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Introduction

Welcome to the Indian Journal of Legal Affairs and Research (IJLAR), a distinguished platform dedicated to the dissemination of comprehensive legal scholarship and academic research. Our mission is to foster an environment where legal professionals, academics, and students can collaborate and contribute to the evolving discourse in the field of law. We strive to publish high-quality, peer-reviewed articles that provide insightful analysis, innovative perspectives, and practical solutions to contemporary legal challenges. The IJAR is committed to advancing legal knowledge and practice by bridging the gap between theory and practice.

Preface

The Indian Journal of Legal Affairs and Research is a testament to our unwavering commitment to excellence in legal scholarship. This volume presents a curated selection of articles that reflect the diverse and dynamic nature of legal studies today. Our contributors, ranging from esteemed legal scholars to emerging academics, bring forward a rich tapestry of insights that address critical legal issues and offer novel contributions to the field. We are grateful to our editorial board, reviewers, and authors for their dedication and hard work, which have made this publication possible. It is our hope that this journal will serve as a valuable resource for researchers, practitioners, and policymakers, and will inspire further inquiry and debate within the legal community.

Description

The Indian Journal of Legal Affairs and Research is an academic journal that publishes peer-reviewed articles on a wide range of legal topics. Each issue is designed to provide a platform for legal scholars, practitioners, and students to share their research findings, theoretical explorations, and practical insights. Our journal covers various branches of law, including but not limited to constitutional law, international law, criminal law, commercial law, human rights, and environmental law. We are dedicated to ensuring that the articles published in our journal adhere to the highest standards of academic rigor and contribute meaningfully to the understanding and development of legal theories and practices.

**AN EMPIRICAL STUDY ON HOW MEDIATOR
PROFESSIONAL BACKGROUND INFLUENCES PARTY
PERCEPTION OF NEUTRALITY AND TRUST.**

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ABSTRACT

Mediation has emerged as a crucial alternative dispute resolution mechanism, premised on voluntary participation, neutrality, and mutual trust between parties. The effectiveness of mediation largely depends on how disputing parties perceive the mediator's impartiality and professional conduct throughout the process. Mediators bring varied professional backgrounds, including legal, administrative, and facilitative experiences, which may subtly shape their approach to conflict resolution. Parties often interpret these professional cues as indicators of

fairness, authority, or empathy. The study *aims* to investigate how disputing parties perceive a mediator's neutrality and trustworthiness, especially when mediators come from different professional backgrounds (legal, psychological, judicial, social work). It seeks to understand whether and how a mediator's training or experience influences parties' confidence that the mediator will act fairly. The research method followed in this study is *empirical research*, further supported by *descriptive and analytical methods*. A total of *211 samples* were collected using the *convenience sampling method*. The samples were collected from the *general public in Tamilnadu region*. For *data analysis*, the researcher employed tools from *SPSS*, like *graphs* and *anova*. The *key findings of the study* reveal that prior mediation exposure is high, with 78% overall participation and peaks of 25% among UG and 21.5% among PG respondents. Perceived mediator fairness is strong, with 77% overall approval and 27% among UG. A balanced combination of mediator qualities dominates neutrality perception, reaching 57% overall and nearly 20% among PG respondents. Emotional comfort is primarily driven by empathy and listening, accounting for 60.5% overall and 20% among UG respondents. The study *concludes* that mediator effectiveness extends beyond technical expertise to include relational and communicative competencies. Parties place greater trust in mediators who exhibit balanced professional backgrounds rather than singular authority-driven roles. Accordingly, mediation frameworks must integrate holistic training and evaluation standards to reinforce neutrality and sustain trust across diverse dispute contexts.

KEYWORDS: Mediation, Neutrality, Trust, Professional Background, Party Perception.

INTRODUCTION

Alternative dispute resolution (ADR), and mediation in particular, has emerged as a critical mechanism for reducing judicial backlog, fostering consensual settlements, and strengthening access to justice in India and across the world. As mediation moves from a largely informal process to a formally institutionalised system supported globally by instruments such as the Singapore Convention (2019) and domestically by the Mediation Act, 2023, the role and credibility of the mediator have become central to the success of the process. Among the several determinants of mediation outcomes, perceived neutrality and trustworthiness of the mediator consistently rank as the most influential, shaping how parties engage, disclose information, accept recommendations, and ultimately reach settlements. With mediators increasingly drawn from diverse professional

backgrounds including lawyers, psychologists, retired judges, and social workers, the question of how these backgrounds influence party perception has gained both scholarly and practical relevance. In the Indian context, where mediation is expanding through court-annexed centres, Lok Adalats, and community mediation initiatives, understanding these variations in perception is essential for designing effective training frameworks, enhancing institutional credibility, and promoting public confidence in mediated dispute resolution.

Aim of the study

The study *aims* to investigate how disputing parties perceive a mediator's neutrality and trustworthiness, especially when mediators come from different professional backgrounds (legal, psychological, judicial, social work). It seeks to understand whether and how a mediator's training or experience influences parties' confidence that the mediator will act fairly.

Evolution

Mediation and the ideal of mediator neutrality have long been core concepts in ADR. Traditionally, neutrality (absence of bias) and impartiality have been considered essential to a fair mediation. However, recent scholarship has questioned whether pure neutrality is always attainable or even desirable. Critics note that mediators inevitably bring personal perspectives, and strict neutrality can sometimes disadvantage weaker parties (by "legitimizing the status quo"). Modern approaches emphasize transparency and rapport-building: for example, openly acknowledging a mediator's background or bias can paradoxically increase trust and fairness. Empirical research also shows that mediator behaviors like empathy, sincerity and active guidance correlate with party trust more than detached neutrality. Thus, the field is moving beyond the classical "completely neutral" ideal to a more nuanced understanding of how mediator identity and style affect party perceptions.

Government initiatives and legal framework

In India, there has been a major push to institutionalize mediation. The new Mediation Act, 2023 explicitly "promote[s] and facilitate mediation, especially institutional mediation, for resolution of disputes" and makes mediated settlements enforceable as court orders. For example, Section 5 of the Act frames mediation as the default precursor to litigation, and Sections 27–30 require

enforceability of agreements, creation of a Mediation Council of India, and formal recognition of online mediation. The Act's preamble emphasizes training and registration of mediators, and special panels for community mediation (including quotas for women and marginalized persons). These build on earlier laws: under Section 89 of the Civil Procedure Code parties could be referred to mediation, and in 2018 the Commercial Courts Act (2015) was amended to mandate pre-institution mediation for commercial disputes above ₹3 lakh. The Consumer Protection Act (2019) similarly created district and state-level Consumer Mediation Cells with panels of mediators (e.g. retired judges, lawyers, and other professionals). At the same time, India participates in international frameworks: it signed (in 2019) but has not yet ratified the UN Singapore Mediation Convention, and Indian law now aligns loosely with UNCITRAL's Model Law on Mediation. Thus, India's legal framework from the Arbitration & Conciliation Act (1996, conciliation provisions) and Lok Adalat scheme (1987) to the new Mediation Act reflects a broad strategy to make mediation viable and trusted. By contrast, many other countries have already ratified or adopted the Singapore Convention and earlier enacted mediation statutes.

Factors affecting perceptions

Parties' trust in a mediator is shaped by multiple factors. Foremost is the mediator's impartiality: studies show that over 94% of both mediators and users in family mediation rated mediator neutrality as crucial to trust. Equally important is the mediator's empathy, sincerity and communication style: trust-building research finds that mediator empathy often outweighs mere detachment, as empathetic behavior gives parties confidence to open up. Other key factors include the mediator's professional expertise and credibility, for instance, having legal training or a respected appointment can enhance trust by signaling competence. In one field study, mediator impartiality and empathy emerged as "classic factors" influencing parties' trust. Conversely, power imbalances or rushed procedures can erode trust. The new Act's emphasis on accreditation, ethics and online security aims to address such concerns. Cultural context also matters: in India, parties may have preconceptions about lawyers vs. social workers as mediators, and community norms influence what neutrality means. In sum, the literature and emerging data suggest that mediator identity and behavior including background, training and interpersonal skills, significantly affect how neutral and trustworthy parties perceive the mediator to be.

Trends

Mediation is rapidly evolving worldwide. Academically, there is growing research on the psychology of mediation: for example, the Resolution Systems Institute (RSI) and scholars like Jennifer Shack are actively studying which mediator behaviors most engender party trust. Technologically, online/virtual mediation has expanded (spurred by COVID-19 and now formally recognized in law). AI is an emerging trend: recent conferences (e.g. Brazil Mediation Day 2025) have debated how generative AI tools might assist mediators, while cautioning about algorithmic bias. Another trend is third-party funding in mediation (TPF) for commercial disputes; practitioners are discussing rules for funder involvement and transparency. On the ground, co-mediation models are also rising: mediations increasingly use dual mediators from different backgrounds (commonly one legal and one psychological/social mediator) to bring complementary perspectives and ensure neutrality. Finally, many jurisdictions are promoting mediation aggressively: international mediation centers (e.g. Singapore, Kuala Lumpur) are proliferating, and Asia has seen surges of activity (as detailed by SIMC reports).

