

Family Mediation Central Scotland

Presentation by

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and

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Member of:



Relationships Scotland is a Network of 21 local services, who provide counselling, family mediation and child contact centre services across Scotland.

As a Member Service, we follow the policies and procedures set by the National Office.

The National Office is responsible for training and delivering ongoing CPD for practitioners.

Relationships Scotland liaises with the Scottish Government on behalf of the 21 services, securing part-funding for the work that we do.

Some facts and figures:

- Relationship breakdown is one of the biggest social phenomena of 21st Century life.
- 144,000 single parent families in Scotland.
- 39% of all children in single parent households are living in poverty.
- 65% of single parents are in employment.
- 92% of single parents are mothers.
- Around one quarter of children (25%) lose contact with one parent – usually their father as a result of their parents' relationship breaking down.
- The current estimated annual cost of family breakdown in the UK, as calculated by the charity Relationships Foundation, is £51bn, representing an annual cost per taxpayer of £1,820.
- Relationships Scotland's Child Contact Centres support around 2,000 children to keep in contact with their non-resident parent each year.

The Process of Divorce or Separation

- Divorce or separation is not a single moment event, but rather a process that involves multiple changes for children and their families over time. Here are just a few of the reasons why things may change for the children -
- Children will form their own views on spending time with their other parent. As time goes on, they may choose not to.
- Children may become the subject of a Court Order for contact.
- They may lose contact with grandparents and other extended family members.
- They may need to move house and/or move schools.
- They may find themselves living in poverty.
- They may experience loss or grief.

Mediation

“The process of talking to two separate people or groups involved in a dispute to try to assist them to reach an agreement or find a solution to their differences.”

Arbitration, conciliation, shuttle diplomacy, **negotiation**.

Workplace, Community, World Affairs ..

Family

Common theme – Conflict

Characteristics of Conflict

- Conflict thrives on causing trouble. Imagine if that conflict was centred around your child or children. Or, imagine, as a child, that conflict was centred around you.
- Conflict is like an octopus with flailing tentacles. Those tentacles reach out and touch not just the immediate players, but also those on the fringes. Sometimes one of those tentacles takes such a hold of you, you feel that you cannot escape it.
- In a family situation, conflict will not only affect the parents, but will also try to pull in the children, grandparents and other extended family members.
- The conflict may then also spill over into people's dealings with other organisations; solicitors, Courts and Child Maintenance Service, to name but a few.
- This in turn impacts on physical and mental health and well-being and can have a negative impact on your ability to function day-to-day.

Key Message

How **separated parents** manage the relationship with their child's other parent will influence how successfully or not their child or children will cope with the situation.

Accountability, taking responsibility as a parent, making a conscious parenting choice.

