



The Council of European Jammats (CoEJ) Launch of Internal Mediation Service

We at the Council of European Jammats (CoEJ), take pleasure in announcing the launch of the CoEJ Internal Mediation Scheme within our region. This is an alternative dispute resolution (ADR) service – seeking to help resolve interpersonal disputes between people within any of our member jammats. An interpersonal dispute is a relationship driven conflict between two or more people. For example, these disputes usually occur in marital, family, inter-jammat, intra-jammat settings etc. The disputes emerge from differing expectations of a situation. They become a problem that needs to be addressed when the conflicts that come from the expectations lead to significant distress.

Alternative Dispute Resolution (ADR) is a general term used to define a set of approaches and techniques aimed at resolving disputes in a non confrontational way. It covers a broad spectrum of approaches, from party to party engagement in negotiations as the most direct way to reach a mutually accepted resolution, to arbitration and adjudication at the other end, where an external third party imposes a solution. Somewhere along the axis of ADR approaches between these two extremes lies “mediation” – a process by which an independent third party helps the disputants to reach a mutually agreeable solution.

The first ADR method that we are seeking to focus our attention on within CoEJ, is mediation – as this is a widely known and recognised method of resolving conflict within our community. It also provides more flexibility and is less procedurally complex than some of the other ADR approaches. While it is anticipated that in time, CoEJ will look at some of these other ADR approaches, however for the time being, we would like to focus our time, effort and resources on mediation.

As you will no doubt appreciate, there are many steps required to set up an internal mediation service within CoEJ, starting with a review how mediation is currently being used within our region. Initial findings suggest that there is a lack of consistency and understanding in term of what mediation should look / sound like and as a result, the process is not being applied in the correct manner. Therefore some internal guidance is being developed in order to raise awareness of mediation and conflict management. The ultimate aim is for CoEJ to develop a pool of trained and accredited mediators, who will in effect form part of the CoEJ Internal Mediation Service. This service can then be accessed by all of our member jammats, should they require help and support to resolve any interpersonal dispute or conflict that they or their individual members might be facing.

In addition to developing a pool of trained, accredited mediators – as mentioned above – other steps in the setting up of the internal mediation service within CoEJ include, an overarching dispute resolution strategy; developing a mediation policy and procedures for CoEJ – to be disseminated to our member jamaats; communication of the mediation policy and procedures to all of our member jammats; supervision and ongoing continued professional development (CPD) for all of the accredited mediators; and establishing some general mediation and conflict skills training for all other community workers / volunteers on an ongoing basis.



However in the meantime – while the above work is underway – we received a request from Birmingham Jammats to deliver some interim mediation training for its volunteers. As a result, the Council of European Jammats (CoEJ) delivered a 3 day residential, interim mediation training workshop on 03rd, 04th, 05th May 2014 (Bank Holiday weekend) – that provided a taster and introduced the structure, tools, techniques and principles of mediation. Furthermore, in addition to being available to the volunteers of Birmingham Jammats, we also opened this training up to the volunteers of our other member jammats, who had an interest in developing the skills to become fully qualified mediators and practicing as mediators within the community.

The training was facilitated by two fully qualified practitioners in this area, who have worked with a range of clients in the mediation and conflict management arena for many years and helped to resolve a variety of interpersonal disputes. It explored both the knowledge and behavioural aspects of mediation and a special feature of the training, included actor based role play – with professional actors, to support the skills practice elements of the workshop.

See attached training outline for the interim mediation training programme that was delivered on 3rd, 04th, 05th May 2014.

It is anticipated that the above interim training, will have helped to create mediation “champions” within CoEJ, who will help raise awareness of and apply the process and skills of mediation in cases of interpersonal conflict within member jammats. The above training should have also enabled individuals make an informed choice as to whether or not to apply for the accredited mediation training that will follow towards the end of 2014 – as mentioned above – and become part of the pool of accredited mediators within CoEJ.

