. There's issues you'd like to raise around R's children's behaviour in the street
67		Can I just check , R. Are there things that you'd like to talk about as well?
68	R	Well I can say the same about M., because him and his wife are giving our family a really hard time.
69	C	in, in what sense?
70	R	In the form of noise or in the form of drunken arguments outside his *house at four in the morning*
71	M	*{shakes head} what?*
72	R	The way that he threatens my children
73	C	Ok so you've got some concerns about how M and his wife, you said as well, it sounds like there's issues around noise. Is that what you're saying?
74	R	yes it was noise *and*
75	M	*Noise?*
76	R	drunken arguments outside his house at four in the morning
77	C	ok
78	R	and my whole family just got woken up
79	C	right ok
80	M	{shakes head}
81	R	ok
82	C	So M. I can see you shaking your head to that is erm, is that something you're prepared to discuss?
83		I'm not necessarily assuming you'd agree with R. on , on his *perception*
84	M	*yeah uh* yeah. I know what he's uh talking about right?
85	C	um hmm
86	M	But it pales into insignificance with all the hassle that his kids have caused.
87	C	Right ok, so one of the main issues for you is the children but from R.'s point of view there is an issue about noise in the street, things like that
88	M	If you want to talk about noise, let's talk about the times that his children wake me up in the morning.. During the day and late at night.
89	C	Ok
90	M	with their playing and the fact that, that they're out there at all ours
91	C	um humm
92		It sounds like what you're both saying to me here is that noise and er how it's affecting each other an each being disturbed is something that's affecting you both , perhaps in different ways
93	R	Sorry one second {goes to answer a knock at the door}
94	M	Where's he going?
95	C	I think someone has knocked on his door
96		So ok. Let me just say that last bit again then.
97		It would appear that one of the issues that actually both feel is a problem and needs sorting out is you both disturbing each other, perhaps in different ways.
98		Issues around noise would that be correct?
99		pause or 3 seconds
100	M	er yeah.
101	C	Yes M. . R.?
102	R	yes
103	C	ok well I'm just going to note that down at the moment just as noise and we can talk a little bit more about it in a minute.

104		Are there any other things, while we're sort of going through the list, that are important that we talk about today?
105	M	well the thing is it's not just the kids, it's the noise that's coming out of R.'s house that's a problem as well. His stereo and TV are too loud
106	C	ok
107	M	he knows, he knows I work shifts. I mean, I'm not asking for anything particularly special, erm requirement, erm I'm just asking for a normal civil, level of noise yeah?
108	C	ok, so that's something again, I mean you've raised the issue of noise and R. you've raised this issue as well in a different context. Ok
109	R	{nods}
110	C	So I mean it sounds to me like that might be something fairly high up the list of things to discuss in a minute. If it's ok to note that down for a moment, I have it written here and we'll just come back in a moment to discuss how you want to deal with these issues. Because it sounds like there may be a few.
111		OK, so if I can do that,. Are you happy with that?
112	M	Yep, yep, yep
113	R	Yeah
114	C	are there any other things that are being an issue that you'd like to talk about today?
115	R	I don't like the way that he came into my house and threatened me and my children.
116	C	ok
117	M	How?
118	C	When you say threatened how do you mean?
119	R	Well just, once he came into my house and complained about the noise that was coming from my house
120	C	ok
121	R	and I though at that time both of us needed to calm down and I asked him to leave
122	C	uh huh
123	R	he refused to leave and that's why I had to escort him out of my house
124	C	*ok*
125	R	*Off my property*
126	C	I mean *it*
127	M	*Listen, listen* 'escort me out of your house'? How many times have I been round there politely to ask please turn it down and sometimes when I walk away you turn it up!
128		You turn the stereo up after I've been around.
129		*How many times have I been round and told you asked you that politely? Very nicely and politely*
130	C	So M. I can tell from what you're saying that this is something that has really wound you up and that it sounds like again it's something that needs talking about and its tied in with the issue of noise
131		I think the issue you've raised there R. though is, is how perhaps you talk to each other and the fact that you have felt threatened on occasions, or certainly on that occasion.
132	R	{nods}
133	C	yeah?
134	M	I mean he's, he's attacked me
135	C	ok
136	M	I mean let's, let's, let's talk about that
137	C	ok
138	M	I mean he might not like me coming round shouting the odds at his house
139	C	hmm hmm

140	M	but last time he came round and physically attacked me and we've had the police involved
141	C	ok so M. from your point of view as well you've felt under attack at times from R. Physical attack? Yeah?
142	M	Physical attack yeah.
143	C	ok yeah.
144		Ok so it sounds to me like the way that you guys have been dealing with each other is an issue for you both a and possibly an issue for your families and other people as we'll.
145		Is that something that you're happy for me to note down?
146		As something to talk about?
147	M	You can note it down
148	R	Yeah … please
149	C	yeah? Ok? Is that ok with you both?
150		right I'll note that for now and we'll come back to it.
151		Ok … alright.
152		Well basically I have three things down here at the moment.
153		One is the issue around R's children
154		Another is an issue … uh .. Possibly for both of you I think that you said around noise levels and how that's impacting on both your lives in terms of you know the fact that you M. work shifts and that fact that your children R. have been disturbed on occasions
155		And then there's the issue that in some way has come out of both these things which is how you both deal with each other now and the fact that on occasion you've both felt that it's got a little out of hand and that you've felt threatened or that there have been threatening remarks or actual threatening behaviour taking place.
156		Uhm any thoughts as to what in what order we need to deal with these then?
157		I guess that they all need sorting *out eventually*
158	M	*Well he needs to* sort his kids out. He *needs to*
159	C	*OK so you'd like to talk about*
160	M	*He needs to make sure*
161	C	*The kids* first then M.? Yeah?
162	M	*Well this is how . . . As far as I'm concerned this is why I'm having to go round there and say to him please be quiet. The TV, the playing on the Saturday and Sunday morning. The uh stereo is too loud*
163	C	*Ok*
164	M	*and uh and the uh damage*
165	C	*uh huh*
166	M	*the last* the last time um this all kicked off was when um when I, I I'm fairly sure that um that his kids damaged my wife's car.
167	C	Ok
168	M	What's he going to do about this? Is he going to pay? He's not said anything about putting that right.
169	C	*So there's an issue around your car being damaged … uh*
170	M	*My wife's* car
171	C	Your wife's car. Ok. Alright. So I've noticed that as well.
172		So er R. M.'s asked that we talk about the children first, do you have an objection to that? We'll hopefully cover all the issues
173	R	No that's fine, but I just would like to emphasise that the children are being children
174	C	ok
175	R	We have to be reasonable with them
176	C	ok
177	R	But that doesn't mean I can let them do whatever they want, because that's not right.
178	C	For sure .. Yeah

179	R	But still I think that we all have to appreciate children … you can't really ask them to be quiet 24 hours a day.
180		and of course, that's er that er being said we er . . I should, or our family should still be respecting the right to quiet and peace and living of our neighbours.
181		I mean that's only fair, that way
182	C	ok
183	M	{nods}
184	R	and I'm sorry that erm you felt like that I'm winding you up by say after you're gone I turn the music up again, I'm not aware of that at all, perhaps it's my children, but you've come around so many times, it just occurs to me that no matter .. How small I turn down the volume to be still, you're going to be round to complain and I just don't feel we can, we can reach a reasonable agreement of what should be the uh .. . a mutually agreeable level of noise.
185	C	Ok uh
186	M	*OK* how about this then… keep your kids in, keep your kids in the garden or … in the park when they want to kick their football around.
187		Not out in the street where everyone is parking their cars and they're shouting so that everyone can hear them. Put them in your back garden, or put them in the park so that or tell them that's where they are going to park, that's not unreasonable is it?
188	R	Well then, why do you have to park your car in the street? Why can't you park it on your driveway?
189	C	*Ok*
190	R	*Or in* your garage?
191	C	Can I just catch up with you both on this one here?
192		So what you're talking about with the children here.
193		Can I just check? How old are the children as a matter of interest?
194	R	My children?
195	C	yes How old are they?
196	R	One's very small, just one, one year old. One is four and one is seven..
197	C	Right, so you've got a one year old, a four year old and a seven year old and I'm presuming that the football is with the four and seven year old.
198	R	Yep
199	C	Yeah? Ok. And uh
200	R	*The one* just cries during the night
201	C	right
202	R	And believe me, I'm the lat person that would want him to cry.
203	C	Sure
204	R	In the middle of the night
205	C	OK … and so that, you're aware that the little one's crying and I'm not sure that M. whether that is something that er as you, er when you were talking about noise whether that's what you were referring to
206	M	Well I can hear stuff, I can hear stuff through the walls you know
207	C	Sure
208	M	I mean, I mean it's the television as well
209	C	yeah, um ok
210		Well let's , let's come back to the issue of the noise between the houses in a minute and let's focus on the children a minute, because that's something that you've both talked a little bit about now.
211		R. If I understand you correctly what you were saying there is … you know, children are children they need to play and so that's one side of it but you also recognise that it's you know, you need to have some respect, or they also need to have some respect for the neighbours and the neighbours needs and so
212	R	*absolutely* {nods}
213	C	and so it's striking that balance all the time.