Comparison with other countries

India's mediation developments can be contrasted with practices elsewhere. For example, several Asian countries have ratified the Singapore Mediation Convention in 2023–24 (Sri Lanka in Feb 2024, Japan, Uruguay, Nigeria, etc.) while India has enacted its own Mediation Act but still awaits convention ratification. Unlike many Western civil courts where mediation is voluntary or court-encouraged (e.g. EU's Mediation Directive, U.S. state pilot programs), India recently tried mandatory mediation for commercial cases – with mixed results. Data from two Mumbai commercial courts showed that ~98% of mandatory pre-litigation mediation filings did not proceed (non-starters), and only ~1% of disputes actually settled in mediation. By contrast, in places like the U.S. or UK with voluntary systems, settlement rates tend to be higher among those who choose mediation. Within India's states, the rollout also varies: some states (e.g. Uttar Pradesh, Tamil Nadu) have active district and High Court mediation centers (via NALSA), while others are still building capacity. In the consumer law context, the new Consumer Protection Act mandates mediation cells nationwide, aligning India with global trends of diverting low-value cases to ADR. Overall, while India is rapidly strengthening its mediation framework, parties' perceptions of mediator trust may still be influenced by comparisons with international standards and local court

practices. Understanding these parallels helps contextualize Indian data (for example, comparing Mumbai's experience with results from other commercial courts abroad) and highlights areas for reform such as better training of mediators from diverse backgrounds (legal, psychological, social work) to build trust in the process.

OBJECTIVES

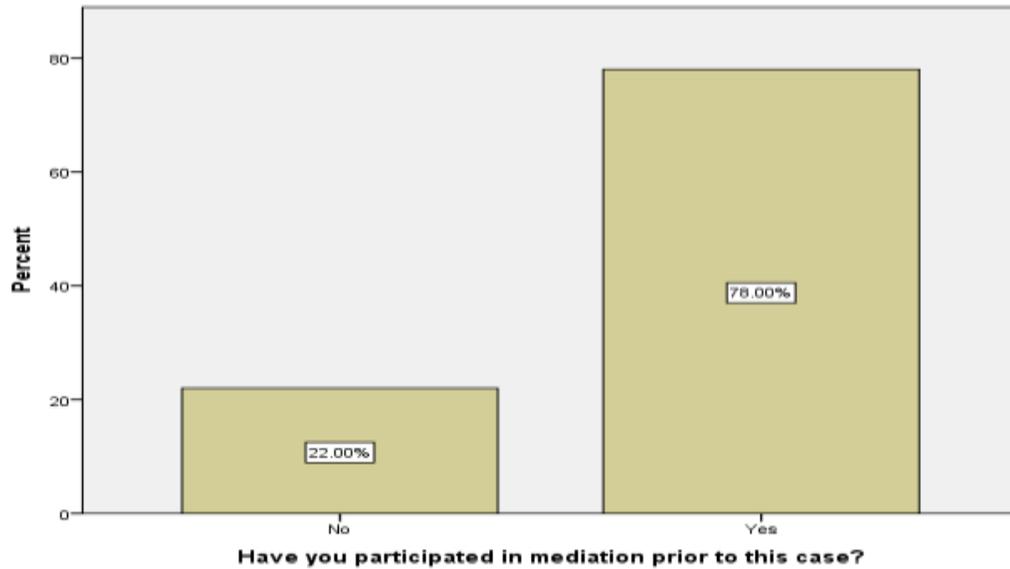
- To compare trust and neutrality scores among parties mediated by lawyers, psychologists, retired judges, and social workers.
- To test whether perceived fairness and emotional comfort mediate the link between mediator background and parties' willingness to settle.
- To identify moderating effects of case-type (family/community/commercial), party's prior mediation experience, and relative power (income/education) on trust scores.
- To provide practice and policy recommendations on mediator composition and training.
- To examine the impact of mediator background on the durability of settlements and post-settlement satisfaction through follow-up assessments.

MATERIALS AND METHODS

The research method followed in this study is *empirical research*, further supported by *descriptive and analytical methods*. A total of *211 samples* were collected using the *convenience sampling method*. The samples were collected from the *general public in Tamilnadu region*. In this study, the *independent variables* include prior participation in mediation, age group, educational qualification, and occupation. The *dependent variables* are the perceived mediator neutrality, perceived equal treatment of parties, emotional comfort during mediation, and trust in the mediation process as reflected through fairness and comfort-related responses. For *data analysis*, the researcher employed tools from *SPSS*, like *graphs* and *anova*.

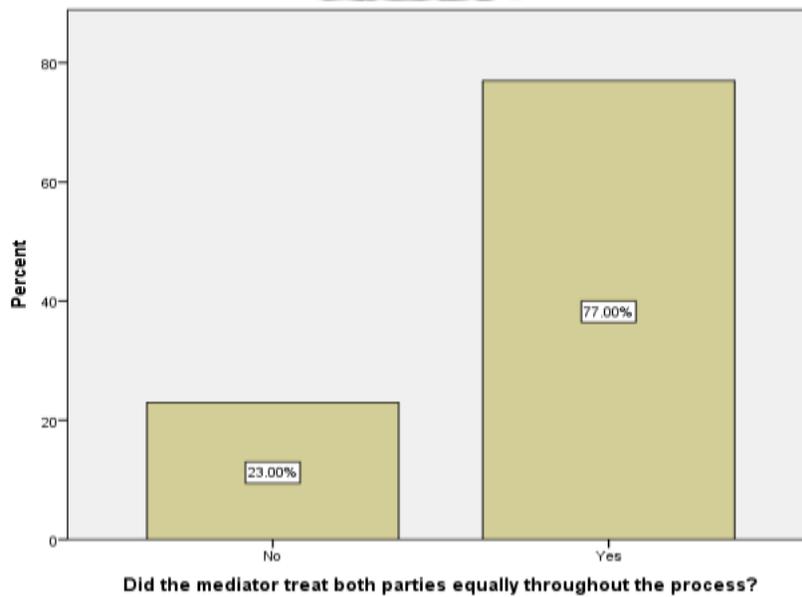
ANALYSIS

Figure 1



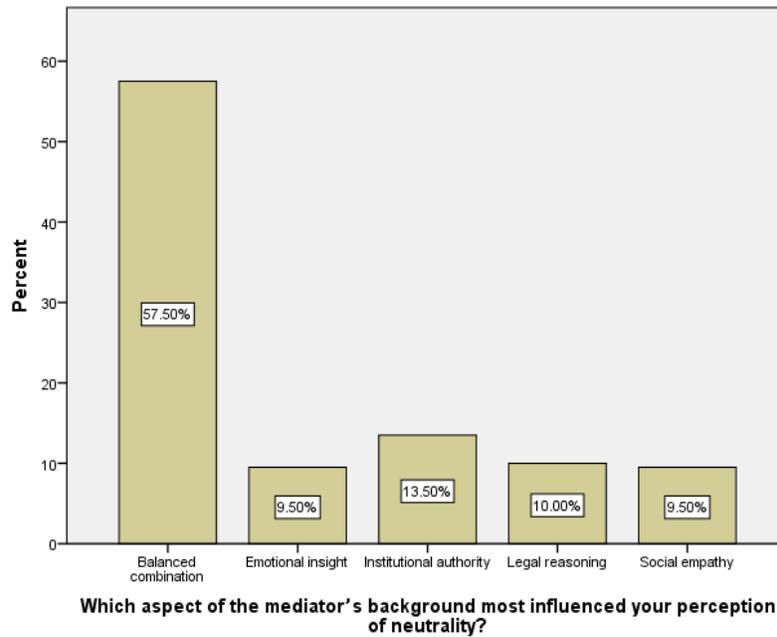
Legend: Figure 1 illustrates the distribution of respondents' opinions regarding participation in mediation prior to this case.

Figure 2



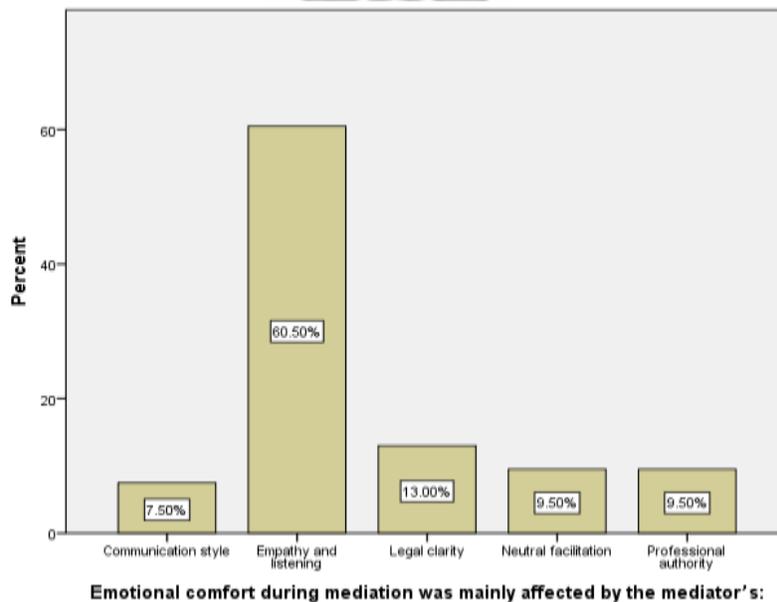
Legend : Figure 2 illustrates the distribution of respondents' opinions regarding whether the mediator treated both parties equally throughout the process.

Figure 3



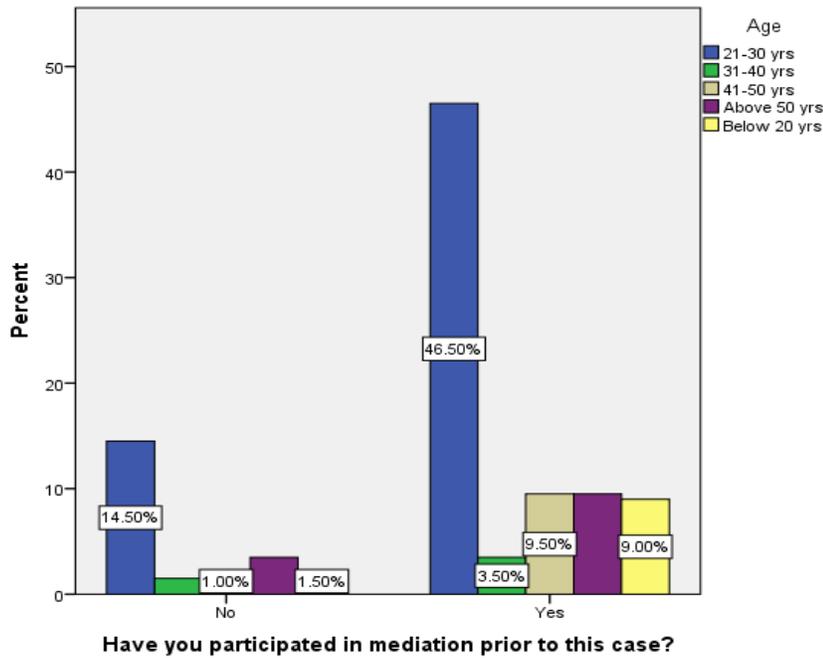
Legend : Figure 3 illustrates the distribution of respondents' opinions regarding which aspect of the mediator's background most influenced their perception of neutrality.

