

Humour helps in the mediation process

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A good joke may be the key to resolving a legal dispute according to new research.

The study, funded by Monash University, RMIT University and the Australasian Institute of Judicial Administration, found that over two-thirds of mediators at the Victorian Civil and Administrative Tribunal (VCAT) used [humour](#) in mediation sessions.

The remaining mediators said they avoided the use of humour in sessions, or used it sparingly - only if the disputants introduced it or when it arose incidentally.

VCAT is a low-cost resolution tribunal that offers mediation as a way of resolving disputes in areas including building and planning disputes,

retail tenancies and [discrimination](#).

Monash University's Dr Becky Batagol said VCAT mediators who used humour in their mediation sessions reported it helped "lighten up" disputes, release stress and to break up "charged situations".

"One mediator with a central European background said that he used humour with clients from multicultural backgrounds to change the dynamic of the dispute," Dr Batagol said.

"The mediator said his own multicultural background made him more confident of using humour in this way."

The research also found that a quarter of the mediators were on the watch for potential cultural issues before attempting humour.

"The mediators' use of humour was a good match with the available research into the therapeutic and intellectual effects of humour in situations of conflict," Dr Batagol said.

"Humour is ideally suited for mediation because it is a way of creating an atmosphere of cooperation and reaching a midpoint between two opposites. It often means that solutions can be found to difficult legal problems."

Provided by Monash University

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