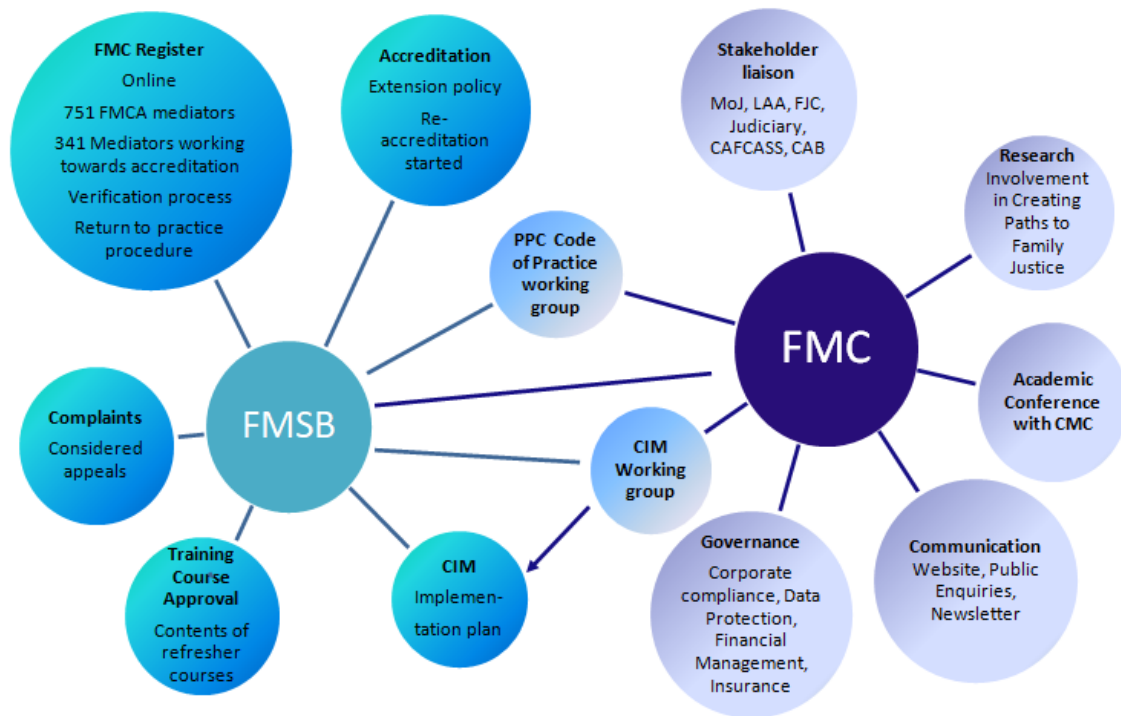


# FMC Newsletter

November 2017

As it is nearing the end of the year, this newsletter gives an overview of the work that the FMC, including the FMSB, has carried out in 2017, as well as keeping you up to date with recent developments and forthcoming events.

## A snapshot of the work the FMC and FMSB have been doing in 2017:



## Recent FMC Developments

### Re-registration for 2018

FMC re-registration for 2018 will take place in January. The registration fee for FMCA mediators will be £110, with a £55 fee for mediators working towards accreditation. Mediators will be sent an e-mail to the private e-mail address that the FMC holds for them on the register when registration opens.

The re-registration form is much shorter than for 2017. Re-registration forms will however need to be counter-signed by the mediator's PPC, to confirm that the mediator's declaration concerning the minimum number of normal expected hours of mediation (where relevant), CPD and PPC consultation, is right to the best of their knowledge and belief. This requirement has been introduced by the FMSB as practice varies across different membership organisations and is consistent with the FMSB's principle of verifying the information held on the register to offer assurance to members of the public. In addition to the PPC's signature, mediators who are qualified as PPCs or to conduct direct child consultation/child inclusive mediation will be asked to send in copies of the certificates which show they have completed relevant courses.

### FMC Survey

Thank you to everyone who completed the FMC's recent survey. The results are being analysed and will be reported to the FMC board at its December meeting before being published.

### Extension Policy

Mediators who have a deadline of 31.12.17 to submit their portfolio, but who want to extend the time in which they have to do this, have until 30.11.17 to submit an extension request. The full policy and procedure related to extensions can be seen [here](#) along with the form to use to request an extension.

### Re-accreditation

The FMSB has begun the process of re-accreditation. You must renew your FMCA status every three years (so, for example, if you became accredited on 1.2.16 your re-accreditation date will be 1.2.19). You will not yet have received an e-mail about this unless you transferred in to FMCA on 1.1.15.

### Creating legally binding agreements once mediation has concluded

You may recall that a year ago the FMC consulted mediators about whether the Code of Practice should allow mediators to draft consent orders.

Although the consultation did not produce a definitive answer, it prompted the FMC to examine the options for what might be possible at the conclusion of a mediation, and to meet the Ministry of Justice, the Association of District Judges and Sir James Munby, President of the Family Division, to discuss the possibilities. The FMC board intends to continue to explore the options and to discuss these with mediators as early as possible in 2018.

### [Joint academic conference with the Civil Mediation Council](#)

The FMC was pleased to jointly host an academic conference with the CMC in October. The conference was well attended and delegates heard a number of speakers present papers related to the issue of compulsory mediation. Presentations will be available to view on the FMC website shortly.

## **Developments from elsewhere**

### [Finding fault: research on the current grounds for divorce](#)

A study of the grounds for divorce in England and Wales recommended that ‘a clearer and more honest approach, that would also be fairer, more child-centred and cost-effective, would be to reform the law to remove ‘fault’ entirely.’ The report can be read [here](#).