214		Did I understand you correctly here?
215	R	Yes *absolutely*
216	C	*yeah?* Ok
217		And M. what I heard you say there was … well ok can the kids be playing in the garden, rather than playing on the street? And you've mentioned the football particularly
218	M	*Or round the corner*
219	C	*Ok*
220	M	Or just go to the park or something. Why must there be shouting outside my window?
221	C	*Ok*
222	M	If er, when I'm in bed?
223	C	Right … so it's particularly about the children being right outside the window and you say when you're in bed er. Is that *is that to do with your shift-work*
224	M	*Well you know I, I work shifts* so
225	C	ok … right … ok
226	M	uhm I mean, uhm R. What's your feeling about that?
227	R	Well because you know what? Before you and your wife moved in this used to be a very peaceful and quiet neighbourhood and no-one sad anything at all about not wanting children to play in the street in broad daylight. No-one raised any objections at all.
228		But now you've told me that you're working shifts, of course I should be taking that into consideration when I put them out to play in the streets
229	M	{nods}
230	R	I mean that's only fair. Yeah but. Yeah I just don't like the way that you've threatened my children. I know last time they broke the wing-mirror of your wife's car … I mean, well you can try to reason with them but children being children may be you found that a bit difficult.
231		Why, why, why didn't you just come to me and let me know, I'll be more than happy to reimburse you for the, for the wing mirror, but
232	M	*So what are*
233	R	*but instead* you threaten them and you're actually terrorising them.
234		What kind of father am I, if I let you do that to my children? When I'm standing aside doing nothing?
235	M	Ok, you pay for the damage then and I'll stop erm … I won't, I won't er come round and uh and and tear them off a strip then yeah. You sort that one out.
236		You pay for the damage they have caused and we'll see what happens next time.
237	R	Ok but what about the drunken parties and noise from your hose?
238	C	Ok can I just pause it there if I may. I mean you talk very specifically there about an incident where a wing-mirror was broken. R. I've heard you say, you know if M. had just come round and said, you'd have been more than happy to have paid him for the damage. M. you're saying well fine, pay for the damage and I wont feel the need to come round and shout at the children.
239		I mean obviously it um in an ideal world er um presumably nether of you would be wanting the children yelled at if it wasn't, if it could be avoided. It may able in terms of the actual incident of this wing mirror being broken it sounds as if you may be R. you may be happy to pay for any damage and M. you're happy to accept that payment.
240		I think the, I think the problem is though that you obviously have an on-going issue here in as much as R. from your point of view you you've got children who are quite young, who want to go out and play and in the past that 's not been so much of an issue as it is at at the moment
241	R	{shakes head}

242	C	and as you. As you've said yourself R. with you know and understandably in in some ways because M's in a slightly different situation in some ways in as much as he, he is working shifts and so is more likely to be disturbed by any noise going on outside, whether it's children or anything else so the situation is a little different to how it was.
243		Uhm can I just check with you M. Are you saying that you don't feel that the children should be allowed to play outside in the street at all or are you saying that is *it around ball games*
244	M	*No no look no I'm* not unreasonable ok? I'm unreasonable
245	C	Ok
246	M	but uhm it's just reached a point now where I'm going to get in trouble at work if I don't get some good night, good sleep during my shift time that I'm off
247	C	umm humm
248	M	and I can't be missing work because of these, er these different situations so yeah, I'm not unreasonable uhm, some level of noise, some level of the kids being around, I understand that. But not all the time, not everyday and not, not kicking the ball around as well all the time
249	C	Ok … so I suppose then what you're sayings that ball games in particular is a worry. But erm you, you're not saying that you, you're not expecting the children to never play in street. Is it around what they're doing, or the time they're doing it that's an issue?
250		Or is it both?
251	M	It's the noise of the children
252	C	Ok, when you say the noise of the children, what noise? Is that them shouting or is it the noise of them kicking the ball around? What is it particularly that?
253	M	It's the noise of the children playing, but it's also the noise that's coming out of the house as well. Sometimes it's the stereo, sometimes it's the TV.
254	C	uhmm
255	M	just generally. If they know I'm … if they know I'm in bed
256	C	uhmm
257	M	then can people just keep it down a bit?
258	C	how would they know you were in bed M.?
259		Is there, is there a way they would know?
260	M	If my car is, if my car is out there … … I'm at home.
261	C	Ok and would that, would that mean that you were necessarily in bed?
262	M	uh well .. Yeah I mean I can … … I don't know maybe I need to er may be I need to let them know that when I'm er when I'm going to be , when it needs to be quiet. I don't know.
263	C	OK
264		Ok? Would that be helpful R., if erm, if M. could let you know erm when he's going to, erm when he needs it to be a bit more quiet because he is sleeping?
265		Pause for three seconds
266	R	Ok, well because we are trying, we are trying to be as neighbourly as possible here
267	C	ok
268	R	I think if he can find a way of letting us know
269	C	ok
270	R	I'll try to accommodate as best as possible, but I cannot guarantee *that*
271	C	*ok*
272	R	It will be 100% quiet because there are 15 children around in the whole neighbourhood
273	C	Ok
274	R	and how can, how can we be sure that the ones who are making noise is actually my kids?

275	C	Ok *so, so*
276	R	*That's my first* question
277	C	*Yeah*
278	R	*and secondly* why does he have to park his car in the street?
279	C	*ok*
280	R	*and* not on his driveway?
281	C	*ok*
282	R	*and third, and also how can he be sure that it's my kids who broke his wing-mirror, because there are other kids playing football*
283	M	*you, just you told me that …*
284	C	*Sorry I just*
285	M	*You* were offering to pay for it, I assumed they came in and said daddy I've just broken his wing mirror
286	C	*Ok*
287	M	*on his car*
288	C	Ok I er, er you're breaking up just a little bit at the moment M. I'm not … can you hear me?
289	M	Yeah*, yeah*
290	C	*um*
291	M	What I said was
292	C	yeah
293	M	R.'s just offered to pay for it. Ok I accept that
294	C	yeah *ok*
295	M	*Yeah?* I assumed his offer of payment was because his kids had come in and said 'daddy I've just broken next door'.
296	C	Well ok let's just clarify that one really quickly
297		R. do you feel that it was your children?
298	R	I'm still not sure, but I, I I would be happy to establish if that was my children
299	C	Ok
300	R	but now I'm not sure that it is entirely their fault.
301	C	*Ok*
302	R	*Because* there are other children playing football.
303	C	Ok
304	R	Ok
305	C	Alright
306	R	yeah
307	C	So your point is that it may have been your children, and if it was then you would be prepared to pay for the wing-mirror you need to check with your children
308	R	*Yes exactly*
309	C	Ok.
310		Are you happy with that M.?
311	M	Well, yeah. Ok.
312	C	You don't sound entirely happy about that.
313	M	Well he's he's offered to pay for it and now he's saying well it might not be my kids, you know, la-di-dah
314	C	ok
315		What do you both want to do about this?
316		What would be the best way to resolve it?
317	M	*Well if* he wanted to find out and then come back to me or if he wanted to come round and put a note through or something, we'll go from there , but er uhm. I don't know may be we both suit, maybe we just need some times where if it's too early or if it's too late and then we'll just stick to that and
318		And if people can keep the noise down if it's too early in the morning or it's too late at night then we'll just have the bit in the middle where life
319	C	*Ok would that*

320	M	Carries on
321	C	Would that help you though if you're working shifts or would it still be a problem *for you?*
322	M	*Well I uh* …. Look, I'm not completely unreasonable ok
323	C	um hmmm
324	M	I understand that shift-work, shift -patterns is not the norm for everybody
325	C	um hmm
326	M	It certainly isn't the norm for children
327	C	um hmmm
328	M	I'm un erm, you know, if we can say this .. If they're not up at like seven in the road or at eight in the road and they're not … and then, then the music and the TV's not on past 11 at night or say, then I think I, you know I'll fit in around that, but I just need it to be quiet for those times you know?
329	C	Ok, I mean it sounds from what you're both saying. You know, you're both clearly saying that you both want to be reasonable about this if you possibly can I mean M. you're saying that
330	M	*Yeah but* attacking each either in the street then can we?
331	C	Sorry?
332	M	We can't keep attacking each other in the street *someone's likely to do something silly*
333	C	*Well I guess it must be tough* for both of you. I mean you're living next door to each other. You're seeing each other quite often.
334		You know and it's very stressful, I know for people living in that sort of situation. You know and you both said that you know, you want to try and be reasonable about this. R, I've heard you say that er, er, in the interests of being neighbourly and things like that you would want to try and make some changes, so that you could both, you know, you could at least be ok living near to each other, even if you aren't best of friends as it were. Because, you know, it's heard for both of you. I guess it must be hard for your families as well.
335		So M. You made some suggestions there around, perhaps there could be agreed times between you where R. would try to keep the noise down with the kids, or encourage the children to pay somewhere else.
336		R. would that be practical for you?
337	R	Well I could try certainly,
338	C	ok
339	R	But I can 't promise
340	C	yeah, ok
341	R	And I'll be more than happy to find out if indeed it was my kids who broke the er, the wing mirror of his car.
342	C	um hmm
343	R	but still, yeah I, I, I'm not to sure why he just cannot park his car on his driveway like everybody else.
344	C	Ok are you ready to
345	R	*and secondly*
346	C	Yeah
347	R	What about the noise from his home
348	C	ok
349	R	Say at four in the morning?
350	C	yeah ok.
351		Now we have said that, talking about the noise between the two homes is something that we're going to come onto in a moment.
352	R	yes
353	C	Now I'd quite like, if we could to sort out ht thing with the children if we can before we move on to that.

