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Notes:



“Analysis from the perspective of the communication process,
how atmosphere can influence in a family law mediation session”.

by

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Declaration

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Abstract

Mediations sessions family law, are an alternative dispute resolution method generally accepted for being easy to process to help parties to settle an agreement, while avoiding wastage in time and money and emotional stress. As with many social processes this technique has its core in communication. But communication can go further than just a conversation between the parties in a dispute, other factors exist that can improve the performance of the communication in the mediation session. As a result, the outcomes can be described as favourable.

This research analysed five elements, Music, Aroma, Colour, Lighting and Room temperature; immersed in the atmosphere to approve or disqualify the theory for their use and contributions.

A Mix qualitative and quantitative methodological approach was used, to proof or reject the implementation of this elements, it was essential to get the opinion of three important groups, the first two actors directly in a mediation session, and the last one a professional third opinion of an expert in the field of study, a Psychologist. Questionnaire, surveys, structured interviews, examples of other case studies to create an analogy similar in a different context, for instance, Starbucks and Zara, and technique of observation of archived videos of Mediation session, were analysed and presented.

The findings suggested that a relationship exists between the majority of these elements associated with the performance in human behaviour, also eliminating the idea of the use of one element, demonstrating that even if in other fields it can be useful, for this study, it is not. All this analysis is supported by the professional opinion of the expert that enriched and contributed value to the outcomes.

This research is timely in Ireland, where one of the stipulated objectives is a settlement and advocated here for its implementation in mediation sessions family law. The elements improve the results in a dispute and as a consequence bring-a better reputation, image and advertisement of the implementation of Mediation Family law, as a useful option to sort out conflict in this field. This study addresses the gap in research in identifying the elements that can exist in the atmosphere in a mediation session that support a favourable settlement.

Introduction

Context and Rationale

This origin of this research arises with the idea and importance of the communication process to achieve the goals that every person has daily. As a professional of communication and Marketing the researcher wanted to demonstrate that communication processes can be moulded or altered in a positive or negatives way depending on the context and situation where this process is developing

Accordingly that the mediation is pure social interaction, based entirely in a communication process that is seeking to get a favourable agreement between the parties in dispute, to bring up the idea of analysis and explore how these factors can influence the atmosphere in the mediation session. However, the researcher looked to analysis this in one specific mediation process, believed it could be suitable for the aims that this study is looking for and will be explained in the next paragraph. Finally, the decision has implemented this analysis in the Mediations of Family law.

During a mediation process, where both parties are in a dispute, and they are choosing mediation as an alternative to resolve a conflict other elements in the environment can intervene and can influence in the final decision of the settlement agreement.

There are a considerable number of studies that support the idea that human behaviour and mood can be susceptible when one of the senses is engaged with, be that physical or emotional.

There are other fields that have applied the use of external factors, the cohesion of all of them yields better results.

For instance, in Marketing, Phillip Kotler the guru of marketing said “Customers do not buy just the physical product but the whole package, including service, warranties, packaging, ambience of the retail store, etc.” (Kotler, 1974).

The three most essential aspects of atmospherics are; exterior structure, interior design and the design of window displays. And its three most essential functions are creating attention, messages (communication) and effect.

The full set of sensory qualities of any customer are to: hear, touch, sees, smells and tastes.

After all and moving on the idea that a mediation session is a service where the atmosphere can be influenced by Music, Aroma, Colour, Lighting and Room temperature.

Aim of Study

The aim of this research is to demonstrate how the atmosphere has a great influence on the final decision of the person that is applying for mediation session in family law.

Objectives

To show how there are others factors in the communication process influence the mediation session in family law.

To figure out the importance that a good atmosphere in an environment can add to the mediation session in family law.

To contribute to the innovation of a new style of a mediation process family law, that makes the parties feel more comfortable.

Research Question

How can the different elements in the atmosphere of environment influence emotions and the feelings of the people that are involved in a mediation process in family law, and affect this in a positive or negative result?

Research Methodology

In order to achieve the aim of this research, a qualitative and quantitative methodological approach was the fundamental structure of this project.

The strategies used were questionnaires, surveys, structured interviews, the study of other cases similar in a different context to create analogies (Starbucks and Zara), and making use of archival research.

YouTube videos were used as a technique of observation of mediation sessions that helped the idea of recreating a new atmosphere that gives rise to feelings of wellbeing and relaxing during a mediation process in family law.

Organization of the Chapters

Chapter 1 - will provide the reader with a comprehensive vision of the critical literature that supports and add value to this research for a better understanding of the analysis of this study. Through the pages a detailed explanation and history of the origin of the communication process are analysed, to give the reader an expansive vision of this valuable process that is the core of this research. In addition, a compendium of the atmosphere and the elements that the researcher proposes for this study will give a complete guide to whomever reads this and have the interest to know the power and influence of these elements over human behaviour.

Afterwards, the family law mediation process will be explained, the context where mediation originated, from a history of this process until the current practices in mediation. It will be presented in an easy and understandable style as an alternative method of dispute resolution.

Chapter 2 - Outlines the Methodology and Method stipulated in this study, this chapter started with the design of this study, it moved on to the research methods that will show under what

classifications of methodology research was applied ,to explain the strategies that were put in practice during the evolution of the study.

Chapter 3 - Will outlines the data collection generated for this research, the chapter addresses the primary data, reviews the secondary data obtained for the analysis, explains the sampling used in the process of the research.

Chapter 4 - In the contents of this chapter the reader will know the results that this research obtained, also the resources applied in the qualitative and quantitative mix methods followed, discovering if the elements presented are factors that can influence a communication process, and if this process works successfully or not.

During this chapter the reader will be able to understand every element across the opinion of each one of the participants in a mediation process plus the objective view of psychology professionals.

Chapter 5 – this section is a thorough analysis of the findings in the whole process of the research, with the inputs of the researcher found out across the development of the research.

In this chapter the reader will have material discussed by the researcher based on the literature of this study, supported by the methodology and methods chosen and validate all material generated in this research with the aim to demonstrate and prove the origin for this research hypothesis, and finally the reader can make their own introspection of each one of the elements promoted in the study and decide if they are or are not convenient to apply in the field of study.

Chapter 1 Literature review

This chapter begins initially to take into consideration the three key concepts that integrated the topic of this dissertation, “Communication” “Atmosphere “and Mediation”. It was contemplated to realise. That the literature review will therefore seek definitions of these three keys fields, supporting in cases studies, books, articles and another documents that support the hypothesis and ideas in the body of this research.

The following link <https://b-ok.org/>, was used to enrich and help to get the information for this study, it is one of the biggest electronic libraries online.

1 Communication, a human process

Man is a thinking being since birth, as a result always has needed to communicate with his fellow man, this can be expressed in new-born children, who are looking for a way to communicate with their mother, crying is the first form of expression and communication between them. In this way, the human being begins his or her interaction and relationship with others by emitting messages either through words, ideas, thoughts and knowledge, or why not, from languages other than spoken.

Communication itself can be defined as social interaction through messages, messages that can be formally encoded, symbolic messages or events that represent some shared aspect in the culture (Hartley, 2004).

It should be noted that communication and its significance will depend mainly on the environment where the message develops.

It can be exemplified in the following way: communication between two professional doctors will not always be the same as that of two young gang members. In other words, communication will depend mainly on the environment where this process emanates.

Currently, communication as such has become a generic word, since, behind it, they contain countless meanings and functions that have been represented over the years. At first, who would have imagined that this natural process of people was going to become one of the disciplines most studied by young people around the world?

According to Frank Dance mentioned in the book *Theories of Human Communications* (Littlejohn, 2017, p. 4) the next area is an compendium of definitions that can be understood to get a general vision of what communication is. “Three points of “critical conceptual differentiation” in attempts to define communication.⁵ the first dimension is level of observation, or abstractness. Some definitions are broad and inclusive; others are restrictive. For example, the definition of communication as “the process that links discontinuous parts of the living world to one another” is general.⁶ On the other hand, communication as “the means of sending military messages, orders, etc., as by telephone, telegraph, radio, couriers,” is restrictive.⁷ The second distinction is intentionality. Some definitions include only purposeful message sending and receiving; others do not impose this limitation. The following is an example of a definition that includes intention: “Those situations in which a source transmits a message to a receiver with conscious intent to affect the latter’s behaviors.”⁸ A definition that does not require intent is the following: “Human communication has occurred when a human being responds to a symbol.”⁹ The third dimension is judgment. Some definitions include a statement of success, effectiveness, or accuracy; other definitions do not contain such implicit judgments. The following definition, for example, presumes that communication is successful—that the thought or idea is successfully exchanged: “Communication is the verbal interchange of a thought or idea.”¹⁰ Another definition, on the other hand, does not judge whether the outcome is successful or not: Communication is “the transmission of information.”¹¹ Here information is transmitted but not necessarily received or understood”.

1.2 Elements of the Communication process

Have you ever asked why some people have the power to convince other people to do what they want to do, or why some of them look more successful, powerful and influencer in many aspects of their lives?

If our minds travels to cities or places like Trafalgar Square or Time Square, the value and presence of the brands can lead the world to feel the excitement of power in these districts.

But, what is it that makes this person or brands have this power in their hands? This is the message.

The strength of their messages that they emit make the great difference between existing or not, and the message is created through a process known as Communication., this the importance about the communication process., because it depends on the process and the elements follows across the creation of the messages; which would be more successful; to get a clear, understandable and acceptable content.

The communication process could not have been more natural and easier to explain and understand, with the contribution made by Harold Lasswell (D., 1948) in conjunction with other sociologists, psychologists, anthropologists and politicians, who based on the rhetorical model that Aristotle established at that time of the flourishing Greece, introducing to this original model a necessary element that is the channel means or conduit by which the information and or communication emanating from the sender will be transported in order to reach its final destination, that is, the receiver.

However, unlike the other models, previous researchers pointed out that communication carried out had an end and was effective it should have an effect in communication terminology, which is known as "Feedback" which is nothing more than the encouragement to a person by another person

that generated the message, to whom the information is directed, if the Feedback is carried out in communication, we will assume that the communication established was sufficiently convincing.

The Harold Lasswell model is a paradigm that has been used to this day, since its development in the early 1948 (APPENDIX 1).

According to Harold Lasswell, who is considered the father of communication, this process of verbal communication is involved in every society and human development in five phases or elements that are described powerfully in the next paragraph.

Who, Say what, in Which Channel, to Whom with What Effect (OSullivan, et al., 1994, p. 50).

The first one, “the sender” is who produces the message, the person who is responsible for emitting the message, in an understandable and robust communication.

“Say that” or the second element, is the core of every communication process, it is the reason the communication exists between two or more people.

“The channel” is the way through which the message will travel; this element has high importance; many messages in communication will fail due to inappropriate use of a certain channel.

The fourth element, “to whom” is the Receptor, is all the individuals to whom we want to impact with the message that is generated. The effectiveness and the coverage of the channel can be gauged by its reach, one person or millions.

And the last one element, reminds us what the power of the message is, how strong was that created the necessity of response in people that received, this is called “Feedback”.

When this occurs it could be a sign that sometimes the effect of the message generated was positive; on the other hand the results of the Feedback can be the opposite to what the sender was expecting to get.

In conjunction with the five phases this body of research proposes the theory of the existence of external elements in the atmosphere of the mediation environment. This proposal seeks to prove how these elements can influence in a positive way how the communication process occurs and how this can affect the Feedback of the people, setting up the hypothesis in the context of the field that is corresponding to the area in examination. The importance of these external factors in the environment or atmosphere of the places where the mediation process has taken place will be examined in the following chapters Furthermore, the findings will demonstrate which elements are and how they can be an essential function during the development of the mediation process.

1.3 The Atmosphere

The Mixing of elements create an environment where people feel completely relaxed and have a sense of wellbeing, these spaces are calling Atmosphere.

The atmosphere can be physical or not, the space can be limited or infinite dependent on what is desired. In the end this is made or manipulated according to the goals and aims that an individual looking for

However it considered crucial for this analysis to get definition by experts and different disciplines about the perception of this concept. Then to follow some of this material that the researcher considers of value to understand this study and are embedded in different sceneries that can to give the reader a panoramic view of the capability and probability for the implementation of the elements in the field of study.

For instance, setting this concept in workplaces, as per (Koontz, January 17, 2018,) in the article How to create a good work atmosphere described that when the atmosphere of an office is relaxed, the people are happier and they work better. There is less conflict and more interaction between co-workers. More people will enjoy going to work.

Across the vision of another position as a customer, there are studies that prove the importance of what the atmosphere can contribute to the decision of the customer, according to the article *Why Store Atmosphere Matters to Your Customers* (Waters, 2019) on behalf of the research on 1997 "Store Atmosphere, Mood and Purchasing Behaviour" (Kordelia & FriedrichHesseb Kerstin, 1997, pp. 1-17)The study compared two furniture stores, one with a "pleasant" atmosphere and one with an unpleasant ambience. It concluded:

"Customers' mood – measured the beginning, the middle and the end of their shopping – was shown to improve in the pleasant and to deteriorate in the less pleasant store. Satisfaction with the store was greater in a pleasant store Customers in the pleasant store spontaneously spent more money on articles they simply liked."

From the two definitions above, the two deferent ambiances support this dissertation, that believe the immense power of the elements in the atmosphere of the mediation room, and the difference in the use of them can achieve great results, or not.

To review, at depth, the aspect of the atmosphere, for instance, an explicit and very successful use of a good atmosphere is expressed in one of the most famous coffee franchises around the world, Starbucks. This American company settled up in Seattle, it is one of the most evident examples that atmosphere can be one of the most critical factors in achieving a successful business.

From a marketing perspective, Starbucks has created a concept known as "The third place", the Starbucks experience. The concept is that all its retails store place great importance on generating atmosphere to engage with the customers and produce a link between costumers and brand. A third place to go after home and work.

In his parting message to employees, Chairman Howard Schultz reiterated the message. Providing the world with a warm and welcoming third place may just be our most important role and responsibility," he wrote. "Today and always" (Wiener-Bronner, 2018).

This store offers their customers more than a cup of coffee when they decide to go to a Starbucks store, they find that there is an infinite numbers of amenities that create in their subconscious a positive response according to the benefits that a client expecting to get when he or she is buying a Starbucks product. All of these elements that we can find in a store are part of the atmosphere of the store, and this can be, indoor temperature, music, Wi-Fi, sockets, lighting, furnishings, etc. As a result the customer will come back to the store for all of the aforementioned elements, and finally, the coffee is going to be a second term benefit, it is just a commodity.

Another example of how success can be the implementation of a good atmosphere is the retail chain Zara.

For this Spanish brand retail around the world the environment in their stores is the key to achieving multimillion euros incomes every year.

Elements such as colour, furnishing, and lighting, room temperature, created the concept of a trend fashion store that is demanding changes in products as fast as the new collections go out each season.

This is another case that proves how benefit could be used of external elements in the process of the communication, and that is involved in the environment, and in conjunction creates the concept of “atmosphere”, and this could be the responsible to reach all the goals and aims for a person, company or brand.

