Importance of Active Listening in Mediation
Approach of Parties in Mediation

Optimism, Apprehension, Distress, Anger, Confusion, Fear--------

Need to understand that they will be listened to and understood!
Communication Skills in Mediation

Active Listening
Listening with Empathy
Body Language
Asking the Right Questions
Types of Communication

Types

a. Non-Verbal Communication
b. Verbal Communication
Good Communication

What makes a good communicator?

Clarity

Adequacy

Integrity

Timing

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What does it take to be an Active Listener

- Pay attention to the speaker's words, body language & context of communication
- Listen to what is said and what is not said
- Understand the speaker's intended message
How to achieve

- Look at the speaker. Keep the other persons in view to observe their reactions. But generally maintain eye contact with the speaker.

- Show that you’re interested in what he/she is saying.

- Lean slightly toward the speaker. Keep an open, relaxed posture.

- Keep your physical movement to a minimum.
Techniques of Active Listening

- Bridging- “And”
- Restating
- Encouraging
- Acknowledging
- Deferring
Techniques of Active Listening (Contd)

- Paraphrasing
- Apology
- Silence
- Summarising
Techniques of Active Listening (Contd)

- Reflecting
- Setting an Agenda
- Reframing -
  Conversion to positive
  Conversion to future
  Conversion to interests
  Shifting focus from
  *person to speaker*
What is Active/Effective Listening

- It involves long discussions from the speaker and brief, calm responses from the listener.
- No interference with speakers thought.
- Capacity to be a good and understanding listener is fundamental to mediation.
- Hearing involves capacity to be aware and to receive sound. Active listening also includes understanding of the meaning.
• Draw the speaker out. Say something like, “I’d like to hear a little more about.

• Try to listen for what is NOT being said—What’s missing that your might expect to hear in the circumstances?

• Observe HOW things are said—the emotions and attitudes behind the words may be more important.

• Much information is displayed in voice intonation and body language.
Do's / Don't's

- Say little yourself! You can’t listen while you’re talking.
- Show that you’re listening and interested
- Don’t jump to the conclusion
- Don’t rush to find a solution.
- No mind chattering
SILENCE.

- Allows the speaker to dictate the pace of the conversation
- Gives time for thinking before speaking
- Enables the speaker to choose whether or not to go on.

- Demonstrates interest, respect and patience
- Gives an opportunity to observe the speaker and pick up non-verbal clues