354		Er and the other thing I've noted is about M.'s car on the street. Er I'm suggesting we necessarily talk about that at the moment M. but are you happy to come back to that in a moment?
355	M	yeah.
356	C	That is obviously a question that R. has asked a couple of times now, so that's obviously something that you'd like to talk about.
357		Ok, so I've noted that down, let's come back to it.
358		Let's just see then if we can sort of finish off this thing with the children first of all because we, because that's been a bit of stress for both of you.
359		and probably it's affecting the children as well, the children are probably aware that it's causing difficulties.
360		so erm, M. you're suggesting are there times where the children can play somewhere other that the street?
361		R. is that possible, is there somewhere other that the children can play other than the street?
362	R	Well er sometimes iit is and soemtimes it's not quite practical because … ell I know there's a park nearby but there is a gang of 14, 15 year-olds there
363	C	Ok
364	R	and to me, as a parent, I'm concerned
365	C	um humm
366	R	within reasons that my kids might not be too safe
367	C	Ok
368	R	Playing in that park
369	C	Ok, so you've got some concerns
370	R	*yeah*
371	C	about the safety of your children, who are younger *in the*
372	R	*yeah*
373	C	Park and with *old children*
374	R	*yeah*
375	C	around. M. were you aware of that?
376		[Silence for 3 secs]
377	C	That there were older *children?*
378	M	*yeah,* I, yeah kind of.
379	C	So, yeah? Would you er, does that make sense to you that, R.'s concerned about sending their kids to the park?
380	M	Yeah, well you know , maybe he could, maybe he could go with them. Aybe he could be
381	C	um hmm
382	M	I dunno, maybe it's not so bad round there as he's making out. I dunno.
383	C	Yep ok.
384		So one option might be that R. you could go with the children sometimes.
385		Is there anywhere else that the children can play? Is there a backgarden or
386		[silence for 2 secs]
387	C	or
388	R	Welll I do have a back-garden, but it is alittle bit small and once again, if my kids
389	C	mmm
390	R	and other kids in the neighbourhood, they are playing football
391	C	yeah.
392	R	it's not quite practical to play footballl in y backyard,
393	C	ok
394	R	which is a little bit small
395	C	um hmm

396	R	and on the other hand, if the area we're living in is a cul-de-sac, it's a dead-end street
397	C	yeah
398	R	and beore M. moved in,
399	C	ok>
400	R	there is, there was never any issues about kids playngin the street at all
401	C	Ok
402	R	ok?
403	C	sure
404		and that's soemthing you've raised already and there seems to be two aspects of that.
405		One is around the noise issue.
406		and the other is around football and damage to the car
407		er. This might be the point at which just to check with M. er is it particularly the noise isuse that is a problem, or is it around the damge to the car *er your wife's car that is the issue*
408	M	*well look I mean, you know*, I had to fix that before I could go to bed that particular morning
409	C	ok
410	M	which meant erm I was even more tired because erm
411	C	um hmm
412	M	It's unsafe to drive it without it
413	C	sure
414	M	and she needed it
415	C	ok
416	M	My wife that is
417	C	yeah
418	M	Er that's just the end of, of, … it was bound to happpen you know with the ammount that they're kicking the ball around all the time
419		So erm
420	C	um hmm
421	M	It's the noisse, it's the noise more than anything.
422		I've got to, I've got to. Some days I've got to be up early
423	C	um hmm
424	M	So it means I've got to get a good night's sleep
425		er other times I'm back late and er sometimes I've got to work through the night and so,it's really important, it's really important that I get a good night's sleep or that I can have a few hours of peace in the day in order to er, in order to function properly
426	C	Ok, well let's see if we can pin that down a bit.
427		I mean M. for you, what would be the hours of the day which would be most helpful if it was quieter?
428	M	Well especially at the weekends, I don't think it is unreasonable just to keep it down before nine in the morning on a Saturday or a Sunday.
429	C	So before 9am at weekends you're suggesting, and tehn *er*
430	M	*and then* every, er everybody and I include myself and my wife in that, will keep it down after 11 at night you know?
431	C	Ok
432		But er specficiaclly with regard to the children, erm is quiet by 11 o'clock ok or were you thinking
433	M	er well I would have thought they'd be in bed by then, but you never can tell can you?
434	C	Well families are different, but has that been a particular issue or is it really the early *mornings?*
435	M	*I hear* the TV in the night and erm and the stereo so, I don't know if it's the kids watchning it or if it's R.
436	C	ok
437	M	I assume if it's late then it's R.

438	C	So there's been the issue around the noise between the houses and that's obviously one we're going to have to talk about in a minute
439		and you're suggesting after 11pm regarding that
440		but in terms of the chiildren playing on the street, are you saying that as long as, it's not bfore 9am that that would be ok?
441	M	Yeah, I mean as I said, I'm not totally unreasonable, but if he, if he can keep t down so it's not very, very early on a Saturday and a Sunday, for example,
442	C	Ok,
443		Alright then, and what about school holidays, because obviously the children are around in the week?
444	M	same applies,same applies. Keep them in, I don't know, let's just have aperiod when it's going to be quiet and everybody knows it's going to be quiet.
445	C	Right and you're saying as long as that's before 9 am that would be ok?
446	M	I think so.
447	C	ok
448	M	I think so
449	C	Ok let me just check with R. then, erm. What M. is saying thhen I think is as long as, for him, that as long as the kids weren't playing out on the street, 7, 8 In the morning, er you know, as long as it was before 9, that would give him enough time to you know, get some sleep and stuff and it wouldn't be such an issue after then.
450		Erm I don't know how managable that is for you with the children?
451	R	Well if it's a regular day during the week
452	C	um hmm
453	R	they've got to go to school anyway
454	C	sure
455	R	at around 7 or 8
456	C	um hmm
457	R	so it wouldn't be an issue for me.
458	C	yeah
459	R	but the weekends welll … the, the, the way I see it. The y have time to play during the weekends.
460		and of course, if that's aproblem for him, if there's noise, say on Saturdays and Sundays before 9
461	C	uh huh
462	R	in the morning it would be an issue for him, I would try my best to accommodate, but I cannot promise
463	C	right. *do you*
464	R	*I cannot* guarantee
465	C	right
466	R	that yeah
467	C	Ok, I mena, yeah. Ok let me just check that one.
468		Is the, do the children regularly paly outside at the weekends early in the morning?
469	R	Well maybe just after breakfast they will just go out and play for an hour until may be 10
470	C	ok
471	R	or 11 yeah,
472	C	Right so what time are they normally out on the street playing at the weekends?
473	R	Well sometimes after half eight.
474	C	Ok,
475	R	yeah
476	C	So you would be surprised if it was before half eight?
477	R	I would be quite surprised because they would like to lie-in *over the weekends yeah*

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478	C	*Ok yeah so* really it sounds as like it's a half-a-hour erm that's potentially aproblem.
479		Is that correct? Is it normally at about 8:30 in the morningn you're being disturbed by them M.?
480	M	I, er I think it's earlier than that but,
481	C	It feels earlier {laughs}
482	M	It feels, it certainly feels earlier, especially you know on a Sturday or a Sunday morning
483	C	yeah, ok
484		So erm, I mean R. what you are saying is, yes you would try and keep tehm in
485	R	{nods}
486	C	before, is it possible to make it 9 o'clock, I mean I guess that's just an extra half an hour
487		Would it be *possible*
488	R	*I'll try* to keep them in before 9
489	C	Yeah?
490	R	I'll try it
491	C	ok tehn
492	R	yeah
493	C	What would stop you from doing that?
494	R	Excuse me {hgoes to answer door}
495	C	Can I just check with you R. What s it, what is it that would make it difficult to erm to keep the children in before 9
496		Is there a particular problem?
497		Because you're saying you'll try, but obviously you're thinking, actuallym there might be a problem here.
498	R	Well it's got to do with the nerves of my wife erm
499	C	ok
500	R	{unintelligable}
501	C	erm, I've lost you tehre. Do you want to say that again R. I lost the sound there
502	R	right it's got to do with my wife because we've got a one year old
503	C	uh huh
504	R	and we have to be up say, n the middle of the night to take care of the newborn child
505	C	ok
506	R	the one year old
507	C	yeah
508	R	so whenever we have the opportunity, we would try to let the four yer old and the seven year old, out to play a little bit, so that we can have a breather, so to speak.
509	C	yeah, oh this is so that you er, your wife can er feed the baby
510	R	yeah
511	C	was that what I heard ou say?
512	R	yeah
513	C	right
514		So that's why your kids go out a little bit early, so your wife can sit and feed the baby?
515	R	yeah
516	C	ok then, right,
517		I mean it sounds that we're going to have to pause this now.