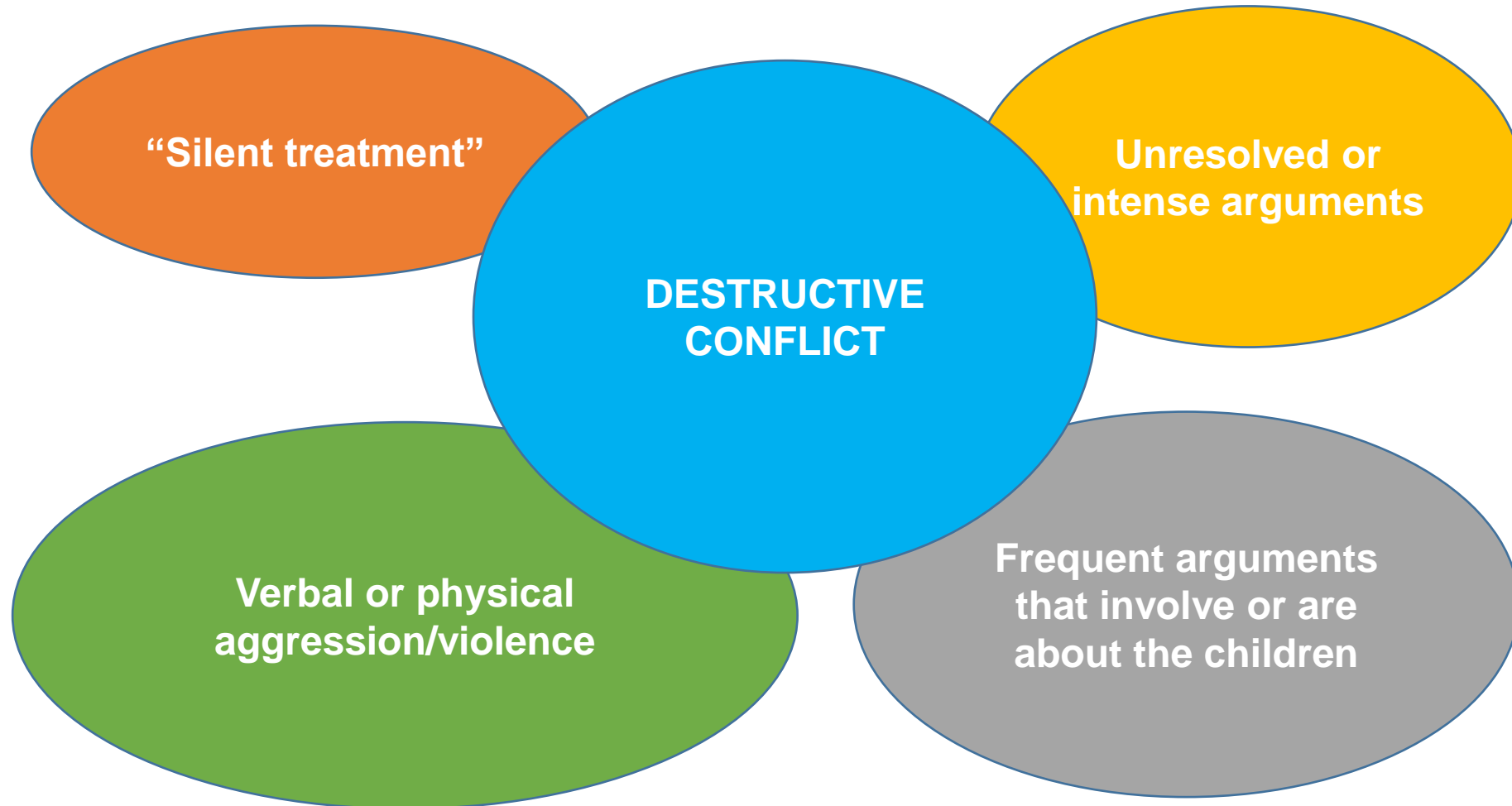
Crucially, there needs to be a willingness to change your initial position and move towards a compromise.

What do you think are some of the factors that make this difficult for parents?