In an article by Forbes (Craig, 21) released and confirms how important it is to have to apply a positive atmosphere in companies and businesses. As a consequence the benefit to workplace environment will bring results such as productivity and profitability, these articles supporting the idea that there are extra components, what will help to improve the outcomes of a group of people immersed in the environment.

“So far, we’ve covered all of the more figurative uses for the word “atmosphere.” But how about the more literal one? Think furnishings, bathroom fixtures, light levels, temperature control and everything else that adds up to the physical presence your workers associate with your company. In a way, they’ll associate your building or campus with you on a personal level. Think of this as one more way to communicate with them without saying anything in words”.

There are many cases applied in different sectors or industries that prove to us the importance of creating or managing a better atmosphere in our environments and show us the positive outcomes. The proposal of this dissertation is to open the door to new experiences in the mediation process where both parties involved in a dispute can feel better. These elements are working together to support the mediator to get a fitting ending in the process. Just to reflecting the aim of the mediation as an alternative dispute resolution, it could be a faster process, will avoid unnecessary expense and reduce the level of stress that a future trial could generate.

To sum up this section, the next paragraph of the specialist electronic Magazine CXService360 (Okeke, 2017) is a key message to substantiate the idea of this study. “The ambience of your business outlet can be said to be the character, mood or atmosphere that can be associated with it. Everything that makes an impression on people when they visit your business such as the architecture of the building, temperature, interior, colour scheme, lighting, wall texture, neatness, choice of decoration and even employee uniforms are a part of your ambience”.

1.3.1 Elements in the atmosphere

There are many factors that are part of the atmosphere, however for this study five subjects are being contemplated, that are supported from other research and studies that have put them into practice in other industries.

In the following paragraphs the reader will know and understand which are these elements and their importance for this research.

1.3.1.1 Music

Everybody has listened to music in our lives if we wanted to count the number of hours; certainly it would be years upon years. There are numbers of studies that prove how music can influence the behaviour of people, the results can be complete influence by music, there can be good or bad results in the investigation.

However, this section will prove how important music can be as one of the essential elements included in an atmosphere, especially applied to this research in the field of a mediation session.

Music is used to influence the decision of the mediation parties; the results could be utterly different if music is not used in the atmosphere.

According to a CNN health report (Avramova, 2019) in the compendium there are many studies showing the application of different music techniques, there is evidence that music can improve the behaviour of people that are listening to it. In a 2011 study of the same report, 43 students listened to happy or sad music in the background as they were tasked with identifying happy and sad faces. When happy music was played, participants spotted more happy faces, and the opposite happened when they listened to a sad song.

The researchers argue that this could be because the perceptual decision on our sensory stimuli, in the experiment's case, the facial expressions, are directly influenced by our state of mind... [...],

[...] The study included people with and without depression and found that both groups felt better after listening to happy music.

Music is used as a tool in some therapies, in the health world, under the concept of Music therapy, based on elements and techniques in the music such as rhythm, sounds, melody and harmony with the aim to improve and the health in a patient which can be physical, social or cognitive.

According to (Wigram, et al., 2002, p. 29) there are a large number of definitions about this technique in relation to the area where it is put in practice, nevertheless all together go forward in the same direction, helping to improve the development of the clients, a patient that is in the practice.

Also, it is mentioned as an inclusive tool where the focus on the function is the key for its success.

To get an open concept about this technique, in the next paragraph, it is required to understand an official definition agreed upon in 1996 by the World Federation of Music Therapy (WFMT) (Wigram, et al., 2002, p. 30).

“Music therapy is the use of music and/or musical elements (sound, rhythm, melody and harmony) by a qualified music therapist with a client or group, in a process designed to facilitate and promote communication, relationships, learning, mobilisation [sic], expression, organisation [sic] and other relevant therapeutic objectives, in order to meet physical, emotional, mental, social and cognitive needs. Music therapy aims to develop potentials and/or restore functions of the individual so that he or she can achieve better intra- and inter-personal integration and, consequently, a better quality life through prevention, rehabilitation or treatment”.

Some of the reasons why people go for a mediation process are the benefits that this alternative can bring to their lives instead of being involved in a long judicial process. The benefits can include saving money and time, and one of the most important advantages: the reduction of stress that can arise out of these conflicts.

For instance, a Queen`s University Study (Meredith, 2019) a specific example of how this element can improve the perception of people in situations of stress, or the mood of people can be modified and the research confirms that when people are older, it is more probable that their emotional health will improve with music. As a result, this data is a tool to show that with age comes responsibility, and as a consequence higher levels of stress that needs to be managed.

Being part of a dispute, in general, whatever the issue is produces high levels of stress in humans and the carryover of negative feelings as a consequence.

“The fact that older adults showed greater stress reduction when listening to self-chosen music and when listening to a radio documentary also supports the existing theory that emotion regulation abilities develop over time and improve with age” (Meredith, 2019).

Therefore, if music is an element that is immersed in our lives, it should be applied in the world of the mediation process. The music will try to help this professional discipline to get extra value in its use. Finally the element exists and can be tested to show the benefits that it could bring to this family process where feelings, emotions, stress are always present.

Like every process, Mediation is looking to get an agreement between both parties with the objective to avoid further a court days. Mediation is a process where excellent communication will bring the parties in the process to an agreement. Music can be used in the waiting room to reduce stress level, to create a more hospitable environment, to set the scene, to allow the parties to set themselves up for agreement in the mediation room.

According to (Ansdell, 2014) There is confirmation how music can be one of the best hostesses for every meeting in our lives. This helps to support the idea that if music is applied in the field of mediation it could serve as a vital element to get positive results in disputes. A welcome can be the first step to get a synergy going between the parties and can be just the beginning to get a peaceful resolution.

To end this part, a textual phrase of the book of Gary Ansdell. “Both music therapy and community music cultivate and celebrate welcoming because it represents the core ethical stance and values from which their work flows: inclusion, participation, equality, generosity, answerability and unconditional acceptance. (Ansdell, 2014, p. 206) All these concepts together could be the result of a

successful mediation process where the element of the music can be present as a welcoming part of the process.

1.3.1.2 Aroma

The sense of smell is another element with high importance for this research; it is proposed believe that the use of techniques across these human senses can improve the communication and interaction of people in mediation, with positive results if they are applied correctly. This key element and its positive effects are supported in other fields of study and sciences, for instance in Marketing there is an increase in the use of this element as a method to get engagement with the target market, as a result this new branch of marketing is called Scent Marketing.

Some fields of marketing aim to create sensorial experiences for customers across the five humans scent. However, in this section, the Smell Scent is reviewed and its function as a method of marketing. The smell sent process sells to a customer the chance for a moment of pleasure and comfort.

It aims to change the perception of the customer and that this moment can be an unbelievable moment and experience. as a result, the brands and the companies profit to a greater extent, as well they are creating an emotional link between customer and product (brand or company), and finally creating the loyalty that is meant to generate the necessity to repeat this process and now believe in the lives of these customers

“Smell is the second most used sense, behind the sight, because each person has unique and individual experiences with odours and connects them with personal experiences” (Sendra-Nadal & Carbonell-Barrachina, 2017, p. 20).

From the perspective of marketing, sense of smells can be an excellent opportunity, for brands to reach their goals.

Every other sensory system must follow a long and winding path to the brain, full of transfers and hand-offs. But the smell is mainlined directly into centres for emotion and memory. (Sendra-Nadal & Carbonell-Barrachina, 2017, p. 31) And “Emotion” is one the key of this research, the process of communication that flows in a mediation process family law including a large load of emotions as a result of the issues and topics in dispute between the parties, one of the reason is that to take advantage of the odours it is possible to create a better atmosphere where the mediation is set up.

Information about our environment comes to our consciousness by entering through the usual five sensory doors. It can also remain in our mind and return to be re-experienced thanks to memory since we can remember things that we have seen, heard, touched, tasted and smelled and to re-experience the sensations that we experienced. Sensory impacts have a memory linked to emotions.

Sensory information reaches our consciousness through different routes, activating different combinations of the limbic system, the cerebral cortex and the tonsils, among other organs. (Choi & Han, 2015) There are some companies that are already capable of conducting market research to determine the physiological reactions that customers experience when affected by visual, auditory, and olfactory sensory stimuli. However, market research currently has mechanisms that are still very rudimentary, although some specific results are difficult to obtain.

Further Marketing, there is others discipline that can prove how the use of aroma can influence in the human behaviour, and this science created as well a branch known as Aromachology, that is dedicated to the study of the interrelation between psychology and aroma. (Choi & Han, 2015, p. 159)Theories of Aromachology have a factual neurobiological basis that establishes verifiable relationships through experimentation and is expressed quantitatively. This science is only related to the temporary effects of a fragrance on feelings and emotions, and with the results that occur by stimulating the olfactory pathways in the brain, especially in the limbic system. It uses as indicators electrical activity in the brain, heart rate, skin conduction, changes in cognitive functions such as

memory and voluntary and involuntary behaviour when stimulated by different aromas that can be pleasant or unpleasant.

Based on (Moore, 2016) research, showed that the sense of the aroma interact with the process of communication, and how this sense can be the capability and or function as language. It is understood how the brain responds to the stimulate, though, and how it is works and is activated, for instance, in dangerous situations and at times linked to food and reproduction, thus generating memories of great impact and longevity. Moreover, an aroma can transport us back in time and bring out emotions with greater intensity, more than a photograph or a song.

The focus is on the sense of smell as it is applied to the process of family law mediation: One aspect of family dispute is that lot of personal emotions and affections between the parties are raw. The aim of mediation is to try to get an agreement that both parties agree to; to use external elements that can stay in the environment where the session is taking place, but without being aware of the physical presence because the main objective of the proposal with these elements in the atmosphere is to be the factor that supports positive results. These elements must be as a natural harmony mixed each other without being visible by the participants, so the results will be better than expected.

Furthermore, another discipline exists called aromatherapy which is a branch of herbal medicine, and according to studies by Rachael (Herz, 2009) Aromatherapy is defined as the use of essential oils extracted from plants for the treatment of physical and psychological health. The concept of aromatherapy is ancient. Aromatic plant-based compounds were used by the Chinese in the form of incense, by the Egyptians in embalming the dead, and by the Romans in their baths. The term “aromatherapy” (originally *aromatherapie*) was coined by the French chemist Rene-Maurice Gattefosse, in 1928 (Choi & Han, 2015, p. 157), who began the exploration of essential oils for their healing powers after an explosion in his laboratory left his hand badly burned and the accidental soaking of his injury in pure lavender oil produced a rapid and miraculous healing.

Contemporary aromatherapy proposes that various plant-based aromas have the ability to influence mood, behaviour, and “wellness.” The use of this technique, along with the analysis and hypothesis of this research, is based in the main theory that elements like aroma can help to improve and make people feel better in a session. With the information in this literature review, it is known that between aromachology and aromatherapy a great number of favourable results can occur with the correct application of the techniques, the most important differences between them are:

Aromachology:

- Concept-based on scientific and systematic data, under controlled conditions
- Establishes the effects of aromas on human behaviour, through reproducible scientific experiments
- Covers only the effects on the brain of olfactory stimuli
- Combine natural and synthetic aromas

Aromatherapy:

- Concept-based on the traditional use of essential oils and herbs
- Establishes therapeutic effects based on ancestral use
- Introduces essential oils into the bloodstream by ingestion, skin absorption, sprays or compresses
- Only uses natural ingredients, impossible to synthesize in the laboratory

1.3.1.3 Colours

Colours can influence mood every day, it is a powerful communication tool. Everybody is exposed to the effects and reactions that this element can create over the personality and behaviour of people; nevertheless, not everyone can perceive that colours play this role, moreover colours are

immersed in every facet our lives and activities, and are sometimes passed in front of us in a discreet way. Still, its effects over people can be significant; it is possible to find that this element is one of the most important to put in practice and use by artists and interior designers, who believe that this element can dramatically affect moods, feelings, and emotions of people that it touches directly or indirectly.

To give the reader a “feeling” of colour, to check the psychological reactions, here are a few general notes. In the main, the colours of the spectrum are to be associated with two moods, the warm, active, and exciting qualities of red and its analogous hues, and the cool, passive, and calming qualities of blue, violet, and green. Areas of these hues tend to enliven the mood or to quiet it. Likewise, light colours are active, while intense colours are likely to be passive. Beyond the feeling of warmth or coolness, brightness or dimness, the exact choice of a hue or tone is a reasonably optional matter, and its power to arouse pleasure or displeasure may depend on individual preferences. Pure colours, however, are likely to be severe. Too much “harping” on anyone colour may prove distressing. Even more, pronounced in “moods” are chromatic lights, greens and blues that turn the lips black and give the flesh a cadaverous aspect. Here the mere sight of a person’s face may be revolting. Green light has been thrown on criminals in a mirrored room to help force a confession. A few psychologists have carried out research to determine the moods which people associate with the colours of the spectrum. N. A. Wells found that deep orange has the most exciting influence, then scarlet and yellow-orange. The most tranquillizing colour is yellow-green, then green. Violet has the most subduing impact, purple next (Faber, 2016).

So how exactly does colour work? How is colour believed to impact mood and behaviour?

As it said before Science and Discipline, such as Psychology and Marketing, can often strengthen the idea that colours can influence the mood of people. During the process of this research interesting studies were contributing to support the idea that colour could play an essential role

through a process of communication. One of the studies concerning these elements that are shown in this research is a study entitled. The interactive effects of colours and products on perceptions of brand logo appropriateness (Bottomley & Doyle, 2006) in summary that gave insights that can be applied for use in other fields. This study sustains the idea that colours and brands are linked in the perception of the costumers, colours used for brands as an element to create an identity and as a consequence are responsible for catching attention, top of mind, and recall in the brain of the customer.

Part of the importance of this study is one of the experiments that demonstrates association concepts of “functionality” and “sensory-social” of some logos of brands created in blue colour and how the perception of the brands-colour and the ranking of the measures that the receptor has of this brands-logo-colour (APPENDIX 2).

Another study about the effect of perceiving colours in humans corroborates the idea about the blue colour as an element in the atmosphere of places concerning customer experiences, as an example and proof there are colours related to creating some feeling and emotions in the humans, and that is not a coincidence that hundreds of companies around the world implement as a part of their products, stores, logos, same colour., the use of it goes further as a like or dislike of the texture of the colour, every application of this element have a background and reasoning that is straight ahead to seek optimist outcomes whatever business sector it is implemented in.

There are many other interesting bodies of work emerging in this area, and in the following section we briefly touch on a few highlights, focusing primarily on research in the areas of consumer behaviour and food/beverage evaluation and consumption. It is taken as an undeniable fact by marketers, advertisers, and graphic artists that colour influences consumer behaviour (Paul & Okan 2011). One line of research in this area focuses on atmospherics, addressing issues such as the influence of building, store, and website colour on drawing consumers in, keeping them engaged,

and enhancing their shopping experience. Blue appears to be a highly positive colour in this regard, as blue stores and websites are rated as more relaxing, less crowded, and even more trustworthy (Elliot, 2014).

According to the online Magazine CXService360 the amount of lighting and the colour scheme of offices and stores are massive contributors to the ambience of an establishment; these elements together can influence the customer's mood and emotion. For instance, colours like Red have been found to increase blood pressure and appetite, while colours such as blue reduce blood pressure and create a calming atmosphere. (Okeke, 2017) Besides give the reader essential headline of the appropriate use of the colours beneficial for this research and the application of colours in the creation of a good atmosphere (APPENDIX 3).