While the commercial value of such training in industry costs thousands of pounds, but it was delivered within CoEJ on a pro bono basis. The only costs were the various administration charges – however because CoEJ is so committed to setting up this much needed service, CoEJ heavily subsidised these charges. As a result delegates were only asked to make a small contribution, to cover some of the administration costs of the training.

This is indeed a very exciting time for CoEJ as we embark on this long haul journey, to setting up the CoEJ Internal Mediation Service initially – for the benefit of our region – with a view to focusing on some of the other ADR methods moving forward inshAllah. Please do pray for its success.

With Salaams and best wishes,

Kassam Jaffer

Secretary General

The Council of European Jammats



THE COUNCIL OF EUROPEAN JAMMATS (CoEJ) MEDIATION SKILLS TRAINING

(An interim training event, introducing the structure, principles and skills of mediation, to resolve interpersonal disputes – including marriage)

Overview:

This three day workshop is specifically designed to develop the knowledge, skills, attitudes and behaviours required to carry out mediation between people in dispute and to understand how mediation can be used effectively within the context of interpersonal conflicts.

It is based on the facilitative mediation approach, strengthened further by integrating some of the key principles from the transformative and narrative mediation approaches. The training will also touch on a range of conflict resolutions skills and communication techniques, in order to help deal with conflict effectively.

Unresolved conflict between people – in whatever context – can severely disrupt relationships and lead to serious consequences for the parties concerned. This is why many people are now turning to alternative dispute resolution measures, such as mediation, in order to help resolve conflicts of an interpersonal nature. Overall, mediation is a pragmatic approach to dealing with conflict and follows a process by which an impartial third person facilitates a conversation between the parties in a dispute. It provides the opportunity for those experiencing conflict situations to identify the issues, explore options, avoid a blame scenario and reach a workable outcome – i.e. an agreement that both parties can live with – through a clearly stated agreement.

A large majority of disputes that go through mediation, do indeed end up finding a successful outcome. In a lot of cases, the mere fact that both parties have come to mediation means that they want to try and find a solution. Furthermore one of the reasons for the success of mediation in most cases is because the parties involved in the conflict stay in control of the decision making. They do not hand over responsibility for the outcome to a third party such as an arbitrator. This will ultimately give the parties involved, ownership of the final agreement.

While the training will consider each of the above areas, however one of the key messages from the workshop is – that for all of its merits – mediation is no soft option, with the average process lasting a number of hours / sometimes even days and where the parties must show commitment towards understanding each others perspectives and moving to the future.

Another key message from the workshop is, that mediation is a “process” and so before anyone can undertake this process, they need to understand what the mediation process is all about and the steps involved – as well as as be able to apply key mediation skills and behaviours required in order to ensure a workable outcome. Therefore not everybody can be a mediator.

Conversely, a lack of understanding of the mediation process and the ineffective application of the key interpersonal skills required – will have a knock on effect on any subsequent decisions and lead to negative mediation outcomes. Furthermore while every mediation will have its own unique issues, circumstances, dimensions, challenges and outcomes, however if not conducted properly, can cause serious harm to the individuals concerned.



The training emphasises the point that mediation is indeed an effective process for dealing with interpersonal relationship based conflicts. The facilitative mediation approach in particular, offers the flexibility and responsiveness to allow parties to move past the conflict and to design and choose a future with greater promise for each of them.

Therefore by bringing together the main principles and structure that must be followed when conducting mediation, coupled with the tools, techniques and interpersonal approaches that are required to deliver an outcome that both parties “can live with”, this training will allow delegates attending to develop both the “competence” and “confidence” to mediate effectively and help resolve interpersonal disputes.

In addition to the above, a key focus during the training will be an actor-based skills practice session titled: “...*having the courage to have the conversation*”. This session will encourage delegates to conduct a variety of mediation conversations –taking on the role of mediator or co-mediator – based on given jammatt or individuals related scenario/s. This part of the training will allow delegates to practise the structure and skills of mediation and engage in such conversations in an open, honest, compassionate, sensitive and assertive way, tackling specific issues, with a view to helping the parties involved in conflict achieve workable outcome/s.