Figure 4



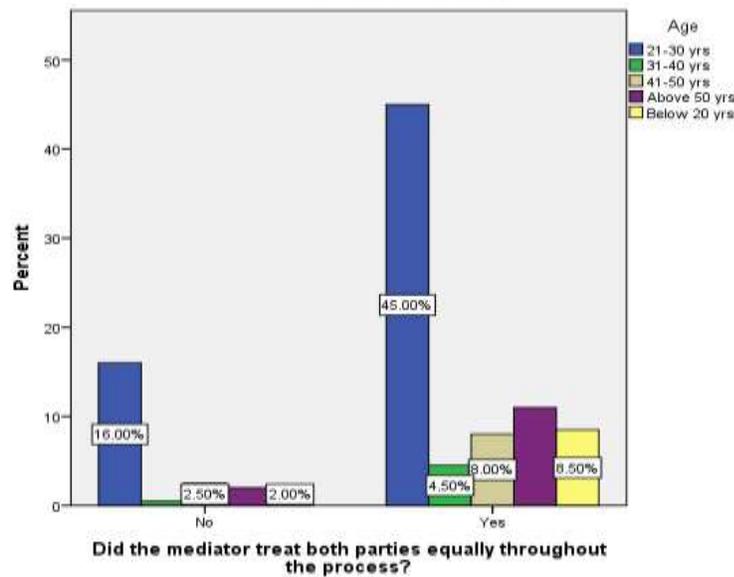
Legend : Figure 4 illustrates the distribution of respondents' opinions regarding what mainly affected emotional comfort during mediation by the mediator.

Figure 5



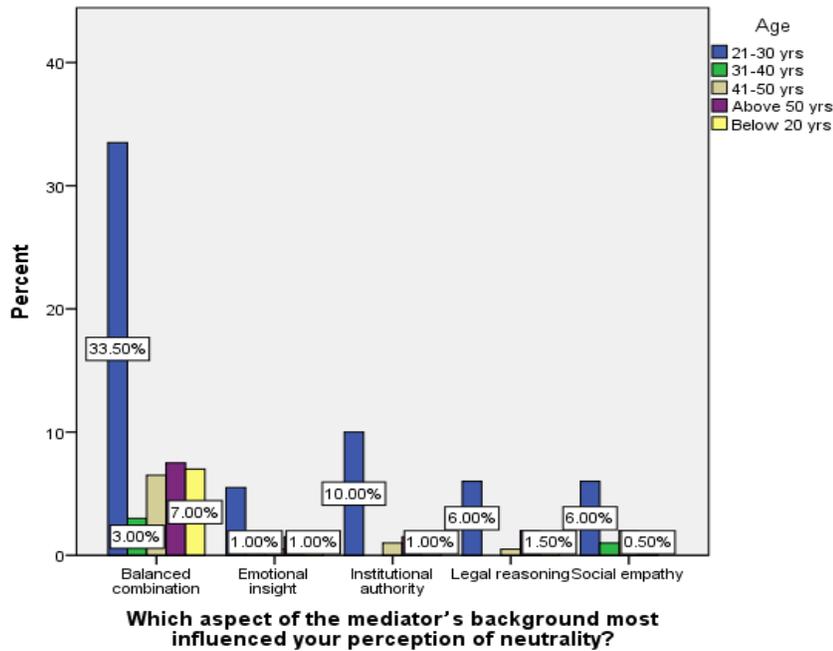
Legend: Figure 5 illustrates the variability in respondents' opinions regarding participation in mediation prior to this case based on their age.

Figure 6



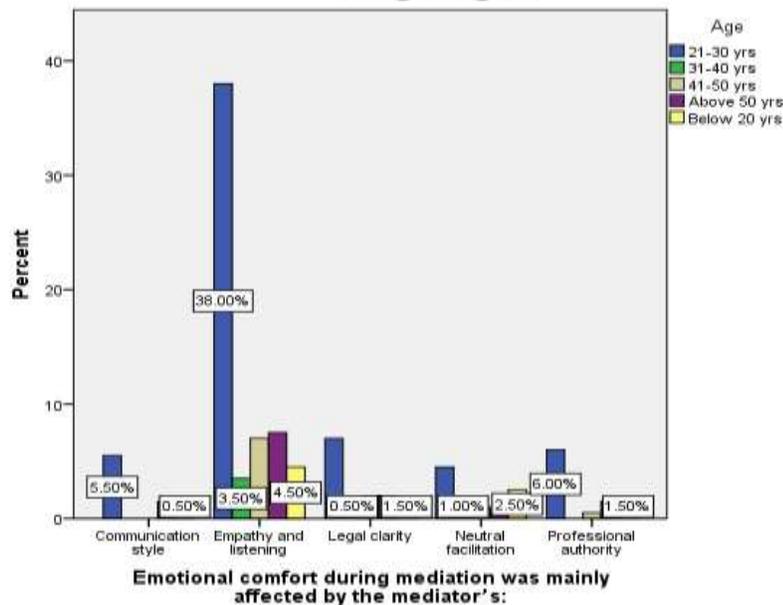
Legend: Figure 6 illustrates the variability in respondents' opinions regarding whether the mediator treated both parties equally throughout the process based on their age.

Figure 7



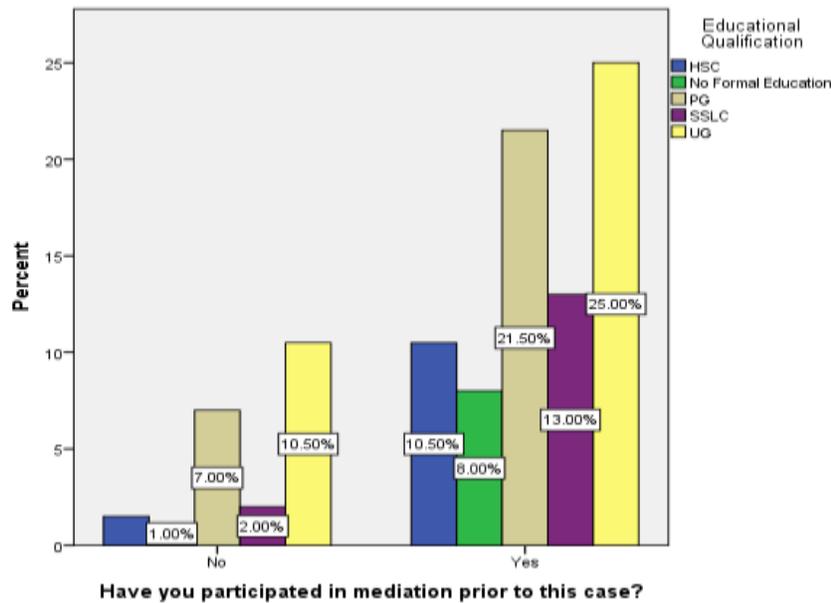
Legend: Figure 7 illustrates the variability in respondents' opinions regarding which aspect of the mediator's background most influenced their perception of neutrality based on age.

Figure 8



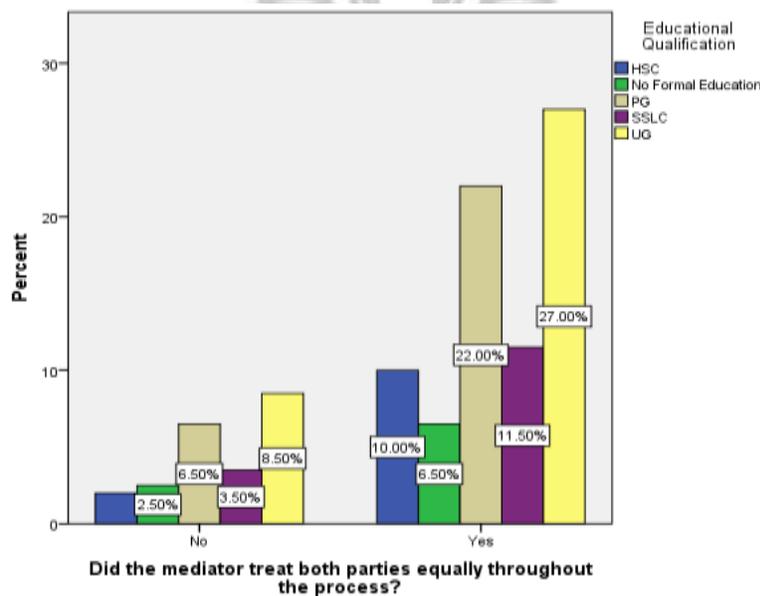
Legend : Figure 8 illustrates the variability in respondents' opinions regarding what mainly affected emotional comfort during mediation by the mediator based on their age.