Several ancient cultures, including the Egyptians and Chinese, practised chromotherapy, or the use of colours to heal. Chromotherapy is sometimes referred to as light therapy or colorology and is still used today as a holistic or alternative treatment (Cherry, 2019).

In this treatment:

Red was used to stimulate the body and mind and to increase circulation.

Yellow was thought to stimulate the nerves and purify the body.

Orange was used to heal the lungs and to increase energy levels.

Blue was believed to soothe illnesses and treat pain.

Indigo shades were thought to alleviate skin problems.

To sum up, it is necessary to remind the reader that this association of the use of colours in other fields like customer experiences, brands, logos, psychological therapy, is focus of this study. This research proposed to prove that successful application of these elements in all the examples above

mentioned, can contribute great value and importance if it is applied in the study area, a mediation session.

1.3.1.4 Lighting

Psychology and Neuroscience are sciences that support the idea about how the colours can influence peoples mood, and colours always correlate with the light. As a consequence, the sun can produce an effect in the room temperate where these elements blend in harmony. According to the blog Psychology Today (Bergland, 2013) showed that Researchers at the Interdepartmental Neuroscience program at Northwestern University in Chicago reported that the detrimental impact of working in a windowless environment is a universal phenomenon. Where Workers without windows reported lower scores and also had poorer outcomes in measures of overall sleep quality, sleep efficiency, sleep disturbances and daytime dysfunction, this kind of performance in human behaviour are just some real examples of how significant the presence of an element can be and that it is a natural resource and how it can reverberate in our decisions or actions. On the other hand, artificial illumination has an essential role in the behaviour of people and as a result in outcomes of people involved with it.

In this study, the impact of light and colour on psychological mood: a cross-cultural study of indoor work environments (Küller, et al., 2006) have exposed very interesting conclusions in relation to the mood of people associated with the lighting. The result of the study was that the psychological attitude was at its lowest when there were subnormal levels of illumination. The mood then improved and reached its highest level when the lighting experienced was just right, but when it became too bright, the mood declined again. This result is hardly astonishing.

It is important to remember the aim and implication in the context of this research, of this element in an atmosphere, natural or artificial, LED or traditional, dark and dreary, lighting will not only improve the outcome of the mediation session, it may help the mediator increase productivity and

participation as well as enhance the mood of the clients in the meeting, in this case, the parties in a dispute.

Finally depending on the type of mood you want to create, keep the intensity of lighting just right. For instance, in a restaurant, low dim lights will help create an intimate feeling for customers, while for retail stores, bright lighting help customers find items faster, makes sense of space and encourages them to shop for more goodies (Okeke, 2017).

1.3.1.5 Room Temperature

In relation to room temperature, it has been improved in many studies how the temperature influences the behaviour and the decisions made by humans, for good or bad, getting the right room temperature can make all the difference for the comfort of the costumers. The wrong temperature can lead your customers to think they have been waiting longer than they have. If it's too warm, customers will be uncomfortable, too cold and all they'll remember is how they shivered for 30 minutes. A consistent temperature between 65 and 70 degrees Fahrenheit will work in almost any season (though you may want to go a bit cooler during an incredibly humid summer (Oppong, 2018).

According to the Journal Nature Human Behaviour (Kolson Hurleymat, 2018)claimed that ambient temperature is a "crucial" factor associated with an individual's personality. The paper—by a team of psychologists based in China, Australia, the United Kingdom, and the United States—found that, compared to people who grew up in areas with more extreme temperatures, "individuals who grew up in regions with more clement temperatures (that is, closer to 22°C) scored higher on personality factors related to socialization and stability (agreeableness, conscientiousness, and emotional stability) and personal growth and plasticity (extraversion and openness to experience).

1.4 Dispute resolution

To demonstrate, Mediation is the subject of this study; firstly this research summarized some case studies. To begin with the emphasis will be about differences as a concept of dispute and the concept of a conflict and then as a result it is possible to understand in simple form the meaning of “alternative dispute resolution (ADR).

On the authority of the Law Reform Commission in its consultation "A dispute is a product of unresolved conflict. Conflict can be viewed as the result of the differences which make individuals unique and the different expectations individuals bring to life. While conflict is inevitable, disputes need not be" (Commission, 2008, p. 33).

Based on this definition conflict is where there are different parties involved that are in disagreement and when it is not being resolved satisfactorily it becomes a dispute, and therefore other tools or techniques are sought to help us come to a solution when it has reached this point; these different techniques are known as "Alternative Dispute Resolution".

During the period where all these conflicts were developing, there were many factors, people and movements that cared to help, meditate, stop and resolve such problems as the United Nation (UN), Writers awarded with the Nobel Peace Prize, the Red Cross or the International Physicians for the Prevention of Nuclear War Movement, as is explained by Tim Jacoby in the introduction to his book "Understanding Conflict and Violence" (Jacoby, 2008, pp. 1-17).

Others authors such as John Burton have distinguished conflicts from disputes, "suggesting that conflicts arise from deep-seated problems that resist resolution while disputes revolve around short-term disagreements that are amenable to negotiation" (Kriesberg & Dayton, 2016, p. 2).

The mechanisms or procedures that allow resolving conflicts are known as Alternative Dispute Resolution and are including Negotiation, Mediation, Conciliation and Arbitration.

"Alternative Dispute Resolution (ADR) is the procedure for settling disputes without litigation, such as arbitration, Mediation, or negotiation. ADR procedures are usually less costly and more expeditious. They are increasingly being utilized in disputes that would otherwise result in litigation, including high-profile labour disputes, divorce actions, and personal injury claims" (Reuters, 2016).

Alternative Dispute Resolution (ADR) is receiving greater acceptance worldwide. Also a wider diversity of applications from corporate to personal use in family law mediation, with added benefits of saving time and money. "Usually takes far less time to reach a final resolution than if the matter were to go to trial. Often but not always it costs significantly less money. Furthermore, in the case of arbitration, the parties have far more flexibility in choosing what rules will be applied to their dispute (they can choose to apply relevant industry standards, domestic law, the law of a foreign country, a unique set of rules used by the arbitration service or even religious law in some cases)" (Education, 2018).

In the words of Austin Kenny, (Gazette, 2018)[8] spokesperson, Commercial Mediation is still relatively new in Ireland; nevertheless, there has been a significant increase in the number of cases dealt with through Mediation in 2017 vs 2018.

"Mediation can deliver a speedy and cost-effective outcome. Cases are typically dealt within a 3 to 6 week period from commencing the process which is significantly quicker than going to trial. The parties through their direct involvement in the process can often end up with a more creative solution than litigation can provide. The process creates the opportunity for important relationships to be repaired which could otherwise be damaged by litigation. In some cases, an apology and/ or explanation, rather than money, is central to disputes being resolved" (Gazette, 2018).

1.4.1 Mediation

This research is entirely based in the field of Mediation, focused on the whole process where it is developed. During this researcher`s masters studies it was learned that this technique is as an alternative to dispute resolution, giving the opportunity of a third or fourth party to be involved in the process to express all the points of view according to the topics in the dispute, as lead by the professional in the mediation.

Moreover, in the book *The Handbook of Dispute Resolution* (Moffitt & Bordone, 2005) is completely in agreement with all the lectures, specifically about the position and the prominent role that the mediator has in the Mediation session. The mediator dictates the rules of play to the parties involved in the dispute, who are responsible to get an agreement, that gives each other the satisfaction that both of them are looking for in the process, avoiding the point to get further in a legal process where the judicial court or judge can make a decision where neither party wish to appeal.

Therefore, here is the point where this research seeks to deliver real impact to the parties in the mediation discourse to sort out their differences. This research supports the idea that during the process of communication in the mediation session there are other elements that are not visible but they can help before and during the mediation process.

Every human has being involved in moments of high levels of stress, adrenaline, frustration, anxieties. During these moments of high stress important decisions need to be made, there is an accumulation of emotions that that every party carries into a dispute before the start of a mediation session, and this analysis has the elements has the elements and data that were created for this study where we can find all this emotions that could be treated and could be managed in the process of the session where some elements are applied.

This is the point where the research needs to use tools of other sciences or disciplines in the social field and environment.

This is the reason in the next few pages of this literature review, this research used books, others researchers works, studies and articles linking with these elements that we are proposing as the alternative to analysis how the communication can be managed in the process. Finally this study will prove that these elements that stay in the session can influence a lot of the emotions of the parties and could be the big difference between positive results versus not favourable outcomes.

While the last section talked about other disciplines and sciences, this research will seek a correlation between Marketing and Psychology, social and human fields where similar techniques and elements are set in their respective areas with successful outcomes.

This research is trying to demonstrate that the implementation of these elements in other sciences have brought multiples benefits, moreover these outcomes could be applied in this social field as well the alternatives dispute resolution, it is a step to the improve the results in family disputes that that have chosen mediation as their chosen technique to resolve a dispute.

1.4.1.1. Familiar law mediation

Family is the core of society, and the idea of the analysis is to prove the hypothesis that in this field of the mediation process some arrangement can be made of the atmosphere in the mediation room, so that the resulting outcomes can be better.

To research this subject deeply the information and data relating to this field is utterly online due to this technique being relatively new in Ireland, its laws that support these alternatives we can read in the Mediation ACT (Act, 2017), where the finality of this act is to try to simplify, optimize resources and reduce the level of stress in a better way, remembering that in this processes the

disputes are completely about the people involved, issues between couples or children that must be treated delicately keeping in mind the emotional life of people that are concerned in these disputes.

This research shows that there currently exists in Ireland different association that support and lead the mediation process in this country and give the parties involved in these issues help and being and offer alternative method of conflict resolution.

On the article "Mediating a way to avoid court fees and delays" for the Irish Times (McDonagh, 2016) published just more than a year before the approval of the new Mediation Act 2017, There are findings that show how urgently and favourable the implementation has been of this new ACT and the journalism across the techniques of the interviews let us explore and the opinion of an expert in the area and know how the people involved can be in a prolonged, hard process that where not only money and time is wasted.

Add to this one important element that exists but perhaps is not visible and this is all the emotional waste and as consequence an accumulation of emotions that can stay as a tattoo in the lives of people that are struggling in this process.

Examples of these issues can be viewed in the following links:

<https://www.citizensinformation.ie>

<https://www.mediateireland.com>

<https://www.legalaidboard.ie>

<http://www.familymediation.ie/>

<https://www.lawsociety.ie/>

<https://www.themii.ie>

Chapter 2 Research Methodology and Methods

The following chapter will outline the methodology applied for this research, it will explain the methods and techniques using during the process, explaining point by point how it is possible to collect data that helps to support the idea of this study. The purpose of this research analysed the communication process in a mediation session, believing that there are elements within the atmosphere of that space, mainly the venues where the family law mediation session is developed. The chapter begins with Research Design followed by the Research Methods, and lastly shows the sampling utilized for each of the techniques. Along with the analysis and review of almost a decade of online mediation session that show the limitations of certain elements during the process.

2.1 Research design

This research adopted the Positivism philosophy based on facts that are core to carry out research work. Its scope is oriented to the observation and analysis of the facts, their measurable nature and the explanation based on the demonstration of the hypotheses. It is characterized by overcoming the substantial (final causes of the universe) and metaphysical forms of knowledge and by opting for the contribution of empirical elements to dissolve the vision that the world can be explained in an abstract as well as speculative way.

The research is based on mixed-method designs research, combined qualitative and quantitative approaches addressing the development of the study.

Some studies are focused on explanatory cases, studying the situation or a problem in order to explain the relationship between the variables (Saunders & Lewis, 2012 , p. 113) These variables are the elements that are analysed as the external elements that could exist in the atmosphere and could influence the behaviour or decision making of the people that have chosen a mediation session as an option of a dispute resolution. As a result of social study and according to (Saunders

& Lewis, 2012 , p. 113) some strategies applied were applied from their book as they were suitable for this project. Some of them are:

- Questionnaire
- survey
- Sampling
- Interviews
- Reanalysis secondary data.

The approach of this study is an interpretive perspective, based on Explanatory Sequential Mixed Methods (Creswell, 2014, p. 220) and explained graphically in the figure the three mixed methods designs (APPENDIX 4).

The context of this study is set in a current time frame of the present time in Ireland, where the mediation process has increased its recognition as an official alternative to dispute resolution. The proposal of this study is proven that there are elements that can help to improve the behaviour of the participants involved in the session.

One of the limitations which was explained in other chapters was the disadvantage of not staying in real-time in the middle of a mediation session; therefore this study was structured in the following phases; based in primary and secondary data collection.

Firstly, exploring the opinion of perception of people that are working in the front line of the mediation and whom their roles lead the session, nevertheless, they are critical elements in the investigation.

Secondly, the study is not viable without the opinion and perception of all of the participants that could be directly or indirectly involved with a family law mediation session. As a result, the researcher collected data across a sample with people that are highly qualified as the primary target

for the surveys, developed that would help to generate data and give to the study a second opinion according to the aims and goals of this study.

Thirdly, the study is looking at the research across the experience, knowledge and background of psychologists, expert in this area, a science with methodology supporting this analysis and hypothesis that is the core to this investigation.

In the secondary data the project collected content and information by the technique of observation of videos online representing the procedure of the family law mediation process, these visual resources were picked up even in Ireland as other countries where this alternative has been implemented, and some of these countries are. Scotland, England, USA and Bulgaria.

2.2 Research Methods

Mixed methods research (MMR) involves collecting and integrating quantitative and qualitative data in a single project and therefore, may result in a more comprehensive understanding of the phenomenon under investigation (Leavy, 2017, p. 164).

The Data Collection strategies method for this project were a mix of qualitative and quantitative to get a more clear approach to the case study .To implement a quantitative method, the researcher explored using questionnaires and surveys that focused on the parties directly involved in the process, this means the Mediators and the Parties in mediation; the people used in the sample were recreating the scenario of family law mediation session.

For this study, the researcher was looking for response perceptions, opinions or beliefs about the theory of the elements in the atmosphere, and according to (Saunders & Lewis, 2012 , p. 144)the type of rating questionnaire must be implemented when the research is seeking this type of outcome.

This strategy was applied using questionnaires and surveys (APPENDIX 5 & 6), every single question was elaborated thinking about the role of each participant (Mediators and Parties in Mediation) without losing the focus on the key question about the elements; Music, Aroma, Lighting, Colour and Room Temperature.

By mean of the qualitative methods this researcher explored a range of qualitative alternatives such as interviews and observation of recording material. Due to the limitation of these systems the results of all the mediation sessions are completely confidential; the research is trying to understand more about the behaviour of the parties and the composition of the atmosphere with the features that can see measurable results across the observation in this material.

The videos supported the idea that the elements mentioned in the hypothesis do not exist and their application could be a great input to the family law mediation session.

The concept used in the interviews was “Structured interview” (APPENDIX 7) which is a method of data collection using a questionnaire in which each person is asked the same set of questions in the same order by an interviewer who records the responses. (Saunders & Lewis, 2012 , p. 141)The researcher in these interviews was exploring and seeking sensitive and confidential data get the psychological insight and core of the study, which is a third opinion that supported the aims and reason for this study. Nevertheless, the research needed to be fair, impartial and factual with the outcomes, it is because the structure of the study helped to get the resulting differences between the elements and completely different data was the outcome compared to what the research was expecting to generate.