The overall learning outcome of the above skills practice activities, is to help delegates discover their strengths and areas of development when engaging in such conversations. Experience has shown that such interventions can be very powerful both in terms of learning as delegates discover for themselves how effectively they “apply” the structure and skills of mediation and where they need to develop further. Each of the mediation role play conversations if followed by feedback and reflection and delegates are asked to complete a learning log with their key learning points as well as be observed on their performance.

The training style is very focused on the individual delegates – reflecting best learning and development practice. It is a very highly interactive workshop with various learning activities that delegates will be required to engage in – all with a view to enhancing learning. The actor based role play activities, will help re-create reality in a “safe environment” in order to allow delegates the opportunity to practice their mediation skills.

The overall aim of the above interventions, is to engage delegates in a highly active way and enable them to reflect on what they can start doing, stop doing, continue doing or do differently – in order to become highly effective mediators within the community – when dealing with interpersonal conflict between two or more parties.

Pre-Workshop Preparation:

There will be some pre-course work to complete before the event, the detail of which is yet to be finalised.

Workshop Aim:

To explore the necessary knowledge, skills, attitudes and behaviours required to mediate interpersonal disputes effectively and reach resolutions that will ultimately give the parties involved in conflict, ownership of the final agreement.

Workshop Objectives:

By the end of the programme delegates will be able to:



- Define mediation, its benefits, nature, styles and application in an interpersonal context
- Identify different interpersonal situations – within a Jammata or individual context – that may require mediation in order to reach a resolution, as well as when such an approach would not be appropriate
- Outline Islamic perspectives on Mediation
- Describe the six steps that make up the “mediation process” and the blend of practical skills required to apply this process, effectively
- State how to deal with challenging situations that may arise when mediating interpersonal disputes within a jammata or individual context
- Explain how to use mediation skills on a day to day basis – outside of the mediation process – in order to resolve both sensitive and routine interpersonal conflict issues that may arise within Jammatas or between individuals
- Demonstrate how to mediate a variety of interpersonal dispute between two parties – by applying the structure and principles learnt – based on given scenarios within a Jammata or individual context
- State the next steps, your responsibility and the support available to you, in order to deal with and resolve interpersonal disputes within Jammatas or between individuals

Workshop Duration, Timings and Style of Delivery:

The workshop constitutes approximately 27 hours of training over a period of three days.

Day 1 will commence at 10am and end by 19.00hrs.

Days 2 and 3 will commence at 09.30am and end by 18.30hrs.

Days 1 and 2:

The training will be a mix of both the knowledge and behavioural / skills aspects of mediation. By using a variety of methods of demonstration and practice, delegates will be taken through the structure and process of mediation from the start of the workshop. Behaviours and skills will be explored and applied in practical exercises. Case studies, based on actual mediations will be used throughout and delegates will experience the role of mediator, co-mediator, and mediation party.

There will also be some light post dinner activity related to mediation on the first and second evenings.

Day 3:

Special Feature – “Having the courage to have the conversation”

This final part of the workshop will be a practical application day where the delegates will be required to engage in actor based role play activities and experience the role of mediator and co-mediator – with the actors taking on the role of the mediation parties and carry out a series of mediation conversations in response to variety interpersonal conflict and dispute scenarios. This is a highly interactive day and will allow delegates to apply what they have learnt in a safe environment.

Experience has shown that actor-based role play can be a very powerful method of exploring many of the issues raised during mediation conversations. It provides a way into the issues and invariably opens up rich discussions.

Part of the reason for undertaking such role play activities, is to raise self awareness in terms of how delegates exhibit the behaviours and skills required to mediate effectively. It can provide an opportunity for individuals to help them discover for themselves, their strengths and areas for improvement. The facilitators will also provide guidance and input as each of the mediation role plays progress.

Helping learners to make sense of what they have experienced in a role play situation is vital. For this reason, quality time is spent after each conversation, engaging in comprehensive feedback and reflection, and exploring with delegates what actually took place, what was said and how each delegate viewed it from his or her own perspective. The delegates and those observing will by definition have different perspectives on what they observed and all of this will provide for very discussion, learning and reflections.