Figure 9



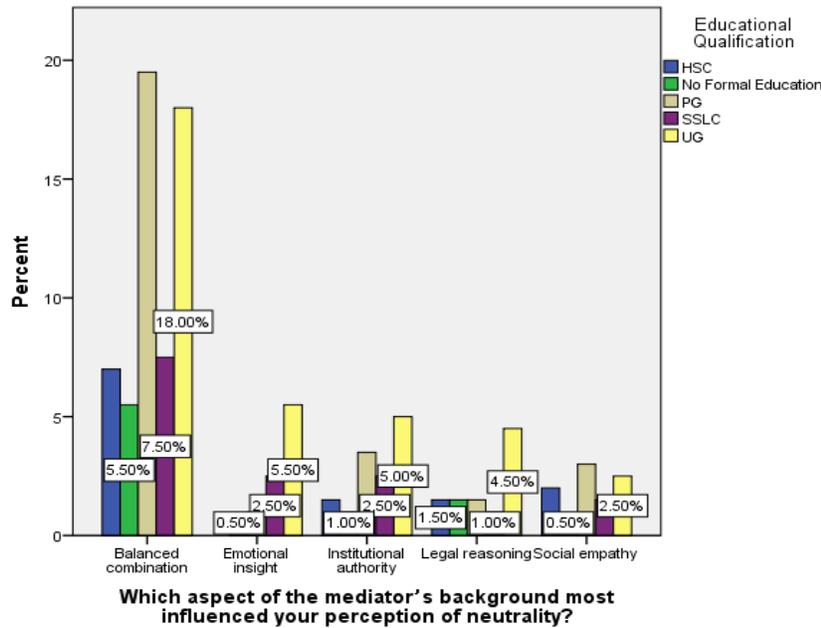
Legend: Figure 9 illustrates the variability in respondents’ opinion regarding prior participation in mediation before the case based on their educational qualification.

Figure 10



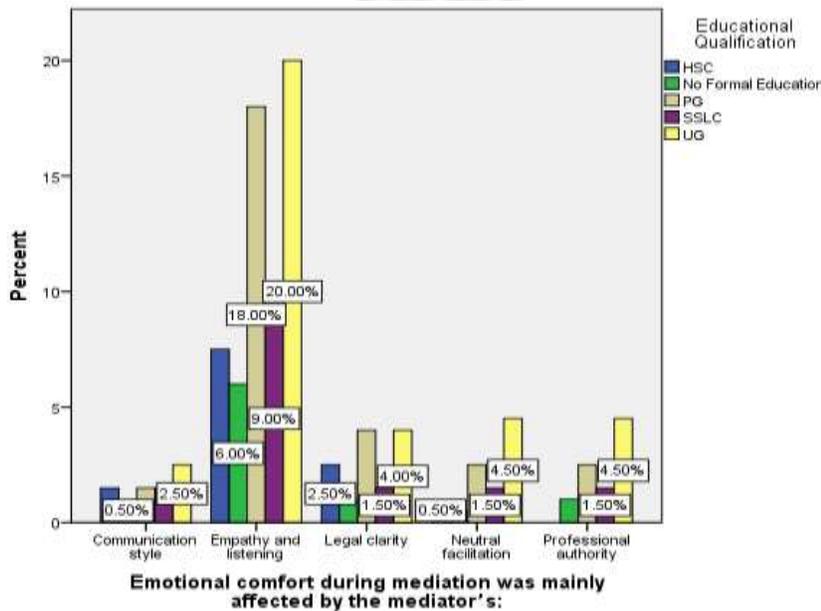
Legend: Figure 10 illustrates the variability in respondents’ opinion regarding whether the mediator treated both parties equally throughout the process based on their educational qualification.

Figure 11



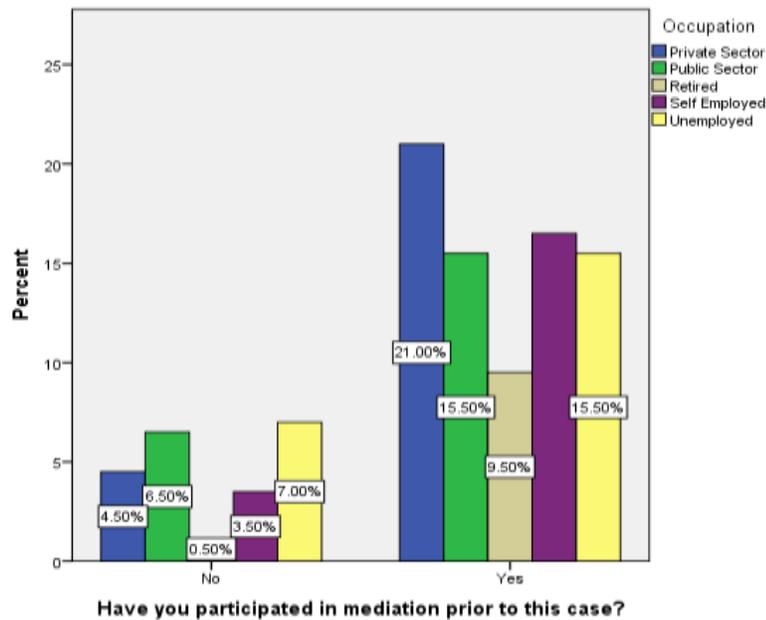
Legend :Figure 11 illustrates the variability in respondents' opinion regarding the aspect of the mediator's background influencing neutrality based on their educational qualification.

Figure 12



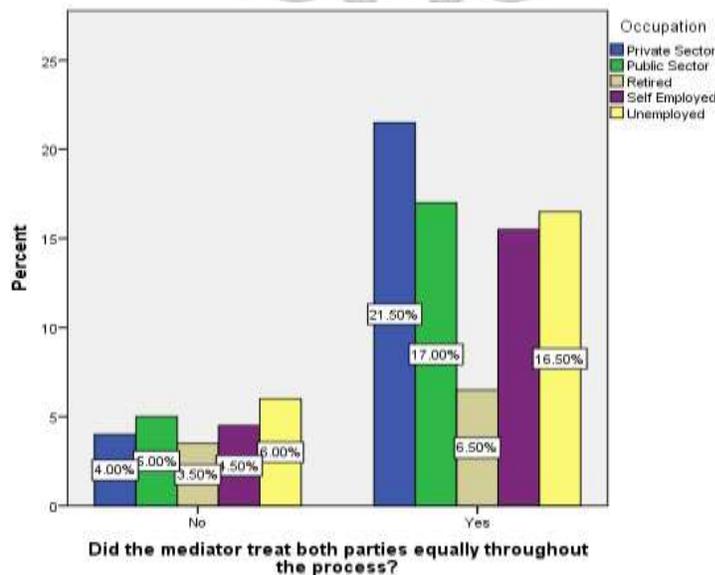
Legend : Figure 12 illustrates the variability in respondents' opinion regarding factors affecting emotional comfort during mediation based on their educational qualification.

Figure 13



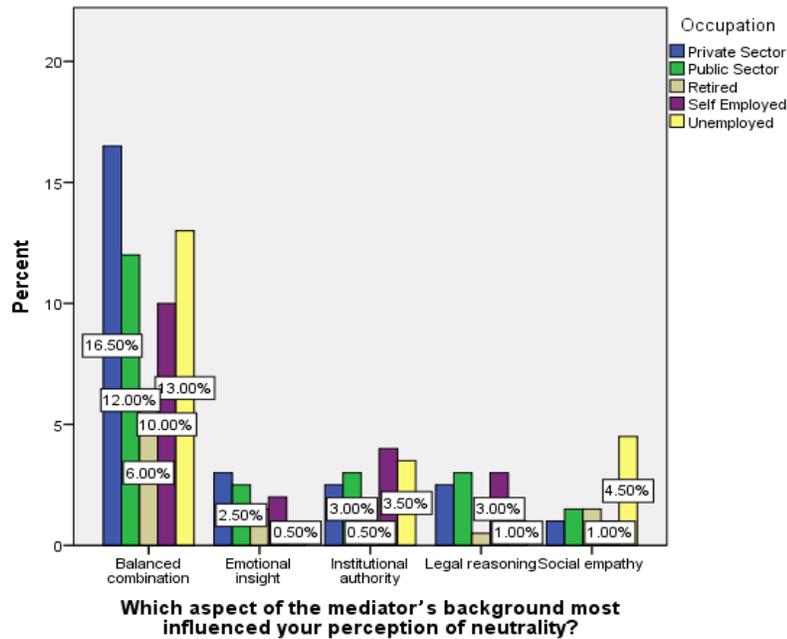
Legend : Figure 13 illustrates the variability in respondents’ opinion regarding prior participation in mediation before the case based on their occupation.

Figure 14



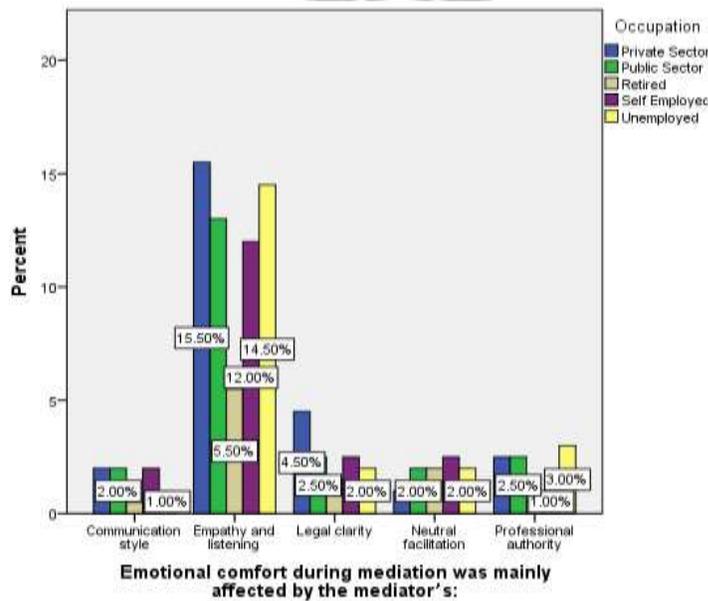
Legend: Figure 14 illustrates the variability in respondents’ opinion regarding equal treatment by the mediator based on their occupation.