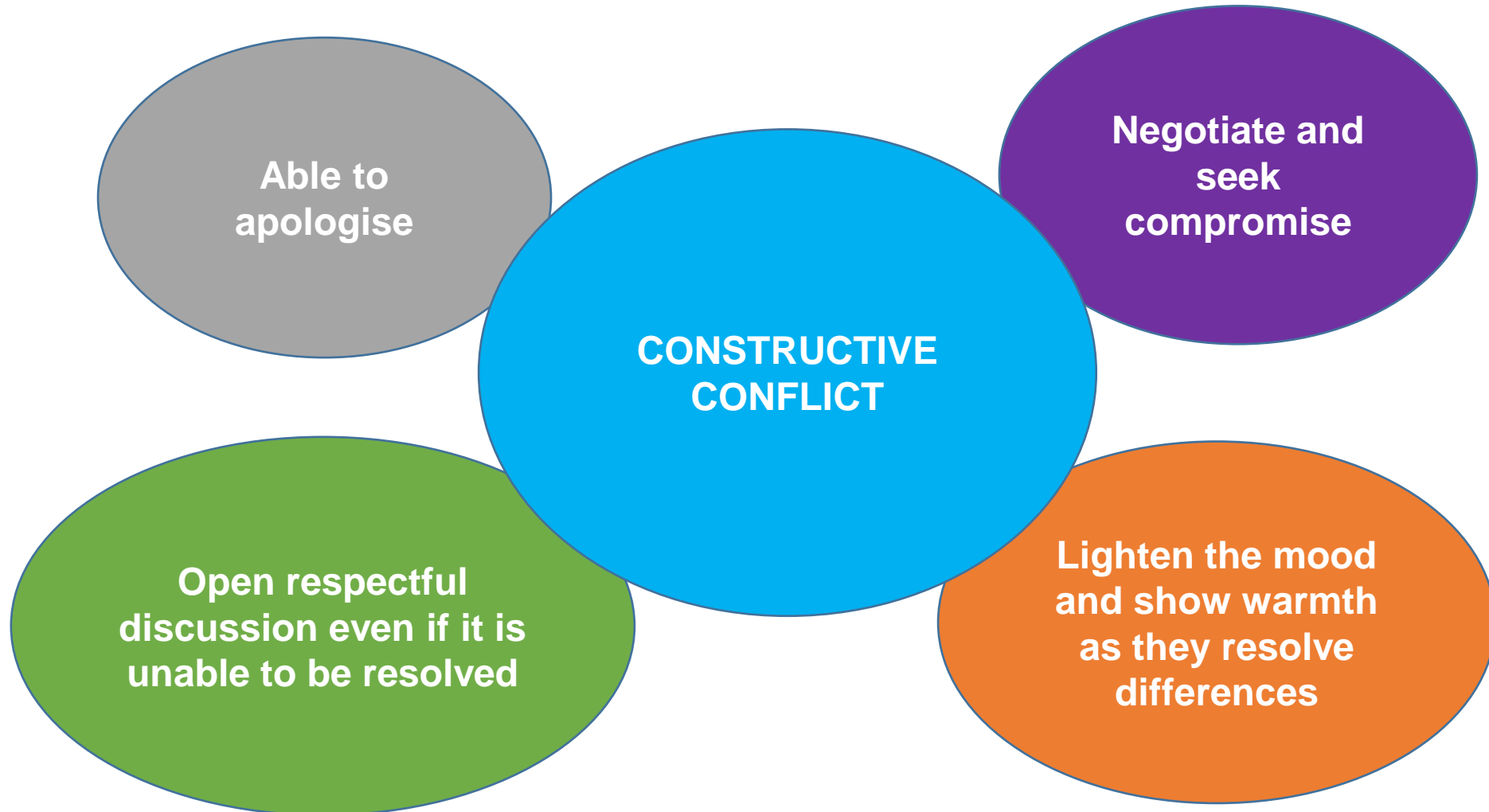
Nature of Conflict in Family Disputes

- Issues involving children – contact, amount of contact time, overnights stays, introduction of new partners.
- Issues involving money – the non-payment of child maintenance, division of assets, sale of property.
- Allegations of or convictions for domestic abuse.
- Allegations of parental alienation.
- Different parenting styles.
- Social Media.
- Managing different expectations.

Destructive Conflict



Constructive Conflict



Intake Appointments

- Clients require to have an appointment with one of our Intake Workers prior to using any area of the service. This is usually a 30-40 minute telephone call.
- The purpose of Intake is to gather information from the client and to give information to the client. This will assist us with our **risk assessment**.
- Intake provides an opportunity for the client to share information with us about the background to their situation from their perspective, and how they have come to be referred to the service. Some clients refer themselves, particularly for family mediation.
- The Intake Worker will then give the client information about the mediation or child contact service. They will also use this opportunity to screen for issues such as domestic abuse, addiction or mental ill-health.
- Staff can then be briefed about cases they are working on.

Who are the Mediators?

- Family Mediators are trained by Relationships Scotland.
- There are two parts to the training, the Certificate in Family Mediation (Accredited) and the Certificate in Family Mediation (Registered).
- It takes up to 4 years to complete the course and training, which is accredited by the University of the West of Scotland.
- Mediators cannot be called to Court in civil cases to give evidence as to what was discussed in mediation sessions. This is confidential between the mediators and the parties, as detailed in the Civil Evidence Act 1995.

Family Mediation

- A forum for discussion where parents can meet in a 'safe space' to have conversations about their children.
- The mediators will manage the session and ensure that discussions are even-handed and that both parents have an equal opportunity to be heard.
- Mediation is about listening to the other parent's point of view and to being open to considering it, even if you don't agree with it.
- The mediation we offer is child-focussed. We do not offer mediation on financial issues.

Family Mediation

- Mediation encourages communication, compromise and respect for each other as parents.
- Any agreements made in mediation are not legally binding, but can be written up and taken to a solicitor who can ratify the agreement and turn it into a more formal legal document.
- Mediation can be offered face-to-face or online.
- Mediation can be offered in shuttle form, whereby clients are not in the same room as each other or on the same screen. The mediator goes between the parties carrying out the negotiation.

Advantages/Disadvantages

Advantages -

- Encourages separated parents to make their own arrangements for their children, rather than have someone else (Sheriff) make decisions for them and for their children.
- Encourages empowerment and shared parenting.

