

The social worker as family mediator: Balancing power in cases involving family violence

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This paper explores power differentials in family mediation, with particular regard to cases involving family violence. The issue of power balancing is examined in relation to the neutrality of the mediator, which is discussed in the context of the social work profession. The paper argues that social workers have a clear ethical responsibility to support and empower the weaker party during family mediation. The paper examines the issue of family violence, where power differentials are at their most extreme, and the debate as to whether cases involving family violence are appropriate for family mediation. The paper argues that, given the high incidence of family violence in contemporary society, and the inadequacies of the traditional adversarial court process, these families should not be prevented from accessing the benefits of mediation. Techniques for mediating in cases involving family violence are presented.

Keywords

family mediation, family violence, power.

Introduction

Mediation is one of the many forms of dispute resolution. As such, it provides an alternative to the traditional resolution of disputes within the formal legal system and can be separated from other forms of dispute resolution (such as conciliation or arbitration) by the neutral role allocated to the mediator (Charlesworth *et al.*

2000). However, although the principle of mediator neutrality is fundamental to the mediation process, the term 'neutral' is a controversial one in the published literature on mediation, often defying definition, but usually understood as a lack of bias towards either party to the dispute. It is this neutrality that positions mediation as ideally suited to the resolution of complex family problems, where establishing cause and effect, or guilt and innocence, is not only difficult, but in most cases irrelevant to the future functioning of the family system.

Family mediation is an increasingly favoured model for resolving disputes that may otherwise be heard before the family court. It is the centrepiece of the Federal Government's reform of the family law system (Australian Government 2004) and is a growing field of practice for professional

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social workers. But how do social workers reconcile their role as family mediators given that the professional social worker's stance is anything but 'neutral', particularly in relation to issues of power and family violence?

The present paper explores what is a pertinent issue in family mediation – whether or not it is appropriate for the mediator to actively intervene in order to balance power differentials between disputing parties.

Arguments for and against power balancing are presented and the concept of mediator neutrality is discussed within the context of the mediator's personal and professional beliefs and values, and the influence these have on the process of mediation.

The paper then examines the role of the mediator in cases involving family violence, where power differentials are at their most extreme. It explores the advantages and disadvantages of the mediation process and the techniques available to the mediator, in order to discover whether mediation is an appropriate alternative in these cases.

The notion of power in family disputes

In relation to the mediation process, power has been defined as 'the ability to influence other people' (Lang 2004; p. 211). It can be understood as a force, applied intentionally, to achieve an individual's objectives. In terms of family mediation, power is embedded in the long-standing patterns of dominance and submission within the relationship of the disputing parties, and in the learned behaviours that characterise their interactions (Lang 2004).

Families possess unique blends and patterns of power, which often manifest – particularly in those families in need of mediation services – as an identifiable power imbalance between parties to a dispute. Yet, the cause of such a power imbalance is often complex or obscure. Lang (2004) identifies a number of factors that create the potential for power inequalities between family members. These include the parties' degree of financial self-sufficiency, access to knowledge and information, cognitive style and capabilities, personality and character traits, sex and age differences, and the history and dynamics of their relationship. In addition, feminist theory identifies the construction of contemporary society as inherently unequal, an inequality that results in large scale, but often subtle, power differentials between women and men (Taylor 2002).

The balance of power within a family is multiple and fluid, with each person possessing a particular set of power bases within the confines of the relationship. So, no matter how we define power, there is clearly some level of power operating between family members *before* they enter mediation, and certainly, *during* the mediation effort itself (Taylor 2002). The risk is that these power differentials can be consciously, or unconsciously, perpetuated by the mediator (Taylor 2002). Active power balancing on behalf of the mediator is seen as a remedy to this disequity, yet it is potentially an abandonment of one of the fundamental pillars of alternative dispute resolution – the 'neutral' role of the mediator.

Whether or not it is appropriate for the mediator to balance power between disputing parties is the central question in an on-going debate in family mediation (Fisher

& Brandon 2002). The arguments for and against power balancing will now be examined.