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Bibliography

Appendix 5c

Transcript of VMC Conciliation

Conciliator B

Number	Speaker	Utterance
1	Con	Fran, Liz, thanks ever so much for joining this erm link-up
2		erm and erm we've met, I've met with each of you individually
3		and er, now's a chance for us to, to meet together as it were.
4		erm, and er I just want to say one or two things that I said to you when we met but, just to remind you that this process is about seeing if it is possible for the two of you to be talking together, meeting together
5		erm to see if you can find a way forward around er some of those difficult issues that have been
6		erm I know from meeting both of you that things have been, really really difficult
7		and so, it takes a lot of courage to get to the point of saying, well aright, we'll actually meet together and try to er, talk to one another.
8		Just to remind you that this is, is completely confidential
9		That erm, there won't be er actually a kind of record kept of, of this erm this, this discussion.
10		ermm, but just a couple of things, to say that, that to remind you that it's not my job to make any judgments about who's in the right and who's in the wrong.
11		Er it's about enabling you to, to communicate to one another.
12		and that erm er if at any point you decide, no you really don't want to proceed with this er process, well that's fine.
13		But if we could just have a quick discussion about what might enable you to stay in the process, that will be, that would be good.
14		But the way I'd lie to structure it, is to invite each of you to have some uninterrupted time and for the other person to just sit and to listen, even though you may hear things that you disagree with, or that are new to you, or that you even would want to respond to
15		You'll have a chance to respond, but please I just ask you to just sit and to listen for the first part.
16		Can I just check with each of you that that would be ok?
17		Fran, would that be alright with you, to just sit and just listen to Liz?
18	F	Yeah, it is yeah.
19	Con	{nods} ok
20		And Liz would you be happy just to start off by just listening to what Fran has to say?
21	L	Yep
22	Con	Ok .. Thank you
23		Silence for 1 second
24		Erm aaaand, use whatever language you think you need to and you think

		is appropriate
25		The only thing that I would ask is that we don't resort to personal abuse
26		So if I think that's happening, then I'll erm ask you to rephrase things and not to use personal abuse
27		So, let's start off with one of you talking first and saying whatever it is you want to say, and the other one to sit and to listen.
28		But before we do that I'd just like to ask each of you, just to say in one, literally in one sentence, what you would like too get out of this meeting.
29		So Fran, just in one sentence, what, what would you like to get out of this meeting?
30		Silence for 2 seconds
31	F	I just want her to leave us alone
32		[I want]
33	Con	[so you want]
34	F	{shaking head} I want to not to, not to see her, not to hear her
35	Con	Ok, so you want to be left alone, and you want to, not see her, not to hear her [er er]
36	F	[yep]
37	Con	Your neighbour
38		Ok
39		and Liz, in one sentence, what would you like to get out of this meeting?
40	L	Well I want just to be able to live my life without all this harassment
41	Con	{nods} You want to be able to live you life without all this {leaning in} what was the word sorry [I didn't quite hear it]
42	L	[Harassment] harassment.
43	Con	harassment, ok, right.
44		So there are both, both of you have got positive things that you want to er, to, to, to achieve.
45		erm who would, who'd like to start off first and tell me and er to tell, uh your neighbour er, er what, how you see things, what's been going on for you?
46		Silence for 6 seconds
47		Fran, how would you like to start?
48	F	Ok
49	Con	Liz, would that be ok with you?
50	L	Yep
51	Con	ok
52		So Fran, how do we come to be here?
53	F	Er, er I mean she talks about harassment, it's just harassment from her ever since she moved in
54		It's just been one thing after another
55		It was fine until she moved in, just round here it was really quiet, it was really peaceful and then her and her partner moved in and since then it's just been constant noise, constant aggravation.
56		It's just er, er, the music, the arguments, the er late night stuff, you know people coming and going, it's just er, it's just
57		and, and er I've got, I've got three young kids, and I'm trying to get them to bed, and I'm trying to get them to have a good night's sleep before they go to school and they're being woken up by all this noise coming from her
58		and then .. And then she starts actually harassing them in the street!
59		And, and [then]
60	L	[{tuts}]
61	F	that's the point where, where I really lose it. When she starts, when she

		starts screaming at them about some wing mirror that supposedly they've broken, and it's it's not the kids at all, she has got no right to go round screaming at my kids like that, it's not right, it's just not right at all, so you know, that's the point when I started to lose it
62		She she can't, she just can't do that.
63	Con	{nods} hmm, hmm, hmmm [hmmm]
64	F	[and she] she she came round shouting and swearing and trying to barge her way into my house
65		and and it's just .. She's just a bully, she's a bully and I just want her to leave us alone.
66		just leave us alone, get out of our, get out of our lives.
67	L	{sighs}
68	Con	So lots of things that you're er feeling really angry and upset about and things that have been going on for quite a while.
69		But I also noticed that you were saying that it wasn't always like that; that when things started off it was er, it was, it was, much better but, things have got really bad recently.
70	F	er, it's been pretty bad since she moved in
71		Silence for 2 seconds
72		But yeah it's, it's when she started on the kids that {shakes head} it really went
73	Con	[{nodding}]
74	F	downhill. I just think that, that's the end.
75		Silence for 1 second
76		You can't do that, you can't go round shouting and screaming at other people's kids, it's not right
77	Con	{nods}
78	F	She's not safe.
79	Con	So being able to bring up your kinds in the way that you want too is important to you?
80	F	Yeah, she's out of control, you can't, you can't go round doing that to people's kids. Come and come and talk to me about it like a normal human being, but don't go around screaming at the kids.
81	Con	{nods}
82		and, and, and you don't want to hear people criticising you for the the way in which you, you're bringing up your kids?
83	F	I don't want people screaming at them
84		Silence for 2 seconds
85	Con	{nods}
86		Right.
87		{nods}
88	F	It's not er, er, I don't trust her.
89		She's a bully
90	Con	{nods} ah!
91	F	I don't want her around them
92	Con	{nodding} right, ok.
93		Silence for 3 seconds
94	Con	{nodding} so [as I say some really]
95	F	[Just, just it's jus,she's not] sane, it's not right.
96	Con	{leaning in} She's [not]
97	L	[God] have I got to sit and listen to this?
98		This is terrible
99	Con	Yeah, it's difficult isn't Liz? But that's what you agreed to do so, so, but thanks for just sitting and listening for a moment, you will have a, have a

		chance to have your, to have your say, I'll come back to you
100	L	{sighs}
101	Con	But I recognise that it's really difficult.
102		Silence for 2 seconds
103		Fran is there any more that you want to say at this stage or is that enough [for]
104	F	[No] no, that's enough.
105	Con	For starting, ok.
106		So Liz's thanks for sitting and listening, that was I know really difficult for you
107		and no doubt you've heard some things that you didn't agree with.
108		Now it's your opportunity to to say what you want to say ok?
109		And when you go second, it's always tempting to just respond to what the other person has said but,
110	L	humm
111	Con	If I'd come to you first, what do you think you would have said?
112		How do [we get to be in this]
113	L	[Well I can just] cant do it like that, because I mean I can't believe she's saying that there's trouble with noise from us
114		Because all of our problems are about the noise from her children
115		It's terrible!
116		they make such a racket, they play in the street, they're shouting, the television's on really loud and she's got no idea
117		I have to work shi-shift pattern, erm I started it a year ago.
118		and since then it's erm you know, I could cope with the noise from her kids for the first six months, I was just, I could live with it because it didn't affect my work
119		but now, see I have to work different shifts and it means that I can't sleep when I come home, because the kids are making such a racket
120		It's terrible, it's absolutely awful. It's affecting my work it's I'm, I'm and my employer's noticed that I'm not doing so well at work and I, he's er talking about possible disciplinary action.
121	Con	{nods}
122	L	It's serious, it's really serious and [[I]
123	Con	[yeah]
124	L	how dare she say she's bothered by our noise
125		We don't make noise, not like she does, it's terrible her children
126		and when I've talked to her she just, she just blows up
127		so the only way now is just, you know, is, is, the only way I can do it now is I bang on the wall or I shout through the wall
128		Because . I just tell them to be quiet.
129	Con	oh
130	L	It's just awful
131	Con	So life has been really difficult for you recently and think, you think that, that Fran doesn't really appreciate how tough life has been and that you particularly wi, with the kind of work demands [and]
132	L	[yeah]
133	Con	your need for sleep and so-on
134		So you're not, you're not really feeling particularly [good]
135	L	[no]
136	Con	about things at the moment
137	L	I'm certainly not
138		and then, then the police have got involved, cos she just, she just insults me and threatens me every time she sees me in the street.

139	Con	uhm
140	F	Well[what do you thi-thinn]
141	Con	[You've been, you've bee] hang on a minute there Fran
142		Do you remember that we said that you'd you'd sit and listen for a moment, is that ok Fran?
143		Can you just?
144	F	ok
145	Con	Yeah?
146		Thanks
147	F	Ok
148	Con	I know it's difficult, but you know, thanks.
149		Yeah, so I was saying Liz, that, that , you know you, you want to communicate with Fran
150		and what you've resorted to is banging on the wall and
151	L	hmm
152	Con	finding that you recognise that, that tempers have been feeling frayed when that happens
153		Do you want to say a bit more about that?
154	L	Well, and then her kids broke my wing mirror on my, on my partner's car and er I got back from work and er ready and I had to get that fixed before I could possibly go to bed and then they woke me up again
155		The kids were out there waking me up, so I just, I lost my rag and I just stormed out and I told them to shut up
156		and that's when she brought the police in
157	Con	Right .. So things got to a really pretty serious level ad you recognise that, in part, that was because you got really angry and you [lost it and and]
158	L	[well wouldn't you?]
159		Silence for 1 second
160	Con	{nods}
161		and, and yeah, I mean in a way, it's not for me to say whether I think that is reasonable or not
162		Remember I said at the beginning that it's not for me to judge who's in the right and who's in the wrong here
163		but just to try to draw out what, what's been going on
164		So, is, is there more Liz that you want to add at the moment, or is that ok as a sort of opening [statement]
165	L	[yeah] yeah
166	Con	Is that alright?
167	L	yep
168	Con	ok
169		alright
170		ok, well I mean, what I've noticed I've heard from both of you is that you're both experiencing high levels of stress around all of this and that you're both really concerned to try to find ways of being able to live your lives and that you're clashing.
171		Erm so, do you want to say some more to each other about, about what you heard and what you think [and how you could be]
172	L	[Fran if you could] just keep your kids quiet then everything will be alright
173	F	Well what I want to know is how are you saying I attacked you in the street?
174		It was you who was attacking my kids?
175		You just, you just [come up and]