Figure 15



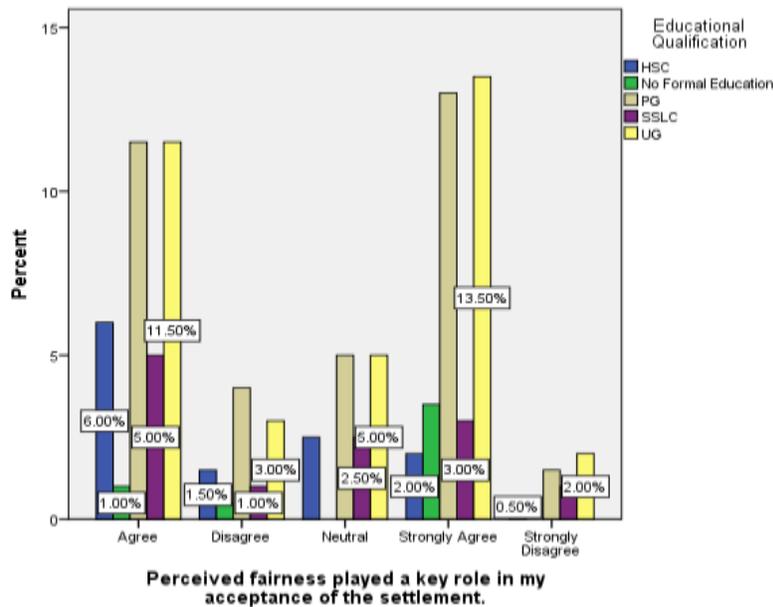
Legend: Figure 15 illustrates the variability in respondents' opinion regarding aspects of the mediator's background influencing neutrality based on their occupation.

Figure 16



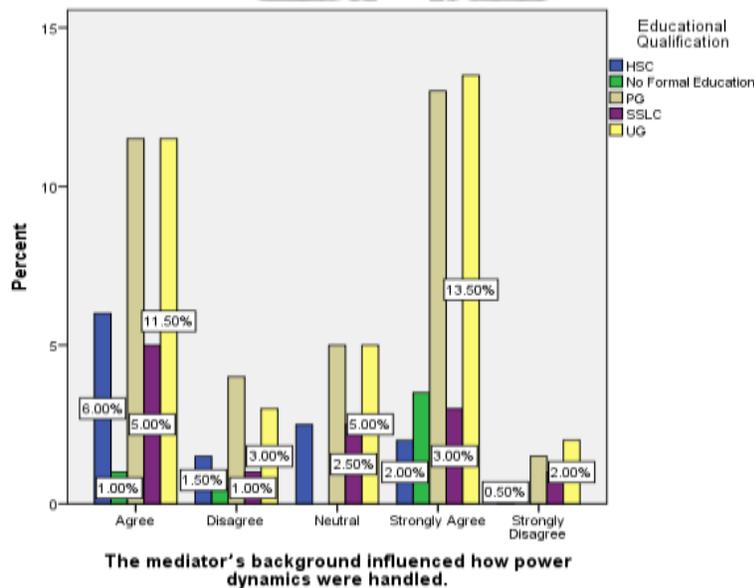
Legend : Figure 16 illustrates the variability in respondents' opinion regarding factors affecting emotional comfort during mediation based on their occupation.

Figure 17



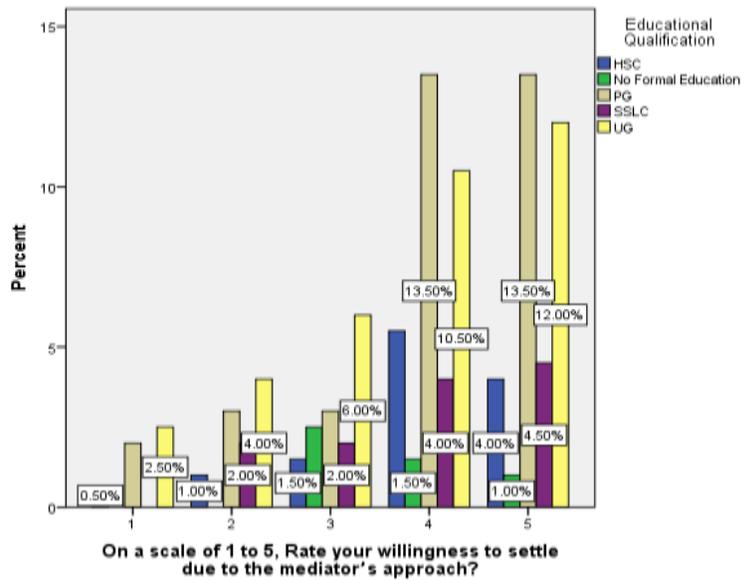
Legend: Figure 17 illustrates the variability in respondents’ opinion regarding perceived fairness played a key role in my acceptance of the settlement based on their educational qualification.

Figure 18



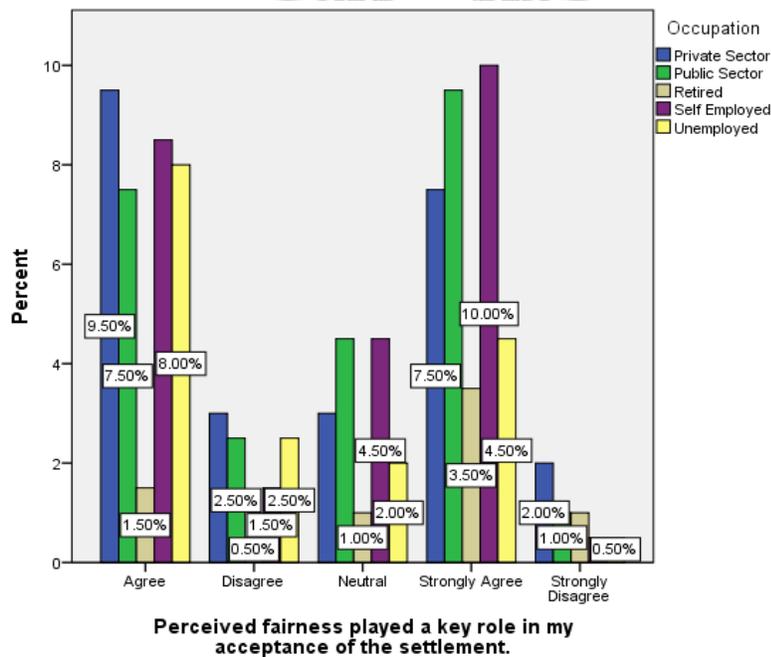
Legend: Figure 18 illustrates the variability in respondents’ opinion regarding the mediator’s background influenced how power dynamics were handled based on their educational qualification.

Figure 19



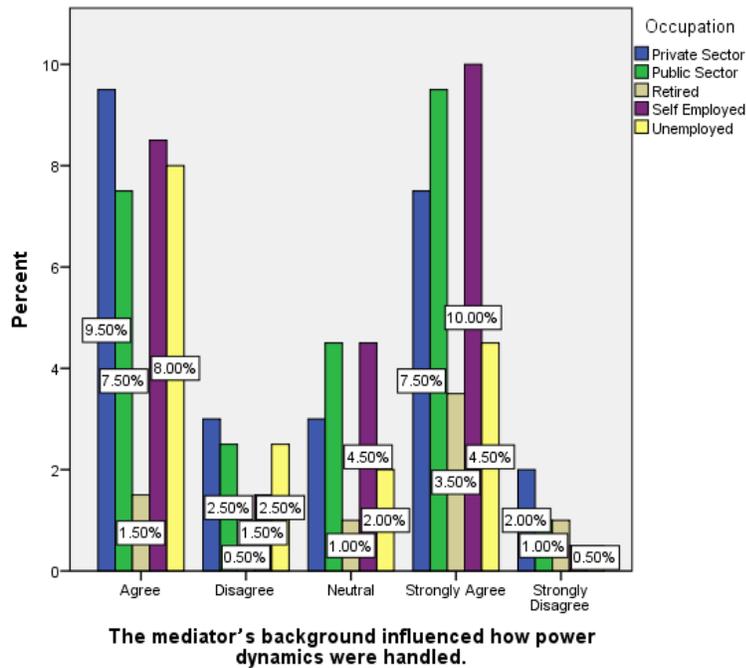
Legend: Figure 19 illustrates the variability in respondents' opinion regarding willingness to settle due to the mediator's approach based on their educational qualification.

Figure 20



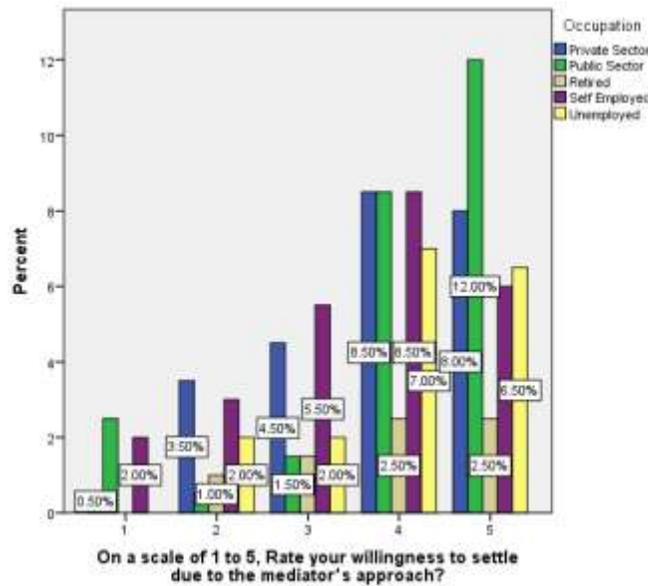
Legend : Figure 20 illustrates the variability in respondents' opinion regarding perceived fairness played a key role in my acceptance of the settlement based on their occupation.