The arguments for and against power balancing in family mediation

Those who argue *against* active power balancing in family mediation maintain that parties in mediation have developed a unique balance of power between them and that mediators are ill-equipped to alter that balance (Lang 2004). They refer to the many factors that create power differentials in relationships and point out that often, power in one area is compensated by powerlessness in another (Lang 2004). The example often cited is of a divorcing couple where the man has ostensibly the most power (e.g. financial security, a dominant personality), but within the mediation process itself, the woman, in fact, has the most power because of her knowledge of their children's routine and needs. In this example, it is possible that a mediator could interpret and respond to a perceived, but erroneous power imbalance – thus illustrating the pitfalls of mediator intervention.

A further argument against power balancing is that the concept of power is too often associated with coercion. This argument acknowledges an alternative view of power, not as a negative component of a relationship, but as a motivation for collaboration – greater power can be obtained by both parties through mutual cooperation (the classic win : win scenario). This argument maintains that simply because one party exhibits more power during the mediation process, the resulting

agreement is not necessarily flawed (Lang 2004).

The opposing argument in *favour* of power balancing in family mediation recognises that every time a mediator attempts to assist two parties to resolve a dispute, the issue of a potential power imbalance emerges (Clarke & Davies 1992) and that without intervention, the exercise of power by one party might result in an untenable or unworkable agreement (Lang 2004). In this view, the mediation process creates the opportunity for parties to alter past power dynamics and to seek and attain a natural balance of power.

The argument *for* power balancing is that the mediation process is inherently capable of balancing power between the parties. When the passive or subordinate parties assert themselves during a mediation session, the power balance is irrevocably altered (Taylor 2002). Furthermore, the structure of goals during mediation, together with the desire to resolve conflict, offer parties the opportunity to deal with each other directly, and in a dignified manner (Lang 2004).

Those in favour of active power balancing argue that the mediator should exploit the innate capacity of the mediation process to address power imbalances, because it is essentially an empowering process. The voluntary nature of the process, coupled with an agreement to abide by ground rules that include respect for human dignity, the right to speak uninterrupted, without abuse or criticism, and encouragement to treat each other as equals, all contribute to mediation's capacity to empower parties to a dispute (Clarke & Davies 1992).

Understanding mediation as an empowering process means acknowledging

that some form of power balancing is inevitable – it is a result of the process itself, if not the mediator. Accordingly, the mediator's aim should be, not so much to establish equity of power (although that may be understood as a desirable, if unobtainable, endpoint), but, at the very least, to mitigate the severity of the power imbalance. Yet, in acknowledging this argument, the question remains as to whether conducting mediation as an 'empowering' process necessarily compromises a mediator's neutrality.

The neutrality of the mediator

All mediators must adhere to the basic concept of neutrality. It is always the parties to the dispute who must decide not only the outcome and solution, but also the process they are willing to follow (Taylor 2002). However, the concept of neutrality poses difficulties for family mediators given that there is, as yet, no consensus about the varied models of mediation (Taylor 2002). Indeed, family mediators have more difficulty with the issue of neutrality than, say, labour mediators or community mediators, for these focus only on the behaviour that must change on each side of the dispute. In these types of mediation, the focus is on securing a concise behavioural agreement, whereas in family mediation, the focus is also on achieving internal, attitudinal and personal change (Taylor 2002).

A basic requirement of any alternative dispute resolution process is that it be provided in a fair and equitable way, without bias or prejudice – so just how neutral is

'neutral' in family mediation? The answer to this question is unclear, particularly when family mediators feel compelled to bring into consideration the effect of decisions on underrepresented third parties, particularly children. For those mediators working in conjunction with the family court, legislative guidelines under the *Family Law Act 1975* further impact their neutrality. Mediators have an obligation to consider the best interests of the child. They also must ensure that parties are able to negotiate without being coerced, and in cases involving family violence, mediators have an obligation to make an assessment about the safety of the parties prior to mediation. All of these factors could be said to compromise, to some extent, a mediator's neutrality.

However, these are not the only factors that influence a mediator's neutrality. Fisher and Brandon (2002) observe that, as the practice of family mediation increased in popularity during the 1980s, it became clear that mediators were more influential than generally recognised. In family mediation, it is the mediator who is the most powerful person in the room – mediators influence the content of a dispute whether they do so knowingly or not (Fisher & Brandon 2002). As well as having procedural power, the mediator is able to influence the parties in substantive ways, for example, by choosing who makes the first statement (Fisher & Brandon 2002). In exercising this procedural power, does the mediator lose neutrality?

