

"Why Words Matter:

Effective Communication
Skills for Dispute
Resolution Practitioners"

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- How is dispute affected by communication?
 - What is the impact of words on communication?
 - What is effective communication?
 - Some considerations on the use of words.
 - The role of effective communication in dispute resolution.





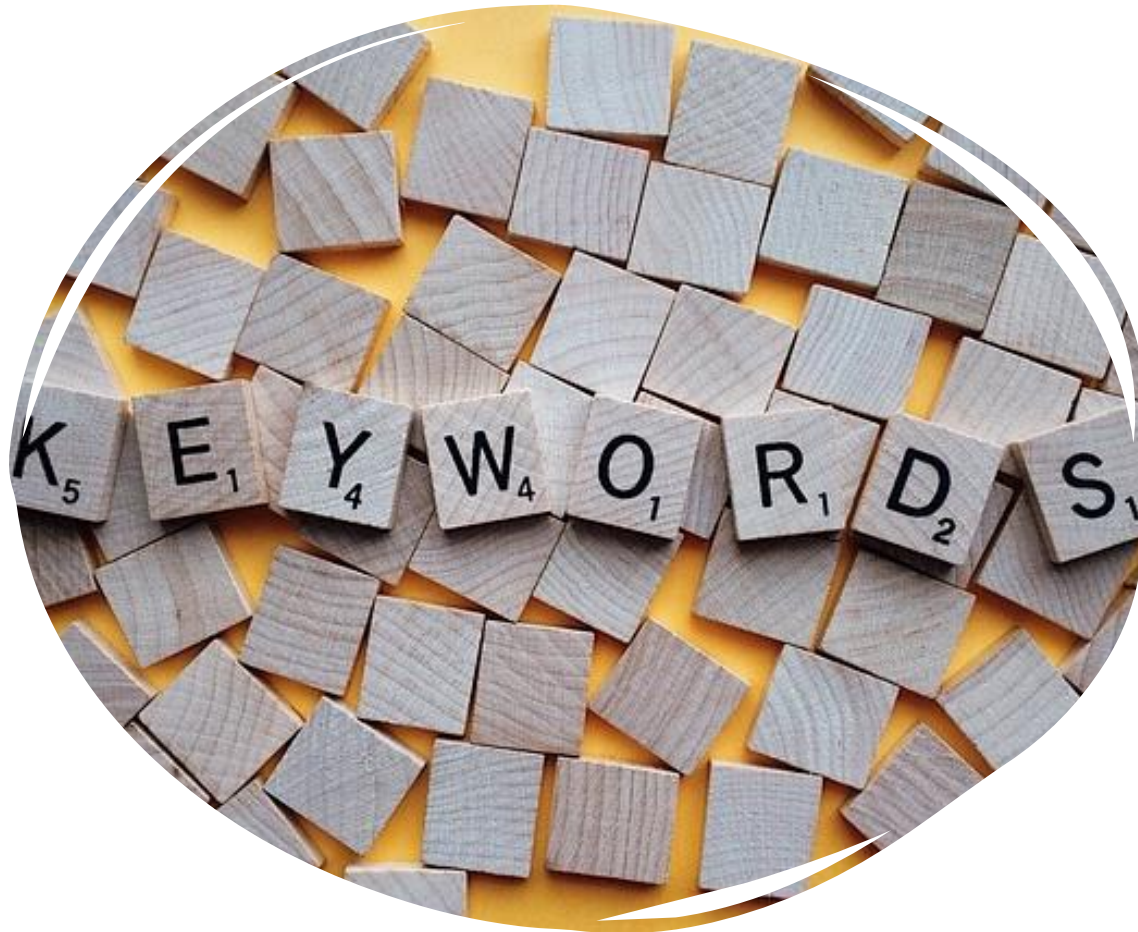
The Need For Effective Communication

- People need people and there is need for shared meaning between persons to prevent conflicts.
- At the root of most conflicts or disputes (arising in good faith) is ineffective communication.
- Effective mediation is about reopening blocked lines of communication.



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- “The single biggest problem in communication is the illusion that it has taken place.”

-George Bernard Shaw



- "The real art of conversation is not only to say the right thing at the right place but to leave unsaid the wrong thing at the tempting moment."

-Dorothy Nevill

Lombardi, Esther. "Quotes About the Importance of Words." ThoughtCo, Oct. 3, 2024, [thoughtco.com/quotes-about-words-738759](https://www.thoughtco.com/quotes-about-words-738759).



- "Words—so innocent and powerless as they are, as standing in a dictionary, how potent for good and evil they become, in the hands of one who knows how to combine them!"

-[Nathaniel Hawthorne](#)

Lombardi, Esther. "Quotes About the Importance of Words." ThoughtCo, Oct. 3, 2024, [thoughtco.com/quotes-about-words-738759](https://www.thoughtco.com/quotes-about-words-738759).

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- Ineffective communication or a lack of communication, is quite often at the heart of relationship breakdowns.
 - A fight/flight/freeze or fawn attitude to conflict is ineffective. Fight leaves no room for appreciating the perspective of the other side, Flight lives to fight another day and freezing doesn't take away the problem.
 - An alternative to our reflexive strategies of Distancing and Coercion is the Essential Process of mediation: face-to-face talking about the problem and listening to one another without interruption long enough to find a solution





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- Breaking deadlock
 - Effective questioning
 - Future focus



A gentle answer deflects anger, but harsh words make tempers flare.

Proverbs 15:1 (NLT)

- Examples -But/And:

- Original: "I could consider your idea, but it might be too expensive."

- With "and": "I like your idea, and we can explore ways to make it more cost-effective."

- Original: "Yes, but..."

- With "and": you might respond with, "Yes, and here's another thing to consider..."

WHEN THE DISPUTE IS RESOLVED

- Words are needed to draft the settlement agreement.
- The words used must not be fault-finding or judgemental.
- The words used must capture the resolution unambiguously.
- Wordings of the Terms of Settlement must not leave room for future dispute to come out of the agreement.



Thank

You