

'Mediation Works' Symposium

*Royal Hospital, Kilmainham
Tuesday, 27 May 2008*

Niall Crowley, Chairperson of the Equality Authority

...Helen Harnett from Harnett Tannam Consultancy will be doing most of the work. But just at the start I wanted to say from an Equality Authority perspective I suppose how important we see the whole process of mediation and how important we see therefore today's event. And in particular I suppose this focus on inter-cultural mediation brings I think a very important focus to bear on the practice of mediation, and indeed emphasis in the particular context for mediation. We see this idea of inter-cultural mediation as opposed to just mediation as something that is very important, in a context of very significant cultural diversity, in our work place, in our communities, in our society. It's not a new presence. It's not a new challenge. But it is a significantly increased and diversified presence of...of cultural diversity. And I think in that context mediation can have an important role to play in the effective management of cultural diversity. But I think it needs to be an inter-cultural mediation in a context of such widespread cultural diversity. And inter-cultural mediation I suppose acknowledges that cultural diversity does have practical implications for the way we do business, where we value cultural diversity, where we acknowledge the benefits that it brings. We must do things differently to take account of these practical implications, and do things differently, whether it's mediation or whether it's managing a business or whether it's providing a...a service. And doing things differently, because of cultural diversity, I think, does run counter to many of the dominant responses to cultural diversity. That our dominant response to cultural diversity is one of tolerance. We put up with cultural diversity. We preach tolerance and...but tolerance can often co-exist with ignorance, and can often co-exist with contempt for...for...for diversity. So it's a problematic starting point. Equally we can see trends in...in the response to cultural diversity requiring an assimilation. So that managing cultural diversity is about requiring the minority to change. And we would say that is very problematic, given the centrality of culture and identity to all of us in terms of who we are and how we operate. So from...for us inter-cultural mediation begins with a break from the dominant response to cultural diversity, begins with a valuing of cultural diversity and begins with mediation that makes adjustments for the practical implications of cultural diversity. And I suppose when we talk about taking account of these practical implications of cultural diversity we need to acknowledge culture as something that is both tangible and intangible. That very often we focus on language and language

difference and we need to take account of that. But equally at a more intangible level cultural difference is about symbols, imagery and meaning systems in terms of the meaning we accord to different words, statements, images or...or...or...or symbols. Likewise when we talk about culture, often we talk about practices and that's important too. But equally important are values that are central to different culture...cultural bases. So taking account of cultural difference in mediation is about taking account of the tangible and the intangible, language but also meaning, practice but also...also values. Our own experience in terms of responding to cultural diversity is focused very much on the work place. And I...and I name it because we have developed a framework that I think has some relevance to the debate for...for...for this afternoon. When we look at cultural diversity in the work place, I suppose the first thing we come across is very high levels of discrimination, bad management of cultural diversity, exploitation of cultural diversity, discrimination against people on the basis of ...of...of their ...their race, their culture, their...their identity. We also see good practice and employers moving to develop inter-cultural work places essentially, which I...and through a framework that I think has a relevance to...to the current debate. It's a framework that says, yes, work places need to support minority cultures to adapt to the work place and work place systems. But work place also needs to support the majority ethnic group within the work place to adapt to a context of cultural diversity. And most importantly the work place itself has to adapt in making sure that its policies, practices and procedures take account of the practical implications of cultural diversity. And that's a model I think that very much emphasises culture...a response to cultural diversity that requires change in the way we do things, that makes demands of the minority and the majority. And I suppose in terms of those demands, just to acknowledge, to conclude, that inter-cultural mediation I think poses particular challenges to the majority and members of the majority ethnic group, whether as mediators or as...as participants in the mediation process. Because I think we can come to the process having been socialised into stereotypes of black and minority ethnic people, holding false assumptions about black and minority ethnic people, that do lead to bad decisions and very poor communication. We can come to the process, coming out of a societal context that poses some white people in power positions and all others from minority groups in...in less powerful positions. Whether we like it or choose it or...or...or not. So engaging in that, we are engaging in power relations. And it's important to make those visible and to address those in terms of a process that is characterised by equality rather than power differentials. And if we don't do that obviously we get poor communication, poor...poor process. And finally we also come to the process with a particular approach to difference. I think we are very quick...very quick to judge difference and to make judgements on foot of people being different. Much slower to listen

to difference, to watch difference, to understand difference, to...to...to value difference. So in opening the...this master class I just want to say, that mediation is a very important tool in managing cultural diversity effectively, both at work, in community and across society. Inter-cultural mediation is particularly important in a context of cultural diversity, and it requires doing mediation in a way that is different, that takes account of the practical implications of cultural diversity. And doing it differently is about taking account of the tangible and the intangible elements of culture and cultural difference. It's about focusing on evidence and fact rather than stereotype and ...and assumption. It's about being non-judgemental and it's about being equality and focus on equality and addressing any power differentials. So I very much look forward to this afternoon's workshop and want now to introduce Helen Harnett of Harnett Tannam Consultancy who is going to take us through the next period. Thank you.