It is also the case that the more subtle aspects of neutrality can be overlooked. This is particularly the case in considering neutrality in relation to power balancing. While intervention by a mediator to balance power could be seen as interfering with the

mediator's neutrality, it is also the case that desisting from doing so could be seen as collusion with the more powerful party (Charlesworth *et al.* 2000). It has been suggested that if a mediator became aware of a gross imbalance in negotiating power between the parties and did not take steps to assist both parties to negotiate on a reasonably equal footing, the mediator would be biased towards the more powerful party (Fisher & Brandon 2002). Yet, by assisting the weaker party, the mediator runs the risk of being perceived as biased – a perception that undoubtedly compromises the mediation process and which can fatally damage the mediation effort. Mediators, then, must remain acutely aware of the subtleties and perceptions of their 'neutral' role.

Fortunately, mediators have at their disposal a number of techniques designed to counteract perceptions of bias, which, when properly applied, allow for active power balancing without compromising neutrality. These techniques and tools can be used to bring a relationship into symmetry as a means of promoting productive and effective negotiations. The techniques include: (i) organising the physical environment; (ii) setting and enforcing ground rules for behaviour; (iii) managing and controlling communication between the parties (e.g. by raising questions that create doubt, or supporting the weaker party to express ideas, needs and proposals); and (iv) the use of caucuses or shuttle mediation (Fisher & Brandon 2002; Lang 2004). These techniques have been used to effectively balance power between the parties, but in employing the techniques, surely the neutrality of the mediator has been compromised. Or has it?

Perhaps it is better to understand the mediator's role as one of impartiality rather than one of neutrality, as the term 'neutral' implies not helping or supporting either side. It is more helpful to think of neutrality as being a continuum. In each unique case, mediators are then able to place themselves along this continuum for certain types of issues, instead of having to choose between dichotomous views of neutral or non-neutral (Taylor 2002). In this way neutrality, rather than being defined as a 'lack of bias', can be defined as 'the active presence of equality of treatment by the family mediator' (Taylor 2002; p. 174). By this definition, neutrality is understood not to be something that is absent, but something that is present throughout the entire mediation process. Under this definition of neutrality, mediators can choose to actively intervene to balance power between disputing parties, and, in so doing, are free to be guided by their own personal and professional beliefs and values.

The influence of the mediator's beliefs and values

Competent mediation demands more than the ability to apply skills and techniques capably – it requires an understanding of the purpose and impact of those interventions. Mediators must consider not only the *what*, but also the *why* of mediation. Lang (2004) observes that, in relation to the management of the application of power, a mediator's response is too often limited to prescriptive techniques and strategies. He suggests that discussion needs to move from a debate over

strategy and technique to a thoughtful consideration of the underlying assumptions and beliefs that support various perspectives on whether and how to intervene in matters of power.

Practice decisions are shaped by a mediator's beliefs and values. A mediator's beliefs about power and the role of the mediator in relation to power directly affect the extent to which the mediator intervenes – if at all (Lang 2004). When mediators endeavour to balance power between family members, their perceptions of who holds power are based on their attitudes, beliefs and analyses of the situation (Fisher & Brandon 2002). Families of origin, personal and professional development, beliefs and attitudes can all subtly influence the work of mediators (Fisher & Brandon 2002).

Certainly, from a social work perspective, it is hard to remain neutral because, as helping professionals, social workers often have a clear view of what is believed to be helpful and harmful (Taylor 2002). Social work by its very nature operates in value-laden contexts. The social worker role, when applied to family mediation, is not that of an objective, disinterested, non-biased third party, but is a role undertaken within the value base of the social work profession (Parsons 1992).

The AASW (2002) Code of Ethics offers clear instructions to social work professionals that can be applied to the issue of power balancing in family mediation. Section 4.2.3(c) of the code, in relation to ethical practice and client self-determination instructs that:

Social workers will act to reduce barriers to self-determination for those who are unable

to act for themselves, because of factors such as vulnerability, disability or dependence.

It has been suggested that one of the main tasks of social work is that of empowerment – assisting the less powerful to obtain more power (Lee 2001; Adams 2003). The code of ethics also gives clear instructions to social workers that their role is one of empowerment. Social work principle 3.2.1(i) states:

Social workers reject the abuse of power for exploitation or suppression. They support anti-oppressive policies and practices that aim to empower clients.