At various points during this third day, the groups will come together as one in order to share experiences and engage in reflective discussion with reference to their key learning points.



Workshop Outline:

Day 1

Welcome:

- Aim / Objectives / Structure
- Warm Up Exercise
- Introductions / Experiences / Expectations
- Context / Rationale – i.e. the need for and purpose of this training

Defining mediation, its benefits, nature, styles and application:

- What is mediation?
- Mediation compared with other ADR methods
- The nature of mediation
- **Islamic perspectives on mediation**
- Styles of mediation
- Application of mediation in response to dealing with interpersonal disputes

Break

When to use mediation? When not to?

- Exploring different interpersonal situations that may require mediation within a jammat or individual context
- When not to use mediation

The 6 Stage Mediation Approach

- **Stage 1: Preparation and setting up of the mediation.**
 - Discussion with the referrer, unless it is a self referral.
 - Making contact with each of the parties to confirm various administration arrangements.

Lunch

- **Stage 2: One to one meetings with each of the parties separately**
 - The mediator's opening statement
 - Setting the scene and building rapport
 - A conversational framework / structure to be applied when talking with each of the parties, in order to stimulate full disclosure of the story
 - An exploration of the key skills required – i.e. listening, summarising, questioning, playing devil's advocate, re-framing etc
 - Shifting mindsets and understanding positions, interests and needs
 - Encouraging the parties to come together in a future joint meeting

Break

- **Stage 2 cont'd:**
 - An exploration of the issues that each party would like to discuss as part of the potential Agenda for the joint meeting
 - Consideration of the opening statement by each of the parties at the start of the future joint session
 - Case study skills practice, followed by debrief

Break

- **Stage 3: Setting the Agenda**
 - Setting out the various issues – that were identified during the separate meetings– for discussion during the joint meeting
 - Case study skills practice, followed by debrief



Learning Review / End of Day One.

Dinner.

Some light post dinner activity to do with mediation will take place after dinner.

Day 2

- **Review**
 - Key learning points and reflections
- **Stage 4: The Joint Meeting**
 - Preparing the parties separately – i.e. the check in meeting to re-clarify, constructively challenge and re-prioritise the issues, sign off the Agenda and review the opening statements from each party
 - Preparing the venue / room layout
 - The mediator's introduction and opening statement to the joint meeting – to also include signposting
 - Setting the scene and building rapport

Break

- **Stage 4 Cont'd:**
 - Managing the Agenda and Conversational Management techniques
 - Structuring the interaction
 - Maintaining control of the interaction
 - Facilitating the conversation
 - Generating and assessing options
 - Keeping it safe and keeping things moving
 - Justifying movement as it occurs
 - Case study skills practice, followed by debrief

Lunch

- **Stage 5: The Agreement**
 - Reality testing of the options
 - Closing on the issues
 - Firming up the agreement

Break

- **Stage 6: Follow Up**
 - Review of the agreement
 - Case study skills practice, followed by debrief

Break

- **Additional Mediation Guidance/Tips**
 - How to deal with challenging situations that may arise when mediating interpersonal disputes within a Jammata or individual context
 - How to use mediation skills on a day to day basis – outside of the mediation process – in order to resolve both sensitive and routine interpersonal conflict issues within the a Jammata or individual context – practical tips
 - Cultural perspectives on mediation
 - Conflict Coaching overview
- **Preparation for the practical mediation role play activities that will follow on Day 3**
 - Review of the scenarios
 - Discussion of the logistics for the role play scenarios

Learning Review / End of Day Two



Dinner

Some light post dinner activity to do with mediation will take place after dinner, followed by preparation for the practical mediation role play activities.

Day 3

- **Review**
 - Key learning points and reflections
- **Actor based role play skills practice**
 - Scene-setting
 - *Activity:* Plan, Do, Review –Delegates will be divided into two groups, with two actors per group in separate rooms.
 - In their sub-groups, they will be asked to choose from a selection of mediation conversations, taking on the role of mediator and co-mediator, while the actors in each group, will take on the role of the other parties. This will be followed by feedback and reflection.