In conclusion, the structured interviews were the best type of interview suited to this research.

As a secondary data, part of the study strategy has been to use Archival Research, introducing a time-frame of a decade of documentary no-text material. When possible this was analysed as part of

the observation of the elements that this research was attempting to prove as factors of influence in the decision.

2.3 Sampling

It has been noted that complex studies and research that explore the social area can lead to a consequence that could be stressful due to using techniques like observation and can be considered as subjective regularly.

A part of this project put into focus the opinion of people immersed in the dynamic of the mediation process, firstly it was necessary to stipulate who could be the participants that could generate the primary data and were content that they could enrich the study.

Therefore the sampling was generated in the following three different perspectives or actors:

1. Mediators
2. Parties in Mediation
3. Psychologists

Concerning expert mediators and psychologists, the size of the sample considered for this research was six, according to the simple random sampling random selection, (Kholos Wysocki, 2008, p. 133) outlined that this is a process that ensures that every subject in the population has the same chance, or probability, of being selected for a sample. As a result of randomization, the sample group should possess the same characteristics as the population as a whole.

In relation to the group two; the Parties in the mediation, the sample size was 36 people, using nonprobability convenience sampling which is one type of sampling which uses subjects who are available but not necessarily representative. As a result, the chances, or probabilities that members of the population will be selected for a sample are not equal.

This chapter provided the reader with a complete vision about the structure and design of the methodology implemented for this study and supports this with interesting literature and sources, to give a more tolerant understanding of it.

Voluntary participation was fundamental in this study to get the research outcomes. The interpretative approach was applied to the study.

Chapter 3 Presentation of the data

The following paragraphs explain to the reader, the process for this research, introducing the primary data collection and secondary data as well, all the information is showed according to the three groups for this research, along with the implementation of coding in every group to allow easier comprehension of the data. Some of the representative graphics are introduced, in relation to each of the elements in this study.

3.1 Recruitment process

Once the structure of the sample was defined, the three groups were organised separately starting from the recruitment process in the follows steps.

3.1.1 Mediators

Firstly it was necessary to gather the data of Mediators, who are the figures responsible to lead the process in a mediation session; the sampling size was six professionals in from this field.

As a result, this study was set in Dublin, Ireland; only Mediators that are living in the country were considered and can get responses based on the goals and aims of this study.

Another filter necessary to get the sample was selecting experienced family law mediators, as a consequence the researcher looked for the first sample contact of candidates in a formal institution, following on from this was the decision to invite candidates to participate from the Mediator Institute of Ireland (Ireland, s.f.).

3.1.2 Parties in Mediation

Secondly, the study needs to prove and understand the position of the parties involved in dispute resolution; the research applied a second survey with a sample size of 36 people who lived in Ireland where the investigation is going on.

As to the topic of the research, the criteria used to collect data across the view point of possible user of a mediation process were contemplated people that are married or have kids. However, as a secondary target single people were sampled, as in mediation family law various topics are involved like separation, divorce or child custody. There are more issues that can be attached to a family law process, and finally nearly everybody grows up in some sort of family structure, and everybody can be a tentative target to use in a mediation process, as an alternative in resolving a conflict.

3.1.3 Psychologists

The last sample group of this study involved the researcher obtaining data expertise and knowledge of experts in the field of psychology. This study analyses the how the communication process can be influenced by the elements in the atmosphere, as a result of the great importance of a third party in the investigation, the third party that is not involved directly in the process, nevertheless their science, Psychology, are responsible for studying human behaviour.

To generate valuable data and to complete the study, the third part of the target for this research was a sample of five psychologists. Initially the researcher planned to implement the structured interview strategy, following the guidelines that are associated with this research, the intention was to apply interview from psychologists from Ireland only, using the resource to find possible candidates to participate in this study across recognized institutions, such as The Psychological Society of Ireland.

3.2 Data Collection Procedure

The primary data collection of this research was delivered at the same time to the three groups that were involved in the study: Mediators, Parties in Mediation and Psychologists.

In all of the above three participant types, Self-Report technique was used, this is a technique that social scientists commonly use to collect data.

Self - report data are collected by asking participants to answer questions on their own. This is done by completing a survey or questionnaire, either via phone, mail, email, Internet, or group setting. The main advantage of the self - report strategy is the efficiency with which data can be collected (Vanderstoep & Johnston, 2009, p. 66).

The first participant category were the specialists, the Mediators, with The Mediator`s Institute of Ireland, facilitated by the MII office manager. This researcher sent an email to invite the family law mediators to participate in this research.

The email invitation request was sent to 25 members, contacted across the official institution before mentioned. The procedure was divided into three groups sending on different dates, and every mail was personalized.

At the same time as sending emails, the researcher had the support of the Office Manager of the Mediator`s Institute of Ireland.

Once the mediators responded to this study the researcher continued with sending the official Covering Letter which one included the link to the questionnaire survey online. Also included was the Consent form for the authorization of the data collected. Once the researcher had notification that Mediators have responded to the study, the researcher started the acknowledgement emails.

The questionnaire survey of the study group used the drive or Google docs, for better easier management and analysis of the data.

For the parties in the mediation group, it was a simple random sampling selection; the procedure was more manageable than the other groups.

The survey was set up on the same platform as the first one, Google Driver, the metrics of this sample were based in socio demographic terms just Irish people or permanently resident that are married or have a civil or partner relationship with Irish people, mainly focus on age between 30 to 45 years old and open to all civil status.

This was pilot tested on five random people, to evaluate and test the survey online, to ensure that it was working without issues.

After obtaining and analysing the pilot survey results, it was possible to address the logistical, technical, other issues or clarifications with the style some of the questions.

This group were the most participatory and more susceptible to management and control; the respondents answered the survey within three days.

“The advantages of Web surveys are several. [...], second, response times are faster. Mail surveys tend to sit on a pile of other papers for up to several weeks. In contrast, respondents tend to complete Web surveys quite quickly. At our institution, for example, approximately 90% of total responses from Web surveys are completed within the first 48 hours after the initial email notification is sent” (Vanderstoep & Johnston, 2009, p. 66).

And the third group, the Psychologists, perhaps was one of the most complicated, stressful and complicated to collect during the development of the research.

Following the same procedures applied in the first group, the researcher got the first contact from one official institution, The Psychological Society of Ireland, using the web browser filters to obtain professionals in the area of psychology. The aim was to get a sample of five professionals in this field. The first approach was to obtain six psychologists, email invitations were sent, after a couple of days this researcher did not get any responses. Other invitation mails were sent to thirteen more psychologists. All the email was sent personalized for each one of the chosen psychologists. The time-frame of the study was not changeable; the study could not stop, however, no matter the importance of these groups of specialists.

Many attempts were made to contact the psychologists, attempts were made to contact their social media accounts like twitter where it was easier to see they were communicating online; unfortunately, nobody responded to these interviews.

The researcher put into practise the strategies for overcoming possible problems during the developed of this research. As was explained in the beginning of this research, the opinion of this group was critical as a third part; finally of the three components of the mediation process only the Mediators and Parties were involved.

Based on these considerations, it was decided, to invite to psychologists to participate from the researchers network. As a result, the sample was taken with professionals from Mexico and Brazil.

All the participants received a formal Covering letter email, the Consent Form and the questionnaire with structured interviews. However the strategies changed from a face to face interview (via skype) to an asynchronous interview. As a result, the first three participants decided to respond to the questions and send back convenient times to conduct the interview, but were challenged because their schedule was entirely online, therefore opted for this style of interview for the rest of the respondents.

According to (Merriam & Tisdell, 2015, p. 115) one can also conduct interviews asynchronously (where there is a lag time) over email or on an online discussion group; asynchronous interviews tend to be text-based or written interviews.

3.3 Data management and coding

The data collected for all samples proposed in the process of this study were picked up during the last phase of this research, the research was separated into three important groups to understand more about the perception and opinion of these three important groups that were contemplated as the sample of this research.

Group One

In this group are grouped the six mediation professionals from the total of the participants in the sample, four are female, and one is Male, for easier understanding of the research a code was applied, in the table below the information is shown for easier understanding for the reader.

Code	Meaning
M1F	Mediator one female
M2F	Mediator two female
M3F	Mediator three female
M4F	Mediator four female
M5F	Mediator five female
M6M	Mediator five male

All of these are professionals in the field of family law mediation. In this first group, the researcher, attempted to know the opinion of the experts of the area of the study (Mediation) as they considered that the elements that are immersed in the atmosphere could be a factor that can influence in the

behaviour of the parties during the session. As a result, this could be reflected in the outcome of the session.

From the question totals, the structure of the content in relation to the elements of the atmosphere where distributed in the follow proportions:

Elements or Topic	Number of questions
Atmosphere or environment	5
Music	1
Aroma	1
Room Temperature	1
Lighting	1
Colours	1

In regard to the question of RATING, it was necessary to give the responders general terms for their answers that helped the researcher get numerical outcomes. According to the structure RATING (Doing Research in Business & Management) the options for this type of question that is looking for believes and thinks, can be the next one: *Agree*, *Tend to agree*, *Tend to disagree* and *Disagree*. Moreover for this research was considered another option, a number five, the opportunity with *No opinion* that in general means that the question is entirely irrelevant to the responder.

1. As a professional in a Mediation Process in family law, do you think there are external elements in the environment (atmosphere of the places) that can influence the decision of the parties?

6 respuestas

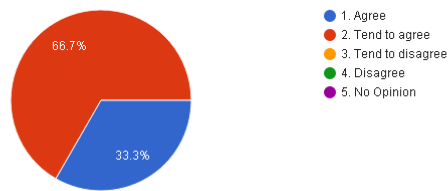


Figure 1 Question in relation to the atmosphere or environment, Group One

2. Would you like to do a mediation session where the environment (atmosphere of the places) has a different look?

6 respuestas

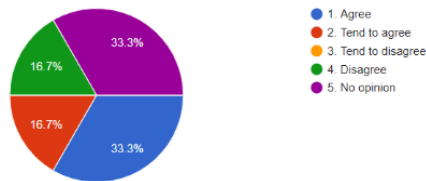


Figure 2 Question in relation to the atmosphere or environment, Group One

4. Do you believe that start a Mediation session to listen to Classic music, Zen music, or therapy music, could help the parties to manage feeling and or emotions like or stress and anxiety?

6 respuestas

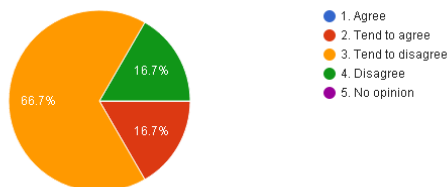


Figure 3 Question in relation to the element of music, Group One

5. Do you think the element of the Aroma in the middle of the session could be helpful to control the emotions and feeling between parties?

6 respuestas

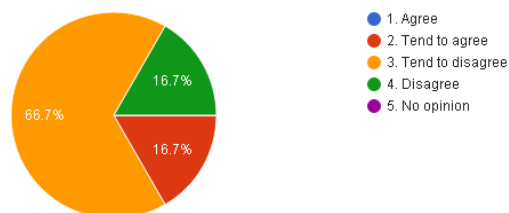


Figure 4 Question in relation to the element of Aroma, Group One

7. Do you think the illumination of venue can influence the behaviour and the decision of the parties in the middle of a mediation process?

6 respuestas

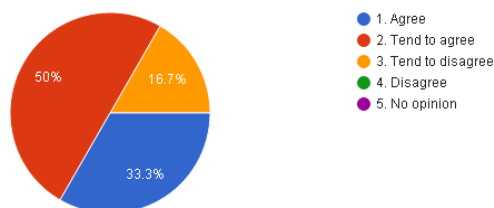


Figure 5 Question in relation to the element of lighting, Group One

8. Consider that the use of colours of the venue can bring positives outcomes in the middle of a mediation session family law?

6 respuestas

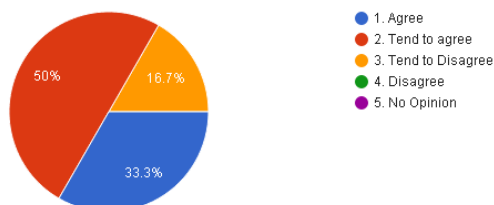


Figure 6 Question in relation to the element of Colour, Group One

6. Considering the inclement climate of Dublin and Ireland in general, do you think the indoor temperature of the mediation location could influence the clients or your behaviour while conducting the process? Keeping in mind the stress and duress of the parts involved.

6 respuestas

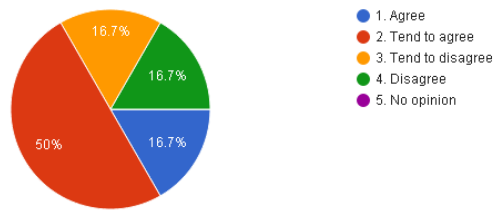


Figure 7 Question in relation to the element of Room temperature, Group One

Group Two

The parties, with a sample size of 36 people, in a random cross section, where 19 are female and 17 male, 21 of them within the gap age of 26-35 and 14 in the gap of age of 36-45. In relation to the relationship status 18 participants are single, ten participants married, two separated, one divorced, two in a relationship, two partners and one other, and of the total number of participants seven have children.

Elements or Topic	Number of questions
Atmosphere or environment	3
Music	3
Aroma	3
Room temperature	2
Lighting	6
Colours	1

1. Do you believe your mood and behaviour could change according to the environment of the place where you are?

36 respuestas

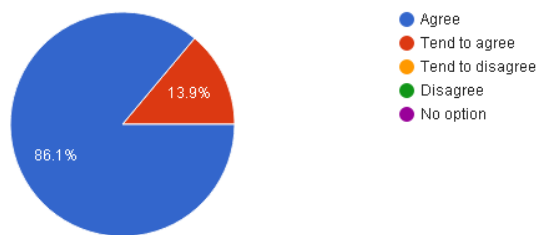


Figure 1 Question in relation to Atmosphere, Group Two

4. If you were in a situation with a lot of pressure and stress, and you start to listen to Classical music, Zen music, Therapy music, do you believe your levels of tension or anxiety would reduce?

36 respuestas

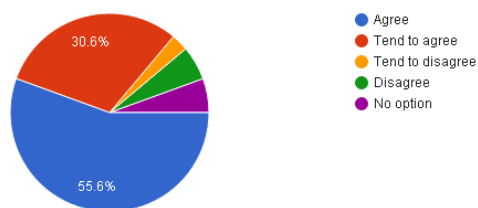


Figure 2 question in relation to the element of Music, Group Two

7. Would you consider that "AROMA "could help to improve your performance in the middle of a discussion?

36 respuestas

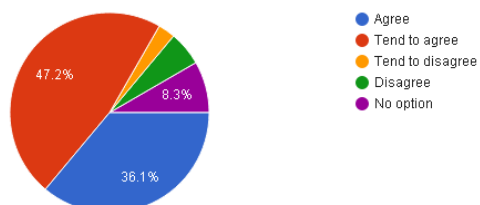


Figure 3 question in relation to the element of Aroma, Group Two

13. Do you believe that an excellent illumination as a part of the atmosphere in the middle of a dispute can influence to get a positives agreement?