In addition, in relation to social work's commitment to social justice, Section 4.1.2(c) states:

Social workers will aim to empower individuals . . . in the pursuit and achievement of equitable access to social, economic and political resources and in attaining self-determination, self-management and social well being.

For professional social workers, then, the role of the mediator in relation to power balancing is quite clear – there is an ethical responsibility to support the weaker party during the mediation process. Consequently, power balancing techniques should be used by the mediator to contribute to the empowerment of both parties, but especially the weaker party. To do any less would be to ignore a clear ethical (and perhaps moral) responsibility – a responsibility that is of paramount importance in deciding whether and how to mediate in cases involving family violence.

The appropriateness of mediation for cases involving family violence

Family violence is inextricably linked to notions of power. It is primarily a problem with power and control in relationships where one person feels entitled to dominate another (Taylor 2002). The act of family violence is an outcome of the power patterns and relations that exist between the victim (usually female) and the perpetrator's use of coercion and intimidation (Imbrogno & Imbrogno 2000). Power and control tactics, and various forms of abuse and violent behaviour are simply a means of asserting and maintaining dominance over another individual (Milne 2004).

In relation to family mediation, violence creates an extreme imbalance of power between parties (Imbrogno & Imbrogno 2000). As previously identified, women's inherent lack of power relative to men in society is an issue of major concern, but in relationships involving family violence, power differentials are even more disparate (Milne 2004).

The argument against the use of mediation in cases involving family violence

Family violence has been identified as 'a serious, multifaceted and complex social and psychological problem with no easy fix' (Imbrogno & Imbrogno 2000; p. 395) and as such, many writers in the area of family mediation suggest that cases involving family violence are unsuitable for mediation. For example, Gribben (1990; p. 133) states that:

It is crucial to remember that where there is a history of control in the couple's

relationship by violence or the threat of violence . . . mediation is usually not appropriate.

Other authors clearly share this view. Clarke and Davies (1992; p. 78), on the subject of family violence, state:

It is the writers' view that mediation is not the appropriate resolution process for these types of cases.

The main reason given as to why cases involving family violence are unsuitable for mediation is that these cases violate the basic assumptions of alternative dispute resolution – primarily because of the disparity in power and control exercised by the batterer over the victim (Tishler *et al.* 2004). The argument maintains that, because of the dynamics of the relationship, the victim is precluded from being able to express herself fully in the mediation process. Mediating in the shadow of violence is seen as impossible because the victim is inhibited from opposing the batterer's terms or expressing her own needs (Imbrogno & Imbrogno 2000). Furthermore, the complex nature of family violence means that these cases involve, not just an imbalance of power, but also the fear of retribution and the absence of trust (Taylor 2002).

Other arguments against the use of mediation include issues of safety, fairness, effectiveness, and the decriminalisation and privatisation of family violence. Safety is a primary concern, particularly given that separation is perhaps the most dangerous time for victims of domestic abuse (Milne 2004). Mediation sessions allow the batterer to have contact with his victim and access to information that could jeopardise her safety. Furthermore, undetected intimidation or coercion could result in an involuntary agreement.

There is also the possibility that the impact of family violence can be minimised by mediation. Throughout the mediation process, the emphasis on relationships rather than criminality, and on needs rather than rights can see family violence framed as a relational rather than a criminal problem (Greatbatch & Dingwall 1999). In addition, the future orientation of mediation discounts the impact of past behaviours (Milne 2004). Critics of mediation for cases involving family violence argue that the perpetrators need to be confronted with the reality of their behaviour via court adjudication and that the offender must be sanctioned (Clarke & Davies 1992), which clearly is not the case in family mediation.

A further argument against the use of mediation in cases involving family violence is that mediation reinforces the oppressive, stereotypical, and discriminatory view that family violence is a problem purely of private concern (Imbrogno & Imbrogno 2000). It reflects the view that domestic assault is a private matter – an act committed against an individual rather than a society as a whole (Imbrogno & Imbrogno 2000). According to this argument, mediation is returning the problem of family violence to a private, informal process for *resolution* of problems that were originally brought before the courts for *solution*.

