

1 Substance Misuse and Mediation

Introduction

Many people in Scotland use alcohol and drugs on a regular basis without apparent significant harm to their mental or physical health. For others, though, use of these substances leads to addiction, social isolation, criminality and even death. Problematic substance misuse is not restricted to particular age ranges or socio-economic groups, although there are well-established links between poverty and both alcohol and drug misuse.

Patterns of substance use and misuse vary geographically and with time – the landscape is a fast-changing one, particularly for illicit drug use and supply.

The following are useful further sources of information:

- > Alcohol: <https://tinyurl.com/yc4cbarx>
- > Drugs: <https://tinyurl.com/4hdxrvtj>
- > Drugs and the Law: <https://tinyurl.com/yc8747ax>

Indicators of Drug/Alcohol Dependence

Mediators should be cautious about forming views about possible substance dependence based on client behaviours. The following are indicators of possible issues with dependence but can equally arise from other personality-based issues or social problems.

- > Sudden changes of mood from happy and alert to moody and aggressive.
- > Aggressive or irritable behaviour which appears out of character.
- > Loss of interest in work or other activities.
- > Change of friends.
- > Unusual sleep patterns.
- > Secretive behaviour and /or lying.
- > Generally more chaotic lifestyle.

Substance Misuse and Mediation

Cases involving significant drug and/or alcohol problems can be very difficult to mediate. This is because although when alcohol/drug free the individual may be keen to reconcile with the other person they may not be able to keep the terms of any agreement. Participants in mediation need to be able to do the following:

- > be able to understand the mediation process;
- > contribute to the process;
- > accept responsibility for their actions;
- > understand and be able to implement any agreement made by them.

If an individual is unable to keep to the terms of an agreement it is rendered worthless in any practical sense, even though it demonstrates a genuine wish to resolve the conflict.

If, for whatever reason, face-to-face mediation is not possible (e.g. due to concerns around safety), using shuttle mediation can be useful in establishing a line of communication between those involved in a dispute – see Briefing Paper 15: Shuttle Mediation. It can allow parties to state their positions, talk about the effects of certain types of behaviour and provide for an exploration of actions. With the permission of the relevant party,

where they accept they have a problem, explanations of their dependency may ease the situation. Again, with the permission of the party concerned, contact may be made with other agencies, such as their G.P. or Social Work Department, for support and/or assistance with representation. The decision to release information relating to their problems, will, unless there is a serious risk of harm, lie with the client.

Each case must be assessed on the particular situation that applies and simply because an individual has a drink/drug problem does not mean that mediation cannot take place. A person with a dependency problem should never be automatically excluded from mediation: many long-term heroin addicts, for example, will be perfectly capable of maintaining an agreement notwithstanding the nature of their addiction. Care should be taken, however, not to put a vulnerable person into a situation they find difficult to handle, and you should not raise false hope where there are deep underlying problems which mediation cannot address (e.g. ongoing drunkenness due to alcohol dependency).

It is important that mediators recognise that they are neither drug/alcohol counsellors nor social workers. It may be obvious to them that a particular person has a dependency problem but if the individual concerned is not willing to accept or admit to this the mediators must accept that situation. They should not attempt to pressurise a client to face up to a problem they suspect the person is suffering from. If the client openly accepts they have a problem, assistance should be offered in locating/contacting relevant agencies.

Checking Things Out

As in any situation of potential risk, mediators should consult with their supervisor and relevant specialist agencies as to possible courses open to them where drug/ alcohol misuse is suspected or admitted.

This is one in a series of briefing papers on Community Mediation for practising and trainee mediators.

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