

Child Inclusive Mediation

It is well known now that the role of mediation is to help parents make arrangements for their children following separation. It is acknowledged that it is important that decisions about future parenting are made by the parents where possible, because they are the ones who know their children best. Parents are encouraged to consider all the implications of the arrangements they propose to make for the children. The inclusion of children in the mediation process recognises that the perspective of the child is crucial in helping parents in their decision making.

Direct Child Consultation involves the mediator offering to see the child to give them the opportunity to talk to someone independent. This allows the child to give their views on the proposals being talked about in mediation. The child will not feel they need to take sides, especially if there is a difference of opinion between the parents. This is a crucial difference from the parents speaking to the child direct themselves.

When parents are disagreeing about how to share their parenting, the voice of the child is sometimes not heard very clearly, as the adults are pre-occupied. A clearer view of the child's perspective can help re-focus that disagreement onto something more constructive.

Importantly, a mediator will not be asking the child to make decisions about what they want or who they may wish to live with. This is for the parents to decide. However it does give the child the opportunity to voice any worries, views, or thoughts they might have on the proposals their parents are making.

The mediator will only see the child with the permission of both parents, and will write to the child to offer an appointment. If the child does not wish to see the mediator they can say no. The child can be seen at our offices, or at their school if arrangements can be made and they feel more comfortable with this. The child is always seen with two mediators present but neither parent will sit in on that appointment.

The meeting with the child is confidential, and at the end of the meeting the child and the mediator will agree what can be fed back to the parents. The mediator will talk to the child about the limits of that confidentiality – in other words we explain that if the child discloses something that suggests that they might be at risk of harm, they are made aware we will have to tell someone to ensure they are safe.

The parents will have agreed with the mediator to a further mediation meeting where the mediator feeds back to the parents what the child wanted them to know. This will give the parents the opportunity to take into account the comments and views of their child and help them make particular decisions which suit both themselves and more importantly the child.

Sometimes the information to feed back is difficult for the parents to hear and sometimes it is unexpected. Parents need to prepare for this and there will be an opportunity to talk about this with the mediator.

Research tells us that most children feel powerless in situations of family change. Children and young people often want to be consulted in the decisions that affect them and they want to know about the arrangements that are being made. It is important that children understand what is happening within their family so that it is easier for them to cope with the inevitable changes.

This fact sheet provides information and comments on legal issues, however the contents of this fact sheet do not constitute legal advice, is not a comprehensive treatment of the subject matter covered, and should not be relied on as such. Legal advice should be sought about your specific circumstances before taking any action with respect to the matters discussed.

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At Lacey's Mediation all of our mediators are Family Mediation Council Accredited. We are all qualified to undertake mediation for child cases, and to see children for Direct Child Consultation appointments. Our vast experience has taught us that every child case is unique and there is no 'one size fits all' solution. Every child has different wants and needs and every family dynamic requires a different approach and outcome. Our focus is on helping parents design the outcome that works best for their family.

If you need help with child arrangements following separation please contact us by phone on 01202 721822 (Bournemouth and Poole) or 02380 715432 (Southampton) or email your enquiry to info@laceyssolicitors.co.uk

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