Astor (1992) supports the preceding arguments that mediation should not proceed in cases where family violence has occurred or is occurring. However, she does concede that one possible exception, where mediation *could* be considered a viable course of action, relates to circumstances where the woman has given her free and informed consent to be part of the process (Astor 1992). However, it is unclear as to

whether or not it is possible for a victim of domestic violence to give such consent. Especially given that alternative dispute resolution from a financial standpoint may be particularly attractive to women. In addition, there are problems in objectively gauging whether consent is 'free and informed'. Imbrogno and Imbrogno (2000) maintain that the use of mediation for cases in which there is a history of violence constitutes an economic, psychological and emotional victimisation of abused women. For them, it is no solution to say that mediation under these circumstances should be a voluntary affair – the abused woman is in no position, financially or emotionally, to give the necessary consent to mediate.

The argument for the use of mediation in cases involving family violence

The argument *for* the use of mediation in cases involving family violence focuses on the central question: if mediation is not used – what then? This line of reasoning acknowledges all the above-mentioned arguments against mediation, but counters by illustrating that most of these criticisms can be equally applied to a traditional, adversarial process (Tishler *et al.* 2004). As Haynes and Charlesworth (1996) point out, there is no evidence that the legal route provides any better control for the abused party. This argument maintains that mediation is more appropriate and effective than the adversarial process, even in cases of family violence. The adversarial process exacerbates the dynamics between parties by escalating the conflict, and reinforcing the power and control differential and the win : lose aspects of the relationship (Milne 2004).

This argument acknowledges the pervasive and hidden nature of family violence. The Australian Bureau of Statistics (1996) report that 23% of women who had ever been married or in a de facto relationship experienced violence by a partner at some time during the relationship. Yet, even this high incidence of reported violence is likely to be only an indication of *minimal* levels of violence (Mulroney 2003). Consequently, it is extremely likely that family violence is an issue in many family mediation cases, whether it is identified as such or not. Taylor (2002) observes that the population mediators serve tends to have patterns of abuse and violence that create or compound the conflicts they seek to mediate. For this population, in particular, greater empowerment can be achieved through the mediation process, rather than via the legal alternative (Tishler *et al.* 2004).

The argument *for* mediation in cases involving family violence calls for active power balancing on the part of the mediator. Proponents argue that mediation can provide a supportive, empowering environment for women who, in many cases, have been stripped of their identity, dignity and self-esteem (Milne 2004). Mediation assists victims of family violence by assisting them in confronting their partners – it can be an affirmation by the abused party that she is no longer willing to subordinate *her* needs to the batterer's (Greatbatch & Dingwall 1999).

Mediation can also serve as a positive experience, not just for the victim of violence, but also for the perpetrator. It can serve to encourage and enable violent individuals to learn alternative ways of asserting their interests (Greatbatch & Dingwall 1999). Mediation can further be of assistance to

couples who may be capable of, and wish to establish a new, more distant, but civil relationship – particularly in relation to their continuing role as parents (Charlesworth *et al.* 2000). In addition, although most supporters of mediation do not tout mediation as therapy, the therapeutic aspect of helping people learn to be cooperative decision makers cannot be discounted (Milne 2004).

Clearly, there is a strong argument that mediation is appropriate in some, if not all, cases of family violence. Proponents would argue that issues about disputant safety and power imbalances are able to be dealt with by appropriate arrangements for participation in the mediation sessions and by the mediator's use of techniques, which are designed to achieve a fair and equitable procedure (Greatbatch & Dingwall 1999). An outline of these techniques – vital to mediating cases involving family violence – follows.

Techniques for mediating in cases involving family violence

A key technique for cases involving family violence is that of 'screening' – where parties undertake an initial comprehensive assessment that, along with other objectives, identifies whether family violence has occurred, or is occurring, within the relationship. However, the primary role of screening, rather than being a means of 'screening out' cases involving violence, should be a means to identify cases where family violence would otherwise go unnoticed. This is important because the mediation process lacks the power of a discovery

process and therefore cannot ensure a full disclosure of information during mediation (Milne 2004) – and, of course, it is crucial that the mediator is aware of the violence before mediation commences. Screening procedures allow the mediator to determine whether mediation is the service of choice and whether parties engage in mediation voluntarily. Participation in mediation should always be a choice for the parties, particularly in cases of family violence, because taking away choices is disempowering. Replicating the dynamics of an abusive relationship by taking away the opportunity to choose mediation does not serve victims well (Milne 2004). In keeping with this, parties should be kept apart while the question of whether to mediate is being decided, to ensure that intimidation does not affect the decision (Charlesworth *et al.* 2000). Mediators must ensure, to the greatest extent possible, that parties are fully aware of the implications of their decisions and are making an informed choice to be a part of the mediation process.