36 respuestas

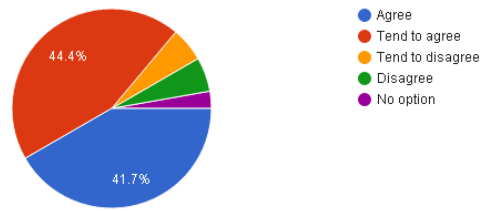


Figure 4 question in relation to the element of Lighting, Group Two

16. Do you believe that colours of a venue as a part of the atmosphere of it can influence your behaviour?

36 respuestas

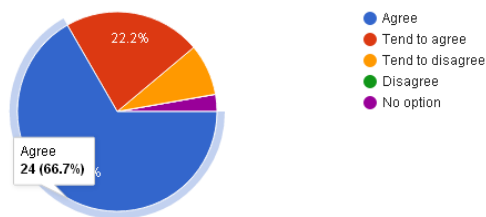


Figure 5 question in relation to the element of Colours, Group Two

9. Do you believe that a cold room can influence and be a distractor in your decision or behaviour plus the stress that you are carry on when you are in the middle of a dispute?

36 respuestas

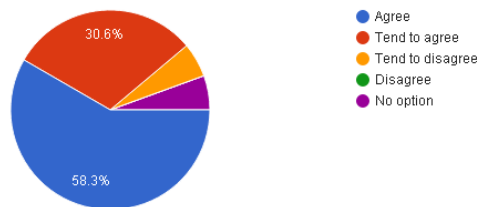


Figure 6 question in relation to the element of Room temperature, Group Two

Group Three

This group were formed for five specialists in Psychology, were four were female and one male, to realize Interviews via online (mail),



Code	Meaning
P1F	Psychology one female
P2F	Psychology two female
P3F	Psychology three female
P4F	Psychology four female
P5M	Psychology five male



All of them responded according to their question of the interview where the coding is expressed in the next table:


Question number:	Elements or Topic
Q1	Human behaviour
Q2	Music
Q3	Aroma
Q4	Aroma
Q5	Lighting
Q6	Colours
Q7	Colours
Q8	Room temperature


3.4 The time frame of Mediation Sessions, secondary data

As was explained previously, archival research was used as a source of secondary data, this was implemented in this study with the purpose of finding out how real mediation occurs and how the atmosphere of the venue feels. In the next few pages some videos from over the course of a decade were analysed, to understand and compare the evolution of this technique.

Video	Elements	Observations	Comments
Family Mediation In Action 37.250 Views 18 feb. 2011 https://www.youtube.com/watch?v=21BVczuei0I  A film showing parents who are having difficulties attending three mediation sessions. They discuss and agree a positive way forward for them as a family.	Music	N.A.	The venue created an environment not friendly, the presence of important elements is noticeable; the atmosphere perceived is cold and not welcoming. In general the space where this session is taking place looks like an office.in a school and reduces the professionalism of the mediation techniques However it is important to mention that this video was recording at the beginning of the decade.
	Aroma	N.A.	
	Colours	Absence of colour in the elements of the venue; e.g. in the walls, furnishings, decoration.	
	Lighting	In the back of this mediation room there was a window which gave poor natural illumination. It is possible to appreciate that in the venue where the mediation take places there are shadows.	
	Room Temperature	N.A.	
An Inside Look at Family Mediation 5050 views 10 ene. 2014 https://www.youtube.com/watch?v=p89vyvgWQ9s  Legal Aid BC An Inside Look at Family Mediation is an 8½-minute video excerpted from a 2-DVD set created by the Continuing Legal Education Society of British Columbia. Using the fictional case of Dean and Saya, a couple separating after 17 years of marriage, this video introduces mediation in family law Cases and how it works.	Music	N.A.	In this material the simplicity of the place is clear, the venue looks like a meeting room or a library room, there is a gap of three years between this and the first video, the venue does not look attractive to participate in a mediation session either.
	Aroma	N.A.	
	Colours	The colour of the wood tends to dominant the room; there is no variety in colours, Also not decoration that could create balance in the atmosphere of this venue.	
	Lighting	It looks like there is only natural light; however nothing special that motivated future parties to start a mediation session in this venue.	
	Room Temperature	N.A.	

Video	Elements	Observations	Comments
Sitting in on a Divorce Mediation Session - Parenting Plan (Custody) Mock Mediation Part 1 29.442 views •14 mar. 2015 https://www.youtube.com/watch?v=XPpgk0HeRk  Barry Davis Shows how a mediation session for a parenting plan (custody) might play out including some of the topics we address as well as the ways that the mediator works with the parties to help them craft an agreement that works for both of them and their children.	Music	N.A.	The elements analyses in this mediation session are improved in comparison to the previous two, Nevertheless the lack and mix of the elements are present. In this venue the session looks like a lawyer's office
	Aroma	N.A.	
	Colours	Sober colours are evident here; only the frame on the back wall contributes a bit to this element.	
	Lighting	It is possible to appreciate better illumination in this venue; On the right hand side it is possible to see natural resources of this element with a mix of artificial on the left hand side. As a result it is possible to perceive less shadows from the actors in the set.	
	Room Temperature	N.A.	
Family Mediation Individual Session 688 views •24 nov. 2016 https://www.youtube.com/watch?v=y6MU0OkzyWs  #videoCALM by CALM Scotland - bridge differences with mediation.	Music	N.A.	The atmosphere showed in this media session give the perception to be in Attorney office or in an antique library, The elements that are missing do not invite the people to be part of the mediation in this venue.
	Aroma	N.A.	
	Colours	The use of this element does not exist in the majority of the venue; the predominant colours are wood, brown and beige. It is not possible to identify any other colours.	
	Lighting	This resource is implemented in the wrong way the positions of the actors in the set must be in front to this resource and not in back.	
	Room Temperature	N.A.	

Video	Elements	Observations	Comments
Considering Mediation? What you need to know 4957 views •6 sept. 2017 https://www.youtube.com/watch?v=RkTz_9AM3Mo University of Exeter Considering mediation? Here's what you need to know. Find out more about family mediation, including what you can expect and how to get the most out of the process. Creating Paths to Family Justice is a project looking at out of court family dispute resolution lead by academics at the University of Exeter. It draws on research findings to develop best practice in online and offline family mediation and information services.	Music	N.A.	In this example of a venue, parts of the elements are in harmony, that would invite anyone to be part of a mediation session and even if the books in the back are extended, they are in balance with the rest of the elements.
	Aroma	N.A.	
	Colours	The example in the venue has a better balance of colour, the use of white with the mix of the colours of books in the back, and the sober colours chairs create a better balance in the set.	
	Lighting	It is possible to appreciate a great resource of natural lighting with artificial white lighting at the back of the set.	
	Room Temperature	N.A.	
Video	Elements	Observations	Comments
Family Mediation Demo 120 visualizaciones •29 ene. 2019 https://www.youtube.com/watch?v=BeMNRjyxw0  IMEUS Association This demonstration deals with a child custody dispute between parents with different nationalities. Video: courtesy to the Mediation Network web platform Case summary: Egle, a Lithuanian national, and Giovanni, an Italian national, married on 27 July 2003 and resided in Bologna (Italy). Their daughter, Lila, was born	Music	N.A.	There is a clear example that venues in a mediation session can be spaces with atmosphere that can invite and motive the parties to be part of this session, the synergy between the elements express a clear example of how a good atmosphere can exist, the fact that a mediation can be an alternative to sort out a dispute does not mean that it cannot be comfortable.
	Aroma	N.A.	
	Colours	It is possible to appreciate a good use of this element in the set of the mediation, making a perfect mix between the colours in the decorations, and furnishings, it is possible see the use of the colour blue in the chairs of the parties involved, according to studies this colour is used to reduce blood pressure and creates a calming atmosphere.	

<p>on 05 January 2005. In the course of March 2005 the spouses began to live separately, Lila remaining with her mother. It was then that, according to the order for reference, divorce proceedings were initiated before the Tribunale of Bologna (Italy). Giovanni wants to sue Egle before an Italian judge in order to obtain the custody of his daughter.</p>	Lighting	Correct use of artificial light is appreciated in the video, creating a warming atmosphere in conjunction with the colours in the set.	
	Room Temperature	N.A.	
Video	Elements	Observations	Comments
<p>Family Mediation Online Showcase 456 views •5 abr. 2019 https://www.youtube.com/watch?v=4yoXLzy-tfs</p>  <p>UK Mediation Watch our CEO & Founder, Dr Mike Talbot, as he talk you through the seven-stage mediation process and how it can be applied to family relationship mediation. The event will let you see how mediation works in action, following our seven-stage process. Firstly you'll see the origins of the conflict and then have the opportunity to watch an accelerated mediation, starting with the individual sessions, and then the joint session. Mike will be playing the role of the mediator, but will also be pausing the action to point out techniques, points of interest, and answering any questions that come in from the audience.</p>	Music	N.A.	<p>There is almost a decade between this video and the videos in the beginning of this timeframe .There is very little difference in these two venues in regard to colour, especially when looking at materials on decorations and furnishings, creating an old fashioned atmosphere.</p>
	Aroma	N.A.	
	Colours	It is possible to identify the use of some colours in the set , but like the first video, the use of sober colours like brown and wood dominants the atmosphere of the place.	
	Lighting	The use of indoor lighting is completely correct, white lighting gives the sensation of natural illumination.	
	Room Temperature	N.A.	

3.5 Ethics, Access and Consent

It was necessary to explain an Ethics code to the all the people that participated in this research in the opinion of Catherine, (Dawson, 2009 , pp. 153-155)the Code of Ethics supplies them with details about what you intend to do with the information they give, and it shows that you intend to treat both them and the information with respect and honesty.

In line with this concept, the researcher compiled a catalogue of ethics, which were implemented at the beginning of this research and were clear in the proposed study and are in the following section.

The aim of this proposed research is entirely for academic use and the goal and the purpose is to demonstrate how we can improve the results in the Mediation process.

All this proposed research will be produced under ethical code, and moral codes respect the intellectual knowledge of the Authors that supported and accredited the hypothesis of this topic.

All the participants in this research must be approved and authorized under a letting agreement that they have agreed to be part of this investigation.

The interviews, questionnaires and experiment will be only used to get data for this research, the results will be exclusive only for the interest of this research, and as a consequence it is strictly prohibited from sharing these results for any other interest.

The participation of the people involved in this research is purely voluntary, and there are no payments involved in the process.

All the elements necessary to execute the experiments with the factors that sustain the hypothesis will be provided for the researcher.

The results of this investigation will be shared in a Report to each party involved with the objective that they know and read where and how they contributed to this research.

Once the research started, the first approach with the people in the sample was by an electronic email, which invited the participants to respond to the questionnaire, surveys and interviews. Firstly, basic information was delivered, an announcement to the participants that a Formal Cover Letter (letter email) (APPENDIX 8) with a detailed redaction about the goals, aims and justification of the approach for this research were shown.

During this stage, the participants were informed that a form named “Consent Form“(APPENDIX 9) would be attached once the researcher had the approval of participation.

Next, a Formal Cover Letter (letter email) had every detail stipulated in the structure of this electronic document, detailing to follow an URL link to access to questionnaire, designed for mediators. Attached to this cover email was the document “Consent Format”, where it was compulsory to complete to follow the rules and ethics code that research assigned to the development of this study.

The interviews with the professional Physiologists were addressed in accordance with the ethics code as well a similar Cover Letter (Letter email) were explicitly elaborated for these professionals, explaining the goals, aims and objectives to look for and opinion of them.

To sum up, each participant that contributed to the data collection generated completely followed the statements of Anonymity, Confidentially and Right to Comment (Leavy, 2017, pp. 35-36).

Chapter 4 Data analysis/Findings

The first stage of any quantitative data analysis is to explore and understand your data. (Saunders & Lewis, 2012 , p. 169) And nowadays, with tools like Google Drive, make data collection easier.

The analyses of the quantitative data were presented in pie charts giving the reader the opportunity for straightforward and easy understanding.

In relation to qualitative data analysis in this research, it was necessary to have a clear idea in respect to the concept of data analysis, according to with (Bazaley, 2013) Analysis has been described as involving 'close engagement with one's [data], and the illumination of their meaning and significance through insightful and technically sophisticated work". How it unfolded in this research entailed several phases, according to the groups which are detailed below.

4.1 The perspective of the atmosphere across the mediators

During this study, there was a constant search for results about the hypothesis sustained in the origin of this study. The results of the questionnaire for this group were favourable due to not expecting to get neutral results, which gives the possibility to share new inputs to the mediator field.

Four of the people sampled *tend to agree* in relation that there are external elements in the atmosphere of the place that could influence the decision of the parties and the other two mediators were utterly in agreement with this statement. Generally, it is possible to confirm that all of the mediators that participated in the sampling believe in the idea that there are more factors in the environment that can be useful or not for the final decision of the parties in dispute.

Nevertheless when the study tended to be personally direct, the mediators were asked if they would like to amply a mediation session where the atmosphere of the place had a different look, the study found that the sample group were divided in their decisions, three gave a positive outcome, where

two of them responded *agree*. One *tends to agree* on the other hand, two of them chose *no opinion* about the question while the last one utterly *disagree*.

4.2 What represents the atmosphere to the parties?

For this second group, the results of the survey were most surprising in relation to atmosphere. When this sample group was questioned if they believe their mood and behaviour could change according to the environment of the place where they are, 86.1% chose *Agree*, while the rest 13.9% *tend to agree*.

Another important observation is the results from question 17, showed a standard and rudimentary meeting room, the respondents were questioned as to if they require a mediation process, do they believe that it could it be a good location for their purpose. 52.8% chose to *disagree* followed by 22.2% *tend to disagree*, 13.9% *tend to agree* next to 8.3% *agree* and just 2.8% *no opinion*.

4.3 Behaviours, an objective view from the psychologists

Stress and tension are some of the elements that always are immersed in the middle of conflicts or situations significant for humans, these emotions or feelings could be responsible for unsatisfactory performance or bad decisions taken when people experience challenging moments.

"Being under high stress affects people's decision making and performance" (P1F).

It is because this research is analysing the idea that a good atmosphere where many elements such as Music, Aroma, Colour Lighting and Room temperature involved could result in an excellent application for reducing poor outcomes.

"[...] human behaviour influences the behaviour of a person with stress or tension; if the person is motivated it will give a better result not only personally but also in the workplace as it will have more productivity and better results, it is the reason nowadays in the human

resources department they are managed through goals to give incentives or bonuses to workers. However, there are people who due to their personality type can become competitive causing stress or anxiety by lowering their performance; it is why big companies include places where the worker feels comfortable to give good results or having rest times to have a better performance" (P2F).

4.4 Music

One of the first elements that this study supported as a component in the atmosphere and it is considered a useful resource in other fields brought us different perspectives across from the different groups.