176	L	[I wasn't attacking them]
177	F	you just start shouting at them
178		You were
179	L	Well you won't keep them under control
180		I just had lost my rag.
181		They'd broken [the wing mirror]
182	F	[Why do you] think they broke it, why do you think it was them?
183		Why?
184	L	It was obviously them. They're always out there licking balls against the cars
185		Course it [was them]
186	F	[That's rubbish]
187		Utter rubbish
188		How would it be them, it I its
189		[Have]
190	L	[Just]
191	F	you seen the way that people park around here?
192		How do you get the [parking spaces?]
193	L	[You just] think that they're little angels
194		I mean of course it was them
195	F	{sighs} {shakes head}
196	L	Who else was it? The [old man down the street]
197	F	[You just jump too] conclusions and then you come out at them, screaming at them and you're shouting
198		You just, you, y-you, you can't do that [you]
199	L	[You] just er
200	F	All I'm doing is defending them
201	L	You just keep them under control and I won't have to shout at them, will I?
202	F	They're not animals
203	L	{sighs}
204		Silence for 5 seconds
205	F	{shakes head}
206	L	and when the police came I then lost, I missed that day's work because I had to speak to them about it
207		and that's going to go against me if there's any sort of disciplinary hearing
208		[but it's]
209	F	[but that's] nothing to do with me
210		[I mean they break]
211	L	[but it is]
212	F	your wing mirror and you fly off at the kids and then you er, [I mean]
213	L	[You should] keep [your kids]
214	F	[it's your problem]
215	L	keep your kids under control.
216		Silence for 3 seconds
217	F	What have they done?
218		Silence for 2 seconds
219		[they've done nothing]
220	L	[They should stay]
221	F	They've done nothing more than normal kids, they've
222		They play, they play out in the street
223		What's the problem?

224		Nobody else has a problem with it.
225	L	Well I do
226		They keep me awake,
227		I'm trying to sleep at different [times]
228	F	[Well move!]
229	L	[I'm not moving!]
230	F	[You've got the problem] nobody else has got a problem
231	L	I'm not moving
232	F	Nobody else has got a, it was all fine before you moved in
233		There weren't any problems at all.
234		Silence for 2 seconds
235	L	Well I think they're completely out of hand
236		You've got no control over them
237		They're noisy, the play ball games in the street, they've damaged my car.
238		You're lucky I didn't call the police about that damage
239	F	I, I ,I don't know why you think that that was them
240	L	Of course it was, there are no other kids in the street
241	F	Well why was it the kids, why wasn't it a car parking
242	L	Well it wouldn't have been
243		There er I it's them with their ball
244		Why don't you take the ball off them?
245		Silence for 1 second
246	F	Why would I take the ball off them? There isn't a problem
247		There's not a problem
248	L	It is a problem
249		You see that's it, you're an irresponsible parent [you won't control them]
		[oh, you just], you've got no idea about kids at all, what would you
250	F	know.
251		You don't know what it is like looking after them
252	L	I don't want to know what it's like looking after them.
253	F	Well, well
254	L	if you could just keep them under control
255	F	You're a bully,
256		You really are a bully and I, I j-just don't want you near them
257		I- I I don't think you're safe [whatsoever]
		[I don't want to be near them]. I've got no intentions of coming
258	L	anywhere near them
259		You just keep them out of my way
260	F	Yeah well, I'm not letting them near you
261	L	Good
262		Just keep them quiet, then everything will be alright
263	F	Well you need to be quieter yourself.
264		I mean what about all these evenings and weekends
265		and [parties]
266	L	[oh my god]
267	F	and drunken rows and everything else
268		so [its, its fine for us, we've got to be quiet]
269	L	[Drunken rows, don't be silly]
270	F	But you can do what you like
271	L	Have you, yeah but you've never said you have a problem with that.
272		I [just er]
273	F	[well]
274	L	I just lead a [normal life that people do]

275	F	[I'm just a bit more] tolerant than you
276		Silence for 2 seconds
277	L	No I think it's because you feel guilty cos you know your kids are so flippin noisy
278		Silence for 2 seconds
279	Con	So let me just erm er, go back over what has just been happening for the last couple of minutes, because I notice you've been, you know you've been really talking to each other and talking to each other very clearly.
280		and you've been listening to what each other has to say
281		There's been a lot of disagreement there
282		But fundamentally, you seem to be able to, to talk to one another as two women who are both living quite stressful lives.
283		silence for four seconds
284	F	but it's not going to get us anywhere is it?
285		Do you [think my kids]
286	Con	[Would you like it to?]
287	F	shouldn't make any noise and
288		er {sighs}
289		I want her to leave us alone
290	Con	{nods}
291	F	I don't really care whether I talk to her or not
292	Con	{nodding}
293	F	I just want her to leave us alone
294	Con	So you do have some idea of how you would like things to be in the future
295	F	Yeah
296	Con	Yes?
297	F	yes
298	Con	and that for you would be you being left to get on with living your life and looking after your kids in the way that you want to?
299	F	and for her not to be shouting and screaming at them
300		and for her not to be coming round and shouting and screaming at me.
301	L	Dear me.
302		You know, you know what?
303		It's you who created this, because I .. When it first started that I couldn't cope with the noise of the children, I would come round and ask you to keep the, keep the noise down
304		And you just got really hostile towards me
305		It's you who created this by your response
306	F	But nobody else has ever had a problem with it, how come
307		If you're so reasonable how come you're the only person in the whole road who has ever complained?
308	L	Bec I don't know why. I can't answer that
309		I'm just telling you that I , you know, it does bother me
310		[we're right next door]
311	F	[Well maybe it's because] it's not reasonable for it to bother you, that they're just normal kids doing what normal kids do
312		and they should be left alone
313	L	Well I tell you what's not normal, when I asked you to turn the music down.
314		When I came away that one time, you turned it right up as soon as I'd come out.
315		That's not normal [that's]
316	F	[Well] you've [got a nerve that]

317	L	[you must have been winding me up]
318	F	weekend before and when you had that really loud party
319		and then you come round and you're trying to get us to turn our music down?
320		I just can't believe the nerve of you!
321	L	You're pathetic
322		Silence for three seconds
323	F	Why? Because I object to you being a hypocrite?
324	L	Well how can you, how come, you're sitting here trying to be, trying to make out as if you're all reasonable and everything.
325		You're not reasonable, it's not reasonable behaviour to turn the stereo up after I've asked you to [turn it down]
326	F	[well, well] I was pissed off with that.
327		I just couldn't, I just couldn't believe the nerve of you after that party you'd had the week before
328	L	So there you are John [you see what she's like I think that tells you]
329	F	[It's fine is it when it's weekends and evenings but]
330		if it keeps our kids awake it's fine
331	L	I think, yeah I think that tells you what she is like.
332		Silence for 3 seconds
333	Con	You were both talking there about, about thinking that you are both being reasonable and wanting the other person to, to see you as being reasonable.
334		so, so how does it feel at the moment to be
335		Liz, how does it feel at to you, to be seen by Fran as being completely unreasonable and a bully [and]
336	L	[Well {sighs}]
337	Con	Harassing her
338	L	I hate that, I mean that whole sort of bullying thing you known, I mean, .. It's ridiculous. It's ridiculous. It's just all got entirely wound up
339		[She]
340	Con	[yeah]
341	L	I think really, really did wind things up and, and and I do admit that I have lot my rag
342		I admit it
343		It's because I'm so tired [I]
344	Con	[hmm]
345	L	Can't cope when I'm so tired
346	Con	Hmm
347	L	and [I don't want to be]
348	Con	[So when you get really tired]
349	L	Unreasonable but I can see, you know, I really don't want to be unreasonable, but I cannot cope.
350		I can't cope, I just can't cope with it [and she]
351	Con	[So you're] really feeling as though you're at the uh you're at the end of your tether.
352	L	I am
353		and she really has wound things up something terrible,
354		and, you know it is serious now that you know
355	Con	Yeah
356	L	It's very serious
357	Con	yeah, yeah
358		And Fran, how does it. Feel to you to be seen by Liz to be seen as somebody who's out of control and … not able to erm … control your

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		kids and [noise]
359	F	[Well] I … I resent that It's silly to say I can't control my kids
360		I mean, I mean it is hard it is, it is really tough with three kids the ages they're at
361		It is really tough to keep them under control.
362		and and I and I do my best with it and it, it's just, I'm under huge amounts of pressure and and,
363		She came, she came round at a bad time
364		When she came round that time, when she was complaining about it
365	Con	{nods}
366	F	I was up to there {gestures}
367		and
368	Con	{nods}
369	F	She hasn't . .