Disadvantages -

- Not everyone feels able to have those discussions with their ex-partner.
- Not suitable in cases where there have been allegations of abuse.

Reflective Question

Imagine yourself as a 9-year old child. You live with Mum so spend more time with her than you do with your Dad. You know your Dad wants you to spend more time with him, including staying over at weekends. He has told you he will be meeting your Mum in family mediation to discuss arrangements for you. How do you feel?



How do you feel?

Do I have a say in this?

Help!

Awkward

I don't want things to change again.

I really don't want to.

Eek!

What will happen if they are in the same room?

I told him yes, just to please him.

Mum, tell him!

I'm worried for Mum.

What will I do?

He'll say I want more time.

Or you may feel ...

I can see Gran and Grandad again. Yeah!

Talking not arguing. 😊

Thank you for listening to me.

I actually like having two homes and two families.

Good. I want to spend more time with Dad.

It's not all bad.

I feel heard.

If they are talking, things will maybe get better.

Having our say ...

Some key messages from children –

- Try not to argue in front of us.
- Tell us what is happening.
- Keep talking together about things that affect us.
- We don't want to be involved in what went wrong or whose fault you think it was.
- We don't like it if you criticise each other. It makes us feel bad and it affects us at school and other places too.
- We are mostly sad or angry that you can't live together anymore.

Having our say ...

Some key messages from children -

- We can cope and get on with our lives, so long as you do too. If you don't we can't.
- We would like to spend time with both of you.
- We like doing ordinary, everyday things with both of you – eating, playing, going to bed and getting up, going to school, watching TV ..
- We don't want to make the decisions, but we do want you to ask what we think and listen to what we say.
- Remember, we have our own lives and friends to see, so please ask us about our ideas.

Having our say ...

Some key messages from children –

- We need to be able to relax in our homes, have space and just be ourselves.
- We don't mind if Mum and Dad do things differently. We can cope with different rules in different places.
- We just like being kids. We love you both, but do not want to be like a grown-up friend for you to confide in.

Consulting Children in Mediation

- There is a process called Consulting Children in Mediation, which is a mechanism for hearing children's views and feeding them back to their parents. We do not involve children or young people in mediation with their parents.
- Each case is considered on its own merits, but Consulting Children in Mediation is not something we do lightly.
- We have to be as sure as we can be that the parents are going to be willing to hear their children's views and consider acting upon them.
- Without this level of commitment and understanding, parents would be letting their children down and we would be creating an expectation that could not be met.

Other services we offer

- **Wider Family Mediation** – where there has perhaps been a breakdown in family relationships between parents and grown-up children.
- Mediation in such cases offers an opportunity for those relationships to be re-established.
- However, mediation is not a therapeutic process.

- **Parenting Apart** – a workshop which gives information to parents how best to guide their children through their separation.

Child Contact Centres

- Child contact centres are child-focussed, safe, neutral spaces where children can spend time with the parent they no longer live with or with extended family members, when there is no agreement for them to do so by any other means.
- Relationships Scotland member services operate 41 child contact centres within our network, which vary in size and type across Scotland.
- Referrals most often come from the Sheriff Court or solicitors, indicating those requiring use of the contact centre are families who are experiencing the most difficulties in managing contact.

Reflective Question

Imagine you are a small child or even a baby. Your primary care-giver has brought you to a place that is not familiar to you. A nice lady is asking you to go with her into a room to meet someone you have no memory or perhaps no knowledge of. It may be that you have never met this person before. How do you feel?



How do you feel?



Or you may feel ...

Looking forward to time together.



More positive about future arrangements.

Excited!

Emotional

Happy to see your other parent.

Child Contact Centres

- Child Contact Centres do so much more than just open and close the doors.
- Staff offer a wide range of support to children and parents.
- We offer the opportunity to children to meet with their other parent. If they do not wish to do so, they are not pressurised in any way.
- We use trauma-informed practice to support children and parents at what can be a very stressful time for them.
- We prioritise children's rights and best interests. This does not always match up with Court Orders or solicitor requests.

Relationship Counselling

Relationships Scotland – Couple Counselling Central Scotland

☎ 01324 670 067

E-mail – info@relationships-scotland.cccs.org.uk

Website – www.relationships-scotlandcccs.org.uk

Offering counselling to couples and individuals, also sexual therapy and they may also be able to discuss options with you for counselling for children and young people.

Family Mediation Central Scotland

Contact details –

☎ 01786 472 984

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