Group One: for mediators, the idea of the music can be an element that helps in a mediation session, especially to the parties to reduce or manage the feeling of stress or anxiety were utterly negative, four (66.7%) of them chose the option *tend to disagree*. In comparison, one (16.7%) opted to *disagree*. To sum this up, there was a negative perception of this element in this group while, on the other hand in Group Two; the Parties in a mediation had results that were entirely positive, 55.6% believe that music can help to reduce levels of tension or anxiety when they are in a situation with a lot of stress, next to 30.6% chose *tend to agree*.

Group Three: the view point of the Psychologists

"Yes, music has been proven to promote changes in brain activity. If a music therapy expert could advise you to choose the appropriate music, it would certainly help people to enter the court in a more peaceful manner" (P1F).

"Definitely, yes. Sound is a vibration. Thus, relaxing music, such as classic, can turn down the brain waves by aligning it to the vibration of the environment, helping them elevate our

electromagnetic frequency. You can easily find lots of examples of High Frequency sounds on YouTube” (P5M).

Even they believed they justified this with other theories and applications.

“Not only do I think so, there are studies that prove that even in early stimulation when a woman is pregnant, a certain type of music is recommended to relax not only her also the baby, some sound frequencies or music genres help humans to relax. Even being in moments of anger or stress” (P2F).

4.5 Aroma

The second element for this study considered the benefits to creating an engagement when using aroma. As outlined in the lecture review chapter, many applications in such fields as marketing and psychology set a precedent, however an interesting finding to emerge from the data, as all the groups presented the same results in that they believe that this element has a positive effect on outcomes.

Group one, the Mediators, four people....numbers or words...words read easier... (66.7%) *Tend to disagree* that aroma could be helpful to control emotions of people during a mediation session, next for group two, the parties where 47.2% *tend to agree* that this element could help to improve their performance during a discussion, and this is what Group three the psychologist interviewed, responded after when they were asked to believe that aromatherapy can help people to improve their emotions, or feelings, in the middle of a mediation session.

“I don't believe it, those types of processes are complicated and people must face their problems, find solutions and live their duels, aromatherapy like bach flowers, a good massage or a good bath tub, etc. They can help to relax in moments of tension but they do not help to improve the solutions and neither to find how to solve their problems” (P4F).

“No, I do not believe that a particular odour has a major influence on an individual's behaviour” (P3F).

4.6 Lighting

Think twice before underestimating the importance of an intrinsic and natural resource, the response in all the groups was utterly favourable in comparison with other elements. When all groups were questioned if they think that illumination of venue can influence the behaviour and the decision of the parties in the middle of a mediation process the results of this value test elements were as follows: Group one, Mediators, 3 (50%) *tend to agree*, 2 (33.3%) *agree*, and just 1 (16.7%) *tend to disagree*.

While in Group two, the parties, were asked if they believe that excellent illumination as a part of the atmosphere in the middle of a dispute can influence a positive agreement. The results were slightly similar to group one, 44.4% *tend to agree*, while 41.7% *agree*. In general, both of the actors that are in the mediation session showed identical outcomes.

And the external opinion, group three, the psychologists when they were asked if they use lighting as another element in the atmosphere, it could affect for good or bad the performance of people. These were some of the responses:

"The light even for techniques such as hypnosis, regression, imaginary or relaxation is of generous support to achieve the objective sought in the patient" (P2F).

"Lighting is an important factor for the good performance of a job; poor lighting can cause a stressful effect" (P4F).

“Yes, lights also affect the emotions of human beings. This is a biological factor that may be related, for example, to where that person was born and raised. In cold countries like Ireland or Iceland, the native population is more used to the absence of natural light, while in tropical countries people are used to sun exposure. This is directly related to mood, although each person needs a different amount of light to produce hormones like melatonin, or vitamin D. When it comes to artificial light, it is more a social factor, related to what that person learned that it is pleasant or not. In general, very dark environments lower the one’s vibrational frequency” (P5M).

4.7 Colours

Of the four elements in the analysis of this study, colours proved positive, and carry a high possibility of acceptance in the three groups for this research. There is a relationship between colour and lighting according to some of the books in the literature review of this study. All groups demonstrated in the results of the surveys believe how exposure to this element in a mediation venue would influence the behaviour of all the parties involved.

The summary of this element is as follows.

Group one the meditators, 3 (50%) responded *tend to agree*, next 2 (33.3%) that answered *agree*, while just 1 (16.7%) responded to *tend to disagree*.

Supporting these outcomes, group two, the parties, give huge support for this element. 66.7% *agree*, follow by 22.2% that *tend to agree*.

The expert in the psychology Group three gave some statements in relation to this element, entirely favourable outcomes that supported this theory and the context of the implementation of this element and their benefits.

"There is an extensive area in psychology that has been of great study; it is the psychology of colour, especially marketing or advertising is used either in fast food, companies to give better status, in job interviews to send a positive message to the interviewer or even to show yourself dominant if you have any position of authority, even the colours used in political parties. Therefore colour greatly influences human behaviour for better or for worse" (P2F).

"Colours are also influences of both biological and social aspects. In nature, for example, colours like orange and red can indicate that something is poisonous, so these are colours that make us alert. It is no wonder that red is the colour used in traffic to make people stop. It is also present in the history of societies. The social meaning of colours has been passed on for generations and is now registered in the collective unconscious influencing our decisions. That said, yes, they could help the outcomes of a dispute if used wisely" (P5M).

"Colours have an influence on our behaviour; it is not the same to discuss in a red room that in a blue one, creates harmony, peace, relaxation, or initiates" (P4F).

4.8 Room temperature

The last element considered for this research was room temperature, with surprising outcomes that were seen in all the groups that formed part of this study: As this research was carried out in Ireland, specifically in Dublin, the theory exists that maybe this would not be a transient element as people who grow up in Ireland know how to manage the room temperature, in comparison with a non-native that is entirely new for when all the groups were questioned if the room temperature could influence the behaviour of people involved in a mediation session. The findings were the

following; in group one; mediators. 3 (50%) chose to *tend to agree*, on the other hand, the other 50% were shared in *agree*, *tend to disagree* and *disagree*.

While in the Group two, the Parties, 58.3% answered *agree*, 30.6% *tend to agree*, the rest shared 11.2% with the answers *tend to disagree* and *no opinion*.

The opinion of the psychologists (Group three) is not the same as the other two groups; in general the results are surprising because they have similar answers.

“When we are experiencing stressful situations, there are changes in different psychophysiological responses, including the temperature of the hands and feet that tends to drop, if, in addition, the temperature of the place where we are is either very hot or very cold, it can influence the behaviour already which is an environmental stress factor, which adds to emotional stress” (P1F).

“Of course, it greatly influences, for instance, if you are working with a patient in a place of heat or cold, it is difficult for the patient to concentrate as he/she will be focused on his/her temperature, so it is necessary depending on the place to have the space ventilated, cosy, ventilated to give an environment of greater warmth and the person can feel comfortable” (P2F).

“In a certain part, if an individual does not feel comfortable in the environment, he may have different behavioural responses than usual, but it also has to do with the patient's abilities to adapt to eventualities that may arise” (P3F).

“While the work environment is more harmonized, which includes since then a climate suitable for the type of work I do, people are more relaxed and willing to collaborate which generates less stress in any eventuality” (P4F).

Chapter 5 Discussion

This chapter discusses the research findings and makes conclusions supported by all the findings generated in the study, taking into consideration published literature, documents and the research around the five elements, the five elements being the core of the study.

These findings suggest that not all the elements that form part of this research are essential elements. During the process of communication in a mediation session and perhaps their popularity created the expectation that this could apply in a mediation session, on the other hand, the findings discovered the potential in other elements that were not expected in the research.

In the next paragraph, these findings will be addressed and the limitations of this research will be exposed and examined as well.

5.1 Relationship between atmosphere and behaviour

The most important words that have been read during this study and where all this study is based as identified in the literature review definitions of the atmosphere is a vital element that perhaps does not exist physically. Still, the presence of it revealed that positive outcomes could define the route of a communication process that intrinsically is added into every human interaction and a Mediation session is one of them.

As we mentioned in the literature review chapter in relation to how the atmosphere could affect the effectiveness people at work when the atmosphere of an office is relaxed, the people are happier, and they work better. (Koontz, January 17, 2018,)

5.1.1 The Mediation, Open to new explorations

The findings demonstrated that those possibilities exist to explore new elements that add value or bring positivity to the mediation process. Also, if trying to contribute ideas of something that does

not exist or has not been proven in a specific area or action field, could have a consequence of giving uncertain results.

Even the recognition of mediation as an alternative dispute resolution is getting a position in the world , it could be considered as a new technique in this country as outlined in the literature review (Act, 2017) Nevertheless there were positive outcomes in these results, since the experience and knowledge of mediation professionals demonstrated to be of an open mind to new changes, such as the improvement of the atmosphere in the venues where mediation takes place, this opens the possibility to a great input that contributes to a better improvement of a positional technique that dairy is positioned as one of the best options in conflict or dispute resolution in family law.

Considering the video analysis, there is a decade of online material of family law mediation and through this some of the weaknesses were identified in the relation to the atmosphere. These helped to determinate that all the elements that are contributing to create a better environment for all that use this alternative in a dispute and consequence the favourable results will be reflected on the reputation, the use, the recommendation and professionalism of this alternative dispute resolution.

5.1.2 Changed generation, demanding parties

Nowadays this generation is living in a new era where everything is changing very fast, and the fluidity of everything can be a factor that can influence the perspective of people. Parties in mediation, as clients demonstrated, are demanding ,as can be seen from the response in this study and the interpretative analysis shows that better service will always be required, the same with better facilities, better environments that would be reflected in better decisions.

In the literature review, the findings which were supported in this research., since the analogy of the marketing (Kotler, 1974) “Customers do not buy just the physical product but the whole package, including service, warranties, packaging, the ambience of the retail store, etc.”

Everyone wants to acquire the best, therefore why not get the parties the benefit of staying in a mediation room where the experience of the process can be more satisfactory and can be recommended for others that are in the same frame of mind.

5.1.3 Behaviour: Emotions & Feelings

Stress, tension, anxiety, and anger are some of the emotions generated and are all components of human behaviour, the findings that this research acquired using qualitative methods, using the observations in the secondary data through the videos online and the interviews with physiologist confirm the idea that human behaviour can be influenced and handled according to the environment where they are interacting and the condition that the individuals are exposed to.

If there are many studies that prove how the human behaviour can be vulnerable to changes of feeling or emotions in situations where levels of adrenaline can be high, and studies like this research set a precedent in the field of dispute resolution, It would be interesting to see another phase and study the results once the implementation is worked out.

5.2 Music, a commodity forever

The findings demonstrated that this element could have good acceptance in its implementation as an element that can help to reduce emotions and feelings and as a result, reduce the grade of error in decisions.

Based on all the opinions of the specialists, music is an element that has been incorporated in humans since pregnancy, and diverse academics support the idea that music can be a method of relaxation. Its application must be one that can add value in the mediation session without generating any conflict during the session because its implementation can be used as background music before the start of the mediation session and can be used when the session finishes.

The importance of a positive environment where music produces an effect on mood can be powerful in shaping the experience of people, producing engagement; it can uplift or energise the listener, as referred to by, (Okeke, 2017) in the literature review.

5.3 Aroma, the element that does not smell good

There are many studies and literature that support the value of this element as a useful resource that can be applied to the different fields for the right outcomes that was not the case in this study.

Findings showed that in this research the element of aroma it the most out of favour and it is not considered an essential for the aims of this study, of all the aspects considered in this research Aroma got less acceptance in all the groups that participated in this study.

Therefore, these outcomes show the other side of research, not all results are predictive, and the final report or summary can change according to the findings of the investigations.

According to this research, this element is not a resource that will give good results in mediation rooms.

5.4 Colour, the star of the elements

The really interesting part of this research are the findings concerning this element, colour is a resource impregnated in our lives since we are born, at the start of this research this element was considered secondary to music and aroma. However the outcome in this study carries through the three groups demonstrated that colour applied in a mediation session can be a factor that can influence, and as a consequence, improve the outcomes expected in a process where emotions and feelings are involved.

The relationship and the acceptance of these elements showed the highest percentage in all the questions realised to every one of the group, the literature review propose this element is [...].

Focus on atmospherics, addressing issues such as the influence of building, store, and website colour on drawing consumers in, keeping them engaged, and enhancing their shopping experience (Elliot, 2014).

This observation was made in the evolution of a decade of mediation; the interpretative analysis shows that the majority of the elements are missing, the introduction of this element started to be clearly appreciated just in the last mediation session video viewed where colour had more dominance and presence in furnishings of the room, the style of the decoration. A venue working in harmony with other elements such as Lighting to create a non-verbal message of comfort in this situation where feelings and emotions can be the enemy in the moment of decision-making (Family Mediation Demo, 2019).

5.5 Lighting, the essential element

The findings demonstrated that this is another element which can be ~~is~~ entirely accepted by the groups in the study. As outlined in the literature review in the study the impact of light and colour on psychological mood: a cross-cultural study of indoor work environments (Küller, et al., 2006, p. 1505) reinforces the value of this element attachment to others like colour in the atmosphere of a place as is supported by the online magazine CXService360. This is mentioned in the literature review of this research and define the amount of Lighting and the colour scheme of offices & stores as a massive contributor to the ambience of an establishment, these elements together can influence the customer's mood and emotion.

Considering the outcomes with respect to Lighting suggest a positive and protective factor that could be implemented in a mediation session, reflected on the only benefit of the actors immersed in this scenery if the illumination is a natural resource or and a most in every set, the question remains why more money is not invested in illumination as it yields significant value, it produces a more harmonious and cosy atmosphere that yields better results for this technique.

5.6 Cold but hot, the surprise

The last elements of the finding, Room temperature, slightly surprisingly in the personal opinion of this researcher, this study is set in a country where the weather is continually changing, and the perception that Ireland is a cold land, creates a reputation that is challenging to change. Moreover, people that have lived in this country or have grown up here, were considered at the beginning of this research to give an insight that might not be helpful to get the outcomes and interpretations that was displayed in the results of this study.

From all the groups that participated, all of them shared the same perception, position and ideas that even if your body is used to a particular temperature, the management of this resource can improve the performance in good or bad results depending on the correct application of this recourse.

5.7 Limiting factors

The study focus was primarily, to demonstrate the existence of these elements in the atmosphere and how they can influence human behaviour. As a consequence result in positive or negative outcomes, the communication process explicitly involved the study area of family law mediation for this research.

Moreover, the method for this study was initially an experiment using techniques of observation, focus groups, providing interpretative analysis with the outcomes from the Mediators and the parties in the mediation. The First limitation during the process of this research was the cancellation of the experiment that the researcher wanted to put into practice with some of the elements that are analysed in this project, The cause of this cancellation was the pandemic COVID-19, the decision was made by the researcher, along with the supervisor, to use other strategies to get collect data.

Get the sample data from the relevant and proper sources to support quality of this research was the most challenging part of the process.

Once the timeline for research design was restructured, the researcher designed where the data from the three groups was to be collected the limiting factor here was the potential participants were not responding to the emails requesting that they join the survey, plus the factor time as is described by Bryman, (Bryman, 1989) as one of biggest issues in research.