Break

- **Actor based role play skills practice cont'd**
- **Group reflections**

Lunch

- **Actor based role play skills practice cont'd**
- **Group reflections**

Break

- **Actor based role play skills practice cont'd**
- **Group reflections**
- **Learning review / action planning / evaluation / close**



Facilitator Profiles:

Kassam Jaffer

- ❑ *MA Human Resources*
- ❑ *Associate – Chartered Institute of Personnel and Development*
- ❑ *Accredited Workplace Mediator*
- ❑ *Accredited Conflict Coach*
- ❑ *NLP Business Practitioner*
- ❑ *Qualified as Practitioner for MBTI - Myers Briggs Type Indicator, Belbin Interplace and Emotional Intelligence Inventory*
- ❑ *BA (Hons) Business Studies - Service Industries*

Kassam Jaffer is Human Resource Development (HRD) and Employment Law Consultant with extensive consultancy experience, providing both a strategic and operational approach to people management and organisational development practices – by establishing critical skills and knowledge within client businesses – in order to create high performance workplaces where people can and do perform to their best.

Kassam is an accredited Workplace Mediator, Facilitator, Coach, and Process Consultant, having developed a client base of private and public sector organisations across many industry sectors – both in the UK and Internationally

One of Kassam's core services in his consultancy practice includes, dealing with interpersonal disputes in the workplace. He has extensive experience of conducting workplace, facilitative mediation between parties who are in dispute with each other. He has also conducted team mediations. In addition, he has also undertaken many serious and complex employment investigations, chaired disciplinary hearings and appeals and facilitated high conflict and sensitive employee relations situations in organisations.

Kassam has a solid background in Learning and Development, having designed and delivered a range of in-company programmes across the spectrum of management / leadership skills and knowledge and general people development using an experiential and facilitative approach – all towards achieving competitive advantage for his client base. His particular areas of specialism are– Performance Management, How to Have Difficult Workplace Conversations, Dealing with Sensitive Issues at Work, Managing Discipline, Grievances, Sick Absence, Poor Performance and Diversity and Dignity at Work.

Outside of work, Kassam is involved in relationship mediation on various family, social and community matters. Kassam believes that relationship mediation is very similar to workplace mediation in terms of the principles that are applied, with some differences.

Kassam is licensed to apply various behavioural assessments in the workplace. He is also a member of the Chartered Institute of Personnel and Development.



Roseanne Bernard

- ❑ ***Chartered Fellow of the Chartered Institute of Personnel and Development (Chartered FCIPD)***
- ❑ ***Post Graduate Diploma in Personnel Management***
- ❑ ***NLP Business Practitioner***
- ❑ ***Accredited Executive Coach with the Association of Coaching***
- ❑ ***Solutions Focus – Professional Training Programme***
- ❑ ***Qualified to use various psychometric tests including MBTI (Step 1 and 2); Occupational Personality Questionnaire; FACET 5 Personality Profiling; TMSD1 and Wave Conversion.***

Rosanne Bernard has substantial experience in conflict and dispute resolution through her role as a HR Business Partner in organisations such as Kodak, and more recently as an independent HR Consultant.

She brings practical experience of managing grievances informally and formally and has acted as an independent consultant advising on process and hearing appeals.

Rosanne is an experienced trainer and designs and delivers training to managers on a wide range of subjects including conflict resolution and managing grievances. She also designs and delivers training to managers and staff on equality, diversity and dignity at work.

As an experienced facilitator Rosanne regularly runs team building workshops aimed at addressing conflict between team members and roles.

In addition she coaches individuals on a range of issues including improving interpersonal relationships at work.

Overall Roseanne brings enthusiasm, pragmatism and a real understanding of the challenges facing conflict in business today.

Outside of work, Roseanne is involved in dealing with interpersonal disputes and conflict, in a variety of settings.

Rosanne is a Fellow of the Chartered Institute of Personnel and Development and accredited Executive Coach.