Figure 21



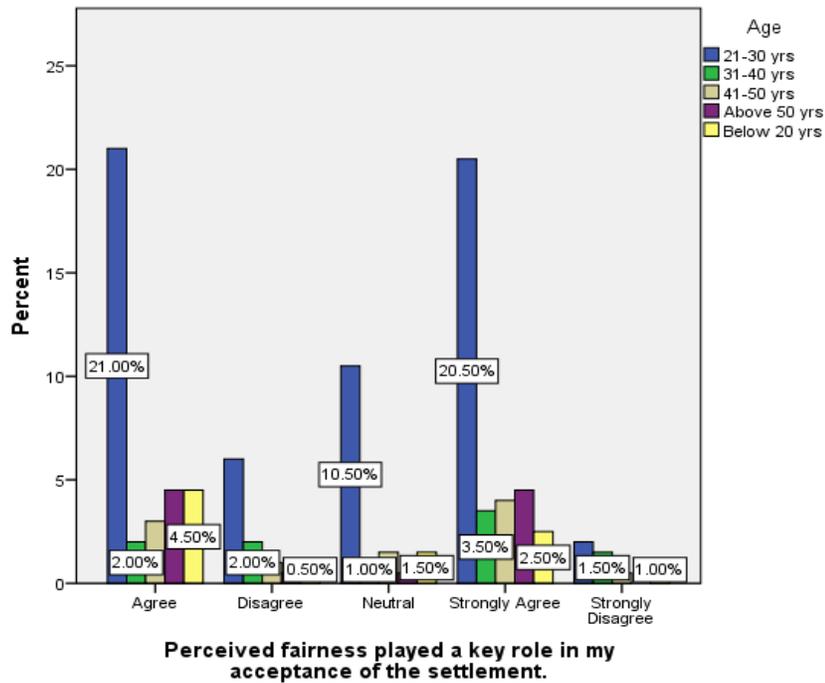
Legend: Figure 21 illustrates the variability in respondents' opinion regarding the mediator's background influenced how power dynamics were handled based on their occupation.

Figure 22



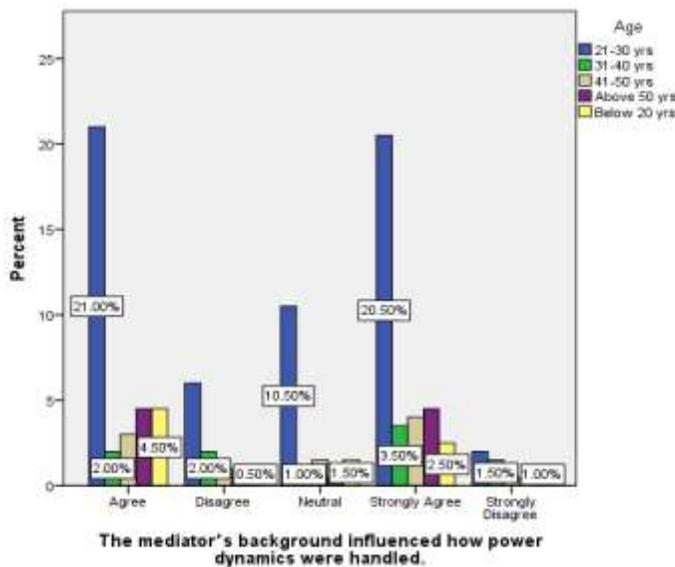
Legend: Figure 22 illustrates the variability in respondents' opinion regarding willingness to settle due to the mediator's approach based on their occupation.

Figure 23



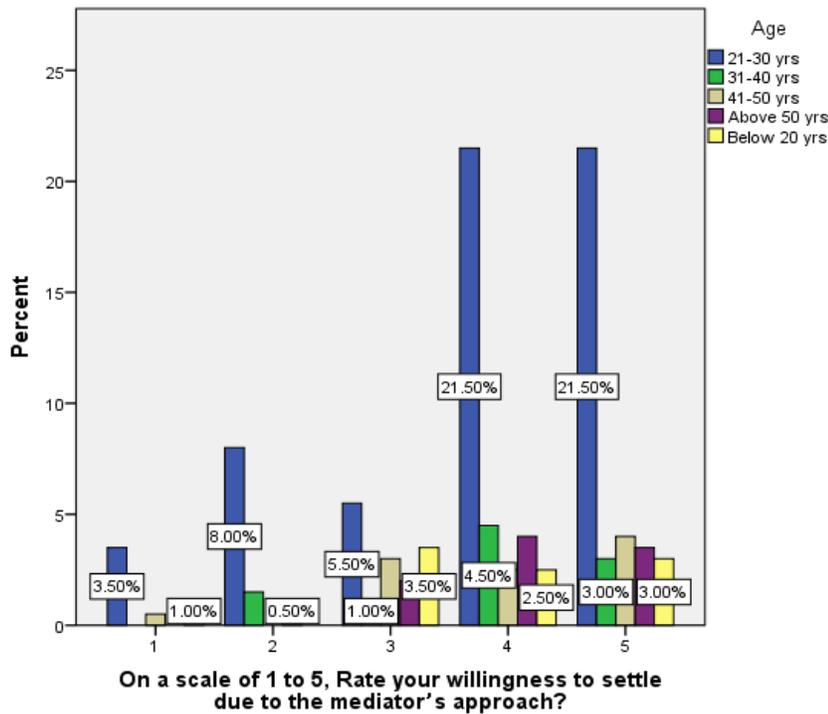
Legend: Figure 23 illustrates the variability in respondents’ opinion regarding perceived fairness played a key role in my acceptance of the settlement based on their age.

Figure 24



Legend: Figure 24 illustrates the variability in respondents’ opinion regarding the mediator’s background influenced how power dynamics were handled based on their age.

Figure 25



Legend: Figure 25 illustrates the variability in respondents' opinion regarding willingness to settle due to the mediator's approach based on their age.

INFERENCEAL ANALYSIS

ANOVA 1

Null hypothesis: There is no significant difference of opinion regarding factors affecting emotional comfort during mediation with age of the respondents.

Alternative hypothesis: There is a significant difference of opinion regarding factors affecting emotional comfort during mediation with age of the respondents.

ANOVA

Age					
	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	316.120	4	79.030	274.075	.000
Within Groups	56.517	196	.288		
Total	372.637	200			

INFERENCE: The calculated p value is 0.000. Since p value < 0.05 null hypothesis is rejected at 5% level of significance. So there is a significant difference of opinion on whether factors affect emotional comfort during mediation with age of the respondents.

ANOVA 2

Null hypothesis: There is no significant difference of opinion regarding aspects of the mediator’s background influencing neutrality with occupation of the respondents.

Alternative hypothesis: There is a significant difference of opinion regarding aspects of the mediator’s background influencing neutrality with occupation of the respondents.

ANOVA

Gender					
	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	12.180	4	3.045	15.682	.000
Within Groups	38.058	196	.194		
Total	50.239	200			

INFERENCE: The calculated p value is 0.000. Since p value < 0.05 null hypothesis is rejected at 5% level of significance. So there is a significant difference of opinion regarding aspects of the mediator’s background influencing neutrality with occupation of the respondents.

ANOVA 3

Null hypothesis: There is no significant difference of opinion regarding prior participation in mediation before the case with age of the respondents.

Alternative hypothesis: There is a significant difference of opinion regarding prior participation in mediation before the case with age of the respondents.

	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	5.479	3	1.826	8.204	.000
Within Groups	44.745	201	.223		
Total	50.224	204			

INFERENCE: The calculated p value is 0.000. Since p value < 0.05 null hypothesis is rejected at 5% level of significance. So there is a significant difference of opinion on whether prior participation in mediation before the case with age of the respondents.

ANOVA 4

Null hypothesis: There is no significant difference of opinion regarding aspects of the mediator’s background influencing neutrality with age of the respondents.

Alternative hypothesis: There is a significant difference of opinion regarding aspects of the mediator’s background influencing neutrality with age of the respondents.

	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	65.570	4	16.392	25.198	.000
Within Groups	130.108	200	.651		
Total	195.678	204			

INFERENCE: The calculated p value is 0.000. Since p value < 0.05 null hypothesis is rejected at 5% level of significance. So there is a significant difference of opinion regarding aspects of the mediator’s background influencing neutrality with age of the respondents.

ANOVA 5

Null hypothesis: There is no significant difference of opinion regarding aspects of the affecting emotional comfort during mediation with occupation of the respondents.

Alternative hypothesis: There is a significant difference of opinion regarding aspects of the affecting emotional comfort during mediation with occupation of the respondents.

	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	124.290	4	31.072	26.077	.000
Within Groups	245.464	206	1.192		
Total	369.754	210			

INFERENCE: The calculated p value is 0.000. Since p value < 0.05 null hypothesis is rejected at 5% level of significance. So there is a significant difference of opinion regarding aspects of the affecting emotional comfort during mediation with occupation of the respondents.