Bibliography

Appendix 5d

Transcript of VMC Conciliation

Conciliator C

Utterance	Speaker	Utterance
1	Con	Ok, well thank-you for both of you for coming along today, for agreeing to meet up. Er
2		erm I know that it can be, can be, quite, quite difficult to do so, I do appreciate that
3		erm as you know, I've met with each of you separately before
4		and heard a little bit about what the, er what the issues are
5		and so really this is, this is the chance for you to speak to each other and hopefully to come to a better understanding of each other
6		erm, as you know the process of mediation is er, is entirely confidential.
7		Whatever you say stays within er , within this er process,
8		erm, I'm completely independent, I'm representing Bristol mediation which is an independent organisation. Nothing to do with the council or the police.
9		I'm entirely neutral, erm, so I'm not going to be taking sides with either of you
10		and really I'm just here to enable two of you to talk to each other and hopefully to find erm a way forward.
11		erm so what we'll do just now, is that give each of you an opportunity, erm on your own, erm just to explain what the, what the issues are from your point of view
12		and I'd like the other one to just, just listen, and not speak during that time.
13		erm, you'll each have a chance to speak
14		erm I'll then summarise what I think I've heard from that and you can let me know if that's what you were meaning or not,
15		and then there's really a chance for you to talk to each other.
16		so does that, does that sound alright?
17	L	yep
18	Con	Ok [so erm]
19	J	[um humm]
20	Con	I don't know if you've, you've got a preference for who might, who might go first? [erm]
21	L	[Yeah I think] I should, I think I should go first [because I'm the one[]]
22	J	[yeah]
23	Con	{nodding} [great is] that alright then John?
24		Pause for 1 second

25		Ok well thanks Liz, so if you could maybe sort of start off and just tell us what's, what's going on.
26		Pause for 2 seconds
27	L	Well … it's quite difficult to talk about. … [erm]
28	Con	{nodding} [right]
29	L	John is er .. Well as you know I've taken out a grievance erm against him
30	Con	{nods}
31	L	and erm now they've suggested erm mediation
32	Con	{nods}
33	L	as erm a way of going forwards
34	Con	{nods}
35	L	Well erm .. What it is I mean really, John has been I think he's been bullying me
36		and that's what the grievance is about.
37	Con	{nods} [um hmm]
38	L	[erm] I. have. Told him that erm I've. Got erm problems with childcare.
39		I mean erm I cant get to work er
40	Con	{nodding}
41	L	You know, erm on time always
42		And we have got, as you know, flexi-time arrangements
43		and I want to change my core hours to start at 10:30 in stead of 9
44	Con	{nodding}
45	L	and John is just refusing, even though he knows why I need that
46	Con	{nodding}
47	L	erm .. And .. I think it's er, I think he's picking on me ..
48	Con	{nods}
49	L	erm we've never got on, we used to work together in the same team, but then he got promoted to be my line manager
50		and it's just gone downhill since then ..
51	Con	{nods}
52	L	erm so erm I'm, you know, I don't know what to do about it.
53		He's saying that I'm not pulling my weight ..
54	Con	{nods}
55	L	Yeah we all have to work really hard at particular times
56		erm and I am pulling my weight
57		my .. Appraisals say that I'm good at my job.. I have in fact got credit on my flexi-time
58	Con	{nods}
59	L	So I am putting in the hours. It's just that I can't make the early hours because of childcare problems.
60	Con	{nods}
61	L	And this would all be sorted out if he would agree
62	Con	{nodding}
63	L	To me starting at 10:30, he's just refusing dogmatically. He's just refusing to let me do that .. And I think that's completely unreasonable and unfair and it's erm, well he's bullying me.
64	Con	{nodding} Ok
65	L	and it's er really upsetting me.
66		Pause for 1 second
67	Con	Ok.. Ok, so you, you feel that, that you're not able to start at the at 9 o'clock.
68		You, you have to, you have to be, you have to be starting later because of childcare arrangements

69		and you feel you've e put in a reasonable request and [that]
70	L	[yeah]
71	Con	and uh, I think if I heard you correctly you're feeling that the reason that John isn't agreeing to this request, isn't because of any particularly good reason, but is because of personal reasons
72		is, is that right is that what you are saying Liz?
73	L	He's just got it in [for me]
74	Con	[ok]
75		Well ok thanks for that Liz
76		and thanks John for er, for listening to that.
77		John could you, could you just let us know what you think the issues are for, from your point of view please?
78		Pause for 2 seconds
79	J	Well.. Sounds as though the two of have got it sewn up
80		erm .. Err .. You already seem to be agreeing with Liz that erm .. You know .. Uh .. . . She's uh . She's, she's uerm well on her side of the story
81		I don't see much point in me telling my side of it really.
82	Con	erm err no I really don't think that's the case John,
83		I mean as I said at the beginning er I.. I'm completely independent and completely neutral in this.
84		All I was doing was to, was to repeat back to Liz what I {nodding} understood her to be saying
85		Just to make sure that we, the three of us had got a clear understanding of what Liz's perception [of the events]
86	L	[well maybe] you just haven't got an answer to it .. Jon .. That's why you're not, that's why you cant say anything.
87		Cause you know that you have, you have been unreasonable
88	Con	ah uh Liz, if we could just stick with John at the moment, I think that, I think that that would be really helpful.
89		John I would really like to hear what your perception of, of what's going on is
90		There really is no slant on this .. That any, any one person is right
91		Silence of 1 second
92	J	Well I think that we've got to [unintelligible], right let's just, let's just stick with the facts shall we?
93	Con	{nods}
94	J	The fact of the matter is that, when Liz put in her request for flexible working that I considered that carefully. I discussed it with other managers
95		.. So it's not just my decision
96		I discussed it with other managers .. We, we're facing deadlines that we've got to meet
97		and [the lack]
98	L	[sighs]
99	J	of flexibility that Liz is displaying is causing us problems with really trying to meet work deadlines
100		It results in colleagues having to cover for her
101		I don't think that Liz really .. .. Recognises what the impact of this is on us and and and on her colleagues
102		{shaking head} I understand .. That there are demands that Liz has got
103		and I've been, I tried to, to be sympathetic to, to that.
104		But, you know, we've also got a business to run. We've got deadlines to meet.

105		And erm [my job is to decide]
106	L	[But what does it] matter [if I]
107	Con	[Liz, Liz]
108	J	[Which to do first]
109		Just yeha. Thank. Please, please.
110		You know I sat and listened to you, you just listen to me.
111		Silence for 2 seconds
112		So, you know I and I, I I've got to make decisions, which are not jut based on what suits Liz
113		It's also on what suits the rest of the team, and what suits the business. and I'm sorry if you don't like the decision that I've made, but
114		{nodding} that is the decision.
115		Pause for 2 seconds
116	Con	{nodding} Ok. Right.
117		Thanks, thanks John
118		So, right so ,, ,, from your point of view, you see this as just an entirely rational decision that a request was out in, that .. That you went through the proper considerations and that it's just not possible to accommodate Liz's request because of the pressures from the project
119		Is that, is that right?
120		Silence for 1 sec
121	J	It's a business decision.
122		Silence for 1 second
123	Con	{nods} Ok {looks at Liz}
124	L	It just [doesn't]
125	Con	[ok]
126	L	Stack up though. I, if I. I do the same hours whenever I do them why does it matter if I start at 10:30 and not 9?
127		It just doesn't make sense
128		Silence for 2 seconds
129		I [put the same hours in]
130	J	[Well because that's when]
131		That's when everybody needs to be uh and I need to know that everybody's in the office and working, you know from that time
132		So that, so that work can be allocated
133		erm and, and uh, you know, that that's it's it's about managing the workflow, it's about erm
134	L	Has anybody said that, you say that there's an impact on my colleagues, so well has anybody complained about it?
135	J	Sorry {leaning in} has anybody companied about what?
136	L	{leaning in} me .. Er do .. D .. Does anybody complain if I want to start at 10:30?
137		Silence for 2 seconds
138		Nobody's said anything to me.
139		Silence for 2 seconds
140	J	Well.. Yes. It does, it does have an impact because when I'm having to explain to other people why it is that you, you're always coming in late.
141	L	Well I wouldn't be [late]
142	J	[and]
143	L	If you just [changed]
144	J	[and]
145	L	my core hours
146	J	Well no of course you wouldn't be late if we just changed your core

		hours
147	L	{sighs}
148	J	but the fact is that you're er you know that that that the working day for you starts at half past 9
149		and you have just been not able to deliver on that and that's got to a point were I've had no choice but to start disciplinary proceedings
150		because otherwise if I, you know, if I just sort of say to you, yeah, you know, y-you can come in late every every every day , what am I going to say to everybody [else]
151		[what am I going to say]
152	L	[I don't want to come in] late every day
153		I want to come in at the time that I can make
154		I haven't, haven't got any childcare, it means that I can't, that I just can't sustain it
155		I've even considered changing my you know, changing my, reducing my hours, but you know that would mean I earn less
156		and I can't really afford to do that
157		but you've made it so difficult for me
158		Pause for 1 second
159	Con	can we just take a step back at this point and have a look, look at what, what the two of you are saying here.
160		It's my understanding from what each of you are saying, that both of you completely acknowledge the need for the project to be competed on time.
161	L	yes
162	J	yeah
163	Con	and, and can you, can you, both agree that, that's what each of you is wanting?
164	L	Well yes and I do put my, and I've made my contribution to that
165		My appraisals say that. I've got credit on my flexi hours, so it's obvious I am putting in the effort, I am putting in the time.
166		There's no complaints about my work.
167	Con	John, are you able to, to acknowledge that, or do you not feel that Liz has, has the same commitment?
168	J	No I, I mean I don't think she does have the same commitment because she's you know forever coming in late.
169		I mean well [the quality]
170	L	[{sighs}]
171	J	of, of her work is fine I mean, er that's that's good
172		But you know when we've got er, when, when we we're expecting to have, you know, X number of people who are there to er analyse the stuff as it comes through the lab, erm from, from half past 9, it er you know it means that we're not meeting the, we're not meeting the deadlines
173		and I, and er it's not ok to, if you know everybody else, gets er gets, their work done, through or by you know, when we finish at 5, and erm, and, and, and er, well er but, well we don't because you know we haven't had that extra hour from Liz from the beginning
174		So, yes it is creating problems for everybody else.
175	Con	Liz er could you just, just tell us a little bit about how you, how you feel when you hear that?
176		Silence for 2 seconds
177	L	Well I don't, I don't agree.
178		I think that I, you know I, I can put in my hours form 10:30 onwards