### [Legal Aid](#)

Following concerns raised by the FMC about the requirement in the new legal aid contract for a mediator to be “employed”, the Legal Aid Agency has confirmed that mediators may also be self-employed. A full list of answers to questions on the new contract has been published [here](#) – page 25 onwards concerns the mediation specification.

## **Notices to Mediators**

### [Can you support the work of the FMSB?](#)

The FMSB is seeking to appoint FMCA mediators to assist the work of its panels. Experienced mediators are needed:

- to assist the Complaints and Disciplinary Panel by being a part of an adjudication group, whose members can be called upon to hear appeals from the outcomes of FMC Member Organisations’ complaints decisions;
- to assist the Accreditation Panel in its work on accreditation and re-accreditation, including considering individual applications in non-standard circumstances and hearing complex re-accreditation applications.

These posts are unpaid. If you are interested in either of these roles, please e-mail your CV to [executive@familymediationcouncil.org.uk](mailto:executive@familymediationcouncil.org.uk)

## Book publication

FMCA mediator Ashleigh Palmer has co-authored The Handover Book, which is designed to offer a format for a continuously updated co-parenting plan which encourages communication solely based on information about the child's needs, routines and welfare. Find out more [here](#).

## Board Briefing

**Dan Ronson is a newly appointed non-mediator member of the FMC board. Dan has a business background and now sits as a Magistrate in Cardiff.**

Hello. As a new, co-opted director of the FMC, I was asked to write a short piece to say hi, and tell you a little bit more about myself and my thoughts relevant to family mediation.

For most of my working life I have been in business, primarily as a hotelier, and subsequently in property related activities. For the last 7 years I have been a magistrate, and I sit on the Family Panel in Cardiff. My experiences in family court, together with my own collaborative divorce some years ago, hopefully make me a useful member of the FMC board, and I look forward to serving you for the next few years.

Of particular interest to me is how the family court could potentially play a more active role in diverting separating parents away from legal action, and towards being able to resolve issues themselves or with the assistance of family mediation. As we all know, when parents separate for whatever reason, this is likely to be their first experience of this life-changing and stressful process. Parents will generally turn to one of 3 avenues for initial advice - friends and family, solicitors, and the internet. My experience is that the vast majority of advice disseminated goes something along the lines that the mother is in the driving seat and it is in her gift as to the contact dad will be granted with his children. This is particularly prevalent on the web, where almost all Google results linked to a search around dad's rights in separation talk about fighting and the need for the court to protect dad's access to his children. In my mind, it is at this stage that the seeds of antagonism in many families are sown, with mum often adopting a controlling position, and dad adopting a reactive position, often going on to threaten financial control to maintain his perceived rights.

Of course, this advice is completely at odds with how the family court operates, where all magistrates I know take a starting position that a child has an equal right to contact from mum and dad, and that unless there is a significant safeguarding issue, mums and dads are treated equally with regards contact. Of course, this does not mean that practical issues for the child or children do not have a role in court decisions, but where there are no practical considerations, most magistrates, in my experience, believe that children could and should have quality contact with both parents on a roughly equal basis.

Unfortunately due to the incorrect information disseminated by the internet and inexperienced friends and family, many mums and dads will be unaware of this. As a result, they will often start their separation expecting too much or too little or too inappropriate contact. This will often lead them eventually to court, and the frustrating situation where magistrates are having to make decisions for parents which should have been easily sorted by themselves, if their knowledge and understanding of the system, and their expectations had been more realistic in the first place.

In order to improve this situation, I would like to see whether the family court could have a role in educating the public as to how they look on child contact in separating families. I believe that if an internet search produced an easily readable and authoritative guide for separating families that explained how magistrates think, parents could start to consider their issues in a more informed and calm manner. Such a guide could include what types of contact are generally encouraged, how tricky situations such as Christmas, birthdays etc can be organised, and suggestions for holidays and half terms. This guide could be provided in hard copy or as a link to other more established sites from the courts, charities, advice bodies, solicitors and the like - anywhere that separating parents look for their information. And of course, family mediation would be signposted for all parents as an ideal way to benefit children during and after separation.

If you have any thoughts or comments on this suggestion, I would be delighted to discuss, as I hope to take my proposals further with my magistrate colleagues. My email is [ronsondm@gmail.com](mailto:ronsondm@gmail.com).

## Upcoming events & training

The FMC aims to bring you information about training, courses and workshops related to family mediation to aid professional development. Courses are also listed on our [website](#), where you will find more details about submitting events to be included.

- 5 – 6 December, Direct Child Consultation Training, Reading. E-mail [judi.lyons@ntlworld.com](mailto:judi.lyons@ntlworld.com)
- 7 December, LBA Excellence: [Virtual Mediation](#), London
- 17 January, Solution Talk: [Conflict Coaching Workshop](#), Manchester

- 6 – 8 February, Resolution Training: [Using an advanced hybrid practice model](#), London
- 8 February, Family Matters Mediate: [Strategies for Dealing With High Conflict Cases](#), Doncaster
- 17 February, College of Mediators: [North West Mediation Network Meeting](#), Manchester
- 16 March, FMA: [Parental Alienation: Recognition and Appropriate Responses in Mediation](#), London
- 11 April, College of Mediators: [North East Mediation Network Meeting](#), (Location tbc)
- 16 April (and later dates), Resolution Training: [Mediation Foundation Training](#), London
- 19-20 April, FMA: [Child Inclusive Mediation](#) (Formerly known as Direct Consultation with Children), London
- 25 April, FMA: [PPC Update of Theory and Practice](#), London
- 10 May, FMA: [From Conflict to Conversation](#), Leeds
- 31 May – 1 June, FMA: [Non-Violent Communication \(NVC\) for Family Mediators](#), London
- Ongoing, NFM Training: [Professional Practice Consultancy Training](#) (distance learning)

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