RESULT

In Figure 1, It is revealed that 78% of sample respondents indicated yes for prior mediation participation, while 22% indicated no, highlighting a strong majority with previous experience in response to the question on prior mediation involvement. This binary distribution shows the highest affirmative response at 78% and the lowest at 22%, with no other options present. **In Figure 2,** It is revealed that 77% of sample respondents indicated yes for equal treatment by the mediator, while 23% indicated no, reflecting overwhelming positive feedback in response to the question on perceived fairness in mediator conduct. This binary split features the highest approval at 77% and the lowest dissent at 23%, without further categories. **In Figure 3,** It is revealed that 57% of sample respondents selected balanced combination, 13.5% selected institutional authority, and 10% selected legal reasoning as top influencers, while 9.5% chose emotional insight and 9.5% chose social empathy, in response to the question on key background influences for neutrality views. The three highest are balanced combination at 57%, institutional authority at 13.5%, and legal reasoning at 10%, with the two lowest both at 9.5% for emotional insight and social empathy. **In Figure 4,** It is revealed that 60.5% of sample respondents selected empathy and listening, 13% selected legal clarity, and 9.5% selected neutral facilitation as primary factors, while 7.5% chose communication style, in response to the question on main mediator influences for emotional comfort. The three highest are empathy and listening at 60.5%, legal clarity at 13%, and neutral facilitation at 9.5%, with the two lowest being professional authority at 9.5% and communication style at 7.5%. **In Figure 5,** It is revealed that 46% of sample respondents aged 21-30 years indicated yes for prior participation, 14.5% of those aged 21-30 years indicated no, and 9% of those below 20 years indicated no, while 3.5% of those aged 31-40 years indicated yes, in response to the question on prior mediation experience by age group. The three highest are 46% yes for 21-30 years, 14.5% no for 21-30 years, and 9% no for below 20 years, with the two lowest at 1% yes for 31-40 years and 1.5% yes for 41-50 years. **In Figure 6,** It is revealed that 45% of sample respondents aged 21-30 years indicated yes for equal treatment, 16% of those aged 21-30 years indicated no, and 9% of those aged 31-40 years indicated yes, while 2% of those above 50 years indicated no, in response to the question on perceived equal treatment by age group. The three highest are 45% yes for 21-30 years, 16% no for 21-30 years, and 9% yes for 31-40 years, with the two lowest at 2% no for above 50 years and 2.5% no for 41-50 years. **In Figure 7,** It is revealed that 33.5% of sample respondents aged 21-30 years selected balanced combination, 7% of those

aged 41-50 years selected balanced combination, and 6% of those aged 31-40 years selected emotional insight, while 1% of those below 20 years selected institutional authority, in response to the question on background influences for neutrality by age group. The three highest are 33.5% balanced combination for 21-30 years, 7% balanced combination for 41-50 years, and 6% emotional insight for 31-40 years, with the two lowest at 1% institutional authority for below 20 years and 0.5% social empathy for above 50 years. **In Figure 8**, It is revealed that 38% of sample respondents aged 21-30 years selected communication style, 5% of those below 20 years selected communication style, and 4% of those aged 31-40 years selected empathy and listening, while 1% of those aged 41-50 years selected neutral facilitation, in response to the question on emotional comfort factors by age group. The three highest are 38% communication style for 21-30 years, 5% communication style for below 20 years, and 4% empathy and listening for 31-40 years, with the two lowest at 1% neutral facilitation for 41-50 years and 1% professional authority for above 50 years. **In Figure 9**, It is revealed that 25.00% of sample respondents with UG education voted Yes, 21.50% of PG respondents voted Yes, and 13.00% of SSLC respondents voted Yes, while 1.00% of HSC respondents voted No and 2.00% of SSLC respondents voted No. These options indicate prior participation in mediation before the present case. **In Figure 10**, It is revealed that 27.00% of UG respondents voted Yes, 22.00% of PG respondents voted Yes, and 11.50% of SSLC respondents voted Yes, whereas 2.50% of HSC respondents voted No and 3.50% of SSLC respondents voted No. **In Figure 11**, It is revealed that 18.00% of UG respondents voted for Balanced combination, 19.50% of PG respondents voted for Balanced combination, and 7.50% of SSLC respondents voted for the same, while 0.50% of HSC respondents voted for Emotional insight and 0.50% of SSLC respondents voted for Social empathy. These options denote aspects influencing perceptions of mediator neutrality. **In Figure 12**, It is revealed that 20.00% of UG respondents voted for Empathy and listening, 18.00% of PG respondents voted for the same, and 9.00% of SSLC respondents voted similarly, whereas 0.50% of HSC respondents voted for Communication style and 0.50% of HSC respondents voted for Neutral facilitation. These options relate to emotional comfort during mediation. **In Figure 13**, It is revealed that 21.00% of private sector respondents voted Yes, 16.50% of self-employed respondents voted Yes, and 15.50% of unemployed respondents voted Yes, while 0.50% of retired respondents voted No and 3.50% of self-employed respondents voted No. These options indicate prior participation in mediation. **In Figure 14**, It is revealed that 21.50% of private sector respondents voted Yes, 17.00% of public

sector respondents voted Yes, and 16.50% of unemployed respondents voted Yes, whereas 3.50% of retired respondents voted No and 4.00% of private sector respondents voted No. These options reflect perceptions of equal treatment by the mediator. **In Figure 15**, It is revealed that 16.50% of private sector respondents voted for Balanced combination, 13.00% of unemployed respondents voted for the same, and 12.00% of public sector respondents voted similarly, while 0.50% of retired respondents voted for Emotional insight and 1.00% of retired respondents voted for Legal reasoning. These options denote factors influencing neutrality perception. **In Figure 16**, It is revealed that 15.50% of private sector respondents voted for Empathy and listening, 14.50% of unemployed respondents voted for the same, and 12.00% of self-employed respondents voted similarly, while 1.00% of retired respondents voted for Communication style and 2.00% of public sector respondents voted for Neutral facilitation. These options relate to emotional comfort during mediation. **In figure 17**, It is revealed that 13.50% of sample respondents who are UG voted for Strongly Agree, 13.00% of PG respondents voted for Strongly Agree, and 11.50% of UG respondents voted for Agree, while 0.50% of SSLC respondents voted for Strongly Disagree and 1.00% of respondents with no formal education voted for Disagree. **In figure 18**, It is revealed that 13.50% of UG respondents voted for Strongly Agree, 13.00% of PG respondents voted for Strongly Agree, and 11.50% of UG respondents voted for Agree, while 0.50% of SSLC respondents voted for Strongly Disagree and 1.00% of respondents with no formal education voted for Disagree. **In figure 19**, it is revealed that 13.50% of PG respondents rated 4, 12.00% of UG respondents rated 5, and 10.50% of UG respondents rated 4, while 0.50% of HSC respondents rated 1 and 1.00% of respondents with no formal education rated 1. **In figure 20**, It is revealed that 10.00% of self-employed respondents voted for Strongly Agree, 9.50% of private sector respondents voted for Agree, and 8.00% of unemployed respondents voted for Agree, while 0.50% of unemployed respondents voted for Strongly Disagree and 1.00% of retired respondents voted for Strongly Disagree. **In figure 21**, It is revealed that 10.00% of self-employed respondents voted for Strongly Agree, 9.50% of private sector respondents voted for Agree, and 8.00% of unemployed respondents voted for Agree, while 0.50% of unemployed respondents voted for Strongly Disagree and 1.00% of retired respondents voted for Strongly Disagree. **In figure 22**, It is revealed that 12.00% of public sector respondents rated 5, 8.50% of private sector respondents rated 4, and 8.50% of self-employed respondents rated 4, while 0.50% of retired respondents rated 1 and 1.00% of unemployed respondents rated 1. **In figure 23**, It is revealed that 21.00% of

respondents aged 21–30 voted for Agree, 20.50% of respondents aged 21–30 voted for Strongly Agree, and 10.50% of respondents aged 21–30 voted for Neutral, while 1.00% of respondents below 20 voted for Strongly Disagree and 1.50% of respondents aged 41–50 voted for Strongly Disagree. **In figure 24**, It is revealed that 21.00% of respondents aged 21–30 voted for Agree, 20.50% of respondents aged 21–30 voted for Strongly Agree, and 10.50% of respondents aged 21–30 voted for Neutral, while 1.00% of respondents below 20 voted for Strongly Disagree and 1.50% of respondents aged 41–50 voted for Strongly Disagree. **In figure 25**, It is revealed that 21.50% of respondents aged 21–30 rated 4, 21.50% of respondents aged 21–30 rated 5, and 8.00% of respondents aged 21–30 rated 2, while 0.50% of respondents aged 31–40 rated 2 and 1.00% of respondents aged 41–50 rated 1.

DISCUSSION

In Figure 1, The data suggests that most respondents entered the current mediation with prior exposure, potentially influencing their expectations and perceptions of the process. This high prior participation rate could indicate a seasoned sample, possibly skewing views toward more critical assessments of mediator effectiveness, though the simplicity of the metric underscores broad familiarity with mediation dynamics in dispute resolution contexts. **In Figure 2**, These findings point to high satisfaction with mediator impartiality, essential for mediation success, as unequal treatment could erode trust. The minimal negative responses imply effective neutrality practices, though the 23% dissent warrants exploration into specific procedural lapses, potentially informing training to enhance equity perceptions across diverse disputes. **In Figure 3**, The dominance of balanced combination underscores the value of multifaceted mediator profiles in building neutrality trust, beyond singular traits like authority. Lower emphasis on emotional or social elements suggests respondents prioritize holistic competence, aligning with mediation's need for versatile facilitators; this could guide selection criteria to favor well-rounded backgrounds for optimal perceived impartiality. **In Figure 4**, Empathy and listening emerge as pivotal for emotional ease, emphasizing relational skills over procedural ones in mediation's high-stakes emotional terrain. The subdued role of communication style highlights potential gaps in delivery, suggesting targeted enhancements could amplify comfort; overall, this reinforces person-centered approaches to mitigate distress and foster collaborative resolutions. **In Figure 5**, Age-related patterns show younger adults (21-30) with substantial prior exposure, contrasting limited