179		and you know, there's plenty to be done at the end of the day. At 5:30 I could be finishing off.
180		There's plenty to be done then, it's just unreasonable
181		And the other thing that John's done is that is, is, stopped everybody else from talking to me, so that actually it's making it really impossible for me too be at work now.
182	Con	[Just]
183	J	[I'm stopping] people from talking to [you]?
184	L	[yes you] are.
185		You've told [people not to talk to me]
186	J	[where on earth did you get that from?]
187		Silence for 1 second
188	L	That's what I, that's what I, well people aren't talking to me now and I think that's because you have been putting pressure on them to [take against me]]
189	J	[oh come on!]
190		Really!
191	L	and it's all part of this bullying campaign that you're waging on me.
192	J	[look Liz]
193	Con	[Liz let's] talk a little bit more about what you mean by bullying
194		What were, do you think this is come from, why, why, why are you saying that you think john is bullying you?
195	L	He's being, well just because he's being unreasonable.
196		You know, we have flexi-time here
197		You know we, It's just er he could just say yes to my request to change my core hours, whilst I have this problem with childcare.
198		You know, I'm not doing it to be er to be difficult, I'm doing it because I can't, I just can't get there for 9:30
199	J	Well Liz, you say you're not doing it to be difficult, but the fact of the matter is that er, in team meetings and er discussions that er you know, that you're becoming increasingly .. Difficult quite frankly.
200		You know and I [find]
201	L	[wha.. {sighs}]
202	J	you really adversarial. You're always in opposition to what, to what I'm wanting to do
203		I've got a job to try to lead the team
204		[and look you and I, you and I]
205	L	[Well I think you should look to yourself]
206	J	used to get on well
207		We used to be mates, [we used to]
208	L	[We did not used] to get on well
209	J	We, we used to, used to have the same, the same job
210		and Fran I don't know if you know this but, previously Liz and I were were sort of part of the same team and then I was promoted
211	Con	uhm
212	J	to this position
213		and I think Liz has really resented that
214		I think Liz resents the [fact that]
215	Con	[{nodding throughout}]
216	L	[I don't resent it]
217	J	I'm no longer her colleague, I'm now her boss.
218	L	I don't resent it, we didn't get on well and I don't resent it, but you do take too much on yourself
219	Con	{nodding}

220	L	You've taken against me and it's unreasonable to behave like you do.
221		Silence for 1 second
222	Con	So Liz do you feel that this is personal do you? {nodding}
223		[you think that]
224	L	[I do]
225	Con	with the facts of the er of the situation
226	L	I do and he just doesn't understand about childcare
227		and er , it's alright for him, his wife looks after his children, but I'm .. I have to sort out my own childcare arrangements.
228	J	Well frankly that's not my problem.
229		Silence for 2 seconds
230	L	Well you see what I mean about being unreasonable.
231		Silence for 6 seconds
232	Con	John, how does, how do you feel when you hear Liz saying that she is fully committed to the project, and yet is having trouble with lack of flexibility?
233		Silence for 3 seconds
234	J	Well er I mean yeah [I recognise that]
235	Con	[Can you understand her point] of view?
236	J	She's got a problem
237		She's got a problem
238		So I mean alright, let's just sort of play you know, let's just, let's , let's, let's see.
239		I mean what, what if .. What if we were to say oh yeah ok Liz, you know half past 10's your is your starting time.
240		What other kind of arrangements would we need to, what else would we need to, would you you, how would you make sure that you got your work done and that you know, it wasn't up to other people to cover for you?
241	Con	Well ok, that's a good question, can you?
242	L	Well I, I don't think it's just for me to answer that, I think, I think we should be sitting together to try to work that out, to work that out together and you know, maybe talk about it in the team.
243		Silence for 3 seconds
244	Con	I mean is that something that you could take forward john?
245		Is that a conversation that could, that could take place?
246	J	Well I'm asking to have it now.
247		Silence for 1 second
248	L	But it's not, you shouldn't just be expecting me to come up with the answers
249		I don't get paid to come up with the answers. You do.
250	J	Well I've come up with the answer and you don't like it.
251		My answer is for us to work from half past [9 to half past 5]
252	L	[Just because you can't be imaginative]
253	J	and you're saying that you want to work from half past 10 until half past 6
254		So what I'm saying to you is, alright fair enough, convince me.
255	L	I don't think it should be for me to convince you.
256		You see that's just, see what I mean. He's just like, he just puts down a gauntlet.
257		You're the one who's paid to be the manager, you should .. Manage.
258		Silence for 2 seconds
259	J	{laughs} er yeah, but when I do, you don't like it
260	L	Well you're not managing are you, you're just taking against me, you're

		[bullying me]
261	J	[well there] you go you see.
262		[If I'm not saying, if I'm]
263	L	[well this is quite alright, if I just]
264	J	not doing what you want [you want me to do]
265	L	[if this doesn't work then]
266	J	then I'm not managing
267	L	I'm quite happy to take this along to the grievance stage
268		and get this investigated, because I really [think it should be]
269	J	{well maybe it is]
270		maybe it is better to have somebody else have a look [at it]
271	L	[yes]
272	J	Because I tell you Liz , they're going to, you're not going to come out of this looking like, looking very er, erm, what's the word? Positive
273	L	I think I am, I think that, that the fact that my appraisals are positive and the fact that I have got credit on my eah, you know I put in the hours
274		You know, I think that I am reasonable, I think that they're going to understand about childcare and the importance of [being able to make arrangements]
275	Con	[can we .. Can we just] rewind a couple of minutes at this point, because it seemed to me a couple of minutes ago that, that there was starting to be a little bit of, a little bit of openness between the two of you.
276		A little bit of discussion
277	L	{nods} uhmm
278	Con	there was the point where john asked the question, if you were t start working at 10:30, how could, how could we achieve the work that's needed to be done?
279		And that, that seemed to be to me a very positive question at that point I think, [I think that]
280	L	[Well I think] it's a good question, but I don't think that he's putting it in a really positive way.
281		He was trying to trip me up, so that I can you know, as if I should be just able to come up with the answers.
282		and I don't think that's fair.
283	J	To be honest, I'm really not trying to trip you up
284		I promise you
285		Silence for 4 seconds
286		I, you know come on I, I, I value you as a colleague. You do a really good job, but, you really, you really have been getting up my nose.
287		You've been really trying to make life difficult for me haven't you.
288	L	No I haven't, I haven't. I think that, I think that you've been making life difficult for me.

Appendices 6a – 6c

Briefing materials for parties

Bibliography

Appendix 6a

Briefing materials for roleplay 1

Party 1

Your neighbour in the student halls, Party 2, has been a real pain lately. He is always hassling you about stuff. Nothing is good enough for him. For example he is complaining all the time about the noise, when you have some of your friends over in the evening, even though no one else on the floor seems to mind. You aren't trying to give him a hard time, but you get tired of being bugged, especially the way Party 2 handles it; he acts as though you're really inferior.

Last week you needed a library book. The librarian said it was checked out to Party 2. He wasn't around, but Philip his roommate found it for you on Party 2's desk. After you reminded Philip that Party 2 has often let you borrow his things, Philip said he guessed you could borrow the book for a few hours. You put the book on your bookshelf and went to supper. When you returned 1 1/2 hours later, the book was gone and a clay sculpture you purchased in Mexico several years ago lay broken on your desk. You knew right away who had done it.

Upset, you went over and knocked on Party 2's door. But when he saw who it was, he just told you to "cool it!" and slammed the door in your face. Since then you haven't spoken.

Party 2

You're really tired of the hassles caused by your neighbour, in the dormitory, Party 1. Party 1 is a big partier, and several nights a week he and his friends play loud music and talk and laugh until late in the evening -- to midnight or even 1 A.M. On several occasions you have gone over and knocked on his door, asking him to keep the noise down. 15 minutes later, the volume is blaring again. You have an early morning paper route to pay your college bills and need to be asleep by 10 P.M. Sunday through Thursday nights.

Party 1 also borrows your things, which is OK with you, but he doesn't return things to your room (your tennis racket, for example). When you get items back they are dirty (sandwich toaster).

Last week you were finishing a major paper. You needed a book which you checked out of the library and you couldn't find it anywhere. After searching your whole room, you had a sudden idea. You went over to Party 1' room and, sure enough, there it stood on his bookshelf. Irritated, you yanked it down. Another book fell from the

shelf and landed on a little pottery trinket below on the desk. You were in a hurry and quite mad at Party 1, so you left the broken pieces there.

An hour later, Party 1 banged on your door. When you opened it, he began swearing at you. When he refused to let you explain, you slammed the door in his face after telling him to come back to talk after he'd cooled down.
Appendix 6b

Briefing materials for parties

Party 1
You have had it with Party 2. It used to be a peaceful cul-de-sac until he and his wife moved in 18 months ago.

You've three young children, which can be a bit of a handful, but you feel that they're good kids. They often play in the street with their friends, where you can keep an eye on them – you can't be too careful these days.

Party 2 has been subjecting you to harassment and noise ever since he moved in. Evenings and weekends there would be noise from the stereo, drunken arguments and people coming and going at all hours. This kept the children awake and made your life difficult.