In regard to the collection of the data from the Professionals mediators, the first contact was from a formal institution which accredits people in this field. As a result, the researcher used the website IMM (Ireland, s.f.) The Mediator Institute of Ireland with expert Mediators in this topic. Nevertheless, the first series of requests to participate in this study yielded just three accept responses to the questionnaire, and only one completed the questionnaire. It was necessary to send another phase of ten requests, these yielded no responses.

The assistance of the IMM Office Manager made a huge difference—in making this research possible.

Another big limitation, during the data collection, was networking with professionals in psychology. This researcher tried to contact an expert in the area throughout The Psychological Society of Ireland (Ireland, 2020) the sample looked for was five interviews however after the first attempt it was necessary to send a second phase soliciting interviews to reach the target a total of 20 requests were sent, nobody responded.

The research makes use of his network, invites to participate in this study were sent to Psychologists from Mexico and Brazil, people that are living there and have work positions in public and private sectors, which elevated and enhanced the value of this study.

Conclusion

The aim of this research was to demonstrate how atmosphere has a great influence on the final decision of the person that is seeking family law mediation. In the atmosphere, there are elements that interact in the environment with people, that are in physical space (venues) where the session has taken place, can be factors that influence the behaviours of people involved.

The elements considered in this study were elements that have been applied in atmospheres of other scenarios or environments, nevertheless always supported by the science of the two disciplines Marketing and Psychology.

To give an objective outcome this research was shown to all participants in a family law mediation session, demonstrating both positions and perspectives of the actors that are immersed in the process, the outcomes were surprising, both showed empathy with the majority of the elements and supported the idea that these elements can influence the performance of the mediation. The study was managed with accurate and truthful results, as a third professional person gave her/his opinion in the development of the research with the aim to have an external point of view from a professional in the field of psychology, the science that studies human behaviour.

The five elements proposed for the analysis of this study were, Music, Aroma, Colour, Lighting and Room temperature. The outcomes showed that many of them can work together, others some can be more productive than others, and some of them, are not necessary for the aims of this study.

The element of the Aroma was described as the element with less importance and value in the analysis of this study. The three groups were in agreement with the results. The Colour element was positioned as the element with better ranking and accepted for all the groups together. The remainder of the elements were ranked favourably, and considered as factors in the environment that can reverberate in a positive or negative manner in the process of Mediation family law.

The hypothesis that the atmosphere in the mediation room has more importance than people nowadays assign to it, and as a consequence we will prove that there are elements that are part of the atmosphere that improve the results for the people that are part of this environment.

Finally, it was possible to prove that the majority of these elements have a vital function during the develop of the mediation and the use of them are as important as the presence of the mediator, even the participants claim that this option is to be considered as one of the best options to avoid go to the court and start a litigation process.

Remembering that the Mediation gives great benefits “Time, Money and Reduce stress”, in this new era where everything is demanded in a faster time no one wants spend money neither hours in a-trial or in front of a judge, resulting in emotional damage.

Based on the last point, it is believed that everybody that needs a mediation family law session would prefer that the session was in an environment that could help to make one feel more comfortable, and in this better atmosphere it may be necessary to reflect on this process as automatically this room is hugely stressful.

At the end of this research, these studies in mediation process family law, give the mediators new tools that even if they cannot be visible in the process of this activity, will help to get better results future sessions that will be conducted under these new conditions.

Besides, with this new tools applied in the Mediation process, it is possible to get better recognition of this process, and as a consequence a better perspective of the professionalism and humanity shown on behalf the mediator of these diverse situations (the conflicts that are involves between parties). Getting a positive result verbally from the parties that had been involved in this process, give great feedback and get entice futures clients to go for a mediation session as an alternative dispute resolution method.

Finally; as a recommendation, further experiments should be conducted, to apply four of the five elements in a Mediation session. This would help to get a complete set of results, which will give greater validity to this research.

Reflection

When I came to this country I never believed I would study for another master degree, however, sometimes life brings you new opportunities become a better human being. I have always thought that education is an essential tool; a way to get almost everything we want in life, our wish is to reach new goals in our lives.

Conducting social research in the middle of a world pandemic, such as COVID-19, was a double challenge and gave me the chance to react and be more strategically focused on the aims that I was looking for.

if things come easily, they can easily be forgotten I considered that this study was challenging, arduous because as a foreign national using English as a second language it means double effort, however, the due to tenacity and discipline education is the way to get whatever you want.

During the process of this research, I learnt to be more patient, to act faster, these were some the strengths that were necessary to put in practices, working with people is never easy, and especially when your outcomes depend on them. As research is essential to handle and maximize all the resources possible to get the objectives that you are planning, I learn to be actively listen, and put in practices the advice of my supervisor.

As well I confirm the theory that in the world, everything is easier when you have a network, or it helps to realise your goals, in this case all the data collection.

There is a sense of satisfaction when you can read and see your work where all your knowledge has been applied, mixed with the new knowledge from the lectures. One brings something of our own knowledge to this society that I embrace every day and in which I would like to belong one day.

Finally, this research enwrapped another cycle in my life. It opened the opportunity to another one that is waiting after the hours in the classroom, where I get the chance to put in practice all knowledge I have acquired.

Bibliography

Act, M., 2017. *ISB Irish Statute Book*. [En ligne]

Available at: <http://www.irishstatutebook.ie/eli/2017/act/27/enacted/en/html>

[Accès le 01 01 2020].

Ansdell, G., 2014. *How Music Helps in music therapy and everyday life*. Burlington, USA: Ashgate Publishing Company.

Avramova, N., 2019. *CNN health*. [En ligne]

Available at: <https://edition.cnn.com/2019/02/08/health/music-brain-behavior-intl/index.html>

[Accès le 19 01 2020].

Bazaley, P., 2013. *Qualitative, data analysis, practical strategies*. London: SAGE.

Bergland, C., 2013. *Psychology Today*. [En ligne]

Available at: <https://www.psychologytoday.com/gb/blog/the-athletes-way/201306/exposure-natural-light-improves-workplace-performance>

[Accès le 30 01 2020].

Bottomley, P. A. & Doyle, J. R., 2006. *The interactive effects of colors and products on perceptions of brand logo appropriateness*. s.l.:Sage Publishers .

Bryman, A., 1989. *Research Methods and Organization Studies*. New York: Routledge.

Cherry, K., 2019. *VeryWell Mind*. [En ligne]

Available at: <https://www.verywellmind.com/color-psychology-2795824>

[Accès le 27 01 2020].

Choi, N.-E. & Han, J. H., 2015. *How Flavor Work, the Science of Taste and Aroma*. s.l.:Wiley Blackwell.

Commission, L. R., 2008. *Law Reform Commission*. [En ligne]

Available at: <https://www.lawreform.ie/fileupload/consultation%20papers/cpADR.pdf>

[Accès le 27 12 2019].

Craig, W., 21. *Forbes*. [En ligne]

Available at: <https://www.forbes.com/sites/williamcraig/2018/03/21/the-essentials-for-creating-a-positive-and-productive-atmosphere/#6b1f0fa64160>

[Accès le 2019 December 27].

Creswell, J. W., 2014. *Research Design Qualitative, Quantitative, and Mixed Method Approaches*. s.l.: Publisher Sage.

D., L. H., 1948. *The Structure and function of communication in society*. New York: The communication of the ideas ,.

Dawson, C. D., 2009 . *Introduction to Research Methods A Practical Guide for Anyone Undertaking a Research Project*. fourth éd. s.l.:publisher Howtobooks.

Education, L., 2018. *Lorman*. [En ligne]

Available at: <https://www.lorman.com/resources/advantages-and-disadvantages-of-alternative-dispute-resolution-16190>

[Accès le 05 12 2019].

Elliot, A. J. M. M. A., 2014. Color Psychology: Effects of Perceiving Color on Psychological Functioning in Humans. *Journal: Annual Review of Psychology*, Volume 65, p. 26.

Faber, B., 2016. *Color Psychology and Color Therapy, A factual study of the influence of the color on Human life*. s.l.:Hauraki Publishing.

Family Mediation Demo. 2019. [Film] Bulgaria: IMEUS Association.

Gazette, L. S., 2018. *ICMA, Irish Commercial Mediation Association*. [En ligne]

Available at: <https://icma.ie/mediation-can-save-businesses-up-to-70-compared-to-the-cost-of-going-to-court/>

[Accès le 27 12 2019].

Hartley, J., 2004. *Communication, Cultural, and Media Studies, the key concepts*. 3 éd. s.l.:Routledge taylor and Francis group .

Herz, R. S., 2009. *Aromatherapy facts and fictions: a scientific analysis of olfactory effects on mood, physiology and behavior*. Rhode Island, USA: Department of Psychiatry and Human Behavior Warren Alpert Medical School Brown University.

Ireland, T. M. I. o., s.d. *MMI The Mediators' Institute of Ireland*. [En ligne]

Available at: <https://www.themii.ie/>

[Accès le 10 04 2020].

Ireland, T. P. S. o., 2020. *The Psychological Society of Ireland*. [En ligne]

Available at: https://www.psychologicalsociety.ie/pd/?pd_s=&pd_d=32

[Accès le 10 04 2020].

Jacoby, T., 2008. *Understanding Conflict and Violence*. s.l.: Routledge .

Kholos Wysocki, D., 2008. *Readings in Social Research Methods*. 3rd Edition éd. s.l.: Wadsworth Publishing .

Kolson Hurleymat, A., 2018. *Pacific Standard*. [En ligne]

Available at: <https://psmag.com/environment/global-warming-worsens-attitudes>

[Accès le 15 04 2019].

Koontz, M., January 17, 2018,. *TBD community*. [En ligne]

Available at: <https://www.tbd.community/en/a/good-work-atmosphere-tips>

[Accès le 4 december 2019].

Kordelia, S. & FriedrichHesseb Kerstin, L., 1997. *International Journal of Research in marketing*. [En ligne]

Available at: <https://www.sciencedirect.com/science/article/abs/pii/S0167811696000158>

[Accès le 25 december 2019].

Kotler, P., 1974. Atmospherics as a Marketing Tool. *Journal of Retailing* , 49(4), p. 64.

Kriesberg, L. & Dayton, B. w., 2016. *Constructive Conflicts from escalation to resolution*,. 5th editio éd. s.l.:Rowman & Littlefield publishers.

Küller, R. et al., 2006. The impact of light and colour on psychological mood: a cross-cultural study of indoor work environments. *Ergonomics* , 49(14), p. 14.

Leavy, P., 2017. *Research Design: Quantitative, Qualitative, Mixed Methods, Arts-Based, and Community-Based Participatory Research Approaches*. New York: The Guilford Press.

Littlejohn, S. W. F. A. O. G., 2017. *Theories of Human Communications*. Eleventh ed. s.l.:Publisher Waveland Press Inc..

McDonagh, M., 2016. *The Irish Times*. [En ligne]

Available at: <https://www.irishtimes.com/life-and-style/health-family/mediating-a-way-to-avoid-court-fees-and-delays-1.2614653>

[Accès le 15 01 2020].

Meredith, R., 2019. *BBC News*. [En ligne]

Available at: <https://www.bbc.com/news/uk-northern-ireland-48924285>

[Accès le 20 01 2020].

Merriam, S. B. & Tisdell, E. J., 2015. *Qualitative Research: A Guide to Design and Implementation*. second éd. San Francisco: Jossey-Bass.

Moffitt, M. L. & Bordone, R. C., 2005. *The Handbook of Dispute Resolution, Publication of the Program on Negotiation at Harvard Law School*. s.l.:Jossey-Bass publishers.

Moore, P. A., 2016. *The Hidden Power of Smell, How chemical Influence our lives and behaviour*. USA: Springer Publisher.

Okeke, K., 2017. *cxservice360.com*. [En ligne]

Available at: <https://www.cxservice360.com/2017/09/14/great-ambience-important-customer-experience/>

[Accès le 2020 01 23].

Oppong, T., 2018. *AllTopStartups*. [En ligne]

Available at: <https://alltopstartups.com/2018/08/13/4-must-have-customer-amenities-for-your-brick-and-mortar-business/>

[Accès le 25 03 2020].

OSullivan, T. et al., 1994. *Key concepts in communication and cultural studies*. second éd. s.l.:Publisher Routledge Tylor and Francis Group.

Reuters, T., 2016. *FindLaw*. [En ligne]

Available at: <https://hirealawyer.findlaw.com/choosing-the-right-lawyer/alternative-dispute-resolution.html>

[Accès le 25 12 2019].

Saunders, M. N. & Lewis, P., 2012 . *Doing Research in Business & Management*,. s.l.:Pearson publishers.

Sendra-Nadal, E. & Carbonell-Barrachina, À. A., 2017. *Sensory and Aroma Marketing*. the Netherlands : Wageningen Academic Publishers.

Vanderstoep, S. W. & Johnston, D. D., 2009. *Research Methods for Everyday Life: Blending Qualitative and Quantitative Approaches (Research Methods for the Social Sciences)*. s.l.: Joss.

Waters, S., 2019. *the balance small business*. [En ligne]
Available at: <https://www.thebalancesmb.com/atmosphere-2890162>
[Accès le 25 december 2019].

Wiener-Bronner, D., 2018. *CNN business*. [En ligne]
Available at: <https://edition.cnn.com/2018/09/30/business/starbucks-third-place/index.html>
[Accès le 27 december 2019].

Wigram, T., Nygaard Pedersen, I. & Ole Bonde, L., 2002. *A comprehensive guide to Music Therapy, theory, Clinical practice, Research and training*. London: Jessica Kingsley Publishers .

Appendix 1

Lasswell`s Communication Model

Lasswell's Communication Model

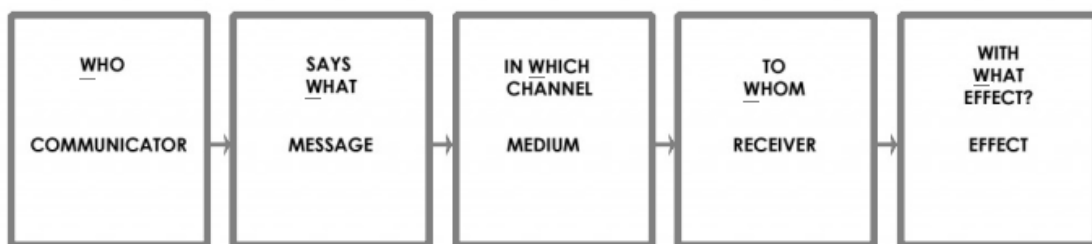


Table experiment blue colour



Table 4
Pretest results for experiment 2

Product category	Functional benefits	Mean of functional benefits (a)	Sensory-social benefits	Mean of sensory-social benefits (b)	Paired t-test (1-tailed) (a) vs. (b)
Health & fitness centres	Highly qualified instructors	2.58	Beautiful décor	5.96	6.90 (.001)
	Scientific programs **		Exclusive membership *		
	Reliable	2.88	Fun	4.79	2.93 (.007)
Holidays	Efficient service *		Spectacular locations **		
	Durable	2.08	Fashionable	5.92	6.52 (.001)
Luggage	Lightweight **		Color coordinated *		
	Built to last	2.38	Raced by champions	5.63	6.08 (.001)
Mountain bikes	Easy to maintain **		Adventurous *		
	Eliminates dandruff	2.71	Invigorating	4.92	6.61 (.001)
Shampoo	Removes greasiness *		Radiant shine **		
	Hardwearing	1.92	Stylish	5.67	6.37 (.001)
Sofas	Washable covers *		Sumptuous fabrics **		
	Accurate	2.79	Used by athletes	5.29	3.63 (.004)
Sports watches	Reliable **		Stylish *		

Note: In the main experiment, pairs of benefits labeled * appeared in Product Set A, while pairs of benefits labeled ** appeared in Product Set B.

