



## **Doing Deals and Resolving Conflict using Mediation and NLP**

Reflections by David Fraser

Core works continuously to enhance the service it provides to help parties negotiate deals and resolve disputes. Core's panel of mediators bring various additional skills to mediation, and these augment the power of the process greatly.

One complementary skill-set that can be drawn on extensively is Neuro Linguistic Programming (NLP), which is the somewhat arcane name for an area of expertise that provides highly effective, practical ways of working with people (including oneself) at the human level, particularly in relation to what we say to ourselves and to other people. Even in inter-organisational and other commercial disputes, the human dimension can be highly significant.

Practised well and with integrity, NLP is both a set of skills and an attitude of mind and combining this with mediation expertise results in a powerful and flexible process for bringing parties together, to do deals and resolve business conflict. The benefits to clients can be:-

- Faster resolution
- Focus on solutions rather than problems
- Sophisticated handling of non-monetary aspects
- Higher likelihood of settlement
- More chance to pursue opportunities after resolution

NLP concepts and techniques can be used in a number of specific ways in mediation, including:-

- Increasing awareness about what is happening beyond the words which are actually said in the process of discussing a deal or the dispute.
- Understanding the preferred communication styles of the participants and using that knowledge to foster as much rapport as possible between the parties and between the mediator and each party.
- Working with the emotional aspects of a problem so that they are a resource rather than a drain, and avoiding being limited to dealing only with the rational. If the solution requires some emotional component, no amount of logic or rationality on its own will deliver it, and anyway, most



- people decide to settle because they *feel* tolerably OK about a proposal. It often comes down to feelings in the end.
- Responding to the fine detail of what is said in ways which will challenge the patterns of thinking that are blocking the parties from moving forward.
- Helping both sides understand in depth their own position and actions from the other's point of view and from a detached perspective, with a view to spotting opportunities for change that may lead to a solution

Parties in a dispute often feel powerless. NLP proposes a number of empowering beliefs, drawn from studying high achievers. Whether they are objectively true or not isn't the point. When we act as if these beliefs or 'presuppositions' are true, we will also achieve good results. Ones that are particularly relevant to mediation are, in italics:-

*Everyone* (including the other side, and every person present) *has their own unique model of the world* – the set of things they believe about how everything works.

*In order to have rapport with another person, we must respect their model of the world* - Work with them in ***their*** model not ours.

*People make the best decisions available to them at the time.* They were doing the best they could, given their understanding and what was important to them at the time.

*There is a positive intention behind all behaviour.* The other side wanted something positive for themselves, even if it was undesirable from our point of view. What was it?

*The person with the greatest flexibility of thinking and behaviour is likely to have the greatest influence* and do the best deal or be the most effective mediator.

NLP is also a coaching discipline and can be used in that way if one or more parties or representatives needs to find ways of moving on if a settlement is to be possible. As their understanding develops, in both its logical and emotional aspects, they may come to make different decisions faced with the same circumstances. In other words, their 'models of the world' develop, so that their decisions evolve to the point where a mutually acceptable outcome is eventually possible.

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