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Developing ADR in the community

SCRAM competition: pilot year in WA

Archie Zariski

The Schools Conflict Resolution and Mediation (SCRAM) program that has been operating in eastern Australia for some years has recently debuted in the west. In 2001 the Western Australian Dispute Resolution Association (WADRA) conducted a pilot year of SCRAM to 'test the waters'. To do so WADRA enlisted the support of the Law Society and Murdoch University's School of Law.

One difference in the format of the WA program from the eastern Australia program is that a coach was provided for every school. The volunteer coaches worked with teachers and students to help develop knowledge of conflict resolution principles and mediation

skills. The program was administered by the staff of the Francis Burt Law Education Centre and sponsored by Murdoch Law School.

Teachers from selected public and private schools, coaches and adjudicators attended orientation and training sessions early in the year and four competition rounds were conducted, culminating in the Grand Final held in September. Three adjudicators, Sandra Boyle, a registrar of the WA Supreme Court, and Margaret Dixon and Chris Phillips, both experienced mediators, had a difficult time deciding the winner, but in the end Perth's Presbyterian Ladies College took the honours.

Dr Irene Styles from the Education Department at Murdoch University and myself conducted an evaluation of the pilot year on behalf of WADRA. Based on the positive findings of this research the SCRAM program was continued in 2002 for a second year. Below are some of the comments and impressions collected from participants in the pilot year.

Feedback by participants

Almost all participants (students, teachers, coaches, adjudicators and administrators) who were contacted responded with positive and supportive comments about SCRAM.

Students reported they learned a lot about mediation and the skills it requires, namely good listening, recognising the different perspectives of others and not being judgmental. They also said they were able to adapt and transfer these skills to other situations. Students also reported gaining confidence in using mediation and speaking in public. They appreciated 'real live' mediators as coaches and valued the element of fun involved in the role playing. Competition was also mentioned as providing a motivation for the work involved.

Teachers reported that SCRAM fitted in well with the curriculum and had a visible impact on those students who participated as team members. They also stated they expected SCRAM would have a wider influence in schools in the longer term. Teachers found SCRAM to be well organised and they appreciated the flexibility of timing and using their own school venue. The only significant criticism was inconsistency in adjudication.

Coaches also found the experience rewarding and satisfying, although they commented on the significant time commitment involved. Some of them also noted the problem of ensuring a consistent standard for adjudication.

Adjudicators' comments were also favourable. Some noted that the adjudication criteria and forms might be shortened and streamlined.

Students' feedback

Student participants were asked several questions that reflected the goals of the SCRAM program. Their responses follow.

Knowledge of conflict resolution

A sound understanding of the aims and purpose of conflict resolution on the part of students was apparent, including the general idea of resolving conflict in ways which involve all parties with grievances solving the problem themselves (or at least progressing towards such a solution) in order to reach satisfying solutions. The aim is to promote more positive relationships, which will mean less anger and better future relationships.

Purpose of SCRAM

Student responses to this question ranged from specific, superficial reasons including 'teenage girls have a lot of conflicts', to a deep understanding about learning skills and attitudes for the future, including for use in the workplace and in general life situations. Other responses mentioned that recent generations have tended to be 'very egocentric' and this often results in not seeing other people's viewpoints or dealing with problems in an aggressive way.

Impact on self

Student participants mentioned a number of impacts: thinking differently about conflict situations; thinking like a mediator — seeing the other person's point of view; and holding back from giving advice. In particular, they find themselves *listening* to other people carefully. Some students feel much more confident; those who have gone on to peer mediation were thrilled to find they already knew and were confident in using the mediation model. More confidence in oral communication was also mentioned as an outcome.

Organisation

Without exception, student participants valued the fact that they did not have to travel to attend the competition, that mediations were held at their own schools and that times were flexible. All students were heavily involved in academic and extracurricular programs, thus the organisation had to be flexible and easy.

The scenarios were, on the whole, not seen by the student participants as reflecting realistic situations, yet they were not considered difficult — all but one was considered easy to understand.

Some suggested using actual conflict situations and some would have liked adult conflicts, if only for practice sessions (one group did this occasionally).

Adjudication

Overall, students thought the adjudication was fair. A few adjudicators were regarded as too formal and 'scary', and a couple were thought to be rather destructive in their approach. 'We could handle criticism, but it was the way in which it was done.' Some felt it would be good to know the scores of other schools, though not the names of the schools, so they could judge how well they were doing. Some students recognised that adjudication feedback was often done like mediation — with the adjudicators asking the participants what they thought.

Coaches

Coaches were regarded by the students as invaluable. Their time and help was very much appreciated. The students liked the way coaches treated them as adults — coaches did not tell them to be quiet, to stop swearing, to sit down and so on. Students also liked the way suggestions were made to them, rather than people telling them what to do. Again, they recognised that coaching was done like mediation.

