

## **'Mediation Works' Symposium**

*Royal Hospital, Kilmainham  
Tuesday, 27 May 2008*

### ***Panel Discussion 2: Mediation Works – in Civil Communities***

#### **Peter O'Reilly, Mediation Northern Ireland**

I too would like to thank Karen at MII for the opportunity to come and speak here. And that's about all I am going to thank them for. Because I can see trouble down the road for us. We have got off with blue murder for the last 15 years in mediating away without anybody talking about professional standards or holding us to account and making us think seriously about ethical issues. And I have the distinct impression that we are about to be tortured. [laughter] But thanks anyway Karen. Yes...because I suspect that people don't know our organisation quite as well as they would know the Bar Council or the Law Society and very definitely the Irish Times, we were constituted about 17 years ago as a...a charity. And the organisation was started by a group of people who wanted to contribute to peace and stability by developing mediation and associated disciplines. And that's one of the ...the things that we have been quite loose about. We...we have...I used to check with our Director actually now and again what was this week's definition of mediation. Because mediation was made to meet the needs of what mediators needed to be doing. Currently we have 10 full time workers, 20 associates whose time we buy in. And they and quite a long list of volunteers also do pro bono work. We have five programmes of work, and I am just simply going to name them for now. They are the Policing & Justice Programme, the Social Partnership Programme, the Beyond Northern Ireland Programme, which is actually largely England, the Generic Programme which includes projects and cases that...that aren't big enough to make up their own programme, and the Organisational Development Programme which should really be renamed the Learn & Survive Programme. I would like to talk about three things, one, a quick sketch of how we have developed mediation as a peace building tool, secondly, outline how we are using it, basically the...the culmination of our learning so far, and thirdly, some thoughts about the future in Northern Ireland and beyond. And don't ask me any questions about what I said, because I am about to drop the pages, as I go along. Firstly the work of the organisation began with a large training thrust. Basically train as many mediators as possible and there will be a lot of mediation happening. But after a few years it was clear that that was...that there wasn't a lot of mediation happening. And I think that was mirrored here in the Republic. By the mid nineties then it was clear that we needed a new strategy if we wanted mediation to become a useful tool. And there were three

elements to what were decided. The first one was do mediation ourselves and do a lot more of them. To develop an indigenous model because what we started with in the late 80s was a...an imported West Coast American model. And my father, Andrew O'Reilly, in South Tyrone is about as interested in how Americans sort out their rows as ...well as they are in China. So we needed to develop a much more indigenous model that was going to actually get used in Northern Ireland. Second, out of our learning then train others. And not just train them but also mentor them into the practice, guide them and direct their practice. And thirdly, use our resource of mediators much more strategically, in a way that would help develop ...basically a change model, one that was going to bring about positive change towards peace. So that's what we have been about over about 15 years...13 years. I was never good at Maths. And I am going to name four examples of...of some of the activity. The first was, building and maintaining as many strategic relationships as we could across as many sectors of society as we could. From the David Irvines to the John Humes to the Chief Constables to the Directors of Health to the education people to the business people, the...the reason for that being if people knew us we would come to mind when they thought we don't know how to sort this one out or we have never come across this before or we would like to try something different...or.....to use a term, when we came ambulance chasing the would open the door to us because they knew us. And they knew the way mediators thought. Secondly, we began developing longer term training and support packages, particularly for grass roots community activists with credibility and with basically a degree of leadership and vision. I am not so sure why, but David Irvine is very much in my mind this morning. And David was ...was one of those leaders ...was leader of the PUP died a year or so ago, a man who in the early 1990s was training loyalist paramilitary leadership in....in ...in mediation before there was any belief that there was a peace process that was going to take off. Thirdly, facilitate mediate middle ranking political conversations to get the participants used to thinking and understanding about the way mediators can be useful to them. And these later developed at the politicians' request into broadening out into little forums of civic leadership, where there were mediated conversations in private spaces. The longest running of those still going is in Newry and Mourne hosted by...by...now by the local council, and it has been going for eight years. The fourth is to basically keep doing mediation in...in the really conflicted issues. Now three or four examples of that...we...we very consciously decided that we would become involved as mediators in policing as a conflicted issue in our society. And that was at a time when particularly in the Republican movement at best that was seen as naïve do-gooders tinkering with what needed to be disbanded and at worst collaboration. But if mediation was to become a useful tool it had to prove itself. We ended up with four different programmes