Appendix 3

Interior-Design colour moods



The Colors of Interior Design



Did you know that color can have a profound effect on your mood? Take a look at these charts before deciding what color paint you should buy.

RED



- MENTAL REACTION:** INSPIRES ACTION AND CONFIDENCE
- ASSOCIATION:** FIRE, ENERGY, STRENGTH, POWER, LOVE
- MOOD:** INTENSITY, ANGER, EXCITEMENT, LUST

GREEN



- MENTAL REACTION:** RELAXES MENTALLY AND PHYSICALLY
- ASSOCIATION:** NATURE, MONEY, LIFE, GROWTH
- MOOD:** CALM, HAPPINESS, LUCKY, PATIENT

BLUE



- MENTAL REACTION:** CALMS AND AIDS INTUITION
- ASSOCIATION:** PEACE, SOFTNESS, SERENITY, WATER, COOL
- MOOD:** PRODUCTIVE, CALM, RELAXED, COLD

ORANGE



- MENTAL REACTION:** STIMULATE APPETITE AND ACTIVITY
- ASSOCIATION:** CHEERFULNESS, CAUTION, WARMTH
- MOOD:** IMPULSIVENESS, FEAR, CONFIDENCE

PURPLE



- MENTAL REACTION:** UPLIFTS AND ENCOURAGES CREATIVITY
- ASSOCIATION:** LUXURY, FUN, ROYALTY, MAGIC
- MOOD:** HAPPINESS, PLAYFULNESS, PRODUCTIVE

YELLOW



- MENTAL REACTION:** BOOST COMMUNICATION
- ASSOCIATION:** WARMTH, JOY, FRIENDSHIP, SOCIALIZATION
- MOOD:** FRIENDLY, HAPPINESS, OPTIMISM

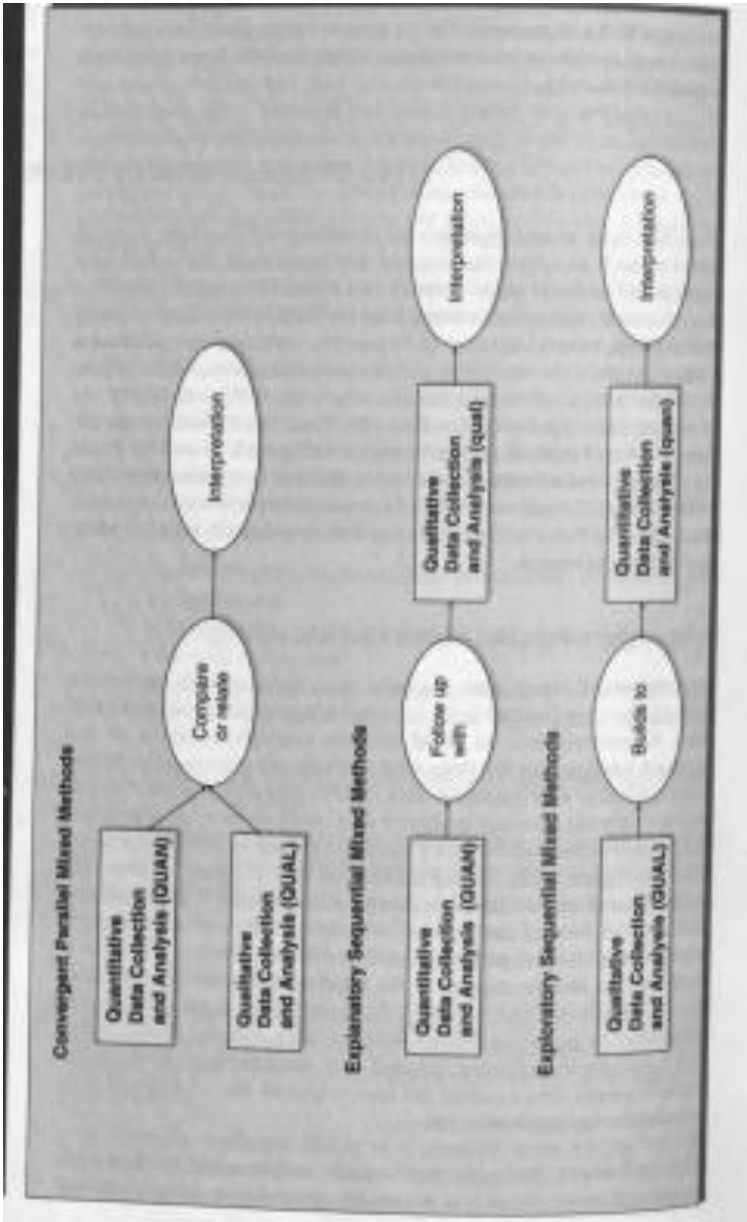
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WWW.PSYCHOLOGISTWORLD.COM/

Appendix 4

The three Mixed Methods design



Appendix 5

Questionnaire Group 1 Mediators

Questionnaire

ELEMENTS IN THE ATMOSPHERE DURING COMMUNICATION PROCESS OF A MEDIATION SESSION

The next questionnaire has the aims to pick up data collections supporting the idea of how can exist elements in the atmosphere during the communication process of the Mediation session that can influence in the decision of the parties.

Instructions: The respondents will need to select just one of the possible answers following to the next questions.

Name:

Age:

Sex:

Profession:

1. As a professional in a Mediation Process in family law, do you think there are external elements in the environment (atmosphere of the places) that can influence the decision of the parties?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

2. Would you like to do a mediation session where the environment (atmosphere of the places) has a different look?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

3. Do you believe that venues that look like the picture, can improve to favourable outcomes in between parties involved in the mediation process family law?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion



4. Do you believe that start a Mediation session to listen to Classic music, Zen music, or therapy music, could help the parties to manage feeling and or emotions like or stress and anxiety?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

5. Do you think the element of the Aroma in the middle of the session could be helpful to control the emotions and feeling between parties?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

6. Considering the inclement climate of Dublin and Ireland in general, do you think the indoor temperature of the mediation location could influence the clients or your behaviour while conducting the process? Keeping in mind the stress and duress of the parts involved.

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

7. Do you think the illumination of venue can influence the behaviour and the decision of the parties in the middle of a mediation process).

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

8. Consider that the use of colours of the venue can bring positives outcomes in the middle of a mediation session family law?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

9. Do you think that the implementation of one of the elements mentioned in this questionnaire could improve the result in a mediation process?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

10. If you had the opportunity to set the ambience of the atmosphere for the next mediation session, do you accept it?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

Appendix 6

Survey Group 2 Parties in Mediation

Survey

ELEMENTS IN THE ATMOSPHERE DURING COMMUNICATION PROCESS OF A MEDIATION SESSION

The next survey has the aims to pick up data collections supporting the idea of how can exist elements in the atmosphere during the communication process of the Mediation session that can influence in the decision of the parties Involved, the information collected has academic exclusivity goals.

Instructions: This survey is recreating the scenery setting the respondents as parties involved in a Dispute resolution having a Mediation Process family law as a procedure to get an agreement, please select one of the possible answers following to the next questions.

Sex:

Age:

Civil status:

Years of marriage:

Number of children:

1. Do you believe your mood and behaviour could change according to the environment of the place where you are?

☐

1. Agree

☐

2. Tend to agree

☐

3. Tend to disagree

☐

4. Disagree

☐

5. No Opinion

2. When you are listening to music, your personality feels better?

- ☐ 6. Agree
- ☐ 7. Tend to agree
- ☐ 8. Tend to disagree
- ☐ 9. Disagree
- ☐ 10. No Opinion

3. Would you consider that "MUSIC" in the atmosphere in a place where you are having an in a discussion, could help to improve your performance?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

4. If you were in a situation with a lot of pressure and stress, and you start to listen to Classic music, Zen music, therapy music, do you believe your levels of tension or anxiety could reduce?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

5. When you are in a place that smells comfortable, do you think you can get a RELAXING mood?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

6. Do you believe that the use of aromatherapy in your environment can help to sort out and calm down your behaviour when you are involved in a conflict?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

7. Would you consider that "AROMA "could help to improve your performance in the middle of a discussion?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

8. Considering that Ireland and Dublin is a cold place, do you think that a suitable temperature indoor can improve your performance?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

9. Do you believe that a cold room can influence and be a distractor in your decision or behaviour plus the stress that you are carry on when you are in the middle of a dispute?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

10. Do you think that places with lacking light could associate to feelings of Melancholic?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

11. Do you believe that places with an excellent illumination could associate to the feeling of Optimist?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

12. Do you think that the lack of lighting as a part of the atmosphere in the middle of a dispute can influence to get adverse outcomes?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

13. Do you believe that an excellent illumination as a part of the atmosphere in the middle of a dispute can influence to get a positives agreement?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

14. Do you feel upset when you are in a place lack light?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

15. Do you feel Energetic when you are in a place with excellent illumination?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

16. Do you believe that colours of a venue as a part of the atmosphere of it can influence your behaviour?

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion

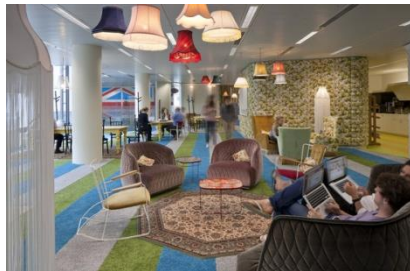
17. Look at the next picture, if you have to need to get a mediation process, do you believe that it could be a good location for the handle.

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion



18. Look at the next picture, if you were in a mediation process, do you think it could be an excellent set to run through the process?.

- ☐ 1. Agree
- ☐ 2. Tend to agree
- ☐ 3. Tend to disagree
- ☐ 4. Disagree
- ☐ 5. No Opinion



Appendix 7

Structured Interview Group 3 Psychologist

Structured Interview

ELEMENTS IN THE ATMOSPHERE DURING COMMUNICATION PROCESS OF A MEDIATION SESSION

Questions

1. Do you consider that the human behaviour of a person involves in a situation with a lot of stress and tension could result in low or poor performance?
2. Would you believe that elements such as Music, (relaxing Music) in the lobby of the venue, before the beginning of the process could help to calm down and relax the mood of the participants?
3. Do you think human behaviour can be influenced for good by the element of aromatherapy in the venue where a dispute happens?
4. As a professional in psychology, believe the aromatherapy can help people to improve their emotions, feelings decision, in the middle of a process of mediation where can be an involved situation as separation, divorce, domestic violence, child custody and access, and other family law?
5. What do you think about the use of Lighting as another element in the atmosphere, it could affect for good or bad the performance of people?
6. What do you think about the colours? Do you consider that they could help the outcomes of people in the middle of a dispute?
7. How works the influence of the colours in human behaviour?
8. Do you believe temperate indoor can influence the performance of people that are in the middle of a session for a dispute? And why?

Appendix 8

Cover later email, Group 1 Mediators

COVERING LETTER OR EMAIL

Christian Arturo Zàrate Coronel
24 Shanid Road, Harold's Cross,
Dublin 6W
Mobile number +353 83 883 8810
Email: coronel_christian@yahoo.com.mx

Name and address of the potential respondent

20th of April 2020

Dear: _____

The next questionnaire survey is completely online <https://forms.gle/YAZe2QqxjrMR1PTc6> has the aims and goals to collect information to Research in my charge to the master degree in ADR supporting the idea how can exist elements in the atmosphere during the communication process of the Mediation session family law. Hypothesis Research is setting on features like Music, Aroma, Lighting, Colours and Temperature indoor that are aggregated in the atmosphere in a venue, where the mediation session is led by a professional. Due to Research is an analysis across the communication process view, it is crucial to know the opinion based on expertise and point of view of a Mediator, with great value and contribution for the enrichment of this Research.

All the information results of this interview will only use to get data for this Research, the outcome will be exclusive only for the interest of this Research, as a consequence is strictly prohibited from sharing this results for another benefit. It is because I am attached a Consent Form to get your approve and authorise under a letting agreement that is agreed to be part of this investigation.

The results of this questionnaire will appear in reports and redaction of some session of the Research under the ethics, and moral codes respect the intellectual knowledge that supporting and accredit the ideas of the Authors (interviewed). If there are any questions, please put in contact with telephone number and or email contact details. I will appreciate if your response can be return before the 26th of April.

Once again, thank you so much for your supporting.

Sincerely

Christian Arturo Zàrate Coronel

Cover later email, Group 3 Psychologist

COVERING LETTER OR EMAIL

Christian Arturo Zàrate Coronel
24 Shanid Road, Harold's Cross,
Dublin 6W
Mobile number +353 83 883 8810
Email: coronel_christian@yahoo.com.mx

Ollin Davania Ramirez Bello

20th of April 2020

Dear: Ramirez Bello

The next interview has the aims and goals to collect information to the Research in my charge to get the master degree in ADR supporting the idea of how can exist elements in the atmosphere during the communication process of the Mediation session family law, where dispute such as separation, divorce, domestic violence, child custody and access, and other family law disputes are involved, the hypothesis of this Research is setting on elements such as Music, Aroma, Lighting, Colours and Temperature indoor, that are added in the atmosphere in an venue, where the mediation session has addressing by a professional leading of a mediation with the parties involucrate in the dispute, Nevertheless as it is an analysis since the communication process view, this Research is looking for the a third party opinion of specialise in the field of communication, as a result it is because the idea your responses since the view of the psychology have a great value and contribution for the enrichment of this Research.

All the information results of this interview will only use to get data for this Research, the outcome will be exclusive only for the interest of this Research, as a consequence is strictly prohibited from sharing this results for another benefit. It is because I am attached a Consent Form to get your approve and authorise under a letting agreement that is agreed to be part of this investigation.

The results of this interview will appear in reports and redaction of some session of the Research under the ethics, and moral codes respect the intellectual knowledge that supporting and accredit the ideas of the Authors (interviewed). If there are any questions, please put in contact with telephone number and or email contact details. I will appreciate if your response can be return before the 26th of April.

Once again, thank you so much for your supporting.

Sincerely

Christian Arturo Zàrate Coronel

Appendix 9

Consent Form Mediators & Psychologist

CONSENT FORM

Title of the research project: ELEMENTS IN THE ATMOSPHERE DURING COMMUNICATION PROCESS OF A MEDIATION SESSION

Research's Name: Christian Arturo Zàrate Coronel, Course MA Dispute Resolution, Independent College Dublin

Please initial box

1. I confirm that I understand what the Research is about and have had the opportunity to ask questions

2. I comprehend that my participation is voluntary and that I can withdraw at any time without giving a reason.

3. I agree to take part in the Research

Please initial box

Yes

No

4. I agree with the use of anonymised quotations in publications.

Name of participant: Researcher's name: Date:
Signature: Signature:

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