Teamwork

All students considered that their groups had worked well together and supported one another. Individuals often took turns at being a party or a mediator. At least one school organised this rotation themselves. One person who was a stand-by participant mentioned how much she had enjoyed watching the mediation, even though she did not take part. One group thought they had wasted a lot of time playing around, and put this down to having known each other for so many years.

General comments and suggestions

Students considered that if the activity was not fun or was taken too seriously, it would be difficult to maintain commitment. They appreciated having knowledgeable coaches who were involved in



mediation as part of their work and felt it important not to have teachers as coaches.

Many students wished there was some way they could participate in the future. Some wanted a Year 11 SCRAM or a Senior and Junior SCRAM. One group wanted SCRAM in place of mock trials. Some felt debating and mock trials alienated people from each other; others said both types of skills were useful in different contexts. Many students thought more people should be involved and that all students should have some experience at mediation. It should be a compulsory subject for the whole class (one school did involve the whole class and then asked for volunteers for the SCRAM mediations).

Some students said there is a need to move from the formal, adult approach to peer mediation and use a more friendly and informal approach. Sometimes one could be too prepared: success in a mediation session needs to be somewhat spontaneous and should therefore not involve too much practice. Other students highlighted the need to listen to participants more, rather than going over the guidelines many times.

Specific examples of impact on students

- I have stopped thumping my brother.
- I tried to use skills in mediating between friends who were arguing.
- We do not use it in a strict sense, but it is there.
- I try to work out where people are coming from.
- Generally you just use it in everyday life. It's sort of locked into your brain.
- I used the mediation in a peer skills camp that I attended. They taught us the SCRAM approach and it was a great help.
- Yes, [I use it] at home with my brother. He took my SCRAM trophy ... without asking! Instead of screaming and hitting as we usually do, we worked it out quietly so he could look at it but he had to ask. And no smudgy fingerprints.
- My sister had borrowed my jacket and not returned it. At first I saw only my side of the story and I got angry before she could explain. I then realised that both parties needed to be allowed to express their opinion. I

asked her to explain and we were able to resolve our conflict.

- I have tried [it] with a fight between friends but it wasn't very successful. But they were able to reach agreement when I followed through the steps, not exactly, but mostly.
- Yes, my uncle and dad were having this really overblown fight over a parking space and were being really stupid. I couldn't interfere that much but I said that they weren't looking at both sides of the situation and they made up an hour later. It was really funny.
- In an argument, we sometimes joked about having a mediation to settle it! When a problem arose, we tried to see both points of view and that did help a bit.
- Yes. [I used it] in a fight at school where some friends were angry at each other and I tried to solve it using mediation skills. At first it did not work then I tried it more directly and it did.
- In an argument with a friend I was more open to negotiation and really listened to my friend's point of view. I think this comes from being a mediator and learning mediation skills through SCRAM.

Teachers' feedback

Impact on students

Some teachers felt students gained much more awareness — especially about listening to both sides of an argument. It was a paradigm shift for many of the students used to adversarial approaches and activities.

It may become more popular and have more status in the school over time. Some schools were deliberately making links to their peer mediation programs, or thought they would do so in the future.

Some teachers gave specific examples of students who had had some type of difficulty in communication before SCRAM and how participation had altered their approach and helped them (there were at least three examples).

Teachers' motivation

Most teachers were already involved in peer mediation or school counselling, or were interested in developing such

programs. Some teachers jumped at the opportunity to be involved in a pilot year. Comments such as the following were made: 'I was intrinsically motivated.' '[It] matched what I'd like to do.' '[It] may be difficult for schools to introduce peer mediation into high school, so this is a good opportunity to do something.'

Organisation

All participants thought the competition was very well organised. The first meeting was appreciated and found to be very useful. It was good that SCRAM explained the amount of commitment upfront, so one knew what would be involved. But the organisation was easy — not an onerous job.

Coaches

The coaches were regarded as essential, especially in the first two years. It appeared that coaches from outside the school had more legitimacy — they were not just another teacher telling students what to do.

Perhaps mediation workshops could be held for teachers. Perhaps staff involved with SCRAM could have more training to take over or play a greater role in coaching in future.

Some thought Year 10 was a better level to involve. Some thought SCRAM should involve only one year level, others wished it to be something special for their middle school students (Year 9).

Adjudication

Adjudication was mostly considered to be good but inconsistencies occurred. They recognised that this may improve as adjudicators become more experienced, but that it will be difficult (or impossible) to obtain consistency. Perhaps some moderating across adjudicators could be done.

One or two adjudicators had some problems, for example in regard to expectations of which mediation model was being used.

Teachers' roles and future involvement

Teachers considered themselves mostly as organisers, but also as supporters. They felt they had learned a great deal

themselves by observing coaches and being involved generally. All staff interviewed were willing and keen to be involved again. They recognised that at least one staff member would be needed to keep SCRAM running. Other staff members had expressed an interest in being involved in the future. Mostly it depended on teachers' time and their other extramural activities and commitments.