experience in mid-age groups, possibly due to life-stage dispute frequency. This variability implies tailored mediation strategies for novices versus veterans, enhancing accessibility; younger familiarity could drive innovation in processes, while older inexperience highlights outreach needs. **In Figure 6**, Younger respondents (21-30) report stronger equity perceptions, potentially from adaptive mediator styles suiting their dynamics, while older groups show minor variances. This suggests age-sensitive facilitation to sustain trust, with high overall yes rates affirming core impartiality; implications include customized training for intergenerational equity in mediation. **In Figure 7**, Younger groups favor balanced backgrounds for neutrality, indicating preference for versatile mediators amid diverse disputes, while minimal selections in extremes highlight niche influences. This age gradient advocates inclusive profiles to bridge perceptions, bolstering mediation efficacy across generations through targeted background alignments. **In Figure 8**, Communication style dominates for younger ages in comfort, signaling its role in engaging dynamic interactions, with sparse mid-age inputs suggesting subtler priorities. This underscores adaptive communication training for age-diverse sessions, enhancing emotional safety and resolution rates in mediation. **In Figure 9**, The figure indicates that respondents with higher educational qualifications, particularly UG and PG, show greater prior exposure to mediation. Minimal participation among HSC and SSLC respondents suggests limited engagement or access to mediation mechanisms at lower education levels, highlighting the role of educational exposure in awareness and utilization of mediation processes. **In Figure 10**, A strong positive perception of mediator neutrality is evident among UG and PG respondents. Lower disagreement levels across all education categories indicate general confidence in procedural fairness. The pattern suggests that higher education may enhance understanding and appreciation of mediator impartiality during dispute resolution. **In Figure 11**, The dominance of a balanced combination across education levels underscores the importance of multi-dimensional mediator competence. Very low reliance on isolated traits like emotional insight or social empathy suggests that neutrality is perceived as holistic rather than attribute-specific, especially among higher-educated respondents. **In Figure 12**, Empathy and listening emerge as the most influential contributors to emotional comfort across education levels. Minimal emphasis on communication style and neutral facilitation among lower percentages indicates that respondents prioritize relational sensitivity over procedural formality during mediation experiences. **In Figure 13**, Higher mediation exposure among private sector and self-employed respondents suggests occupational familiarity with dispute resolution. Extremely

low negative responses from retired respondents indicate limited engagement rather than opposition, reflecting occupational differences in mediation accessibility and necessity. **In Figure 14**, Across occupational groups, affirmative perceptions of mediator impartiality dominate. The strongest confidence appears among private and public sector respondents, while low disagreement levels indicate broad acceptance of mediator fairness irrespective of employment status. **In Figure 15**, The prominence of a balanced combination across occupations highlights a collective expectation of comprehensive mediator competence. Marginal reliance on singular traits among retired respondents suggests limited emphasis on isolated qualities when assessing neutrality. **In Figure 16**, Empathy and listening strongly influence emotional comfort across occupational categories, particularly among economically active respondents. Minimal emphasis on procedural traits suggests that emotional assurance and understanding play a decisive role in shaping positive mediation experiences. **In figure 17**, indicates that higher educational attainment corresponds with stronger agreement on fairness influencing settlement acceptance. UG and PG respondents show dominant strong agreement, suggesting heightened evaluative capacity regarding procedural justice. Minimal disagreement among lower education groups implies limited resistance but also lower engagement, reinforcing fairness as a decisive factor across education levels. **In figure 18**, The dominance of strong agreement among UG and PG respondents highlights the perceived importance of mediator competence and background in managing power imbalances. Lower disagreement levels suggest broad consensus, while minimal opposition from less-educated respondents may indicate limited awareness of mediator role dynamics. **In figure 19**, Higher ratings among UG and PG respondents indicate strong confidence in mediator methodology, reinforcing the role of structured facilitation in dispute resolution. Very low ratings are negligible and concentrated among lower education levels, suggesting either dissatisfaction or limited understanding of mediation techniques. **In figure 20**, Self-employed and private sector respondents show stronger affirmation, possibly due to higher stakes and autonomy in dispute outcomes. Extremely low disagreement across occupations indicates fairness as a near-universal determinant in settlement decisions, regardless of employment status. **In figure 21**, The data suggests occupational experience shapes sensitivity to power handling, with self-employed respondents showing the strongest agreement. Minimal dissent highlights trust in mediator expertise across professions, reinforcing background credibility as essential in equitable mediation. **In figure 22**, Public sector respondents exhibit the highest willingness, indicating

institutional familiarity with formal dispute mechanisms. Low ratings are sparse, suggesting broad acceptance of mediator strategies irrespective of occupational background. **In figure 23**, Younger respondents show dominant agreement, indicating stronger reliance on fairness perceptions when accepting settlements. Older age groups show minimal disagreement, reflecting either acceptance of outcomes or reduced contestation in mediation processes. **In figure 24**, Respondents aged 21–30 exhibit strong consensus on mediator influence, likely due to greater awareness of procedural fairness. Very low disagreement across age groups reinforces confidence in mediator neutrality and competence. **In figure 25**, High ratings among younger respondents indicate strong responsiveness to mediator techniques, reinforcing the effectiveness of approach-driven resolution. Minimal low ratings across age groups suggest broad satisfaction with mediation processes.

LIMITATIONS

The study primarily relies on self-reported responses, which are inherently subjective and may be shaped by individual expectations, emotional states, or prior experiences with mediation, thereby introducing response and social desirability bias. The sample composition shows a noticeable concentration of respondents with higher educational qualifications and active occupational status, potentially limiting the representativeness of findings for less-educated, retired, or socially marginalised groups. Several figures employ binary or limited-choice response structures, which constrain respondents from expressing nuanced or conditional perceptions regarding mediator behaviour. Additionally, the cross-sectional nature of the study restricts the ability to examine how perceptions of neutrality, fairness, or emotional comfort evolve across different stages of mediation or over repeated engagements. Finally, the absence of contextual differentiation such as the nature of disputes, complexity of cases, or mediator experience limits the capacity to isolate whether observed perceptions stem from mediator conduct alone or from case-specific dynamics.

SUGGESTIONS

From a research-design perspective, future studies should adopt mixed-method approaches by integrating in-depth interviews or focus group discussions to capture the reasoning behind respondents' choices, thereby complementing quantitative patterns with qualitative depth.

Longitudinal research designs tracking participants across multiple mediation sessions would enable assessment of how trust, emotional comfort, and fairness perceptions develop over time. Expanding the sampling framework to ensure proportional representation across education levels, age brackets, and occupational categories would strengthen generalisability and reduce structural bias. With respect to the subject matter, mediator training programmes should place greater emphasis on empathy and active listening skills, as these consistently emerged as the strongest determinants of emotional comfort across demographic groups. Accreditation and appointment processes may benefit from prioritising mediators with balanced professional competencies rather than singular expertise, aligning with respondents' preference for holistic neutrality. Structured awareness initiatives could be introduced to familiarise lower-education and retired groups with mediation processes, addressing observed gaps in prior participation. Additionally, age- and occupation-sensitive mediation strategies particularly in communication style and facilitation techniques could enhance perceived fairness and engagement. Finally, institutional mediation frameworks should incorporate regular feedback mechanisms to identify and address minority perceptions of unfairness, thereby strengthening confidence in mediation as an equitable dispute resolution mechanism.

CONCLUSION

Neutrality and trust form the cornerstone of mediation, distinguishing it from adjudicatory forms of dispute resolution. While mediation is designed as a non-adversarial process, party perceptions of fairness are significantly influenced by the mediator's conduct and professional identity. Differences in educational qualifications, occupational experience, and institutional exposure may affect how mediators communicate, facilitate dialogue, and manage power imbalances. The study *aims* to investigate how disputing parties perceive a mediator's neutrality and trustworthiness, especially when mediators come from different professional backgrounds (legal, psychological, judicial, social work). It seeks to understand whether and how a mediator's training or experience influences parties' confidence that the mediator will act fairly. The research method followed in this study is *empirical research*, further supported by *descriptive and analytical methods*. A total of *211 samples* were collected using the *convenience sampling method*. The samples were collected from the *general public in Tamilnadu region*. For *data analysis*, the researcher employed tools from *SPSS*, like *graphs* and *anova*. The *key findings of the study* reveal that prior

mediation exposure is high, with 78% overall participation and peaks of 25% among UG and 21.5% among PG respondents. Perceived mediator fairness is strong, with 77% overall approval and 27% among UG respondents. A balanced combination of mediator qualities dominates neutrality perception, reaching 57% overall and nearly 20% among PG respondents. Emotional comfort is primarily driven by empathy and listening, accounting for 60.5% overall and 20% among UG respondents. **Future research** may extend this study by examining how perceptions of mediator neutrality and trust evolve over multiple mediation sessions through longitudinal analysis. Comparative studies across different types of disputes and mediation models could offer deeper insight into contextual influences on party perceptions. Incorporating qualitative methods such as interviews may further illuminate the reasoning behind respondents' evaluative judgments. The study **concludes** by advocating a recalibration of mediator training and appointment standards to emphasise holistic professional development, relational competence, and continuous feedback mechanisms, thereby strengthening the legitimacy, inclusiveness, and effectiveness of mediation as a sustainable dispute resolution mechanism.

REFERENCES

- Douglas, Susan. (2008). Neutrality in Mediation: A Study of Mediator Perceptions. QUT Law Review. 8. 10.5204/qutlr.v8i1.88.
- Bharadwaj, Pradeep & I, Dr & Podile, Venkateswararao. (2025). ASSESSING THE EFFECTIVENESS OF MEDIATION: THE ROLE OF PARTY TRUST AND MEDIATOR EXPERTISE ACROSS LEGAL AND NON-LEGAL FRAMEWORKS. Lex localis - Journal of Local Self-Government. 23. 628-639. 10.52152/800798.
- Relis, Tamara. (2009). Perceptions in Litigation and Mediation: Lawyers, Defendants, Plaintiffs and Gendered Parties. Perceptions in Litigation and Mediation: Lawyers, Defendants, Plaintiffs, and Gendered Parties. 10.1017/CBO9780511575280.
- Carol Izumi, Implicit Bias and the Illusion of Mediator Neutrality, 34 WASH. U. J. L. & POL'Y 71(2010), https://openscholarship.wustl.edu/law_journal_law_policy/vol34/iss1/4.