Clear ground rules should be laid down before mediation commences and commitments to abide by these rules should be obtained (this is desirable even in cases where violence is not present). First and foremost, violence is *not* mediable (Astor 1992). An offer to stop hitting in exchange for something else should not be tolerated. Second, the mediation should be conducted carefully to balance power between the parties (Astor 1992). In addition, if the abuser denies the allegation of abuse and no agreement can be reached on whether abuse is present, the mediation should be terminated, because the rules of conduct cannot be established (Haynes & Charlesworth 1996).

Techniques that can be employed during the mediation process include the use of caucuses, co-mediation, supportive third parties and the use of short-term agreements. The use of caucuses – where the mediator meets separately and privately with each participant – allows the mediator to check with a victim of abuse to ascertain that the process is working and that she is not being influenced by the threat of further abuse (Milne 2004). Male/female co-mediation should be considered as a useful technique for balancing power and supporting a female victim of violence (Gee & Urban 1994). Supportive third parties should also be considered. However, third parties should be restricted to professionals and should not include family or friends, unless they are to remain in the waiting room, as there is a risk that their presence might inflame the dispute (Taylor 2002). Finally, one of the advantages of mediation is that it allows short-term agreements to be put in place. Follow-up sessions can then be used to assess any need for modification of the agreement (Taylor 2002). It should be remembered that, in cases involving family violence, one-off mediation sessions are not advisable because of the risk of further abuse.

Subsequent to the commencement of mediation, the mediator must continually re-evaluate whether the case is appropriate for mediation and whether he or she has the skills needed to work effectively with the couple (Milne 2004). Greatbatch and Dingwall (1999) observed that parties often raise the issue of violence tentatively and indirectly, and that victims of violence regularly minimise the severity of violence against them. They may begin by providing a 'less serious' account of what has

happened to them in order to establish whether full disclosure is possible – ‘testing’ whether full disclosure would be positively received by the mediator. For mediators, then, it is essential to think through how they should investigate something that is brought up in such an indirect and tentative fashion and is not marked as being the most important concern of the victim (Greatbatch & Dingwall 1999).

Conclusion

The neutrality of the mediator is a fundamental principle in any alternative dispute resolution process, including family mediation. However, it is important not to be lured into a simplistic, black and white understanding of neutrality, whereby the mediator facilitates, but does not influence the negotiations. The sheer presence of the mediator, let alone the procedural power he or she wields, means that the mediator does indeed, to varying degrees, influence the mediation process. There is, therefore, a strong case in favour of active power balancing on the part of the mediator.

Nevertheless, the mediator must endeavour *not* to be biased. Yet, while active power balancing can be construed as biased towards the weaker party, failure to intervene is equally biased toward the stronger party. The task for the family mediator, then, is to understand the forms of power, the type of power that has historically been used within the family, and what the current power dilemma is for each member. Mediators must acknowledge the influence they bring to bear on the process of mediation and examine how they themselves are influenced by their own personal and professional beliefs.

Subsequently, mediators need to use their influence wisely, to utilise the inherent empowering nature of mediation, and thereby empower *both* parties, but especially the less powerful party. For social workers in particular, this is their ethical and professional obligation.

Understanding the role of the family mediator in this way – as one of power balancing – allows mediation to proceed in cases involving family violence, where power differentials are at their most extreme. Yet, in so doing, we must acknowledge that mediation might not be desirable in *all* cases involving family violence; for family violence involves more than just issues of power. Other important considerations include issues of safety, lack of trust and the criminality of the violence itself. The unique circumstances of each case will determine the appropriateness of family mediation.

Nonetheless, the high incidence of family violence in contemporary society necessitates that family mediation be available in these cases, and that social workers be equipped with the knowledge of how mediation can benefit families affected by violence. Families undoubtedly require access to the benefits of mediation given that the traditional adversarial court process has, in many ways, been shown to be inadequate. And although the mediation process might not offer the complete protection necessary in some family violence cases, dismissing mediation outright is certainly also a mistake. Provided that mediators are well trained in the dynamics of family violence, they have at their disposal a number of techniques that, in most cases, should ensure that mediation is a viable alternative for a greater number of families than is currently the case.

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