In the last year or so, Party 2 has been coming round nearly every week to complain about the noise from your children, your TV, your stereo whatever takes his fancy. You're getting more and more fed up with it. You've started to ignore his requests to turn things down – he's only going to complain regardless of how loud you have things. Meanwhile, the noise from him and his wife has become more and more erratic, sometimes starting and finishing at odd hours and really disrupting your family's sleep.

 Not so long ago, one of his visits nearly turned nasty when he wouldn't listen to you and you had to push him from the doorway. Since then, you've only really exchanged threats and insults in the street and banging on the wall when you want Party 2 to be quiet.

The other day the police became involved after it was alleged that you attacked Party 2. You heard him screaming and shouting at the children about breaking a wing-mirror – everyone knows that the street is crowded and that wing-mirrors get clipped by cards turning at the end of the road. If he and his wife didn't insist on parking both their cars in the street there may have been more space.

You knew that he had a temper and you feared that he would scare or hurt your children. You saw red and laid into him. It might have been the stress of the last 18 months that made you lose your temper – although you do have a short fuse.

The police have suggested that you try mediation – you don't see how it will work. He's an angry man who won't listen to anything you have to say. You're furious with

him for keeping you awake, harassing you in your own home and scaring your children.

Party 2:

You and your wife have been living in your cul-de-sac for nearly 18 months and have been having problems with your neighbour, Party 1, for the last year or more.

The main problem you have is that Party 1's 3 young children (and their friends) are 'out of hand'. They're constantly noisy and they play ball games in the street next to all the parked cars.

You have had problems with the noise ever since you've moved in, the children have woken you early on a Saturday and Sunday mornings, playing in the street, or with the shouting or TV through the walls. These problems have become unbearable since your employer changed your working hours to shift-work 12 months ago. You now work a rota that includes weekdays and weekends, comprising early starts (7- 3), followed by late finishes (3 – 11) and night-shifts (11 – 7). When you come home from these, you like to unwind with your wife, by playing music and having a drink or two. Occasionally friends will pop round too.

The noise of the children playing keeps you awake and this means that you are tired for your following shift. Your employer has noticed a decline in your work and you may soon face disciplinary action.

Every time the children, or Party 1's stereo or TV, wake you, you go round to ask them to keep it down. Party 1 has become increasingly hostile, shouting at you accusing you of harassing him and even turning the stereo up once you've gone. One occasion resulted in pushing and shoving and a heated exchange of words. Frequently you now communicate by banging or shouting through the wall.

Tensions have been escalating and things have gone from bad to worse. You haven't been able to pass each other in the street without Party 1 issuing threats and insults – to which you've no choice but to respond in kind.

Most recently you both came to blows and the police had to be called. Party 1 attacked you for shouting at his children: you came home from a night-shift to find that the wing-mirror on your wife's car had been broken-off – you assume by a tennis-ball or football. You had to get this fixed before you could go to bed.

Later on that day, you were woken again by the children in the street, so stormed out to tell them to shut up. You were angry and shouting but that was no reason for Party 1 to come out of his house and attack you.

Because you had to speak to the police, you missed work that day and this will also go against you if there is a disciplinary hearing.

Bibliography

The police have suggested that you try mediation, but you can't see how this is going to help. You're furious with Party 1, his children and their behaviour. Just the sight of him is likely to make you 'blow-your-top'.

Appendix 6b

Briefing materials for roleplays 2 & 3

Party 2:

You and your partner have been living in your cul-de-sac for nearly 18 months and have been having problems with your neighbour, Party 1, for the last year or more.

The main problem you have is that Party 1's 3 young children (and their friends) are 'out of hand'. They're constantly noisy and they play ball games in the street next to all the parked cars.

You have had problems with the noise ever since you've moved in, the children have woken you early on a Saturday and Sunday mornings, playing in the street, or with the shouting or TV through the walls. These problems have become unbearable since your employer changed your working hours to shift-work 12 months ago. You now work a rota that includes weekdays and weekends, comprising early starts (7- 3), followed by late finishes (3 – 11) and night-shifts (11 – 7). When you come home from these, you like to unwind with your partner, by playing music and having a drink or two. Occasionally friends will pop round too.

The noise of the children playing keeps you awake and this means that you are tired for your following shift. Your employer has noticed a decline in your work and you may soon face disciplinary action.

Every time the children, or Party 1's stereo or TV, wake you, you go round to ask them to keep it down. Party 1 has become increasingly hostile, shouting at you accusing you of harassing her and even turning the stereo up once you've gone. One occasion resulted in pushing and shoving and a heated exchange of words. Frequently you now communicate by banging or shouting through the wall.

Tensions have been escalating and things have gone from bad to worse. You haven't been able to pass each other in the street without Party 1 issuing threats and insults – to which you've no choice but to respond in kind.

Most recently you both came to blows and the police had to be called. Party 1 attacked you for shouting at her children: you came home from a night-shift to find that the wing-mirror on your partner's car had been broken-off – you assume by a tennis-ball or football. You had to get this fixed before you could go to bed.

Later on that day, you were woken again by the children in the street, so stormed out to tell them to shut up. You were angry and shouting but that was no reason for Party 1 to come out of her house and attack you.

Because you had to speak to the police, you missed work that day and this will also go against you if there is a disciplinary hearing.

The police have suggested that you try mediation, but you can't see how this is going to help. You're furious with Party 1, her children and their behaviour. Just the sight of her is likely to make you 'blow-your-top'.

Party 1
You have had it with Party 2. It used to be a peaceful cul-de-sac until she and her partner moved in 18 months ago.

You've three young children, which can be a bit of a handful, but you feel that they're good kids. They often play in the street with their friends, where you can keep an eye on them – you can't be too careful these days.

Party 2 has been subjecting you to harassment and noise ever since she moved in. Evenings and weekends there would be noise from the stereo, drunken arguments and people coming and going at all hours. This kept the children awake and made your life difficult.

In the last year or so, Party 2 has been coming round nearly every week to complain about the noise from your children, your TV, your stereo whatever takes her fancy. You're getting more and more fed up with it. You've started to ignore her requests to turn things down – she's only going to complain regardless of how loud you have things. Meanwhile, the noise from her and her partner has become more and more erratic, sometimes starting and finishing at odd hours and really disrupting your family's sleep.

 Not so long ago, one of her visits nearly turned nasty when she wouldn't listen to you and you had to push her from the doorway. Since then, you've only really exchanged threats and insults in the street and banging on the wall when you want Party 2 to be quiet.

The other day the police became involved after it was alleged that you attacked Party 2. You heard her screaming and shouting at the children about breaking a wing-mirror – everyone knows that the street is crowded and that wing-mirrors get clipped by cards turning at the end of the road. If she and her partner didn't insist on parking both their cars in the street there may have been more space.

You knew that she had a temper and you feared that she would scare or hurt your children. You saw red and laid into her. It might have been the stress of the last 18 months that made you lose your temper – although you do have a short fuse.

The police have suggested that you try mediation – you don't see how it will work. She's an angry woman who won't listen to anything you have to say. You're furious

with her for keeping you awake, harassing you in your own home and scaring your children.

Appendix 6c

Briefing materials for roleplay 4

Party 1

You work as part of a team of analysts in a pharmaceutical lab. Your role is to help to manufacture tablets for pharmaceutical companies.   The work tends to be project based; as the deadlines for orders approach, the work will often pile-up. This leads to people volunteering to work longer hours (although there is a flexi-time arrangement).

You have requested mediation as part of a grievance process with your employer. You have recently had a request for flexible working turned-down by your line manager (Party 2). You requested to change your core hours from 9 – 5:30, to 10:30 – 5:30, in order to accommodate the problems that you're encountering with childcare arrangements.

You feel that this refusal is part of a sustained bullying campaign by Party 2. You used to work together on the same team and never really got along. About a year ago, Party 2 was promoted into the position of line-manager. Since then your relationship has gone downhill.

Party 2 is constantly picking on you for being late. You've told him that this is as a result of childcare difficulties. This has resulted in a first stage disciplinary warning, which prompted you to consider requesting a permanent change to your hours, even though it meant a reduction in pay. Party 2 is also continually accusing you of having a 'bad attitude' and that this has a negative impact on the team. However, you feel that you're good at your job (as your appraisals show), and believe that you pull your weight. The fact that you have credit on your flexi-time shows that you are willing to work extra hours when you can.

Things have reached the stage where neither you nor Party 2 are speaking to each other. You feel that Party 2 is also discouraging people from talking to you. This is why you've raised a grievance and have requested mediation.

Party 2
You are a manager for a team of product analysts in a pharmaceutical lab. You have been in this post for 12 months since gaining promotion.

Party 1 has recently raised a grievance against you for bullying and harassment, stemming from your refusal to grant their flexible working request. You considered

the request with other managers and deemed that your team was not able to support the changes Party 1 wished to make.

It is true that you have difficulties with Party 1. She is continually late and her attitude is unhelpful. When she works, she is very good at their job, but recently she has not been pulling her weight. You know that she is having difficulty with childcare and try to accommodate her requests where possible, but when you are close to a deadline, her lack of flexibility creates great difficulty and resentment within the team. However you feel that you have tried to approach this sensitively.

Party 1's persistent lateness has become such an issue that you've had no choice but to start formal disciplinary actions against her, resulting in a verbal warning.

Your role is difficult and stressful, you spend a huge amount of time managing Party 1. You find that she is becoming increasingly combative. You've had issues with Party 1 ever since you've worked together and feel that she resents that you were promoted into a position of responsibility over her.

You feel that this grievance and subsequent mediation request has been instigated in order to undermine your reputation and to waste your time.

Appendices 7a – 7c

Post-Hoc Interviews –

VMC Roleplays