Coaches' feedback

Significant comments made by the volunteer coaches include the following.

- Communication with the teacher and team was great. This was facilitated by the fact that the teacher, school counsellor and the school generally were very supportive of SCRAM and the fact that I am a parent at the school. The timing for meetings was difficult because the students involved were very busy and committed in other areas of extracurricular endeavour.
- I think I spent more time than I should have with the students in my role as coach, however this was mainly because the teachers changed midstream and the person who took over was not available as much as she would have liked to be.
- The school had an extremely high level of commitment and enthusiasm. It paid for the school counsellor to do the LEADR training course. The teacher was very committed to the team and the process and they are going to set up a peer mediation program in the junior school.
- The level of enthusiasm of the school and students was great. I really only had contact with the teacher but I know he was supported by the principal and other teachers. We decided to integrate mediation into the Year 10 curriculum. The teacher has an academic talent program (ATP) humanities class. He allocated four hours of classes to me which I used for dispute resolution methods, negotiation and mediation with the whole class. At the end of the fourth class students were invited to express their interest in participating in the mediation competition. Eight students chose to participate — five boys and three girls. Their commitment and enthusiasm remained very strong throughout the competition. The rest of the class completed a group project for assessment in which they were required to design a peer mediation program to be used in the middle school. They then presented their program to a member of staff. As a result the whole class learnt about mediation and its application to schools.
- I think the students have benefited a great deal from participating in SCRAM. I have had feedback from the school counsellor that at least two of the girls have used their new skills and knowledge when dealing with difficult family situations. I observed one of the girls in the team grow in confidence and saw her ability to move from a positional stance to a point of view that took into account her [own] and others' interests, and be able to suggest creative solutions to a problem. I know the girls used interest based negotiation principles when trying to work out how their photo for the school magazine should be taken. When the photographer finally suggested that they vote on it (out of desperation, I am sure) the team replied in unison, 'We don't compromise — we mediate!'
- I believe everyone involved learned something about mediation, but there was considerable variation among individuals. The teacher was very positive about the benefits and interested in the principles and skills involved. Students learned that whom they co-mediated with was important, that is, they needed to feel comfortable working with each other.
- There was a concern about the competitive nature of the pilot; this was particularly felt at the workshop and was apparently due to the questions being asked by the private schools.
- I am not sure the level of involvement would be as high if it was not run as a competition. It may be just that that's what everyone is used to — so that's why it is popular. I am aware at the school I coached that the girls were eligible for a special school badge after the competition, which seemed to be important to them. I think if the format was to be changed, the reasons why it was 'worthwhile' would have to be clearly



explained to the school and the student body.

- It is debatable whether SCRAM should be a 'competition'. From our point of view, we would like to be able to assist with mediation training in schools without any emphasis on competition. Feedback from students involved would indicate whether they felt the competitive aspects were important. We would be surprised if they did. There may well be other ways to have some inducement for students to learn ADR skills without them competing against other schools.
- I suspect this is an important aspect. It balances the debating competition and the mock trial. The students certainly took the competition seriously. I think it gives the mediation exercises added status in the students' eyes and the school's. That is not to say that students cannot be introduced to peer mediation and dispute resolution in other ways, as we did.
- Unfortunately, I think it is very important to the school to keep it as a competition. No, it would not be as popular but I believe we need to try to deal with this issue so that it is less competitive but still popular.
- I think we need to find a way round the 'scoring' that would make it less competitive. I'm not sure how it would work but I guess it's all tied to the competition aspect and maybe the scoring needs to be looked at in the context of the whole program.

Adjudicators' feedback

Adjudicators also expressed their views about the program and some notable comments are included below.

- I thought preparation was adequate but from some comments received later, it appears there was a 'range of approaches' to adjudication, so perhaps

there needs to be some more time spent on agreeing on standards and a 'standard' application of marks.

- I think that the staff contacts in the school need to be reminded to 'fit in' with the adjudicators. The school I was meant to adjudicate would not negotiate adjudicating times. I was told 'this day and time' was when I would be adjudicating, and if I couldn't make it they would get someone else. With an unlimited supply of adjudicators this would not be a problem, but will this always be the case?
- You could tell that early in the piece the way of approaching a problem was very new to them — also speaking in public, so it was a bit compounded; however, some of the interventions made and outcomes suggested indicated that they were getting the hang of it.
- The competition is good and bad. Because it's a competition I felt that the students didn't get into role as much as they might if they thought their classmates weren't going to be assessed on their responses to their action — they were a little too helpful to the mediators at times and I think that was part of the reason. I think the competition gives some incentive; however, pedagogically there is a dissonance for me about making mediation a competition! Whether there is a similarly strong incentive I'm not sure. Not a very helpful response, I know, but I think the students liked the competition and it's just my background that thinks it ought not to be a competition! However, for the program, I think the competitive aspect was a bonus. ●

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