of work going on in policing. When the 50:50 recruitment came in under the Patton Reforms which is about the closest thing you will get to positive discrimination in Western Europe. And I congratulate the lawyers who...who managed to make it not positive discrimination. When 50:50 recruitment came in for three years the...the students who arrived in the police were taken away for three days by ourselves to help them reflect on what this 50:50 thing was about, how it would affect them as police officers, you know, basically policing a...a divided contested society and what of that division they brought with themselves into their...into their work. Another example, parades and protests, which is probably where mediation stopped being something to do with the media or with meditation. Actually when...when...was it George Harrison that died there...the Beatle that died about two years ago...George Harrison. The poor BBC Radio Ulster news announcer on the day of the funeral quietly told us at the end of a news bulletin that the family, the Harrison family had asked all of his...all of his fans to hold a one minute mediation in honour of George. It was changed times I thought. Parades and protests, we mediated parading disputes. And...and one of the difficulties about proving mediation as a tool in those kinds of conflicts is that quite often one of the rules is that nobody everybody knows there was a mediation. Because for one side or other to admit to an agreement was politically unacceptable. But the right people knew. We then influenced the legislation that created the Parades...Parades Commission to include the mediation. And then recruited, trained and managed the...the Parades...sorry the Commissioners, mediators. We kept getting involved in community disputes including, you know, interface violence, paramilitary feuds, funeral disputes, that's over flags on coffins and that kind of thing, for those of you who are old enough to remember the Monkees. The Holy Cross School dispute, peace line disputes. Last...we are still building peace lines by the way in Belfast. There was one completed last week. And we recently were asked to become involved in trying to halt one being built but...not unusually we are asked in a little bit too late. Right. What have we been learning? And how are we using that now? Basically, I wrote a lot of this down, because the print has got very small on this page. We would see mediation as...as having three tasks in a conflicted society. And actually as time goes on I am beginning to think mediation has three tasks in...in most western countries...societies. The first is...is the traditional understanding, conflict intervention, assisting people, individual citizens or groups and communities to resolve disputes or manage them. And I will come back to that resolving and managing. Building good relations, assisting people to build good relations between individuals, groups and communities or between sectors of society. In Northern Ireland, for example, for the first time now we are beginning to experience migrant workers...migrant workers arriving. And well we were never good with difference. But we are actually beginning to display

how bad we are at it now with...with our new...newly arrived visitors. The last one, the last task which has just been referred to I think is...is facilitating social partnership. The Department of Justice is a party. And ...and there needs to be a mediative presence in...in the context that ...that you were describing. And I haven't time for it but we have developed a...a model for starting to facilitate social partnerships. Four strands to it, all of which mediators can do well. A bit of civic diplomacy, mediate strategic decisions makers onto the same hymn sheet, then start building a very light infrastructure for managing contention and conflicted issues in the locality, in an organisation. Then train people, give them the skills to...to ...when they...when they are aware of the contention, when they are aware of the conflict, to deal with it and mentor them into practice. I would like to just reiterate what everybody has said about President McAleese. I had the honour of knowing her before she became President. And I have never ...never heard her speaking without being touched by what she has said. And that happened again today. She ...for me summed up what mediation is all about. In getting people to move from the noness in them to the yesness, to operate not out of their worst fears but out of their best intentions. Thank you.

## **Aine Lalor**

Absolutely, thank you very much. [applause] And I am ...I am glad actually as well that you mentioned David Irvine who was just a...a remarkable politician. And sometimes ...sometimes covering the North would...it...it was such a wearing story. Because in public at least everybody would have to say such horrible things about each other. And he was...he was always so refreshing as a politician...in...sometimes mistaken, not always right, but ...but in the humanity that...that he would bring to the table and...and to his discourse. And...and he is sadly...sadly missed. You...you have all spoken so well I am afraid we ...we have very little time for contributions from the floor at this stage. Because I know you...you have...we have to hear from Grainne now in a minute and ...and then you have a big job of work to do as well this afternoon in your workshops. Are there any points people want to make just very quick...at least to put them on the record now, before we move any further. Or will you chew the cud over lunch? You will, OK. Colin, would...I would just like to hear very quickly though from Colin Daly before we invite Grainne up. Because we were talking a little bit about the work that is going on in the Northside Law Centre. Can you just give us kind of a...a quick thumbnail sketch. I don't know if we have a microphone for you. Or maybe if you just pop up here, if we don't have a mic. Could you...just so as we could all hear you. But I...I just think it's useful in the context of the discussion we have had. And I know you will be really really quick and we will...we will try not to eat too much into the next session. Thanks Colin. Your very good, thanks a million...making you do the walk all the way up.

